



Upshur County Sheriff's Office

Sheriff Larry Webb

405 N. Titus ST

Gilmer, TX 75644

(903) 843-2541

Lieutenant Gary Shirley at 903-680-8256

Upshur County Game Room Permit Application

Permit Number: _____

Date Issued: _____

Date Denied: _____

Date Received: _____

APPLICATION FOR A PERMIT TO OPERATE A GAME ROOM

Section 1: Verification Requirement

Please read the following acknowledgments 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 Upshur County Game Room Regulations as adopted by the Upshur County Commissioners Court on February 28, 2020 (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(c) 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(a) of the Regulations.
- 4) You have disclosed the identity of all "Owner(s),"¹ "Operator(s),"² employee(s), independent contractor(s) agent(s), and any other individual(s), proprietorship(s), corporation(s), association(s), or other legal entity(s)

¹ As defined by Subsection 1.4(c) of the Regulations.

² As defined by Subsection 1.4(f) of the Regulations.

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 information 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.

VERIFICATION

STATE OF TEXAS §
 §
 COUNTY OF UPSHUR §

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 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.

 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

A permit issued pursuant to the Regulations is required to operate a Game Room. As outlined in Subsection 2.1(a) and Subsection 2.8 of the Regulations, a Person who Operates a Game Room without first paying the fee and securing a Game Room permit, or who operates a Game Room after the permit thereof has been revoked or suspended, shall be assessed a civil penalty not to exceed \$10,000 per violation. Each day a violation occurs or continues to occur is considered a separate violation. Further, a Person commits a Class A misdemeanor offense if they intentionally or knowingly Operate a Game Room in violation of this Subsection.

Accordingly, it is unlawful for you to operate the Game Room you are attempting to permit without first being issued a permit pursuant to 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 all money order and cashier's checks payable to the Upshur County Treasurer.

2.4 Incomplete Applications Shall NOT be accepted

Pursuant to Subsection 2.1(b) (3) of the Regulations, incomplete application shall not be accepted. 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; and
- 3) Provide all the required documentation and information listed in Subsection 2.1(d) (1)-(17) of the Regulations.

2.5 A Receipt is NOT a Game Room Permit

Pursuant to Subsection 2.1(b) (4), a receipt shall be hand delivered or sent by certified mail to you, the Applicant, within fourteen (14) days of submission of a complete Application and payment of the application fee to the Game Room Permit Administrator.

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 sixty (60) days from the initial inspection to complete the inspection process. Failure to complete the inspection process within these sixty (60) days shall result in denial of your application. It is your responsibility to ensure the process is completed within the requisite sixty (60) 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 in the Regulations. Any violation of Section 2 or 3 of the Regulations can result in 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 3.12(b) 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) of Subsection 3.12(b) of the Regulations occurs on the premises of your Game Room, your Game Room permit will be immediately revoked.

Signature of Applicant

Date

(By signing this document, you acknowledge that you have read and understand the application requirements listed above and any other requirements not listed above but are set forth in the Regulations.)

Section 3: Property Owner / Applicant Information**3.1 Property Owner Information**

Property Owner Acknowledgement

In signing this acknowledgement, you, the Property Owner, are hereby acknowledging the following:

I, _____, am the property owner of _____, and I have actual knowledge of the proposed or current operation of a Game Room on my property. I acknowledge that I may personally be held criminally liable for illegal activity associated with the Game Room on my property, including keeping a gambling place under Chapter 47 of the Texas Penal Code, operating an unauthorized Game Room under Upshur County Game Room Regulations and other applicable statutory provisions.

Property Owner Information:

Full Legal Name: _____
 Last Name First Name Middle/Maiden Name

Date of Birth: ___ / ___ / ___ Height: _____ Weight: _____ Eye Color: _____
 MO Day Year

Social Security Number: ___ / ___ / ___ Scars/Marks/Tattoos: _____

Driver's License Number: _____ Identification Card Number: _____

Present Address: _____ Apt No.: _____

City: _____ State/Zip: _____ / _____

Home Phone: _____ Cell Phone: _____

Business Phone: _____ Email Address: _____

A photocopy of the Property Owner's valid driver's license and/or valid identification card must be attached.

Signature of Property Owner

Date

(By signing this document, you acknowledge that the information provided above is true and correct 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(c) of the Regulations.)

Section 3: Applicant Information

3.2 Applicant Information

Entity Name (i.e. DBA): _____

Full Legal Name: _____
Last Name First Name Middle/Maiden Name

Date of Birth: ____ / ____ / ____ Height: ____ Weight: ____ Eye Color: ____
MO Day Year

Social Security Number: ____ / ____ / ____ Scars/Marks/Tattoos: _____

Driver's License Number: _____ Identification Card Number: _____

Present Address: _____ Apt No.: _____

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 correct 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(c) of the Regulations.)

3.3 Co-Applicant

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 co-applicant's requested information below. Use additional copies if there will be more than co-applicant.

Full Legal Name: _____
 Last Name First Name Middle/Maiden Name

Date of Birth: ____ / ____ / ____ Height: _____ Weight: _____ Eye Color: _____
 MO Day Year

Social Security Number: ____ / ____ / ____ Scars/Marks/Tattoos: _____

Driver's License Number: _____ Identification Card Number: _____

Present Address: _____ Apt No.: _____

City: _____ State/Zip: _____ / _____

Home Phone: _____ Cell Phone: _____

Business Phone: _____ Email Address: _____

A photocopy of the Partner'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 Co-Applicant

Date

(By signing this document, you acknowledge that the information provided above is true and correct 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 the above listed individuals are "Owner(s)" of the Game Room you are attempting to permit as that term is defined by Section 1.4(c) of the Regulations.)

3.4 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(d) of the Regulations.

Name of Corporation: _____

Mailing Address: _____
Address City State Zip Code

Business Address: _____
Address (No PO Box Accepted) City State Zip Code

Business Phone No.: _____ 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. Also, please provide a photocopy of the individual's driver's license or identification card and social security card.

Name	Date of Birth	Present Residential Address	Description of Role with Corp.

Signature Applicant _____
Date

(By signing this document, you acknowledge that the information provided above is true and correct 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.)

Section 4: Game Room Information

Name of Game Room: _____

Location of Game Room: _____
Address (No PO Box Accepted) City State Zip Code

Business Phone No.: _____

Applicant's Phone No.: _____
(24 Hour Access)

Signature Applicant

Date

(By signing this document, you acknowledge that the information provided above is true and correct 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 the Game Room you are attempting to permit is in fact a "Game Room" as that term is defined by Subsection 1.4(a) of the Regulations.)

5.2 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. 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 if applicable. 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	Present Address	Description

Signature of Applicant

Date

(By signing this document, you acknowledge that the information provided above is true and correct 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.)

Section 6: Certification

Pursuant to Subsection 2.1(d) (16), 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), independent contractor(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 HARRIS §

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.

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: _____

Section 7: Other Information

Please use page fourteen (14) of the Game Room Permit Application in order to explain or add any information you feel is pertinent.

Signature Applicant

Date

(By signing this document, you acknowledge that the information provided above is true and correct 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.)

