

ARCADES & POOLROOMS

REGULATIONS AND PERMITS

Establishments offering regulated arcades, amusement games, and poolrooms must secure a Regulatory Permit from the Police Department. This guide outlines the definitions, criteria, and process for obtaining the permit.

Arcades and Amusement Games - Definitions

Regulated arcades are establishments that have:

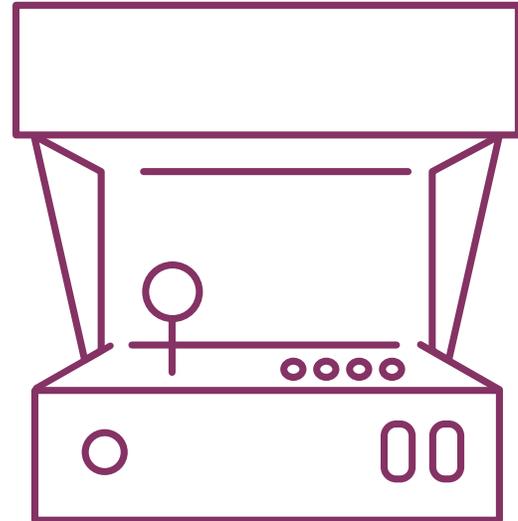
- Nine or fewer amusement games as the primary use of the establishment; or
- 10 or more amusement games, even if there are other uses at the establishment; or
- 15% or more of the net floor area is used for amusement games.

Regulated amusement games include any electrical or mechanical apparatus used as a game or contest for which payment is charged. These include:

- Pinball machines and video games
- Coin-operated juke boxes
- Up to two coin-operated pool tables. A permit is not required for one or two pool tables that are NOT coin-operated and are only incidental to the primary use of the business. More than two coin-operated pool tables are subject to requirements for a poolroom.

Poolrooms - Definitions

The Zoning Code defines a poolroom as having three or more pool tables or billiard tables, regardless of table size and whether activated manually or coin-operated. Permits are not required for up to two pool tables/billiard tables if they are NOT coin-operated and are incidental to the existing permitted and conditional commercial uses.



How to Look Up a Property's Zoning

Identify the zoning of a property address at:
www.sanjoseca.gov/zoningmap

Zones CP, CN, CG, & DC - Arcades/Poolrooms are allowed.

Zone PQP - Arcades/Poolrooms are allowed as incidental to a primary use with approval of a Conditional Use Permit; see Planning Guide #105 - Special & Conditional Use Permits, at www.sanjoseca.gov/planning.

Zones IP & TEC - Arcades with up to nine amusement games are allowed as Commercial Support. Please see the regulations outlined in Zoning Ordinance Section 20.50.110 - Commercial Support at www.sanjoseca.gov/zoningcode.

For assistance, speak with a City Planner at 408-535-3555; visit www.sanjoseca.gov/planning for service hours.

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How to apply for a Regulatory Permit

While the Police Department issues the permit, the City's Business Tax Office will coordinate the process and handles the necessary forms. You will need to submit the **Regulatory Permit Form** and the **Amusement Owner Form**, and both must be signed by the business owner.

All applicable fees and taxes will be collected by the Business Tax Office when you submit the application. A Business Tax Registration form and tax payment will also be required unless you have previously filed them. Learn more at www.sanjoseca.gov/businessstax.

The Business Tax Office will send your application to the Police Department, which will conduct background and site checks. The Police Department will contact you after they review your application.

To obtain the forms, either:

- Download at: www.sanjoseca.gov/businessstax
- Visit the Business Tax Office, City Hall, first floor.

Your Assessor's Parcel Number (APN) is required on the forms. To find your APN:

- Look on the property owner's tax bill;
- Look it up at the County Assessor's Office website: www.sccassessor.org; or
- Visit the County Assessor's Office at 70 W. Hedding Street in San Jose. Phone: 408-299-5500

Note: The Police Department issues permits for only 25 poolrooms in total, throughout the City. Contact the Police Department-Permits Unit on the availability of a pool room permit at 408-277-4452 or visit www.sjpd.org/cop/permits.html.

Fees

Fees are subject to change. For the regulatory permit, see the Public Safety Permit Fee Schedule at http://www.sjpd.org/records/fees_public_safety_permits.asp#amusement.

Annual Permit Expiration

The Regulatory Permit must be renewed annually as the permits expire on December 31 each year.

Criteria for Permit Approvals

To secure a permit to operate amusements games, arcades or poolrooms as defined in this guide, your proposal must comply with various codes and criteria:

1. The business establishment must be in compliance with zoning, building, and fire codes.
2. An interior net leasable area of 300 square feet, not including storage areas, must exist within the establishment for each amusement game proposed for approval.
3. Amusement games must be placed a minimum of 20 feet from the location of any packaged alcoholic beverages.
4. Amusement games may be separated from the rest of the business by walls, partitions, or closable doors. However, if such separated area has its own outside access, it will be considered as a separate establishment.
5. The amusement game must not create a public or private nuisance and must not adversely affect the peace, health, safety, morals, or welfare of the community in which it is located.
6. Neither the permit applicant, nor any person holding any right, title, or interest in such business establishment, nor any principal manager, may have been convicted of a crime within the past three years which is substantially related to the qualifications, functions, or duties of the use of amusement games in a business establishment.

This publication is available upon request in alternative formats such as Braille, large print, audio tape, or computer disk. Call 408-535-3555 (voice) or 408-294-9337 (TTY).