
1 **2023-25 (1ST READING): AN ORDINANCE TO AMEND ORDINANCE 2021-18,**
2 **A BOARDWALK VENDOR FRNACHISE AGREEMENT WITH VD VENIDING,**
3 **LLC BY CHANGING ITS FRANCHISE LOCATION FROM 3rd AVE., N TO 5th**
4 **AVE., N; ALL OTHER PORTIONS OF THE FRANCHISE AGREEMENT**
5 **REMAIN UNCHANGED, INCLUDING THE TERMINATION DATE OF APRIL 30,**
6 **2024.**

7 **Applicant/Purpose:** Staff/ amend Ordinance 2021-18, a boardwalk franchise with VD
8 Vending, LLC by changing the franchise location from 3rd Ave., N to 5th Ave., N.
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10 **Brief:**

- 11 • There are 4 existing Boardwalk franchises at the following locations:
 - 12 ○ 3rd Ave., N
 - 13 ○ 4th Ave., N
 - 14 ○ 5th Ave., N
 - 15 ○ 6th Ave., N
- 16 • The current franchise at 5th Ave., N is no longer participating in the City's Boardwalk
- 17 Franchise program
- 18 • VD Vending, LLC, the franchisee at 3rd Ave., N would like to change to the 5th Ave. N.
- 19 location

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21 **Issues:**

- 22 • The only change in the franchise is the location; all other requirements of the franchise
- 23 remain in place, including the termination of the franchise, April 30, 2024.
- 24 • All Boardwalk Franchisee's pay an annual franchise fee of \$1,000/year.
- 25 • VD Vending LLC sells cups of fruit

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27 **Public Notification:** Normal Meeting Notification.

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29 **Alternatives:**

- 30 • Do not allow boardwalk vendor franchisee to move and re-bid this franchise
- 31 opportunity.

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33 **Financial Impact:**

- 34 • City will receive annual Franchise Fee of \$1,000/vendor & annual Business License
- 35 revenues based on sales.

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37 **Manager's Recommendation:**

- 38 • I recommend 1st reading (4.25.23)

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40 **Attachment(s):** Proposed Ordinance, Franchise Agreement

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**CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA**

AN ORDINANCE TO AMEND ORDINANCE 2021-18, A BOARDWALK VENDOR FRANCHISE AGREEMENT WITH VD VENDING, LLC BY CHANGING ITS FRANCHISE LOCATION FROM 3rd AVE., N TO 5th AVE., N.; ALL OTHER PORTIONS OF THE FRANCHISE AGREEMENT REMAIN UNCHANGED, INCLUDING THE TERMINATION DATE OF APRIL 30, 2024.

WHEREAS, the City of Myrtle Beach believes the convenience of its tourist and residential population requires an efficient and effective franchise program for consumables on the Myrtle Beach Boardwalk; and

NOW, THEREFORE, PURSUANT TO THE FRANCHISE POWER OF THE CITY OF MYRTLE BEACH, and in consideration of the foregoing premises and the mutual promises of each to the other made agree as follows:

The City of Myrtle Beach amends Ordinance 2021-18 and changes the franchise location of VD Vending, LLC from 3rd Ave., N to 5th Ave., N. All other portions of the franchise remain unchanged.

This ordinance is effective upon second and final reading.

BRENDA BETHUNE, MAYOR

JENNIFER ADKINS, CITY CLERK

1ST READING: 4-25-2023
2ND READING: