

NUECES COUNTY
GAME ROOM PERMIT
APPLICATION

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APPLICATION FOR A PERMIT TO OPERATE A GAME ROOM

Section 1: Verification Requirement – ACKNOWLEDGEMENTS

Please read the following acknowledgements and sign the attached verification. It is a requirement for your game room application to read this document and sign the attached verification. An application will not be considered if this requirement is not met.

In making this application, you, the applicant, are hereby acknowledging the following:

- 1) You have read, fully understand, and agree to comply with the Nueces County Game Room Regulations as adopted by the Nueces County Commissioners Court on May 25, 2022, which became effective January 2, 2023 (hereinafter referred to as the “Regulations”).
- 2) You are an “Owner” of the game room you are attempting to permit as that term is defined by Subsection 1.4(k) of the Regulations.
- 3) The business establishment you are attempting to permit is in fact a “Game Room” as that term is defined by Subsection 1.4(j) of the Regulations.
- 4) You have disclosed the identity of all “Owner(s)”¹, “Operator(s)”², employee(s), agent(s) and any other individual(s), proprietorship(s), corporation(s), association(s), or other legal entity(s) acting for, or acting on behalf of the game room along with a photocopy of their driver’s license or government-issued identification and incorporation papers as applicable.
- 5) All of the information you have provided in making this game room application is true and correct.
- 6) You have not withheld any pertinent information that relates to this game room application under the penalty of perjury as defined under Section 37.02 of the Texas Penal Code.
- 7) You understand making a misleading statement on this game room application, providing false, fraudulent, or untruthful information on this game room application, and/or withholding pertinent information on this game room application will result in denial or revocation of the game room permit pursuant to Subsection 2.2(b)(2) and Subsection 2.2(d)(2) of the Regulations.
- 8) You swear and affirm that all the information provided in this game room application is true and correct under the penalty of perjury as defined under Section 37.02 of the Texas Penal Code.
- 9) You swear and affirm that you have not misrepresented any on this game room application and understand that any misrepresentation on this game room application is a third-degree felony offense as defined under Section 37.10 of the Texas Penal Code.

¹ As defined by Subsection 1.4(k) of the Regulations

² As defined by Subsection 1.4(n) of the Regulations

VERIFICATION

STATE OF TEXAS §
 §
COUNTY OF NUECES §

BEFORE ME, the undersigned Notary Public, on this day personally appeared by me duly sworn,
_____, an "Owner" and "Applicant" of
_____ Game Room located at

and of his/her oath deposed, and said that he/she swears that 1) he/she has read the above acknowledgments, fully understands the above acknowledgments, and swears that the above acknowledgments are true and correct as they pertain to this game room application, 2) the information provided in the game room application is true and correct, and 3) all pertinent information has been disclosed in making this game room application.

An "Owner" and "Applicant of
_____ Game Room

SUBSCRIBED AND SWORN TO BEFORE ME on the _____ day of _____,
20_____, to certify which witness my hand and official seal.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires:

NOTE: All the definitions and provisions contained in the Regulations are hereby incorporated in this game room application by reference.

Section 2: Application Requirements

2.1. Game Room Permit Required

As outlined in the Regulations, it is unlawful for a person to operate a Game Room or maintain a Game Room that has not been issued a permit pursuant to the Regulations. Any violation of the Regulations is grounds for denial, suspension, or revocation of a Game Room permit. Any violation of the Regulations is subject to a civil penalty of \$10,000.00 for each violation, plus all reasonable attorney’s fees, court costs and investigatory costs, pursuant to Texas Local Government Code Section 234.137(c) – such penalties will be forfeited to Nueces County, Texas. Each day that a violation continues constitutes a separate ground for recovery. Finally, operating a Game Room in violation of the Regulations constitutes a Class A misdemeanor and each day that a violation continues constitutes a separate offense under the Regulations. See Subsections 2.1(a), 2.8 and 2.9 of the Regulations.

2.2. Applicant Must Apply in Person

Pursuant to Subsection 2.1(b)(1) of the Regulations, you shall apply in person. No mail-in applications will be accepted. Please check with the Game Room Permit Administrator to obtain the hours in which an application can be submitted.

2.3. Fee Schedule

Pursuant to Subsection 2.1.(b)(2) of the Regulations, the following fee schedule applies to game room permit applications:

- Application for a NEW Game Room Permit: \$1,000
- Application for RENEWAL of a Game Room Permit: \$1,000

Payments are to be made by money order or cashier’s check only. Please make money order or cashier’s check payable to the Nueces County Treasurer’s Office. No refunds shall be issued for these fees.

2.4. Incomplete Applications Shall NOT be Accepted

Pursuant to Subsection 2.1(b)(3) of the Regulations, an incomplete application shall not proceed to inspection, nor will a permit be issued until the **Game Room Permit Administrator** determines that the application is complete. The application process will not begin until you:

- 1) Fill out the entire application, including the verification page, and submit it in person to the Game Room Permit Administrator
- 2) Provide all the necessary information required by this application and the Regulations
- 3) Provide all the required documentation and information listed in Subsection 2.1(c)(1)-(19) of the Regulations, and
- 4) Make non-refundable payments to Nueces County as outlined in subsection 2.3. of this application

2.5. A Receipt is NOT a Game Room Permit

Pursuant to Subsection 2.1(b)(4), a receipt for the application shall be provided at the time the application is submitted to the Game Room Permit Administrator or the Game Room Permit Administrator’s agent.

A receipt showing payment of the application fee is NOT a Game Room permit.

2.6. Inspection Process

Pursuant to Subsection 2.1(b)(5) of the Regulations, once a complete application has been received along with the required information, the Game Room Permit Administrator will conduct up to three (3) inspections of the proposed game room to ensure compliance with these regulations. You, the applicant, **must** be present in person during these inspections. It is your responsibility to provide an interpreter, if necessary, during these inspections.

Pursuant to Subsection 2.1(b)(6), you have ninety (90) days from the initial inspection to complete the inspection process. Failure to complete the inspection process within these ninety (90) days shall result in denial of your application. It is your responsibility to ensure the process is completed within the requisite ninety (90) days.

2.7. Duty to Comply with the Regulations

If you are issued a permit to operate a game room pursuant to the Regulations, you have a duty to comply with all the provisions contained int the Regulations. Any violations of the Regulations can result in denial, suspension, or revocation of your Game Room permit.

If you or any other Owner, Operator, employee, agent, and/or any other individual acting for, or acting on behalf of your proposed game room violates any offense outlined in Subsection 2.2(b)(1) or Subsection 3.9 of the Regulations, your game room permit will be immediately revoked. Additionally, if any violation of any offense outlined in Subsection 2.2(b)(1) or Subsection 3.9 of the Regulations occurs on the premises of your game room, your game room permit shall be immediately revoked.

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an “Owner” of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

Section 3: Applicant Information

Entity Name (if not a natural person)

Full Legal Name:

Date of Birth: ____ / ____ / ____

Eye Color: _____

SSN: _____

Scars/Marks/Tattoos: _____

Driver’s License Number:

Identification Card Number:

Present Physical Address:

Present Mailing Address:

City:

State/Zip:

Home Phone:

Cell Phone:

Business Phone:

Email Address:

A photocopy of the Applicant’s valid driver’s license and/or valid identification card, along with a photocopy of the Applicant’s Social Security Card must be attached.

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an “Owner” of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

3.1. Individual

If you are attempting to permit your proposed game room as an individual, confirm by signing below. By signing below, you are also acknowledging that you understand that if you are issued a game room permit it is not transferable, assignable, or divisible. A person commits a “Class A misdemeanor” if they intentionally or knowingly transfer, assign, or divide a game room permit or attempt to do so. Further, they shall be assessed a civil penalty not to exceed \$10,000 per violation. Each permit transferred, assigned, or divided or attempted to transfer, assign, or divide being considered a separate violation.

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an “Owner” of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

3.2. Partnership

In making this application, if you contend that the game room you are attempting to permit will be operated as a partnership, you are required to provide the information requested below and the documents required under Section 2.1(c) of the Regulations. Provide the proposed partner's name, date of birth, present residential address, telephone numbers and a description of how that individual is an "Owner" of the proposed game room. Please use the specific language contained in Subsection 1.4(k) of the Regulations for your description – i.e., he/she is an "Owner" of the proposed game room because he/she signed an alarm permit for the proposed game room. A photocopy of the proposed partner's driver's license or identification card and Social Security card shall be provided. (Attach additional copies of this page as necessary to include all "Owners")

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ **Home:** _____ **Business:** _____ **Cell:** _____

Cell: _____ **Cell:** _____ **Other:** _____ **Other:** _____

Description of ownership interest: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ **Home:** _____ **Business:** _____ **Cell:** _____

Cell: _____ **Cell:** _____ **Other:** _____ **Other:** _____

Description of ownership interest: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ **Home:** _____ **Business:** _____ **Cell:** _____

Cell: _____ **Cell:** _____ **Other:** _____ **Other:** _____

Description of ownership interest: _____

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an "Owner" of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

3.2. Partnership (Continued)

Make additional copies of this page as necessary to comply with the application process.

Name: _____ **Date of Birth:** _____
Residential Address: _____
Phone: _____ Home: _____ Business: _____ Cell: _____
Cell: _____ Cell: _____ Other: _____ Other: _____
Description of ownership interest: _____

Name: _____ **Date of Birth:** _____
Residential Address: _____
Phone: _____ Home: _____ Business: _____ Cell: _____
Cell: _____ Cell: _____ Other: _____ Other: _____
Description of ownership interest: _____

Name: _____ **Date of Birth:** _____
Residential Address: _____
Phone: _____ Home: _____ Business: _____ Cell: _____
Cell: _____ Cell: _____ Other: _____ Other: _____
Description of ownership interest: _____

Name: _____ **Date of Birth:** _____
Residential Address: _____
Phone: _____ Home: _____ Business: _____ Cell: _____
Cell: _____ Cell: _____ Other: _____ Other: _____
Description of ownership interest: _____

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an “Owner” of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

3.3. Corporation

In making this application, if you contend that the game room you are attempting to permit will be operated as a corporation, you are required to provide the information requested below and the documents required under Section 2.1(c) of the Regulations. A current and correct physical address must be provided. If mail is received for the corporation at a different location or a P.O. Box, that must also be provided.

Name of Corporation: _____

Mailing Address: _____
Address City State Zip

Business Address: _____
Address City State Zip

Business Phone: _____ Business E-Mail Address: _____

Provide a complete and accurate list of all directors, officers, agents, and shareholders with more than ten (10) percent of the outstanding shares. A photocopy of the individual's driver's license or identification card and Social Security card shall be provided. (Attach additional copies of this page as necessary to include all directors, officers, agents, and shareholders with more than ten (10) percent of the outstanding shares)

Name: _____ **Date of Birth:** _____

Residential Address: (add PO Box if mail received at a separate location)

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of role with the corporation: _____

Name: _____ **Date of Birth:** _____

Residential Address: (add PO Box if mail received at a separate location)

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of role with the corporation: _____

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an "Owner" of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

3.3. Corporation (Continued)

Make additional copies of this page as necessary to comply with the application process.

Name: _____ **Date of Birth:** _____

Residential Address: (add PO Box if mail received at a separate location)

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of role with the corporation: _____

Name: _____ **Date of Birth:** _____

Residential Address: (add PO Box if mail received at a separate location)

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of role with the corporation: _____

Name: _____ **Date of Birth:** _____

Residential Address: (add PO Box if mail received at a separate location)

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of role with the corporation: _____

Name: _____ **Date of Birth:** _____

Residential Address: (add PO Box if mail received at a separate location)

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of role with the corporation: _____

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an "Owner" of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

Section 4: Game Room Information

Name of Game Room:

Location of Game Room: Address (No P.O. Box Accepted)

Address	City	State	Zip Code
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Business Phone Number (Main Line): _____

List all telephone numbers servicing the physical location: _____

Applicant’s Phone Number (24 Hour Access): _____

Social Media Pages for the Game Room:

Facebook: _____

Twitter: _____

Snapchat: _____

Other: _____

Other: _____

Other: _____

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an “Owner” of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

Section 5: Disclosures

5.1. "Owner(s)"

In the chart below, disclose all other "Owner(s)" of your proposed game room as that term is defined by Subsection 1.4(k) of the regulations. You are required to give the individual's full name, date of birth, present residential address, and telephone numbers. If the "Owner(s)" is a legal entity, provide its full legal name and present business address.

Also, you are required to describe how that individual is an "Owner" of your proposed game room. You must use the specific language contained in Subsection 1.4(k) of the Regulations for your description – i.e., he/she is an "Owner" of the proposed game room because he/she signed an alarm permit for the proposed game room. You are also required to provide a photocopy of the individual(s) driver's license or government issued identification. If the "Owner(s)" are a legal entity, you are required to provide a photocopy of that entity's incorporation papers.

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of ownership interest: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of ownership interest: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of ownership interest: _____

5.1. "Owner(s)" (Continued)

Make additional copies of this page as necessary to comply with the application process.

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of ownership interest: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of ownership interest: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of ownership interest: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of ownership interest: _____

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an "Owner" of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

5.2. “Operator(s)”

In the chart below, disclose all “Operators” of your proposed game room as that term is defined by Subsection 1.4(n) of the Regulations. You are required to give the individual’s full name, date of birth, present residential address, and telephone numbers. Also, you are required to describe how that individual is an “Operator” of your proposed game room. You must use the specific language contained in Subsection 1.4(n) of the Regulations for your description – i.e., he/she is an operator of this game room because he/she operates a cash register. You are also requested to provide a photocopy of the individual(s) driver’s license or government issued identification.

“Operator” means an individual who:

- 1) Operates a cash register, cash drawer, or other depository on the premises of a Game Room or of a business where the money earned, or the records of credit card transactions or other credit transactions generated in any manner by the operation of a Game Room or activities conducted in a Game Room are kept
- 2) Displays, delivers, or provides to a customer of a Game Room merchandise, goods, entertainment, or other services offered on the premises of a Game Room
- 3) Takes orders from a customer of a Game Room for merchandise, goods, entertainment, or other services offered on the premises of a Game Room
- 4) Acts as a door attendant to regulate entry of customers or other persons into a Game Room, or
- 5) Supervises or manages other persons at a Game Room in the performance of an activity listed in this subdivision.

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

5.2. “Operator(s)” (Continued)

Make additional copies of this page as necessary to comply with the application process.

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an “Owner” of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

5.3. Others

In the chart below, disclose all other employee(s), agent(s), and any other individual(s), proprietorship(s), corporation(s), association(s), or other legal entity(s) acting for, or acting on behalf of the game room, if their information has not been provided in the prior sections of this application. You are required to give the individual's full name of the entity's full legal name. Next, provide their present residential address of the individual or the business address of the legal entity. Also provide the individual's date of birth. Finally, give a brief description of how the individual or legal entity is involved with or connected to the proposed game room – i.e., he/she collects money out of the machines three times a week.

Name: _____ **Date of Birth:** _____

Residential Address:

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address:

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address:

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address:

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

5.3. Others (Continued)

Make additional copies of this page as necessary to comply with the application process.

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Name: _____ **Date of Birth:** _____

Residential Address: _____

Phone: _____ Home: _____ Business: _____ Cell: _____

Cell: _____ Cell: _____ Other: _____ Other: _____

Description of operation role: _____

Signature of Applicant: _____ **Date:** _____

(By signing this document, you acknowledge that the information provided above is true and under the penalty of Perjury as defined by Chapter 37.02 of the Texas Penal Code. Additionally, providing false information on this document is a third-degree felony under Section 37.10 of the Texas Penal Code. Further, you are hereby acknowledging that you are an "Owner" of the Game Room you are attempting to permit as that term is defined by Section 1.4(k) of the Regulations.)

Verification Regarding Conviction(s)

Pursuant to subsection 2.1(c)(17), in making this application and signing the verification below, you certify that you, the Applicant, and none of the other Owner(s), Operator(s), employee(s), agent(s), and/or any other individual(s) acting for, or acting on behalf of the game room have been convicted of any level of any offense listed in subsection 2.2(b)(1) of the Regulations.

STATE OF TEXAS §
 §
COUNTY OF NUECES §

BEFORE ME, the undersigned Notary Public, on this day personally appeared by me duly sworn, _____, an "Owner" and "Applicant" of _____ Game Room located at _____, and on his/her oath deposed, said that he/she swears none of the other Owner(s), Operator(s), employee(s), agent(s), and/or any other individual(s) acting for, or acting on behalf of _____ Game Room have been convicted of any level of any offense listed in Subsection 2.2(b)(1) of the Regulations.

An "Owner" and "Applicant of
_____ Game Room

SUBSCRIBED AND SWORN TO BEFORE ME on the _____ day of _____, 20____, to certify which witness my hand and official seal.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires:

Please use the following page of the game room permit application in order to explain or add any information you feel is pertinent.

Game Room Application Additional Documents

Each complete application shall be accompanied by:

_____ (1) a Current annual Fire Inspection Report from a Fire Safety Official having competent jurisdiction showing compliance with all applicable Fire Safety Codes and with all corrections ordered in those locations where a Fire Safety Official has competent jurisdiction.

_____ (2) a copy of the certification of occupancy or certificate of compliance issued by the appropriate entity for the proposed Game Room.

_____ (3) diagram or floor plan to include designed occupancy load prepared by a licensed architect or engineer as well as a scaled drawing that shows the view from above of the entire property, and which indicates the size and distance between streets, compliant parking spaces, driveways, driveway aisles, spaces, sidewalks, and ADA compliant parking spaces.

_____ (4) a true and correct copy of the assumed name certificate filed in the office of the Nueces County Clerk, bearing the file mark or stamp that evidences it filing if the Game Room will be operating under an assumed name.

_____ (5) a copy of the formative legal documents for the applicable legal entity – e.g., the Articles of Incorporation, including proof that applicant is authorized to do business in the state, if the applicant is a foreign business organization.

_____ (6) a non-refundable application fee of \$1,000.00 – if the applicant holds a current license issued by the Texas Lottery Commission that included a criminal background check, the fee is waived, and the Game Room Permit Administrator may rely upon the Lottery Commission license in lieu of a criminal background check.

_____ (7) a photocopy of the applicant’s driver’s license or government-issued photo identification.

_____ (8) proof as required in Subsection 3.16 that the proposed Game Room is exempt from the requirements set forth by Subsection 3.2 (Distancing) of these Regulations.

_____ (9) the name, mailing and physical address and telephone number of the Game Room’s single financial institution of record, as required by Subsection 4.1, which will handle all deposits and withdrawals for proceeds and expenses of the operation of the Game Room.

_____ (10) the intended hours of operation of the Game Room and the name, residence address, and telephone numbers of the Manager or other individual to be principally in charge of the Game Room operation.

_____ (11) proof as required in Subsection 3.3 that the proposed Game Room is exempt from, or will be in compliance with, the requirements set forth by Subsection 3.3(c) of these Regulations.

_____ (12) If the Game Room Owner leases the property, the application shall also be signed by the Property Owner or, if the Property Owner is a business organization, signed by someone authorized to sign the application on behalf of the Property Owner. Further, the Property Owner must sign the following: “I own the property described in this application, and I have actual knowledge of the proposed or current operation of a Game Room on my property.”

_____ (13) a list of all Owner(s), Operator(s), employee(s), agents(s), and any other individual(s), proprietorship(s), corporation(s), association(s), or other legal entity(s) acting for, or acting on behalf of the Game Room along with a photocopy of their driver's license(s) or government-issued identification and incorporation papers as applicable, and a brief description of the amusement, gaming or similar business history and experience five (5) years before the date of application for each Game Room Owner, including, but not limited to, whether or not such individual has previously operated in this or another County or State, whether such operation was under a license or permit, and whether the applicant has ever had such license or permit denied, revoked, or suspended and the reasons therefor.

_____ (14) 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 Nueces 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 spreadsheet format. Records shall include information detailing each machine found on the premises of the Game Room by identifying the machine by:

- i. The name of the manufacturer
- ii. The serial number
- iii. The type of machine
- iv. The State of Texas Tax stamp including the year of expiration of each tax stamp required
- v. The Nueces County Tax stamp including the year of expiration of each tax stamp required
- vi. The name of the individual(s), proprietorship(s), corporation(s) association(s), or other legal entity(s) that owns, receives profits from and has registered the machine in their name with Nueces County and the Texas Comptroller and a description of their ownership and financial interest in the machine

_____ (15) a copy of the most recently filed tax return for the Game Room Owner. If no such return exists, such as Owner being a recently formed entity, then Owner must provide why the most recently filed tax return cannot be provided.

_____ (16) the Game Room Applicant's Federal Employer Identification Number (EIN).

_____ (17) a certification that none of the Owner(s), Operator(s), employee(s), agent(s), or any other individual(s) acting for, or acting on behalf of the Game Room has been convicted of any offenses listed in Subsection 2.2(b)(1) of these Regulations.

_____ (18) a certification that all the contents of the application and the above-presented materials are true and correct under the penalty of Perjury as defined under Section 37.02 of the Texas Penal Code. In addition, any misrepresentation on the application is a third-degree felony offense as defined under Section 37.10 of the Texas Penal Code.

_____ (19) Proof of insurance as stated in subsection 4.2.

_____ (20) Must provide documentation to prove that the business has been in business prior to January 1, 2023.