

November 12, 2019 – Presented for 1st Reading

1 **2019-59 (1ST READING): TO AMEND APPENDIX A ZONING, ARTICLE 2**
2 **DEFINITIONS AND ARTICLE 14 ZONING DISTRICTS, OF THE CODE OF**
3 **ORDINANCES TO ADD A DEFINITION FOR “MEMBERS-ONLY SWING CLUB”**
4 **AND TO ALLOW SUCH IN THE WM (WHOLESALE/MANUFACTURING) DISTRICT.**

5 **Applicant/Purpose:** Amber Armour/to allow a proposed use that is not now a permitted use.
6

7 **Brief:**

- 8 • The applicant wishes to open a swingers club in Myrtle Beach, similar to an
9 establishment in Fayetteville, NC “You Know Where (YKW).”
- 10 • The club would be in the WM zone, which contains most of the other adult uses.
- 11 • Planning Commission 11/05/2019: recommended denial on 11/05/2019 (8-0), because
12 the proposal does not support the Comp Plan & erodes the family beach, may create a
13 precedent for similar uses, & the because of the difficulty in enforcing operating
14 restrictions.

15 **Issues:**

- 16 • The applicant has submitted a definition that regulates the *users* of the establishment,
17 not the *use*.
- 18 • The “members only” aspect of any business is at the discretion of the business owner.
- 19 • The owner’s policies regarding whom he or she welcomes into the business are not
20 regulated by City Code.

21
22 **Public Notification:**

- 23 • Normal Planning Commission meeting notice.
- 24 • Stories by WBTW, WMBF, WPDE, Horry Independent, & Sun News ran after the
25 application was introduced by the applicant.
- 26 • Normal City Council meeting notice.

27
28 **Alternatives:**

- 29 • Modify the proposed ordinance.
- 30 • Deny the proposed ordinance.

31
32 **Financial Impact:** While denial may result in a small increase in Business License Fees, this use
33 may well discourage family vacationers looking for a more family-friendly environment.
34

35 **City Manager’s Recommendation:** Denial.

36
37 **Attachment(s):** Staff report, proposed ordinance, research report, public input.

ORDINANCE 2019-59

CITY OF MYRTLE BEACH
 COUNTY OF HORRY
 STATE OF SOUTH CAROLINA

TO AMEND APPENDIX A ZONING, ARTICLE 2 DEFINITIONS AND ARTICLE 14 ZONING DISTRICTS, OF THE CODE OF ORDINANCES TO ADD A DEFINITION FOR "MEMBERS-ONLY SWING CLUB" AND TO ALLOW SUCH IN THE WM (WHOLESALE/MANUFACTURING) DISTRICT.

IT IS HEREBY ORDAINED that Article 2 Definitions, Section 203 Definitions (listed alphabetically), Appendix A, Zoning, of the Code of Ordinances is amended to add the following definition as follows:

Members-Only Swing Club: a private club that only allows its members to enter the building during operation hours, and is not open to the general public. Only members that are of legal age shall be allowed to enter the building. All potential members are required to fill out and submit an application, pay any membership fees along with any door fees, and show government issue ID to prove their identity as well as their age. No guests or guests of members allowed. If potential members are granted membership a membership card will be given to the new member which must be showed along with a government issued ID every time to enter the club. A set-off room should block the entrance of from the main club hall. The set-off room should contain the following signs: No Trespassing, WARNING: Nudity, Nightly. If the nude human body offends you, do not enter. This is a Private Club. Members Only.

IT IS FURTHER ORDAINED that Article 14 Zoning Districts, Section 1407.C. Permitted Uses, Appendix A, Zoning, of the Code of Ordinances is amended to add Members-Only Swing Club as follows:

Use Category and Type	P-permitted use		C-conditional use					S-special exception					Blank Cell-use type not allowed			Additional Regulations			
	MU-M	MU-H	C6	C7	C8	A	C	E	HC1	HC2	MP	IN	AP	BP	LM		WM	CS	IR
<u>Members-Only Swing Club</u>															P				

This ordinance will take effect upon second reading.

 BRENDA BETHUNE, MAYOR

ATTEST:

 JENNIFER STANFORD, CITY CLERK

1st Reading:

2nd Reading:

1 The applicant references a similar establishment in Fayetteville called You Know
2 Where (YKW). The following information is from the YKW website:
3 <https://www.youknowwherenc.com/home> (CAUTION: WEB SIGHT IS GRAPHIC)

4 **MEMBERSHIP**

5 Everyone who wishes to attend YKW must be a member, we do not allow guests, this is to
6 protect your privacy and information. You may come to the club on the night you wish to
7 attend, fill out a membership form, join and attend all in the same night.
8

9 Memberships are not guaranteed to anyone, if you are rude, have a bad attitude, to drunk to
10 walk, high on drugs, etc. we will not grant you membership and tell you to leave.
11

12 **We have several types of memberships, all of these are good whether your a couple or**
13 **single.**

14 **BASIC MEMBERSHIP**

15 Basic membership to YKW is only \$10 a year per couple. Single females and any escorted
16 single males must also become a member, which is also \$10 per year. Under North Carolina
17 state law we are required to charge a membership fee per year in order for us to be
18 considered a private member only social club. To help offset this cost we do offer a onetime
19 only \$10 off coupon, for all couples to our club, which you can use on your entry fee that you
20 may find [here](#)
21

22 North Carolina law also requires that everyone who wishes to be a member must fill out and
23 turn in the membership application. Membership applications can be picked up at the club
24 during normal club hours. You may fill out a form, join, and attend a party all in the same
25 night with no waiting.
26

27 If you would like to be a member of our club you must fill out a membership and agreement
28 form. You also understand that no photography is allowed, no illegal drugs are allowed, and
29 that you will not make anyone's identity known to the general public.
30

31 Everyone that wishes to be a member of our club must show proper ID and sign this form,
32 absolutely no one will be allowed to be a member or enter without signing this form. The
33 membership and agreement form is designed to protect you and your identity.
34

35 When you do join our club you are encouraged to read the membership form if you have any
36 concerns, so that you will feel more comfortable knowing that your identity will remain safe.
37

38 **BASIC MEMBERSHIP BENEFITS**

- 39
- 40 1. YKW membership card.
- 41
- 42 2. One free membership card replacement per year if you ever lose your membership card.
- 43
- 44 3. Discounts to other businesses - We have several businesses that we are partnered with
45 that give any YKW card carrying member a special discount, all you have to do is just
46 show your card.
- 47
- 48 4. Free water & soft drinks.
- 49
- 50 5. Free food.
- 51

- 1 6. Free use of lockers.
- 2
- 3 7. Free access to all private rooms.
- 4
- 5 8. Free use of all club rooms and equipment.
- 6
- 7 9. A chance to win great door prizes, over the years we have given out door prizes that
- 8 range from free party passes, a wide variety of adult toys, \$200 his and her matching
- 9 watches, cash prizes, lifestyle convention packages to Myrtle Beach, trips to lifestyle
- 10 resorts in California, 3 day passes to swingfest in Miami, and trips to HEDO in Jamaica.
- 11
- 12 10. Free membership to our members only area where you can make your own profile, chat,
- 13 blog, IM, and meet other members. Only club members have full access to this site, all
- 14 others have limited access.
- 15

16 Basic membership will give you a special YKW membership card so that you do not have to

17 continue fill out a membership and agreement form every time you come to YKW.

18

19 After your yearly \$10 membership fee, you only pay for the entry fee, which is \$40

20 contribution per couple (not per person), \$5 per single female, and \$30 per escorted single

21 male with a couple that makes a reservation and provides a three first names of those

22 attending, 5 max (single males are not allowed by themselves). We are also a BYOB party

23 so you can bring your own alcoholic drinks if you wish, limited to beer and wine only, no hard

24 alcohol allowed.

25

26 **VIP MEMBERSHIP**

27 VIP membership to YKW is only \$40 a year. If this is your first visit to YKW you may also use

28 our onetime only \$10 off coupon for first time visitors to our club which you may find [here](#).

29

30 **VIP membership benefits**

- 31
- 32 1. All of the basic membership benefits plus the following.
- 33
- 34 2. Every 4th party you attend is free, you could earn as many as 12 free parties per year
- 35 which would save you \$480.
- 36
- 37 3. Special VIP members only early entrance which allows all VIP members to enter the club
- 38 an hour early so that you may receive preferred seating, beat the crowds, and party early.
- 39

40 At You Know Where NC we want to do things for you that no other clubs do and to keep you

41 happy. When you join the VIP membership and come to three parties your fourth party is free.

42 You may use the VIP Club card at any of our parties including theme parties.

43

44 The VIP membership is completely optional and you may join at anytime. There is a yearly

45 fee of just \$40 to join and this will allow you to use your VIP card for one full year as often as

46 you like including our theme parties. At the end of your yearly membership you will then have

47 the option to renew if you like or just go back to a normal basic membership.

48

49 Here is an overview of how it will work, just remember that every 4th party is free and you

50 only pay the \$40 fee to join the VIP membership once a year.

51

52 Join the VIP club for one year - \$40

53 Entry fee first time you come - \$40

- 1 Entry fee second time you come - \$40
- 2 Entry fee third time you come - \$40
- 3 Entry fee fourth time you come - FREE
- 4 Entry fee fifth time you come - \$40
- 5 Entry fee sixth time you come - \$40
- 6 Entry fee seventh time you come - \$40
- 7 Entry fee eighth time you come - FREE

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This will continue like this for one full year and you may use this as often as you like for any and all parties that you come to. You only pay the \$40 fee to join the VIP membership once and that will last for an entire year. At the end of that year if you wish to join again you may do so for another \$40 yearly membership or just go back to a basic membership.

OUT OF STATE MEMBERSHIP

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If you and your partner are both from out of state and do not live in North Carolina then you are eligible for free membership to YKW. You must still pay the entry fee but you do not have to buy a membership. For free membership you must meet the below requirements.

- 1. You must have an out of state ID, both people must have an out of state ID if you are applying for a couples membership.
- 2. You are only allowed to attend no more than three times a year.

If you attend more than three times a year then you will have to buy a membership on your fourth visit.

1 **From:** Bernice Stone [<mailto:bernice.a.stone532@gmail.com>]
2 **Sent:** Wednesday, October 16, 2019 1:39 PM
3 **To:** Dear City Council
4 **Subject:** Subject: Private Swingers Club

5
6 I am sickened to hear that you are even considering this motion. In a day and age
7 when marriages and families are being torn apart, human trafficking is running rampant,
8 rape and murder abound, this is NOT THE RIGHT THING TO DO. Do you want Myrtle
9 Beach to be associated with this type of club? Is this the "family friendly" atmosphere
10 you are looking for to attract tourist? Please say NO to this.

11
12 I will be watching what happens, along with many of the Christians, Jews, and Moslems
13 in our community who value family.

14
15 To put this on the table for consideration is a disgrace. As any good Mother would say,
16 "You all need to go to your rooms and think about what you have done!!!!!"

17
18 Respectfully,

19
20 Bernice A. Stone
21 Myrtle Beach Resident

22

1 From: Marie hall [<mailto:mariehall7@gmail.com>]
2 Sent: Wednesday, October 16, 2019 2:51 PM
3 To: Dear City Council
4 Subject: Legalizing swingers club?

5

6 Good afternoon,

7

8

9 Today a friend posted this message on Facebook. I have copied it below. Instead of
10 just believing it I am sending it copied exactly and I ask that you help me to understand if this is
11 in any way true? What is the vision and goal of the city of Myrtle Beach?

12

13

14

15 Message:

16

17 This horrifies and sickens me. Myrtle Beach City Council considering whether to legalize a
18 private swingers club. What? Human trafficking is rampant, families are ripped apart by
19 divorce, children being abducted, raped and murdered. Men are killing their wives. Making
20 adultery legal? What the hell? The man putting this forth says Fayetteville NC has 20,000
21 members. 4,000 come regularly from MB. His face was hidden during the interview. Wonder
22 why? The traditional scared family structure is the foundation of humanity. Yes, families
23 include others we love and who love us. But lying, cheating, corruption, betrayal on a spouse,
24 significant other and children is the root of the mess this country is in already. No wonder
25 everyone is so messed up.

26

27

28 I appreciate your time and attention,

29

30 Marie Hall

31

1 **From:** Meredith Ritchie [<mailto:mereritchie@yahoo.com>]

2 **Sent:** Wednesday, October 16, 2019 5:48 PM

3 **To:** Mark Kruea

4 **Subject:** Swingers Club Proposal

5

6 To whom it may concern,

7 I heard that there is a proposal to bring a swingers club to Myrtle Beach. I am highly in
8 favor of allowing this business. Every swingers club that I know of is handled in a
9 respectful way and are filled with consenting adults. There are always plenty of
10 procedures in place to make sure that those who are at the club are respectful of each
11 other.

12 More importantly, there is no reason to block this business. It is not the government's job
13 to use personal opinions of the activities of the business to restrict their place in our
14 city. There is nothing morally wrong with a swingers club as it invokes consenting
15 adults. There would appear to be a blatant issue of religious influence on government
16 decisions if the arguments are based on concepts of religious morality. This is just
17 another new avenue to attract visitors to the area and, honestly, swingers are often older
18 couples with disposable income.

19 -M. Ritchie

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