

Chapter 10 AMUSEMENTS AND ENTERTAINMENT

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ARTICLE I. IN GENERAL

Secs. 10-1 – 10-30 Reserved.

ARTICLE II. COIN OPERATED MACHINES

Sec. 10-31. Occupation tax.

The occupation tax for each coin operated machine as defined in V.T.C.A., Occupations Code 2153.002 will be the maximum as provided in V.T.C.A., Occupations Code 2153.451, payable on or before January 1 of each year or on such date that they may be installed during any year: and the certificate issued acknowledging receipt of such payment shall not be transferable from one machine to another or from one place of business to another. (Maximum at date of this passage is \$15 per machine, subject to any changes made to V.T.C.A. Occupations Code 2153.002 in the future)

The city may seal a coin operated machine on which the tax imposed by section 10 31 is not paid. A fee will be charged for the release of a sealed coin operated machine.

Code 1987 §5.4

Sec. 10-32 Sealing authorized..

The city may seal a coin-operated machine on which the tax imposed by section 10-31 is not paid. A fee will be charged for the release of the sealed coin-operated machine.

Secs. 10-33 Game Room Regulation Ordinance

AN ORDINANCE OF THE CITY OF EAST TAWAKONI, TEXAS, REGULATING GAME ROOMS; ESTABLISHING DEFINITIONS, PERMITTING REQUIREMENTS, OPERATIONAL STANDARDS, INSPECTION AUTHORITY, HOURS OF OPERATION, SIGNAGE REQUIREMENTS, AND PENALTIES; PROVIDING FOR ENFORCEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

SECTION I. PURPOSE AND INTENT

The purpose of this ordinance is to regulate **game rooms** within the City of East Tawakoni to promote public safety, prevent criminal activity, protect the welfare of residents, and ensure compliance with Texas law, including but not limited to Texas Penal Code Chapter 47 and Texas Local Government Code Chapter 215.

SECTION 2. DEFINITIONS

For the purposes of this ordinance, the following definitions apply:

- **Game Room:** A building, room, or place that contains **six (6) or more amusement redemption machines**, eight-liner machines, or similar devices as defined under Texas Penal Code §47.01.
- **Amusement Redemption Machine:** Any electronic, electromechanical, or mechanical device that provides a payoff or reward as defined under Texas law.
- **Operator:** Any person, business, corporation, or entity that owns, manages, or controls a game room.
- **Permit:** A written authorization issued by the City of East Tawakoni allowing the operation of a game room.
- **Peace Officer:** A law enforcement officer licensed by the Texas Commission on Law Enforcement (TCOLE).

SECTION 3. PERMIT REQUIRED

1. No person shall operate a game room within the city limits without first obtaining a **Game Room Permit** issued by the City.
2. A permit is valid for **one (1) year** from the date of issuance.
3. Permit applications shall include:
 - o Owner and operator information
 - o Floor plan of the premises
 - o Number and type of machines
 - o Security plan
 - o Hours of operation
- o Proof of compliance with building, fire, and zoning codes
4. The City may deny a permit if:
 - o The applicant has a criminal history involving gambling, fraud, theft, or organized crime
 - o The location violates zoning restrictions
 - o The operator previously violated this ordinance

SECTION 4. LOCATION & ZONING RESTRICTIONS

Game rooms shall not be located:

- Within **1,000 feet** of a school, church, daycare, or public park
- Within **500 feet** of a residentially zoned property
- In any location prohibited by the City's zoning ordinance

SECTION 5. OPERATIONAL REQUIREMENTS

All game rooms must comply with the following:

I. Security

- o A licensed security officer must be present during business hours.
- o Surveillance cameras must record all entrances, exits, and machine areas.
- o Recordings must be retained for **30 days** and made available to law enforcement.

2. Windows & Visibility

- No windows may be covered, tinted, or obstructed
- The interior must be visible from outside the building.

3. Access Control

- No person under **18 years of age** may enter.
- A valid ID must be checked at the entrance.

4. Lighting

- Adequate interior and exterior lighting must be maintained at all times.

5. Alcohol & Drugs

- Alcoholic beverages are prohibited unless the business holds a valid T ABC permit.
- Illegal drugs or paraphernalia are strictly prohibited.

6. Prize Restrictions

- All prizes must comply with Texas Penal Code §47.01(4)(B) (non-cash merchandise only).
- Cash payouts, gift cards, or cash equivalents are prohibited.

SECTION 6. HOURS OF OPERATION

Game rooms may operate only between:

8:00 AM and 10:00 PM, Monday through Saturday **Closed on Sundays** The

City Council may modify hours by resolution.

SECTION 7. SIGNAGE REQUIREMENTS

1. A game room must display a **City-issued permit** at the main entrance.
2. Exterior signage must:
 - Identify the business name
 - Not contain gambling-related imagery
 - Comply with the City's sign ordinance

SECTION 8. INSPECTIONS

1. Peace officers, code enforcement officers, and fire officials may enter a game room **at any time during business hours** to conduct inspections.
2. Operators shall not obstruct or interfere with inspections.
3. Failure to allow inspection is grounds for immediate permit suspension.

SECTION 9. SUSPENSION OR REVOCATION OF PERMIT

The City may suspend or revoke a permit for:

- Violations of this ordinance
- Criminal activity occurring on the premises
- Failure to maintain required security measures
- Providing false information on the permit application
- Allowing illegal gambling or cash payouts

A suspended or revoked permit may be appealed to the City Council within **10 days**.

SECTION 10. OFFENSES AND PENAL TIES

1. Operating a game room without a valid permit is a **Class C misdemeanor**, punishable by a fine up to **\$500 per day**.
2. Each day a violation continues constitutes a separate offense.
3. Machines used in violation of Texas Penal Code Chapter 47 may be seized by law enforcement.
4. The City may pursue civil remedies, including injunctions.

SECTION 11. SEVERABILITY

If any section of this ordinance is found invalid, the remaining portions shall remain in full force and effect.

SECTION 12. EFFECTIVE DATE

This ordinance shall take effect immediately upon adoption by the City Council of the City of East Tawakoni, Texas.

PASSED AND APPROVED by the City Council of the City of East Tawakoni on the meeting of the 16th day of June 2026.

10-34– 10-50. Reserved.

ARTICLE III. POOL HALLS AND GAME ROOMS

DIVISION I. GENERALLY

Sec. 10-51. Definitions.

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

Billiard table and pool table mean any table, whether coin operated or not, surrounded by a ledge or cushion with or without pockets upon which balls are impelled by a stick or cue.

Game room means any building, room, structure or any other place in which is exhibited for hire, revenue, fees or gain of any kind any type of electronic game.

Pool hall means any building, room, structure, or any other place in which is exhibited for hire, revenue, fees or gain of any kind any pool table or billiard table.

Code 1987 § 5.1

Secs. 10-52 – 10-70 Reserved.

DIVISION 2. LICENSE

Sec. 10-71. Required.

It shall be unlawful for any person to own and operate for profit any pool table or billiard table or similar electronic game, within this city except where specified as provided in zoning regulations, Chapter 70 without having first obtained an appropriate license from the city secretary. The license shall at all times be displayed in some conspicuous place within the licensed place of business. (Code 1987, 5.2)

Sec. 10-72. Operation within certain areas.

- (1) Any person over the age of 21 years may be licensed to operate a pool hall or game room in the city.
- (2) The application for any license provided for in this division shall be submitted in letter form to the city secretary, and such application shall state the following:
 - a. Full name of the applicant, address, age, and any qualifications deemed relevant by the applicant.
 - b. Trade name, if any.
 - c. Location of pool hall or game room.
 - d. Approximate number of patrons expected daily.
 - e. Total area in square feet of building.
 - f. Description of current state license if applicable and state number.
- (3) Any application received by the city secretary shall be brought to the attention of the mayor and placed on the agenda of the next regular city council meeting.
- (4) All application shall be acted upon by the city council within 60 days from the date of filing.
- (5) The license granted in this division shall be publicly displayed in the pool hall or game room.

- (6) The license provided for in this division shall be issued in letter form by the city secretary and shall be in substantially the following form:
- This is to certify that the City of East Tawakoni has authorized
to operate () Pool Tables and/or ()
Electronic Games on its premises located at (street address) East Tawakoni,
Texas, under all the provisions of Ordinance
- (7) For each pool table, there shall be at least 150 square feet of open floor space in the licensed premises.
- (8) Any premises licensed for a pool table under this division shall have at least half the front or street side exposed by plate glass or windows without covering and open to street view.
- (9) Any premises licensed under this article must be located as provided in zoning regulations, Chapter 70.
- (10) No licensee shall permit any person under 18 years of age to play at any licensed pool table or electronic game and such licensee must maintain signs on the premises stating such prohibition. Violation of this Subsection will cause immediate revocation of the Licensee 's permit and subject the Licensee to maximum fines allowed by law.
- (11) No licensee shall permit gambling on the licensed premises.
- (12) Licensee shall not provide rewards or prizes that are in violation of The State of Texas Penal Code(s). These Codes and Statutes change from time to time and The State of Texas Code and/or Statute enforceable at the time of any violation shall regulate this Section of this Ordinance.
- (13) No licensee shall allow alcoholic beverages to be brought in or be consumed on the licensed premises, the premises shall include all areas contiguous to the permitted property whether indoors or outdoors.
- (14) The licensee must maintain order and promptly report any breach of peace or other offense committed on the premises.
- (15) No pool hall and/or game room shall be operated between the hours of 12:00 midnight and 6:00 a.m.
- Code 1987 §5.5,5.10

Sec. 10-73. Revocation.

The city council is authorized and empowered to revoke or cancel the license of any person authorized under the laws of the state, licensed to own and operate an electronic game or pool table or billiard table under this article, after giving such licensee ten days' notice of a hearing and after conducting such hearing for the purpose of determining whether such license should be revoked; however, such power of cancellation or revocation shall be exercised only under the following conditions:

- (1) For the violation of any of the provisions of this article.
- (2) For knowingly permitting the violation of the law of this city or state.
- Code 1987 §5.8