

March 9, 2021 – Presented for 1st Reading

1 **2021-18 (1ST READING): GRANTING A BOARDWALK VENDOR FRANCHISE**
 2 **AGREEMENT FOR THE 3RD AVE N PORTION OF THE PUBLIC BOARDWALK**
 3 **OF THE CITY OF MYRTLE BEACH TO _____ FOR A PERIOD OF**
 4 **THREE YEARS BEGINNING MARCH 24, 2021 AND ENDING MARCH 24, 2024**

5 **Applicant/Purpose:** Staff/to select a Boardwalk vendor for 3 years beginning 3/24/2021.
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7 **Brief:**

- 8 • There are 4 existing Boardwalk franchises at the following locations:
 - 9 ○ 3rd Ave., N
 - 10 ○ 4th Ave., N
 - 11 ○ 5th Ave., N
 - 12 ○ 6th Ave., N
- 13 • There is 1 open Boardwalk vendor franchise location at:
 - 14 ○ 3rd Ave., N

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 16 **Issues:**

- 17 • Proposal calls for a 3 yr. agreement w/annual franchise fee of \$1,000/year.
- 18 • Proposed agreement:
 - 19 ○ Requires vendors to insure the City.
 - 20 ○ Prohibits vending at other locations.
 - 21 ○ Limits operational hours to 6 AM – 11 PM.
 - 22 ○ Requires vendor to provide services each day between June 1 and August 31
 - 23 ○ Requires off-site storage of carts.
 - 24 ○ Requires proper litter receptacles & clean-up materials.
 - 25 ○ Prohibits verbal solicitations, & amplified sounds.
 - 26 ○ Requires vendor to provide pedestrian boardwalk passage.
- 27 • The City issued an RFP for 3rd Ave., N and there are 3 proposals for City Council to
 28 consider:
 - 29 ○ *Nola's Stuffed Snoballs, LLC*
 - 30 ▪ *Requesting to sell shaved ice stuffed with your choice of flavoring*
 - 31 ○ *Big T's Hotdogs and More*
 - 32 ▪ *Requesting to sell cheesesteaks & sausage sandwiches, chips, sodas*
 - 33 ○ *VD Vending LLC*
 - 34 ▪ *Requesting to sell cups of fruit*

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 36 **Public Notification:** Normal Meeting Notification.
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38 **Alternatives:**

- 39 • Do not allow boardwalk vendor franchises.
- 40 • Re-bid this franchise opportunity.

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 42 **Financial Impact:** City will receive annual Franchise Fee of \$1,000/vendor & annual Business
 43 License revenues based on sales.
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45 **Manager's Recommendation:**

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 47 **Attachment(s):** Proposed Ordinance

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

**GRANTING A BOARDWALK VENDOR
FRANCHISE AGREEMENT FOR THE 3rd
AVE N PORTION OF THE PUBLIC
BOARDWALK OF THE CITY OF MYRTLE
BEACH TO TBD FOR A PERIOD OF
THREE YEARS BEGINNING MARCH 24,
2021 AND ENDING MARCH 24, 2024.**

WHEREAS, the City of Myrtle Beach anticipates 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 grants a Boardwalk Vendor Franchise to _____ which shall become effective upon the execution of the Boardwalk Vendor Franchise Agreement, attached hereto.

This ordinance is effective on March 24, 2021.

BRENDA BETHUNE, MAYOR

JENNIFER ADKINS, CITY CLERK

1ST READING: 3-9-2021

2ND READING: