
1 **2023-9 (2nd READING): GRANTING A FRANCHISE AGREEMENT FOR**
2 **OPERATION OF RENTAL BUSINESS OF CONVEYANCES REGULATED BY**
3 **CHAPTER 12, ARTICLE V OF THE CODE OF ORDINANCES OF MYRTLE**
4 **BEACH TO MARK SICHITANO D/B/A/ MYRTLE BEACH GOLF CARTS,**
5 **LOCATED AT 408 3RD AVENUE SOUTH, MYRTLE BEACH, SC 29577, FOR A**
6 **PERIOD OF ONE YEAR. THE AGREEMENT INCLUDES 165 GOLF CART**
7 **DECALS.**

8 **Applicant/Purpose:** Staff/to regulate the # & location of golf cart & moped rental businesses by
9 franchising their operations.

10
11 **Brief:**

- 12 • After experiencing several weekends when the # of moped/golf cart rentals & conduct of
13 the operators became a serious issue, Council imposed a moratorium on increasing the #
14 of such conveyances.
 - 15 ▪ For 2023 franchisee is requesting 185 golf cart plates, an increase of 20 golf cart
16 decals from 2023.
 - 17 ▪ For 2017 the # of mopeds was capped at the # that each company had in service
18 during the summer of 2016.
 - 19 ▪ For 2017 the # of golf carts was capped at the # each company had in service for
20 2016 + the # already ordered at the time the moratorium was imposed.
- 21 • Ordinance 2017-56, approved 1/9/18 in consultation w/ the business owners, approved the
22 framework of a franchise agreement similar to the system in place for taxis.
- 23 • The franchise ordinance requires annual renewals.
- 24 • No changes since 1st reading.

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26 **Issues:**

- 27 • Franchising allows Council to restrict the # of mopeds & golf carts available for rental, as
28 well as the location of each rental business.
- 29 • Under the franchise terms each conveyance will be issued a City “plate” similar to a license
30 plate. These plates assist law enforcement to track operational violations.
- 31 • This proposed ordinance:
 - 32 ▪ Sets the location for rental conveyances.
 - 33 ▪ Sets the # of rental conveyances allowed/location.
- 34 • Agreement is for a 1-year period, & must be re-approved annually.

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36 **Public Notification:** Normal meeting notification

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38 **Alternatives:**

- 39 • Modify proposed ordinance.
- 40 • Deny ordinance.

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42 **Financial Impact:** Annual franchise fee of \$10/plate issued.

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44 **Manager’s Recommendation:**

- 45 • Staff recommends limiting the number of decals to 165. We do not recommend adding
46 more conveyances to this franchise. While we sympathize with the applicant, we do not
47 see how the City can justify additional decals for this franchisee without also considering
48 requests for additional decals from other franchisees.
- 49 • The purpose of establishing the franchise system was to cap and limit the number of golf
50 cart and moped conveyances on the street with the overall goal of reducing the total
51 number of conveyances over time. 1st reading (3.14.23)
- 52 • I recommend approval of 165 golf cart decals (3.28.23)

53
54 **Attachment(s):** Ordinance, franchise agreement, & franchise application.

ORDINANCE 2023-9

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

GRANTING A FRANCHISE
AGREEMENT FOR OPERATION OF
RENTAL BUSINESS OF
CONVEYANCES REGULATED BY
CHAPTER 12, ARTICLE V OF THE
CODE OF ORDINANCES OF MYRTLE
BEACH TO MARK SICHITANO D/B/A
MYRTLE BEACH GOLF CARTS,
LOCATED AT 408 3RD AVENUE
SOUTH, MYRTLE BEACH, SC 29577,
FOR A PERIOD OF ONE YEAR. THE
AGREEMENT INCLUDES 165 GOLF
CART DECALS.

WHEREAS, pursuant to the exercise of its police power the City shall require a franchise for the rental and operation of rental conveyances on the highways, streets, alleys and public ways within its police power jurisdiction; and

WHEREAS, the City had determined that the delivery of these services can be provided most effectively and efficiently through the grant of a non-exclusive franchise; and

THEREFORE, PURSUANT TO THE FRANCHISE POWER OF THE CITY OF MYRTLE BEACH, the City of Myrtle Beach grants a Franchise Agreement for Operation of Conveyances to MARK SICHITANO D/B/A MYRTLE BEACH GOLF CARTS, LOCATED AT 408 3rd AVENUE SOUTH, MYRTLE BEACH, SC 29577, FOR A PERIOD OF ONE YEAR. THE AGREEMENT INCLUDES 165 GOLF CART DECALS.

This ordinance shall take effect immediately upon adoption.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK

First reading: 3-14-2023
Second reading: 3-28-2023