

- 4.02 Except as provided in section 4.03, the Commissioners Court designates the Tyler County Clerk as Game Room Permit Administrator for Tyler County. The Administrator shall supervise, control, and operate the Permit Office, and shall investigate, deny, issue, attach conditions to, administratively suspend, or revoke Game Room permits pursuant to these Regulations and any applicable state laws.
- 4.03 Incorporated cities or towns in Tyler County that adopt these Regulations shall designate their own Game Room Permit Administrator and procedures for investigation and enforcement.

ARTICLE V

GAME ROOM PERMITS

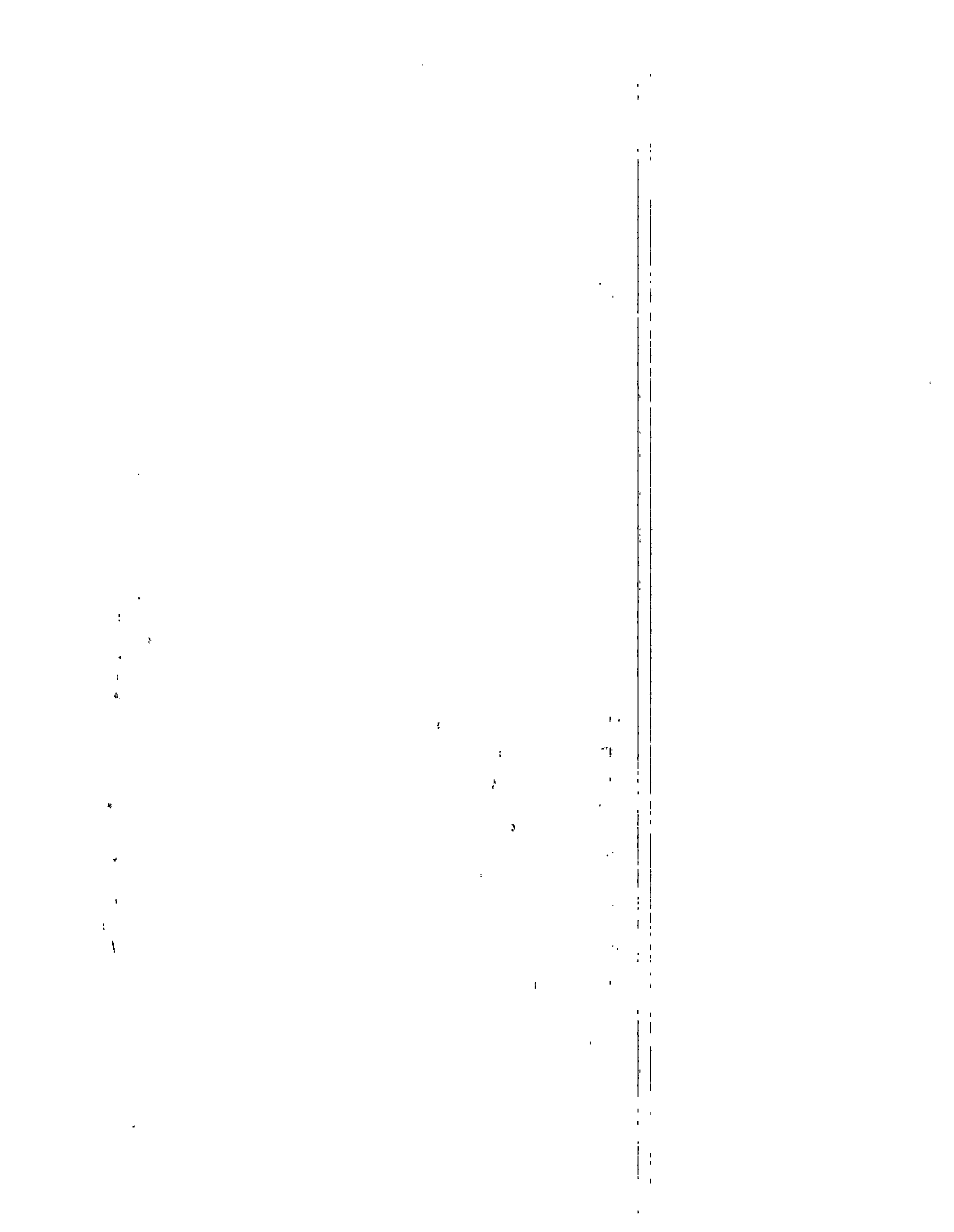
5.01 **Permit Required:** It shall be unlawful for a Person to Operate a Game Room in Tyler County:

- (a) Without a valid and current permit issued pursuant to these Regulations;
- (b) During the pendency of the application process; or
- (c) After the permit therefore has expired or been revoked, or during any period of suspension.

5.02 **The Application and Fee:**

- (a) **Form:** An application for a Game Room permit shall be filed on the form provided by the Game Room Permit Administrator or on an accurate and legible copy of that form. A copy of the required application shall be made available on the Game Room Permit Administrator's website.
- (b) **Permit Application Fee:** The required permit application fee must be attached to or submitted with the application form.
 - (1) The permit application fee is \$1,000.
 - (2) The permit application fee has been set by the Tyler County Commissioners Court as a reasonable approximation of the costs involved in the application review and investigation process.
 - (3) The permit application fee is non-refundable in its entirety.
 - (4) An application is not considered complete, and will not be acted upon in any manner, until the required fee is paid in full.
- (c) **Required Attachment:** Each complete application shall be accompanied by:
 - (1) A cashier's check or money order made payable to Tyler County, Texas in the amount of the permit application fee.

- (2) A photocopy of the Applicant's driver's license or government-issued photo identification or, if the Applicant is a legal entity, that of the individual executing the Application on the Applicant's behalf;
- (3) A photocopy of the driver's license or government-issued photo identification of each individual identified in the completed application as an Owner, Operator, employee, agent, or other person acting for or on behalf of the Game Room;
- (4) A sealed copy of a fingerprint-based Texas DPS and FBI criminal background report for each individual identified in the completed application as an Owner, Operator, employee, agent, or other person acting for or on behalf of the Game Room;
- (5) The Game Room Applicant's Federal Employer Identification Number (EIN);
- (6) Either (a) a current lease agreement for the Game Room premises with the Applicant listed as the Game Room Owner and premises lessee or (b) a current deed for the Game Room premises with at least one of the Game Room Owners shown to be the property Owner;
- (7) A diagram or floor plan, to include designed occupancy load, prepared by a licensed architect or engineer and approved by the entity with competent jurisdiction;
- (8) A copy of the State of Texas coin-operated machine occupation tax records, the State of Texas coin-operated machine license or registration certificate, and the Tyler County coin-operated machine occupation tax records for each machine exhibited or displayed, or permitted to be exhibited or displayed in the Game Room, in a spread sheet format. Records shall include information detailing each machine found on the premises of the Game Room by identifying the machine by:
 - (A) The name of manufacturer;
 - (B) The serial number;
 - (C) The type of machine;
 - (D) The State of Texas Tax stamp including the year of expiration of each tax stamp required;
 - (E) The Tyler County Tax Stamp, including the year of expiration of each tax stamp required; and
 - (F) The name of each individual, proprietorship, corporation, association, and/or other legal entity that owns, receives profits from, and/or has registered the machine in their name with Tyler County and the Texas Comptroller, and a description of their ownership and financial interest in the machine.
- (9) If applicable, a copy of the formative legal documents for the Applicant and for each legal entity that has any ownership interest in the Game Room (e.g., Articles of Incorporation, Partnership Agreement, etc.);



- (10) If the Game Room will be operating under an assumed name, a true and correct copy of the assumed name certificate filed in the office of the Tyler County Clerk, bearing the file mark or stamp that evidences its filing;
- (11) If Applicant is claiming an exemption from the Distancing Restrictions set forth by Section 6.01 of these Regulations, proof that the Game Room qualifies for such exemption pursuant to Subsection 6.01(c).
- (d) **Incomplete Applications:** Incomplete applications shall not be accepted. The failure to produce any documentation or item required in subsection 5.02(c) will result in the rejection of the application until such time as the missing documentation or item is produced to the satisfaction of the Game Room Permit Administrator. Failure to provide proof supporting an exemption of any kind will result in the denial of that specific exemption.
- (e) **Tampering:** In addition to any other criminal offenses described herein, any misrepresentation on a permit application is a third-degree felony offense as provided under section 37.10 of the Texas Penal Code.

5.03 The Application Process:

- (a) The application process shall commence upon the submission of a complete application, with all required attachments and the application fee, to the Game Room Permit Administrator.
- (b) The Applicant shall be an Owner of the Game Room, and must apply in person. The application may be submitted at the Office of the Tyler County Clerk, located 116 South Charlton Street, Woodville, Texas 75979, Monday through Friday, from 9:00 A.M. to 12:00 P.M. or from 1:00 P.M. to 4:00 P.M., excluding Federal or County holidays.
- (c) Within fourteen (14) days of submission of a complete application and payment of the application fee, the Game Room Administrator shall provide the Applicant a receipt by hand delivery or certified mail. A receipt showing payment of the application fee is NOT a Game Room permit.
- (d) Once a complete application has been received, the Tyler County Sheriff or his designee will conduct up to three (3) inspections of the Applicant's proposed Game Room to ensure compliance with these Regulations. The Applicant must be present in person during these inspections and must, if necessary, provide his or her own interpreter.
 - (1) The Tyler County Sheriff or his designee shall conduct the initial inspection within twenty-one (21) days of receipt of the completed application and payment of the required fee.
 - (2) After the initial inspection, the Applicant will be informed of what corrections, if any, must be made to the proposed Game Room in order to comply with these Regulations.