APPLICATION FOR SEXUALLY ORIENTED ENTERPRISE LICENSE

Date of Application: _____

Control Number: _____

Type or print in ink when providing the required information. **If** more space is needed, please attach a separate sheet of white paper to this application. Sign, date and notarize each sheet of paper.

Sexually Oriented Enterprise, when used hereafter, means an enterprise as defined in section 28-121 of the Amended Code of Ordinances, City of Houston, Texas.

Applications for all permits, original or renewal, must be made to the Director by the intended operator / owner of the enterprise and must be made in person.

The permit application shall be accompanied by the following permit fees:

Original permit	$ 2,114.59
Renewal permit	$ 1,057.29
Permit alteration (name change)	$ 528.64

In addition to the above, each permit submitted requires the payment of an Administrative Fee in the amount of $26.42. All application fees are nonrefundable. No exceptions.

THE PERMIT APPLICATION MUST BE ACCOMPANIED BY:

1. A Certified copy of the Assumed Name Certificate as filed in compliance with the Assumed Business of Professional Name Act, provided the applicant is to operate the enterprise under an assumed name.
2. A certified copy of all Articles of Incorporation together with all documentation thereto, provided the applicant is a Texas Corporation.
3. A certified copy of the certificate to transact / conduct business in the State of Texas together with all documentation thereto, provided the applicant is a foreign corporation.
4. A certified copy of the Certificate of Limited Partnership, together with all documentation thereto, provided the applicant(s) is a limited partnership under the laws of the State of Texas.
5. A certified copy of the Certificate of Limited Partnership and all qualification documentation thereto, provided the applicant is a foreign Limited Partnership.

City of Houston
ARA
Administration & Regulatory Affairs

POST OFFICE BOX 1561 • HOUSTON, TEXAS 77251-1561
HOUSTON PERMITTING CENTER, 1002 WASHINGTON AVENUE, 1ST FLOOR

TEL: 832-394-8803
FAX: 832-395-9630

ONLINE: www.houstonpermittingcenter.org or www.houstontx.gov/ara

SEXUALLY ORIENTED ENTERPRISE

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Valid proof of the current fee ownership of the tract of land on which the enterprise is to be located / situated, in the form of a recorded deed.

If the person(s) identified as the fee owner(s) of the tract of land in item above are not also the registered owners of the enterprise, the lease agreement, rental agreement, purchase contract, purchase option contract, lease option contract or other documentation showing evidence of legally enforceable rights to ownership / proposed ownership of the land by the applicant must be provided and demonstrate that the owners of the tract of land have knowledge that the tract of land will be used for the purpose of a sexually oriented enterprise and / or the operation of a sexually oriented enterprise.

Any of the above mentioned items shall not be required for a renewal application if the applicant states, under oath, that previously submitted documentation (in its entirety) regarding the application remain in effect, are current and accurate.

REQUIRED INFORMATION (COPIES OF DOCUMENTS WILL BE PROVIDED):

Enterprise Name, Telephone Number & General Description of services to be provided at location:

_____

_____

_____

Address & Legal Description - (attach a copy of the description if not located in a recorded subdivision):

Street Address & Zip _____

Mailing Address & Zip _____

Subdivision / Section _____

Lot / Block Numbers _____

Intended Operator:

Full Name _____

Residential Address _____

Mailing Address & Zip _____

E-mail Address _____

Telephone Number _____ Texas I.D. Number _____

Owner of Enterprise:

Full Name _____

Residential Address _____

Mailing Address & Zip _____

E-mail Address _____

Telephone Number _____ Texas I.D. Number _____

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Date on which the owners acquired the enterprise for which the permit is being sought. If the enterprise is currently in operation, include the date on which the enterprise began operations as a sexually oriented enterprise:

_____

_____

Anticipated date of operation: (This is the date on which the applicant expects to be open for business). This date should be calculated from the date of the issuance of the permit, in the event the permit is issued. If this date exceeds ten (10) calendar days, include a detailed explanation of construction, repair or remodeling or other work that is the cause of the expected delay. Include a statement from the OWNER detailing the time schedule and plan for accomplishing the same.

_____

_____

YOU ARE HEREBY NOTIFIED THAT YOU, YOUR EMPLOYEES AND YOUR BUSINESS ARE SUBJECT TO CRIMINAL AND CIVIL PENALTIES IF A VIOLATION OF ANY OR ALL OF THE FOLLOWING LAWS ARE FOUND ON THE PREMISES OF THE ENTERPRISE:

Texas Penal Code section 43.04:
Aggravated Promotion of Prostitution
A person commits an offense if he knowingly owns, invests in, finances, controls, supervises or manages a prostitution enterprise that uses two or more prostitutes.

An offense under this section is a **FELONY OF THE THIRD DEGREE**.

A Felony of the third degree is subject to punishment by confinement in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years and may include a fine not to exceed $5000.00.

Texas Civil Practice and Remedies Code section 125.021 (in part) Public Nuisance

The habitual use or threatened or contemplated use of any place for any of the following purposes is considered a public nuisance:

1. Prostitution, promotion of prostitution, aggravated promotion of prostitution, compelling prostitution.
2. Commercial manufacture, commercial distribution or commercial exhibition of material that is considered obscene.
3. Commercial exhibition of live dances or other acts depicting real or simulated sexual intercourse or deviate sexual intercourse.
4. Delivering, possessing or using controlled substances in violation of the Texas Controlled Substance Act and Texas Penal Code.

The law provides that a judgment in favor of the State of Texas or City of Houston must order that the place where the nuisance exists be closed for one (1) year.

I represent that I have read and understood all of the information contained in this application. I further represent that I have personal knowledge of all statements made herein and that all information provided is true and correct. I also have read and understand the provisions in section 28-121 of Article 3 of chapter 28 of the City of Houston Code. I understand that a separate application must be made and a separate permit issued for each sexually oriented enterprise as defined.

Applicant: _____

Date: _____

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AFFIDAVIT

STATE OF TEXAS §

COUNTY OF HARRIS §

Before me, the undersigned authority, on this date personally appeared the following individual, _____, and who, after being by me first duly sworn, deposed and stated the he/she has read the above and forgoing application and further states that all information contained herein and furnished herewith is true and correct and that he/she has read the provisions of the ordinance, understands the provisions of ordinance and is in compliance with them. The aforementioned individual also swears and states that the original application remains correct as previously submitted in all respects except those that are amended in this transfer application dated _____ and that he/she is the owner(s) or operator(s) of the business identified in this application.

_____ Affiant

_____ Affiant

Subscribed and sworn to before me, on this _____ day of _____, 20_____.

_____
Notary public in and for the State of Texas

My commission expires _____