



## SEXUALLY ORIENTED BUSINESS APPLICATION

**REQUIRED INFORMATION:** Please refer to the Cameron County Regulations for Sexually-Oriented Businesses Operating Within Unincorporated Areas of the County. Please respond to the questions below. Use black ink. Once the initial portion of the application is completed see below for further instructions and requirements. The applicant shall tender a nonrefundable Application processing fee in the amount of \$500.00 payable to the County's Treasurer in the form of a money order, cashier's check, or traveler's check to defray all costs of processing, copying, mailing, inspections, and investigation, as provided for herein. The applicant shall file the completed Application together with all necessary information and attachments in person at the Cameron County Sheriff's Department, 7300 Old Alice Road, Olmito, Texas (956) 554-6700 between the hours of 9:00pm and 5:00pm, Monday through Friday.

\_\_\_\_\_  
Application Number

1. The current full legal name and any other legal name ever used by the applicant.

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2. A general description of the business, including its physical address and the service and products it is, or will, offer to its patrons.

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3. The current postal mailing and, if applicable, e-mail address and telephone and fax number(s) of any business owner.

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4. If not an owner, the applicant's current postal mailing and, if applicable, e-mail address and telephone and fax number(s).

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5. The name and current postal mailing and, if applicable, e-mail address and telephone and fax number(s) of any current owner of the real property at which the business is to be located and a copy of any lease or rental agreement.

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6. The applicant's complete business license or permit history including any license and/or permit that has been issued to him and/or suspended and/or revoked by the issuing agency, board, body association, etc. If there have been any license and/or permit that has been revoked or suspended, the History shall include reason(s) for that action.

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7. If the owner(s) intends to operate the business under an assumed name, a copy of the assumed name certificate filed in compliance with Chapter 36 of the Texas Business and Commerce Code.

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8. A photocopy of the applicant's current driver's license and/or Texas Department of Public Safety identification card.

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9. The city, county, and State of each of the applicant's residential addresses for the three (3) years immediately preceding the date of the Application's filing, indicating the applicable dates of each address.

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10. The applicant's business, occupations and employment history for the three (3) years immediately preceding the date of the Application's filing, indicating the applicable dates and business addresses.

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11. Proof that the applicant is at least eighteen (18) years of age, verified by a photocopy of the applicant's current driver's license and/or Texas Department of Public Safety identification card and/or a photographic identification card issued by another U.S., State, county, or municipal governmental entity.

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12. The applicant's current height, weight, natural eye color and natural hair color; and

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13. The applicant's color photograph (5x7) and fingerprints (to be taken by the Sheriff at the time the Application is filed).

ADDITIONAL REQUIREMENTS AND INSTRUCTIONS: The applicant shall also submit a notarized statement attesting that:

- (1) He has personal knowledge of the information contained in and/or attached to the Application, and that the information is true and correct to the best of his information and/or knowledge.
- (2) He received a copy of these Regulations, and that he understood them before filling the Application; and
- (3) He is the business' authorized agent, and authorizes the Sheriff or District Attorney to confirm any information set forth in, and/or attached, to the Application.

(e) If the business owner is a Texas corporation, the applicant shall provide a copy of its Articles of Incorporation, with any amendments; the names and mailing addresses of all current officers and directors and their telephone and fax number(s); and the names and mailing addresses of all current stockholders holding more than 5% of its stock.

(f) If the business owner is a foreign corporation, the applicant shall provide a copy of its certificate of authority to transact business in Texas, with any amendments; the names and mailing addresses of all current officers and directors and their telephone and fax number(s); and the names and mailing addresses of all current stockholders holding more than 5% of its stock.

(g) If the business owner is a general or limited partnership, the applicant shall provide the names and mailing addresses of all current partners, including limited partners and their telephone and fax number(s).

(h) If the business owner is a limited partnership formed under the laws of Texas, the applicant shall provide a copy of the certificate of limited partnership filed with the Office of the Secretary of State, with any amendments. If one or more of the partners is a corporation, the information required of corporate applicants shall also be provided.

(i) If the business owner is a joint venture or other similar entity, the applicant shall provide the names and mailing addresses of all current participants. If any participant is an individual, the applicant shall provide a photocopy of each participant's current driver's license and/or Texas Department of Public Safety identification card. If any participant is a corporation or partnership, the applicable information required in any of the foregoing subsections shall also be provided; and

(j) As to each person required to be identified in this Section, the Application shall also contain a statement as to any ownership interest that person has in any other sexually-oriented business that has been issued on SOBP in any State; a description as to any management, supervisory, or oversight responsibility that person has, or will have, in the business for which an SOBP is sought; and a written certification as to each owner, officer, director, partner, or participant that it/he has not been convicted of one or more of the crimes listed in Section XIV(e)(1)(iv).

(k) An applicant shall also provide:

(1) A reliable estimate of the number of employees, including a description of the capacities in which they will be employed.

(2) A general description of the business' management structure.

(3) A sketch or diagram showing the configuration of the business' premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the exterior and interior of the premises to an accuracy of plus or minus six (6) inches.

(4) A certification that the proposed business will be located:

- (i) At least one thousand five hundred (1,500) feet from any child care facility, school, dwelling, hospital, public building, public park, or church or place of religious worship.
- (ii) At least one (1) mile from a penal institution as defined by the Penal Code; and
- (iii) At least one thousand five hundred (1,500) feet from another sexually-oriented business.

(5) Subsection (k)(4) shall apply only to uses in existence at that location at least thirty (30) days prior to the date of an Application's filing.

(l) For the purposes of Subsections (k)(4)(i) through (4)(iii), measurements shall be made in a straight line from the nearest portion of the business' building or appurtenance to the nearest portion of the building or appurtenance that is used for the purposes identified in any one of those Subsections. These distance restrictions apply to an identified purpose whether or not the building or appurtenance used for an identified purpose in any one of those Subsections is located within the unincorporated area of Cameron County, Texas.

(m) An SOBP shall contain in at least 10-point boldface type the applicant's name and telephone and fax numbers; the business' operating name and physical address; an SOBP Identification Number; and, if applicable, any condition(s) any business owner, operator, and/or employee shall comply with as long as the SOBP is issued to the business.

(n) An applicant shall post an outdoor sign on the property where the business is, or will, be located. The sign shall be posted within seven (7) days after the date of the filing of the SOBP Application, and shall remain posted until the Application has been approved or denied by the Sheriff. The sign shall be posted so as to be clearly-visible from every public sidewalk, road, street, or highway that is adjacent to the business. The sign shall be at least 24 inches x 36 inches in size. The sign shall legibly state in English and Spanish that a Sexually-Oriented Business Permit Application has been filed with the Sheriff's Department. The sign shall also state the date the Application was filed and shall provide the business phone number for the Sheriff's Department. The sign shall inform the public that persons can contact the Sheriff for more information about the Application.

(o) If a side of a business' property is longer than one hundred (100) feet, an outdoor sign in conformity with Subsection (n) shall be posted in one hundred (100) foot increments on the property. The signs shall be posted within seven (7) days after the date of the filing of the SOBP Application, and shall remain posted until the Application has been approved or denied by the Sheriff. The signs shall be posted so as to be clearly-visible from every public sidewalk, road, street, or highway that is adjacent to the business. The signs shall be at least 24 inches x 36 inches in size, and each letter on the signs must be at least two (2) inches wide and three (3) inches high in size. The signs shall legibly state in English and Spanish that a Sexually-Oriented Business Permit Application has been filed with the Sheriff's Department. The signs shall also state the date the Application was file and shall provide the business phone number for the Sheriff's Department.

The signs shall inform the public that persons can contact the Sheriff for more information about the Application.

(p) If the Sheriff determines that a sign has not been erected pursuant to Subsections.

(n) and/or (o), the Sheriff shall issue a written notice to the applicant by certified mail, return receipt requested, identifying any deficiency, and no action on the business' Application shall be taken by the Sheriff until the sign(s) has been posted as required.

(q) Every applicant for an SOBP shall give written notice of a business' SOBP Application to all owners and lessees of real property within 1,500 feet of the real property on which the SOBP is requested. These owners and lessees are interested Parties in any public hearing process connected with said SOBP's issuance, including future suspension and revocation hearings. These interested Parties shall be notified as required in this Subsection even if their respective property is not located in an unincorporated area of Cameron County, Texas. Interested Parties within 1,500 feet of the business' existing or proposed location that are not within the unincorporated area of Cameron County, Texas shall have the same rights under this Subsection as the residents of the unincorporated area of the County.

(r) The business' Notice shall be sent to all Interested Parties within ten (10) days after an SOBP Application is filed with the Sheriff, and shall contain a legible copy of an English & Spanish "Notice to Interested Parties," a form of which shall be attached to the Application form provided by the Sheriff. The Notice shall be sent to each Interested Party by first class mail, properly addressed and postage prepaid. Each Interested Party so notified shall have fourteen (14) days from the date the applicant's Notice is received to request for a public hearing as provided for in Section XIII. The "Notice to Interested Parties" shall contain the procedures for requesting said hearing.

(s) An applicant shall also give notice of the Application's filing by publication in seven (7) consecutive issues of a newspaper of daily circulation in Cameron County, Texas. The notice shall be printed in at least 10-point boldface type, and shall state:

- (1) The fact that a SOBP has been applied for.
- (2) The physical address of the place of business for which the SOBP is sought.
- (3) The names of each business owner.
- (4) Such notice shall be published not later than seven (7) days after the date the SOBP Application is filed with the Sheriff, and
- (5) Within three (3) days after the date of the first publication of said notice, the applicant shall submit to the Sheriff a publisher's affidavit from the newspaper in which the notice appeared verifying the dates of publication.

(t) An Interested Party shall have fourteen (14) days after the last date on which the applicant's newspaper notice has been published to file a written request with the Sheriff for a public hearing as provided for in Section XIII.

**VERIFICATION AND  
AUTHORIZATION**

I, \_\_\_\_\_ (printed name) hereby submit this Application having personal knowledge of the information contained in the Application and the exhibits and attachments appended thereto. I verify that the information contained therein is true and correct. I hereby authorize the Sheriff to seek information to confirm any statements set forth in the application. I have read and understand "The Regulations for Sexually-Oriented Businesses in the unincorporated Area of Cameron County, Texas".

\_\_\_\_\_  
Applicant Signature

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

Subscribed and sworn to before me the undersigned authority on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, to certify which witness my hand and official seal of office.

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Notary Public, State of Texas