

**RESOLUTION NO. \_\_\_\_\_**

**AUTHORIZING A LAWSUIT ENTITLED  
CITY OF FORT WORTH V. DONALD SCOTT AND MARK WEIBEL,  
IN HIS OFFICIAL CAPACITY AS HEARING OFFICER FOR GAME ROOM APPEALS**

**WHEREAS**, the Tarrant County Game Room Regulations (the Regulations) became effective April 1, 2020 and became the game room regulations of the City of Fort Worth via an interlocal agreement with Tarrant County; and

**WHEREAS**, the Regulations provide that game rooms may not be located within 1,500 feet of a school, a place of religious worship or a residential neighborhood; and

**WHEREAS**, Donald Scott and P. A. Scott Industries d/b/a Pot of Gold Game Room filed an application with the City’s Game Room Administrator for a permit to operate a game room at 5125 Sun Valley Drive: and

**WHEREAS**, the City’s Game Room Administrator denied the permit because the location of the proposed game room was within 1,500 feet of a residential neighborhood; and

**WHEREAS**, Mr. Scott, as allowed by the Regulations, appealed the denial of the permit to the Hearing Officer, Mark Weibel; and

**WHEREAS**, on November 3, 2020 Mark Weibel reversed the Game Room Administrator’s denial of the permit; and

**WHEREAS**, the Regulations provide that the decision of the Hearing Officer may be appealed to a District Court of Tarrant County;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:**

The City Council ratifies the City Attorney’s filing of a suit in a District Court of Tarrant County against Donald Scott, P.A. Scott Industries d/b/a Pot of Gold Game Room, and Mark Weibel, In His Official Capacity As Hearing Officer For Game Room Appeals, to set aside the decision of the Hearing Officer and re-instate the denial of a permit for a game room at 5125 Sun Valley Drive.

Adopted this \_\_\_\_\_ day of January 2021.

ATTEST:

By: \_\_\_\_\_  
Mary Kayser, City Secretary