



**ORDINANCE NO. 20-007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARLIN, TEXAS, CREATING AN ORDINANCE FOR THE REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES; REQUIRING CITY LICENSING OF GAME ROOMS; REQUIRING CITY TAGS OF AMUSEMENT REDEMPTION MACHINES; SETTING FORTH A PENALTY; PROVIDING FOR SEVERABILITY AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER.**

**WHEREAS**, the City Council of the City of Marlin, Texas, ("City") recognizes that unregulated operation of game rooms and amusement redemption machines contribute to inappropriate and illegal activities which may include gambling, fraud, truancy, disorderly conduct and use of controlled substances; and

**WHEREAS**, the City being a home-rule municipality that is duly authorized under the Texas Constitution, the laws of the state of Texas as well as pursuant to Sections 215.074, 215.075 and 217.042 Texas Local Government Code to address the negative effects of game rooms and amusement redemption machines in the manner set forth below; and

**WHEREAS**, the City wish to fairly recognize and desire to regulate the number of game rooms and amusement redemption machines being (7) individual ownerships within the city limits of Marlin, through adoption of this ordinance to further the City's interest in protecting the health, safety and welfare of its citizens; and

**WHEREAS**, the City Council has determined and does hereby now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and to persons frequenting game rooms and using amusement redemption machines within the City, now therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLIN, TEXAS:**

**Section 1.** That the facts and recitations set forth in the preamble of this ordinance are hereby declared true and correct.

**Section 2.** That Ordinance No. 20-007 is fully adopted herein and shall be known as the "Gaming Ordinance" and shall read as follows:

**"Regulation of Game Rooms and Amusement redemption Machines.**

**Sec. 1.1. Definitions.**

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

***Amusement redemption machine means:***

- (1) A recreational machine that provides the user with an opportunity to receive something of value other than a right of replay and which complies with all applicable federal, state and local laws and regulations applicable to such machines.

(2) A skill or pleasure coin-operated machine that is designed, made and adapted solely for bona fide amusement purposes, and that by operation of chance or a combination of skill and chance affords the user an opportunity to receive exclusively non-cash merchandise prizes, toys, novelties, or a representation of value redeemable for those items.

(3) Any electronic, electromechanical or mechanical contrivance designed, made and adapted solely for bona fide amusement purposes if the contrivance rewards the player exclusively with non-cash merchandise, prizes, or novelties, or a representation of value redeemable for those items, that have a wholesale value available from a single play of the game or device of not more than ten times the amount charged to play the game or device once or \$5.00, whichever amount is less.

***Amusement redemption machine game room or game room*** means any establishment, building, facility or other place where two or more amusement redemption machines, are kept, stored, maintained, displayed, or exhibited for public use.

***City official*** means a Mayor, or city manager, police officer, fire official, or code enforcement official or building inspector of the City.

***Excluded machine*** means:

(1) A machine that awards the user non-cash merchandise prizes, toys or novelties solely and directly from the machine, including claw, crane, or similar machines;

(2) A machine from which the opportunity to receive non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, varies depending upon the user's ability to throw, roll, flip, toss, hit, or drop a ball or other physical object into the machine or a part thereof, including basketball, skeet ball, golf, bowling, pusher, or similar machines; or

(3) *A machine or any device defined in V.T.C.A., Penal Code§ 47.01 as a gambling device, or any activity prohibited or described in Y.T.C.A., Penal Code Ch. 47.*

***Game room owner or owner*** means a person who has an ownership interest of at least 25 percent in a game room.

***Licensee*** means any person, individual, firm, company, association, or corporation operating an amusement redemption machine game room in the City.

***Operational machine*** means an amusement redemption machine that is ready to be played and which is accessible to the public.

***Permittee*** means any person, individual, firm, company, association, or corporation maintaining, displaying for public patronage, or otherwise keeping for operation the public any gaming machine in the City.

## **Sec. 1.2. License required.**

No person shall operate an amusement redemption machine game room in the City without first obtaining a license from the City, as required by this ordinance. No license shall be issued until (1) the occupation tax has been paid for each amusement redemption machine within the premises, (2) the annual tag fee of the City of Marlin has been paid for each amusement redemption machine within the premises, and (3) the applicable game room license fee has been paid.

### **Sec.1.3. Payment of annual inspection and license fee; issuance of license.**

An owner, operator, or lessee of an amusement redemption machine game room shall be required to secure a license annually. *An amusement redemption machine game room shall be required to secure a license by paying to the City an annual inspection and amusement redemption machine game room license fee in the amount of \$300.00.* Upon payment of the license fee, payment of the annual tag fee of the City of Marlin for each amusement redemption machine within the premises, and compliance with all licensing requirements, the license shall be issued by the City.

### **Sec. 1.4. City Tags Required; Payment of annual City tag fees.**

- (a) A tax permit issued by the State of Texas and all seals required by the State shall be securely affixed to each Amusement Redemption Machine.
- (b) A current tag issued by the City of Marlin shall be securely affixed to each Amusement Redemption Machine.
- (c) *The annual tag fee of the City of Marlin for each Amusement Redemption Machine is Two Hundred Fifty Dollars (\$250.00),* which fee shall be paid before a tag may be issued.
- (d) All tag fees shall be issued on the basis of a calendar year. Tag fees shall not be prorated. Tags issued at any time during a calendar year shall automatically expire on December 31<sup>st</sup> of the year in which they are issued.

### **Sec. 1.5. Term of license; jurisdiction; scope.**

A license issued for an amusement redemption machine game room under this ordinance:

- (a) Is an annual license which expires December 31<sup>st</sup> of each year unless it is suspended or cancelled earlier;
- (b) Is effective for a single place of business only;
- (c) Vests no property right in the licensee except to maintain, display for public patronage, and permit the use or skill or pleasure of amusement redemption machines in accordance with the terms and conditions of this ordinance;
- (d) Shall automatically expire if the licensee thereof sells the property or the business, transfers equity to accomplish same, or otherwise disposes of amusement redemption machines; and
- (e) Is not assignable or transferable.

In addition, the City shall not refund any portion of a license fee after the license is issued, nor shall it prorate or reduce in amount any fee due to the City. Notwithstanding the foregoing, the initial license issued to an existing amusement redemption machine game room following the adoption of the ordinance from which this ordinance is derived and the game room's compliance with the requirements of this ordinance shall not expire until December 31<sup>st</sup> of the year in which it is issued. Thereafter, any such license shall expire as provided herein-above.

### **Sec. 1.6. Restrictions, regulations, controls, and limitations.**



- (a) All building and fire code standards must be met. Inspection by building officials and the issuance of a certificate of occupancy (~~\$100.00~~) shall be obtained before a license for an amusement redemption machine game room is issued.
- (b) Only one amusement redemption machine game room shall be permitted on any lot or in any single building, structure, or 3,000 feet from the existence of an established regulated game room of a strip center in which case full compliance with this subsection shall be required within the effective date of licensing under this ordinance or upon abandonment of use at such location, whichever occurs first.
- (c) No amusement redemption machine game room shall be situated within 1,000 feet of any church, school, daycare, or hospital as of the date this ordinance goes into effect in which case full compliance with this subsection shall be required within the effective date of licensing under this ordinance or upon abandonment of use at such location, whichever occurs first.
- (d) The distance shall be measured in a straight line without regard to intervening objects or structures and from the nearest lot line of the amusement redemption machine game room seeking a license to the nearest lot line of the church, school, daycare, or hospital.
- (e) No amusement redemption machines, or related business activities shall be allowed to be situated and/or performed outdoors.
- (f) The hours of operation for an amusement redemption machine game room shall be limited to the following hours:
  - (1) Monday through Friday, open at 11:00 a.m. and close at 12:00 a.m.; and
  - (2) Saturday through Sunday, open at 12:00 p.m. and close at 12:00 a.m.
- (g) Designated parking shall be provided at one parking space for each three amusement redemption machines within the amusement redemption machine game room, plus one additional parking space for each employee per shift.
- (h) The owner, operator, or manager of the licensed premises must be present to supervise the operation of the amusement redemption machine game room and cannot be a current convicted felon, felons must fully discharge their court-ordered sentence, parole, or probation. The amusement redemption machine game room shall not be left unattended.
- (i) Amusement redemption machines must be situated within the licensed premises as to be in full and open public view, which entails being visible to all patrons of the establishment.
- (j) No person under the age of 21 years shall be permitted inside the building, structure, facility or space housing the amusement redemption machine game room.
- (k) A sign stating that no one under the age of 21 is allowed inside the amusement redemption machine game room shall be posted in plain sight immediately inside the entrance stating:

***"No person under the age of 21 years shall be permitted inside the building, structure, facility or space housing the amusement redemption machine game room."***

(l) An amusement redemption machine game room operator must be a person who is at least 21 years of age.

(m) The total number of operational amusement redemption machines allowed in one amusement redemption machine game room establishment shall be limited to the maximum number of 50 amusement redemption machine games. Any back-up, nonoperational or replacement amusement redemption machines shall be secured in a locked storage area or closet to which the public is not allowed to enter and such machines shall not be connected to electricity or be otherwise operational. The occupation tax on such back-up or be replacement amusement redemption machine games shall be paid annually regardless of whether such machines are used by the game room's patrons.

(n) The sale, purchase, possession or consumption of any alcoholic beverages (as defined by the Texas Alcoholic Beverage Code) inside an amusement redemption machine game room is prohibited. A sign stating that no alcoholic beverages are allowed inside the amusement redemption machine game room shall be posted in plain sight immediately inside the entrance, midway, and exits to include stating:

***"No alcoholic beverages shall be permitted inside the building, structure, facility or space housing the amusement redemption machine game room."***

(o) Nothing contained herein shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table, or gaming machine, the keeping, exhibition, operation, display or maintenance of which is illegal or in violation of any ordinance of the City, any regulation of the county, any section of the penal code of this state, or the constitution of this state.

#### **Sec. 1.7. Application for amusement redemption machine game room license.**

An applicant for a license under the provisions of this ordinance shall file with the City Secretary a written application on a form provided for that purpose by the City which shall be signed by the applicant, who shall be the owner of the amusement redemption machine game room sought to be licensed. A separate application must be filed for each location sought to be licensed. The following information is required in the application:

- (1) Name, address, telephone number, and driver's license number of the applicant if the applicant is a natural person;
- (2) Name, address, telephone number and driver's license number of all persons who own 25 percent or more interest in the amusement redemption machine game room;
- (3) Name, address, telephone number and driver's license number of all corporate officers, if any, of such business;
- (4) Name, address, telephone number of the business;
- (5) If incorporated, the name of the business registered with the Texas Secretary of State;
- (6) If a partnership, the name, address, telephone number and driver's license of each of the general and limited partners;
- (7) The trade name by which the applicant does business and a true and correct copy of the registration of the applicant's assumed name filed in the office of the county clerk, bearing the

file mark or stamp that evidences its filing in that office;

- (8) The street address of the premises;
- (9) If applicant is not the owner of the premises, the applicant shall furnish the name, address, and telephone number of the property owner;
- (10) Name, address, and telephone number of the operator of the premises to be permitted;
- (11) Number of amusement redemption machines in the premises to be permitted and tagged and the serial number of each amusement redemption machine;
- (12) Whether a previous license of the applicant, or, if applicable, a corporate officer of the applicant, has been revoked within two years of filing of the application;
- (13) The previous occupation(s) of the applicant and, if applicable, all corporate officers and partners of the applicant within the preceding five years;
- (14) A notarized statement, under oath, that:
  - a. All the facts contained in the application are true and correct;
  - b. The amusement redemption machines are not and will not be used as gambling devices;
  - c. The location and operation of the amusement redemption machine game room will not violate any applicable deed restrictions;
  - d. The amusement redemption machine game room will be operated in accordance with all laws;
- (15) Name, address, and telephone number of an emergency contact person who can be reached after hours;
- (16) A floor plan of the amusement redemption machine game room interior depicting the layout of the amusement redemption machine game room interior specifically including, but not limited to, the location of all amusement redemption machines, coin operated machines or devices, the manager's station(s), restroom facilities, kitchen and bar facilities, if any, and all areas to which patrons will not be permitted.

Any failure to provide the documents required by this section shall be grounds for denial of the application to which it applies.

#### **Sec. 1.8. Renewal of amusement redemption machine game room license.**

- (a) A license may be renewed for the following calendar year beginning October 1<sup>st</sup> of each year by filing a completed application for each license and paying the applicable fee set forth in this ordinance. A renewal application shall be subject to the same requirements in this section as for a license application.
- (b) Upon the expiration of a license, the licensee shall be required to obtain a renewal of the expired license if the licensee wishes to continue operating an amusement redemption machine game room. Failure to obtain the renewal within 30 days after expiration may require such person to pay an



additional late fee in an amount equal to 25 percent of the fee as currently established or as hereafter adopted by City Council from time to time.

Nothing herein authorizes the licensee to operate after the expiration of a license and before a renewal is effective.

**Sec. 1.9. Grounds for denial of license; applicants or licensees indebted to City.**

(a) The City shall refuse to approve issuance or renewal of a permit or license for one or more of the following reasons:

- (1) Any failure to provide the information required by this ordinance;
- (2) A determination by the City that inaccurate, erroneous or incomplete information has been submitted;
- (3) A false statement as to a material matter made in an application for a license;
- (4) Revocation of a license, pursuant to this ordinance, of the applicant or a co-owner or a corporate officer of the applicant within two years preceding the filing of the application;
- (5) Refusal or failure to pay the occupation tax on any amusement redemption machine;
- (6) Refusal or failure to pay the correct license fee amount;
- (7) Refusal or failure to pay the correct City tag fee amount provided for in this Ordinance;
- (8) The applicant or a co-owner for such license has, within the past three years, been convicted of any violation of this ordinance;
- (9) The applicant or a co-owner for such license has, within the past five years, been convicted of any violation of regulations adopted by Falls County relating to game rooms; and/or
- (10) The applicant or a co-owner for such license has, within the past ten years, been convicted of a crime involving moral turpitude.

(b) The City shall not issue or renew a license under this ordinance and shall suspend or cancel a license if it be determined that the applicant or licensee is indebted to the City for any fee, costs, penalties, or delinquent taxes.

**Sec. 1.10. Suspension or revocation of license for violation of this ordinance.**

(a) Power and authority. If any individual, company, corporation or association who owns, operates, exhibits, or displays any amusement redemption machine(s) in an amusement redemption machine game room in this City shall violate any provision of this ordinance, the City shall have the power and authority to suspend or revoke the license(s) issued hereunder to any of the foregoing by giving written notice, stating the reason justifying such suspension or revocation, and the same shall be suspended or revoked ten days from date of such notice.

(b) Suspension. The Mayor or his or her designee shall suspend a license for a period not to exceed 30 days if he or she determines that a licensee or an employee of a licensee has:

- (1) Violated or is not in compliance with any of the provisions of this ordinance;
  - (2) Refused to allow or interfered with an inspection of the amusement redemption machine game room premises; or
  - (3) Demonstrated an inability to operate or manage an amusement redemption machine game room in a peaceful and law-abiding manner thus necessitating action by law enforcement officers.
- (c) Revocation for continuing violations. The Mayor or his or her designee shall revoke a license if a cause of suspension occurs and the license has been previously suspended within the preceding twelve months.
- (d) Automatic revocation. The Mayor or his or her designee shall revoke a license if he or she determines that:
- (1) A licensee gave false or misleading information in the material submitted to the City during the application process;
  - (2) A licensee or an employee of a licensee knowingly allowed the possession, use, or sale of a controlled substance on the premises; or
  - (3) A licensee or an employee of a licensee knowingly operated the amusement redemption machine game room during a period of time when the licensee's permit was suspended.
- (e) Effect of revocation. No license shall be issued within a period of one-year to anyone whose license has been revoked, except at the discretion of the Mayor or his or her designee. If the license of an individual, company, corporation, or association owning, operating, or displaying amusement redemption machines in this City is cancelled, such individual, company, corporation or association shall not operate, display or permit to be operated or displayed such amusement redemption machines in any amusement redemption machine game room until a new license is granted.

**Sec.1.11. Appeal from denial, suspension or revocation of license.**

If the Mayor or his or her designee refuses to approve the issuance of a license or the renewal of a license to an applicant, or suspends or revokes a license issued under this ordinance, this action is final unless the applicant or licensee, within ten days after the receipt of written notice of the action, files a written appeal with the City Secretary, who shall, within ten days after the appeal is filed forward same to City Council for its consideration at a public meeting following a hearing. The City council shall, within 30 days, grant such hearing to consider the action. The City Council has authority to sustain, reverse, or modify the action appealed. The decision of the City Council is final.

**Sec. 1.12. Display of license.**

A valid license issued under this ordinance for an amusement redemption machine game room shall be displayed at or near the entrance of the business premises, and such display shall be permanent and conspicuous.

**Sec. 1.13. Inspections.**

(a) The premises in which such amusement redemption machines are located shall conform to all building codes and fire prevention codes of the City and the City Official, Police Chief, Fire Chief or Fire Marshal of the City and his or her designee, the City inspector/code enforcement official, or the chief building official may enter into the premises where such amusement redemption machines are



located at any time during normal business hours for the purposes of inspecting said premises for fire hazards.

(b) All law enforcement personnel and the inspector /code enforcement official of the City shall have the right to enter into said premises at any time during normal business hours for the purpose of inspection and enforcement of the terms of this ordinance.

(c) The City shall have the authority to seal any amusement redemption machine located in any amusement redemption machine game room for which the occupation tax has not been paid. *A fee in the amount of \$250.00 will be charged for the release of any machine sealed for non-payment of said occupation tax.*

(d) The City shall have the authority to seal any amusement redemption machine located in any amusement redemption machine game room for which a license fee has not been paid. *A fee in the amount in the amount of \$250.00 will be charged for the release of any machine sealed for non-payment of said license fee.*

(e) The City shall have the authority to seal any amusement redemption machine located in any amusement redemption machine game room for which a City tag fee has not been paid. *A fee in the amount in the amount of \$250.00 will be charged for the release of any machine sealed for non-payment of said license fee.*

#### **Sec. 1.14. Responsibility of licensee.**

A licensee hereunder shall not permit any of the following activities within the licensed premises:

- (1) The operation of any amusement redemption machine by a person younger than 21 years of age;
- (2) Gambling by any person;
- (3) The possession of gambling materials; and
- (4) Unlawful or criminal activity of any kind.

#### **Sec. 1.15. Parking facilities.**

Any person who desires a license for the operation of two or more amusement redemption machines in one specific location shall be required to provide sufficient off-street parking to accommodate the vehicles of the patrons as provided herein. Such parking area shall be maintained in a safe, clean manner and shall not interfere with safe and expeditious movement of other vehicular or pedestrian traffic.

#### **Sec. 1.16. Violations of existing laws not authorized.**

Nothing herein shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table, or gaming machine, the keeping, exhibition, operation, display or maintenance of which is illegal or in violation of any ordinance of the City, any regulation of Falls county, any section of the penal code of this state, or the constitution of this state.

#### **Sec. 1.17. Offense; Penalties.**

- (a) A person who fails to comply with the requirements of this Ordinance commits a Class

C misdemeanor punishable by a fine not to exceed **Five Hundred Dollars (\$500.00)**.

- (b) Proof of a culpable mental state is not required for a conviction of an offense under this ordinance.
- (c) Each day that a violation occurs is a separate offense.
- (d) In addition to the penalty described in (a) above, the City may pursue other remedies such as injunctive relief, abatement of nuisance, revocation and removal of current license and tag(s) and securing an amusement redemption machine so as to render it inoperable.

**Section 2 - Severability Clause.**

*In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.*

**VOTED:**

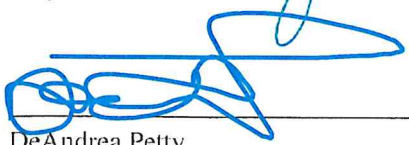
Mayor Lofton Y Y N, Mayor Pro-Tem Henderson X Y N, Councilman Porter Y Y N, Councilman McDavid Y Y N, Councilman Martinez Y Y N, Councilwoman Moore X Y N, Councilwoman Milton Y Y N

**Section 3 - Effective Date.**


This ordinance shall become effective on and after its adoption and publication as required by law.

PASSED AND APPROVED on this 11 day of August, 2020.

  
\_\_\_\_\_  
Hon. Carolyn Lofton,  
Mayor

  
\_\_\_\_\_  
DeAndrea Petty,  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Maryann Waddle  
City Secretary





**CITY OF MARLIN**

**GAME ROOM LICENSE APPLICATION**

**Business Name:** \_\_\_\_\_

**Business Address:** \_\_\_\_\_

**Attach true and correct copy of the registration** of the applicant's assumed name filed in the office of the county clerk, bearing the file mark or stamp that evidences its filing.

**Number of Amusement Redemption Machines to be licensed?** \_\_\_\_\_

**Amusement Machine Serial Numbers:**

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Attach floor plan** of the game room interior, depicting the layout of the amusement redemption machine game room interior specifically including, but not limited to, the location of all amusement redemption machines, coin-operated machines or devices, the manager's station, restroom facilities, kitchen and bar facilities, if any, and all areas to which patrons will not be permitted.

**Attach site plan** showing required parking.



Legal Description of Property: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Date of City Council Approval: \_\_\_\_\_

Is the business a corporation? Yes/ No Partnership? Yes/ No

Name Registered with Texas Secretary of State: \_\_\_\_\_

Include name of corporate officers or general and limited partners below.

**Applicant:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ State: \_\_\_\_\_

Has the applicant had a game room license revoked within the last two years? Yes No

Employment for the past five years:

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Has the applicant been convicted of any crime related to a game room?

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Nature of Offense: \_\_\_\_\_ Penalty: \_\_\_\_\_

**Other Parties with an Ownership Interest in the Game Room:**

Name: \_\_\_\_\_ Partner/ Corporate Officer

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ State: \_\_\_\_\_

Has this person had a previously held game room license revoked within the last two years?

Yes                      No

Employment for the past five years:

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Has this person been convicted of any crime related to a game room?

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Nature of Offense: \_\_\_\_\_ Penalty: \_\_\_\_\_

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Name: \_\_\_\_\_ Partner/ Corporate Officer

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ State: \_\_\_\_\_

Has this person had a previously held game room license revoked within the last two years?

Yes                      No

Employment for the past five years:

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Has this person been convicted of any crime related to a game room?

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Nature of Offense: \_\_\_\_\_ Penalty: \_\_\_\_\_

Add additional sheets if necessary to provide information for all parties with an ownership interest.

**Property Owner**

Same as Applicant?

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ State: \_\_\_\_\_

**Business Operator**

Same as Applicant?

Name: \_\_\_\_\_ Partner/ Corporate Officer

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ State: \_\_\_\_\_

Has this person had a previously held game room license revoked within the last two years?  
Yes                      No

Employment for the past five years:

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Employer Name \_\_\_\_\_ Address \_\_\_\_\_ Dates of Employment \_\_\_\_\_

Has this person been convicted of any crime related to a game room?

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Nature of Offense: \_\_\_\_\_ Penalty: \_\_\_\_\_



**Emergency Contact Available After Hours**

Same as Applicant? \_\_Y / \_\_N

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

All persons with an ownership interest in the business and the business operator sign and have notarized the statement below:

I attest that all of the facts contained in the application are true and correct; that the amusement redemption machines are not and will not be used as gambling devices; that the location and operation of the game room will not violate any applicable deed restrictions; and that the game room will be operated in accordance with all laws. By signing this application, I hereby authorize the City of Marlin Chief of Police, or his designated staff, to request a criminal background check regarding myself from the Texas Department of Public Safety and any appropriate federal agency for the release to the City of Marlin for the purpose of this application and hereby release the City from any claims as a result of this request.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Before me, undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person who signed this foregoing application and, duly sworn by me, stated under oath that he/she has read the said application and all of the facts therein set forth are true and correct.

Sworn to before me, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public Falls County, Texas