

## **Special Town Council Meeting**

May 7, 2019

9:30 AM - 2:00 PM

with a recess at Noon for lunch and reconvening at 1:00 PM

Town Council Chambers

Chair: Pete Muldoon

**NOTICE:** THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS. **PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING**

### **I. CALL TO ORDER AND ROLL CALL**

### **II. (9:30 am) EXECUTIVE SESSION**

- A. Recess to executive session to discuss personnel matters in accordance with Wyoming Statute 16-4-405(a)(ii).

### **III. (10:00 am) DISCUSSION/ACTION ITEMS**

- A. Liquor License Code Update
- B. Child Care
- C. Organization Structure
- D. START

### **IV. ADJOURN**

*Please note that at any point during the meeting, the Chairman or Mayor may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.*



# TOWN OF JACKSON

## WORKSHOP DOCUMENTATION

**SUBMITTING DEPARTMENT:** Administration

**PRESENTERS:** Sandy Birdyshaw

**WORKSHOP DATE:** May 7, 2019

**SUBJECT:** Proposed Revision to Municipal Code Title 6 – Liquor Licenses & Permits

### PURPOSE OF WORKSHOP ITEM

The Town Council authorizes any changes made to the Jackson Municipal Code (JMC). The Town Council is granted ample authority by Wyoming State Statutes 12-1-101(ix) and 12-4-101(a) to issue, control, administer, and regulate the sale of alcoholic and malt beverages within its jurisdiction, as the local licensing authority. The purpose of this item is to concentrate on specific updates to the liquor code that were first introduced in a workshop on March 18<sup>th</sup>.

### DESIRED OUTCOME

The desired outcome would be for the Council to provide direction to staff on proposed revisions and to ultimately bring back an ordinance to adopt revisions to the Jackson Municipal Code.

### BACKGROUND/ALTERNATIVES

At the March 18 workshop, three levels of revisions were introduced; revisions that removed language that duplicated state statute, minor revisions which were considered as housekeeping items, and a handful of revisions for Council's consideration and direction. After discussion, the Council directed staff to bring back revisions on mandatory server training, eliminating the application fee for Events for Persons Under 21, including Off-Premises Open Container Sales, to discuss the suspension section further, and to possibly look at the license fees.

The April 15<sup>th</sup> workshop discussion took place during the regular evening meeting and centered on the seven points below:

1. Application Fees. Discussion was continued.
2. Events for Persons Under 21. This section is now proposed to be removed as duplicative statute language since the application fee was eliminated.
3. Off-Premises Open Container Sales. Discussion was continued.
4. Server Training required. Discussion was continued.
5. Non-Renewal. Council generally agreed to proposed language related to requiring server training.
6. Grounds for Suspension and/or Revocation. Discussion was continued.
7. Penalty for Violations. Discussion was continued.

This staff report focuses on the bullet points that were continued for discussion and are referenced by the original number as listed above.

1. **6.20.050 Application Fees**. At the March and April workshops, a council member expressed interest in changing the fee charged for resort liquor licenses. The Town currently has four (4) resort liquor licenses issued to Johnson Resort Properties *dba* Rustic Inn, Snow King Mountain Resort LLC *dba* Snow King Mountain Resort (ski hill), Benchmark Hospitality of Wyoming LLC *dba* Snow King Resort (hotel and Grandview Lodge), and All Suite Development *dba* The Lodge at Jackson Hole.

Wyoming Statutes provide a range of fee amounts that local licensing authorities may charge for an annual license. There are 37 resort liquor licenses held by 12 jurisdictions within Wyoming. 2 jurisdictions charge \$1,000, 7 charge \$1,500, and 3 charge \$3,000.

| <u>Type of License</u> | <u>Fee / Allocated-Issued</u> | <u>Fee Range</u> | <u>Jackson's Fee</u>       |
|------------------------|-------------------------------|------------------|----------------------------|
| Retail                 | max'd / 21-19                 | \$100 – 1,500    | \$1,500 since 1935         |
| Resort                 | could increase / 4            | \$500 – 3,000    | \$1,500 since 1995         |
| Bar & Grill            | could increase / 6-6          | \$1,500 – 10,500 | \$1,500 since 2006         |
| Restaurant             | could increase / 44           | \$500 – 3,000    | \$1,500 since 1995         |
| Limited Retail (Club)  | could increase / 3            | \$100 – 1,500    | \$500 since 1995           |
| Microbrewery           | max'd / 5                     | \$300 – 500      | \$500 since 1993           |
| Satellite Winery       | max'd / 1                     | \$100            | \$100 since 2003           |
| Winery                 | max'd / 0                     | \$300 – 500      | proposed to be \$500 (new) |

3. **6.40.045 Off-Premises Open Container Sales.** At the March workshop, Council was comfortable with adding this section. Discussion in April included the method of sealing that should be used and whether the Town should require one method over another. Teton County adopted rules in December dealing with selling alcoholic beverages in an open container and this new section would similarly match their rules. The proposed language below allows retail licensees and microbrewery permittees to choose the type of seal they use from four approved methods. Proposed language (revised from April 15):

#### **6.40.045 Off-Premises Open Container Sales.**

- A. Retail Liquor and Microbrewery Licensees selling alcoholic beverages that are not in the original package or are in reused original packages for off-premise consumption (sloshies, growlers and the like) shall seal the container in a fashion so that it is obvious when the seal is broken, and so that it is not possible to consume any of the beverage as long as the seal is in place.

The Licensee shall, at their discretion, use any of the following approved methods to seal the container:

1. A shrinkable band, or shrinkable film, covering the lid and neck of the container, or
2. A “milk” jug with a tamper-evident cap, or
3. A glass jug sealed with a shrinkable band, or shrinkable film, covering the lid and neck of the container, or
4. Solid lengths of a tamper-evident tape that is placed over the lid, covering any straw hole(s), and down four sides of the container
  - a. Tamper-Evident Tape is defined as a distinct tape designed to provide visible evidence of any interference, cutting, or removal of the tape.

- B. Every Licensee selling alcoholic beverages as identified in A. above, shall post a sign visible to patrons stating “Alcoholic beverages are to remain secure and not accessible by Driver or Passengers while the vehicle is in motion – W.S. §31-5-235.”

*Alternate sign language:* “State Law Prohibits Open Alcoholic Containers in Motor Vehicles W.S. 31-5-235”

4. **6.40.055 Alcohol Server Training Required.** At the March workshop, Council was comfortable with requiring Licensees to have their employees who serve alcoholic and malt beverages trained. A grace period of 45 days from date of hire was proposed and a certification lasted three (3) years. Discussion in April leaned toward allowing 90 days from date of hire for new employees to successfully complete training; the proposed language below has been updated to reflect that.

Discussion also included a suggestion to require the Licensee to be trained as well. This merits further discussion to clarify who the Licensee is and who the Council requires to be trained. In some cases, it is clear as the applicant may be one person or a partnership. In other cases, it is more complex when licenses are held by a corporation or an LLC, and the parties involved live out of town or the state. Staff requests that this be clarified if Council wishes to require the Licensee to have certification, it is not currently included in the proposed language below.

Regarding the suggestion of requiring training on an annual basis, rather than on a three (3) year cycle. The Wyoming Liquor Division set the rules to meet the alcohol server training programs in W.S. § 12-4-402. The Council may certainly be stricter and require annual training or go with the state's standard. Staff requests direction on this question, an annual requirement is not currently included in the proposed language below.

Currently, successful compliance check visits are rewarded with a local gift card and a 'gold star' which can be applied to the liquor license certificate or elsewhere.

Proposed language, revised from April:

**6.40.055 Alcohol Server Training Required.**

- A. All persons employed at any business operating with a liquor license, who are engaged in the selling or serving of alcoholic and malt beverages, or the managing thereof (hereinafter referred to as "alcohol server staff"), shall successfully complete an alcohol server training program compliant with Wyoming Statute § 12-2-402, within ninety (90) days of their date of hire, or the effective date of this rule, whichever is later.
- B. Alcohol Server Training Certification shall be valid for three (3) years. Alcohol server staff shall renew their certification prior to expiration and place the new certificate on file with their employer.
- C. Every Licensee shall maintain a training record for their alcohol server staff, including their date of hire and proof of current alcohol server training certification as required by this Section. Every Licensee shall keep the training records for their current alcohol server staff available for inspection by law enforcement officers or officials of the Town of Jackson at any time that the licensed establishment is open.
- D. The Licensee or manager of the establishment may be cited for a violation of this Section and the citation may be in addition to other penalties set forth in Title 12 of Wyoming State Statutes or the Jackson Municipal Code.

6. **6.60.020 Grounds for Suspension and/or Revocation.** At the March workshop, Council expressed interest in "stepped penalties" and clear language. Discussion in April included a suggestion of making the first three grounds listed below an automatic suspension. Staff confirmed that suspension requires action by the Council. To clarify this, the language in A. below has been revised.

Number A.3. was revised to read “*failing* to report incidents” to encourage businesses to call the police when challenging situations arise.

Discussion also questioned the length of the suspension listed in number A.1. for three compliance check failures. This is a policy question for Council to consider applying a blanket penalty over the different types of liquor licenses. The current code language has proven that suspensions carry varying degrees of injury when compared across the types of liquor licenses, based on the business’s primary source of operational revenue. Staff requests Council direction on determining the number of days a license is to be suspended.

The proposed language below removes number A.6. Rather than impose a suspension, staff requests that Council directs staff to work with Licensees anytime an issue of noncompliance occurs, to first rectify the situation, and then to bring it to Council if it cannot be corrected.

Proposed language, revised from April:

**6.60.020 Grounds for Suspension and/or Revocation.**

- A. The following actions, whether one (1) or more, shall require the Town Council to suspend a liquor license, with or without, the initiation of revocation proceedings. Revocation proceedings will be in accordance with W.S. § 12-7-201, as amended.
1. Failure by any Licensee, or an agent or employee thereof, of three (3) compliance checks conducted by law enforcement pursuant to W.S. § 12-6-103, as amended, within a twelve (12) month period. A suspension will be carried out within the current liquor license year and be for **ten (10)** consecutive calendar days, and/or the Town Council may initiate revocation proceedings.
  2. Failure by any Licensee, or an agent or employee thereof, of five (5) compliance checks conducted by law enforcement pursuant to W.S. § 12-6-103, as amended, within a twenty-four (24) month period. A suspension will be carried out within the current liquor license year and be for thirty (30) consecutive calendar days, and/or the Town Council may initiate revocation proceedings.
  3. A pattern of failing to report incidents of excessive drinking and/or disorderly conduct on the licensed premises. A suspension will be carried out within the current liquor license year and be for thirty (30) consecutive calendar days, and/or the Town Council may initiate revocation proceedings. A “pattern” for purposes of this section is defined as three (3) or more police reports in any twelve (12) month period.
  4. The making of materially false statements on, or the submission of materially false documents in the State of Wyoming liquor license application and/or Town of Jackson liquor license application packet. A suspension will be carried out within the current liquor license year and be for thirty (30) consecutive calendar days, and/or the Town Council may initiate revocation proceedings.
  5. Three (3) or more substantiated violations of any provision(s) of Title 12 of the Wyoming State Statutes, as amended, or the Jackson Municipal Code in any twelve (12) month period. A suspension will be carried out within the current liquor license year and be for thirty (30) consecutive calendar days, and/or the Town Council may initiate revocation proceedings.
  - ~~6. Any substantiated single incident of noncompliance with any provision of Title 12 of the Wyoming State Statutes, as amended, or the Jackson Municipal Code. A suspension~~

~~will be carried out within the current liquor license year until the Licensee comes back into compliance with the specified provision.~~

B. In the event a suspension occurs:

1. The Town Clerk shall send a suspension notice to the Licensee by electronic-mail (delivery receipt) and certified postal mail to the address on file, with a copy to the Wyoming Liquor Division and Chief of Police.
2. The Licensee shall either remove all of the alcoholic liquor and malt beverages from the licensed premises or secure the alcoholic liquor or malt beverages in a manner approved in writing by the Chief of Police or his/her designee. The method of securing this inventory shall be approved at least 72-hours before the suspension begins, when a suspension is set to begin on a certain date in the future.
3. The Town Clerk shall post one (1) suspension notice on the licensed premises on or about the first day the suspension is to be carried out. The sale, offering to sell, distribution, or traffic of alcoholic liquor or malt beverages is unlawful during the suspension.

7. **6.90 Penalty for Violations.** Currently, the penalty for failing a first compliance check is that the employee who unlawfully served the alcohol must attend server training within thirty (30) days of the failed check. For failing a second compliance check, all employees who serve alcohol must attend training within forty (45) days of the failed second check. The penalty for failing three (3) or more compliance checks is a suspension of the license as addressed in Chapter 6.60.

Proposed language presented in April expanded the penalty to require a member of the Licensee, or an officer or director thereof who is listed on the liquor license application, attend training with the employee who failed the compliance check. The thought behind this proposal was that by placing a burden of time and inconvenience on the Licensee of having to attend training, it may strengthen the realization of their responsibility of operating under a liquor license. The window period to attend training was increased from thirty (30) to forty-five (45) days. Proposed language as presented in April:

**6.90.020 Compliance Check Failures.**

- A. On the first compliance check failure, a member of the Licensee, or an officer or director thereof who is listed on the liquor license application, is required to attend alcohol server training with the employee who failed the compliance check within forty-five (45) days of the failed check.
1. The alcohol server training must be one of the programs approved by the Wyoming Liquor Division and Jackson Police Department.
  2. Licensee must provide the Jackson Police Department with the certificate of successful completion within one (1) week of completion of the alcohol beverage server training.

- B. On the second consecutive compliance check failure, or a second compliance check failure within a twelve (12) month period, the Licensee is required to do the following within the associated time limits:
1. Within two (2) calendar days of the failed compliance check, provide the Jackson Police Department with the names of all employees who sell or serve alcoholic beverages; and
  2. Within forty-five (45) calendar days of the failed compliance check, ensure that a member of the Licensee, or an officer or director thereof who is listed on the liquor license application, and all the employees, in accordance with Section 6.90.020(B)(1) above, attend an alcohol server training as approved by the Wyoming Liquor Division and Jackson Police Department; and
  3. Provide the Jackson Police Department with the certificate of successful completion in accordance with Section 6.90.020(B)(1) above, within one (1) week of completion of the alcohol beverage server training.

### COMPREHENSIVE PLAN ALIGNMENT

Aligns with Comprehensive Plan Policy 8.1.a. for the delivery and quality of desired levels of service to the community and the decisions related to liquor licensing have a direct correlation to the health, safety, and welfare of the community as discussed in Section 8.

Liquor licensed establishments may have a positive or negative impact on its neighborhood, and the Town Council must balance the needs of a licensee with the needs of those who live or work in the vicinity. In Section 4 of the Comprehensive Plan relating to Town as the Heart of the Region and Complete Neighborhoods it discusses mixed uses, economic centers, and retail areas and the Council's decisions on new licenses, transfers and renewals have an impact in these areas.

The Town Council could also have a high-level strategic discussion about the goals of regulating alcohol sales within Town limits and how they would measure success in reaching those goals prior to considering specific changes in the Municipal Code.

### STAKEHOLDER ANALYSIS

Stakeholders include the Town Council as the final decision makers and local licensing authority; each liquor license holder; the Police Department and Town staff as related to compliance with liquor laws; and the residents and guests of the community expecting adequate and safe provision of alcohol to those legally entitled to partake.

### FISCAL IMPACT

There are significant indirect positive and negative fiscal impacts associated liquor licenses in the community related to social issues, compliance, enforcement, and adjudication of alcohol related laws and crimes, sales tax generated by the sale of alcohol, tourism generation, etc.

### STAFF IMPACT

It takes a significant amount of time to stay up-to-date with state and local liquor laws, to thoroughly review and process applications, and to accurately respond to public questions. It also takes a significant amount of time to enforce liquor license laws by the Police Department, Town Clerk, and Legal Department.

### LEGAL ISSUES

Ongoing.

### ATTACHMENTS

1. Examples of Approved Methods of Sealing Open Containers
2. Jackson Municipal Code Title 6 - working copy with prior approved revisions accepted and today's questions in redline.

### RECOMMENDATION

For the Town Council to discuss proposed changes to the Municipal Code related to liquor licensing and continue this item to another workshop for discussion or to direct staff to bring back an ordinance.

### SUGGESTED MOTION

Should Council desire to further discussion:

I move to continue Liquor Code Updates to a future Council workshop.

Should Council be ready to move forward:

I move to direct staff to bring back a draft Ordinance including revisions made today to a regular Council meeting for first reading.

## Examples of Approved Methods of Sealing Open Containers:



*Tape must be Tamper Evident  
(not tamper resistant as shown)*



### MILK JUGS

Lightweight, corrosion-resistant containers for liquid storage.

- Built-in handle for easy carrying and pouring.
- FDA compliant.
- HDPE. Tamper-evident caps included.

| MILK JUGS |          | SOLD IN CASE QUANTITIES |           |               |          |                                                             |
|-----------|----------|-------------------------|-----------|---------------|----------|-------------------------------------------------------------|
| MODEL NO. | SIZE     | CAP SIZE                | QTY./CASE | PRICE PER JUG |          | ADD TO CART                                                 |
|           |          |                         |           | 1 CASE        | 3+ CASES |                                                             |
| S-22549   | 32 oz.   |                         | 192       | \$5.70        | \$5.64   | <input type="text"/> 192 <input type="button" value="ADD"/> |
| S-16911   | 1/2 Gal. | 38/Special              | 108       | .84           | .77      | <input type="text"/> 108 <input type="button" value="ADD"/> |
| S-16912   | 1 Gal.   |                         | 48        | 1.14          | 1.04     | <input type="text"/> 48 <input type="button" value="ADD"/>  |

SHIPS VIA MOTOR FREIGHT

| MILK JUG SKID LOTS - SAVE UP TO 30% |          |            |           |           |               |                                                              |
|-------------------------------------|----------|------------|-----------|-----------|---------------|--------------------------------------------------------------|
| MODEL NO.                           | SIZE     | CAP SIZE   | QTY./CASE | QTY./SKID | PRICE PER JUG | ADD TO CART                                                  |
|                                     |          |            |           |           |               |                                                              |
| S-22549S                            | 32 oz.   |            | 192       | 1,920     | \$5.49        | <input type="text"/> 1728 <input type="button" value="ADD"/> |
| S-16911S                            | 1/2 Gal. | 38/Special | 108       | 972       | .59           | <input type="text"/> 972 <input type="button" value="ADD"/>  |
| S-16912S                            | 1 Gal.   |            | 48        | 432       | .79           | <input type="text"/> 432 <input type="button" value="ADD"/>  |



### GLASS JUGS

Bulk storage for juices, ciders and craft beers.

- Finger handle for easy carrying and pouring.
- Crystal Clear - For visibility.
- Amber Growler - For take-home tap beers.
- FDA compliant.
- Caps included.

| GLASS JUGS |          | SOLD IN CASE QUANTITIES |          |       |           |               | * Also available in Amber. |                                                                       |
|------------|----------|-------------------------|----------|-------|-----------|---------------|----------------------------|-----------------------------------------------------------------------|
| MODEL NO.  | SIZE     | OPENING DIAMETER        | CAP SIZE | COLOR | QTY./CASE | PRICE PER JUG |                            | ADD TO CART                                                           |
|            |          |                         |          |       |           | 1 CASE        | 3+ CASES                   |                                                                       |
| S-18033*   | 1/2 Gal. | 1 1/8"                  | 38/400   | Clear | 6         | \$3.25        | \$2.95                     | <input type="text"/> Specify Color <input type="button" value="ADD"/> |
| S-18034    | 1 Gal.   |                         |          |       | 4         | 4.35          | 4.00                       | <input type="text"/> 4 <input type="button" value="ADD"/>             |

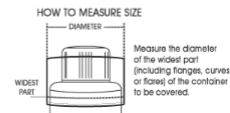
## CLEAR SHRINK BANDS



Enlarge & Video

Create quick, tamper-evident packaging for bottles and jars.

- Seal spice and sauce jars, water bottles, pharmaceuticals and more.
- Choose non-perforated or perforated for easy removal.
- Shrink with [Heat Guns](#).
- [How to measure size](#).



### PERFORATED CLEAR SHRINK BANDS - BAND HEIGHT 1"

| MODEL NO.               | FLAT BAND DIMENS. (mm) | FITS BOTTLE CAP DIAMETER | SUGGESTED USE                                                 | PRICE PER 1,000 |      |      | ADD TO CART                                        |
|-------------------------|------------------------|--------------------------|---------------------------------------------------------------|-----------------|------|------|----------------------------------------------------|
|                         |                        |                          |                                                               | 1               | 2    | 3+   |                                                    |
| <a href="#">S-12226</a> | 30 x 28                | 1/2"                     | Small Eye Drop Bottles                                        | \$16            | \$15 | \$14 | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-12227</a> | 48 x 28                | 3/4 - 1"                 | Pharmaceuticals, Spice Jars, Water Bottles, Perfumes, Shampoo |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-12228</a> | 55 x 28                | 1 - 1 1/4"               |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-12229</a> | 66 x 28                | 1 1/4 - 1 1/2"           |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-12230</a> | 75 x 28                | 1 1/2 - 1 3/4"           | Hand Lotion, Juice Bottles, Sauce Jars, Condiment Containers  | 17              | 16   | 15   | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-12231</a> | 86 x 28                | 1 3/4 - 2"               |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-12232</a> | 100 x 28               | 2 - 2 1/2"               |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-12233</a> | 110 x 28               | 2 1/2 - 2 3/4"           | Cosmetics, Jelly, Tins, Vitamins                              | 19              | 18   | 17   | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-12234</a> | 125 x 28               | 2 3/4 - 3"               |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-14028</a> | 135 x 28               | 3 - 3 1/4"               |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-14029</a> | 145 x 28               | 3 1/4 - 3 1/2"           | Cosmetics, Jelly, Tins, Vitamins                              | 21              | 20   | 19   | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-14030</a> | 155 x 28               | 3 1/2 - 3 3/4"           |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-14031</a> | 165 x 28               | 3 3/4 - 4"               |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-14971</a> | 175 x 28               | 4 - 4 1/4"               |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-14972</a> | 190 x 28               | 4 1/4 - 4 1/2"           |                                                               | 24              | 23   | 21   | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-22536</a> | 205 x 28               | 4 1/2 - 4 3/4"           |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-22537</a> | 215 x 28               | 4 3/4 - 5"               |                                                               |                 |      |      | <input type="text" value="1"/> <a href="#">ADD</a> |
| <a href="#">S-22538</a> | 235 x 28               | 5 1/4 - 5 1/2"           | Gift Tins, Cookie Jars                                        | 26              | 25   | 24   | <input type="text" value="1"/> <a href="#">ADD</a> |

### PERFORATED CLEAR SHRINK BANDS - BAND HEIGHT 2"

| MODEL NO. | FLAT BAND DIMENS. (mm) | FITS BOTTLE CAP DIAMETER | SUGGESTED USE                                                 | PRICE PER 1,000 |      |      | ADD TO CART                                               |
|-----------|------------------------|--------------------------|---------------------------------------------------------------|-----------------|------|------|-----------------------------------------------------------|
|           |                        |                          |                                                               | 1               | 2    | 3+   |                                                           |
| S-18600   | 48 x 56                | 3/4 - 1"                 | Pharmaceuticals, Spice Jars, Water Bottles, Perfumes, Shampoo | \$19            | \$18 | \$17 | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18623   | 55 x 56                | 1 - 1 1/4"               |                                                               |                 |      |      | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18624   | 66 x 56                | 1 1/4 - 1 1/2"           |                                                               |                 |      |      | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18625   | 75 x 56                | 1 1/2 - 1 3/4"           |                                                               |                 |      |      | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18626   | 86 x 56                | 1 3/4 - 2"               | Hand Lotion, Juice Bottles, Sauce Jars, Condiment Containers  | 23              | 22   | 21   | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18627   | 100 x 56               | 2 - 2 1/2"               |                                                               |                 |      |      | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18628   | 110 x 56               | 2 1/2 - 2 3/4"           |                                                               |                 |      |      | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18629   | 125 x 56               | 2 3/4 - 3"               | Cosmetics, Jelly, Tins, Vitamins                              | 27              | 26   | 25   | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18630   | 135 x 56               | 3 - 3 1/4"               |                                                               |                 |      |      | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18631   | 145 x 56               | 3 1/4 - 3 1/2"           |                                                               |                 |      |      | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18632   | 155 x 56               | 3 1/2 - 3 3/4"           |                                                               |                 |      |      | <input type="text"/> 1 <input type="button" value="ADD"/> |
| S-18633   | 165 x 56               | 3 3/4 - 4"               |                                                               | 31              | 30   | 29   | <input type="text"/> 1 <input type="button" value="ADD"/> |

## **Title 6 Liquor Licenses and Permits**

### **Chapters:**

- 6.10 DEFINITIONS**
- 6.20 APPLICATION FOR LICENSES AND PERMITS**
- 6.30 ANNUAL LICENSES AND PERMITS**
- 6.40 RESTRICTIONS UPON LICENSE AND PERMIT HOLDERS**
- 6.50 SPECIAL TWENTY-FOUR (24) HOUR PERMITS**
- 6.60 SUSPENSION AND REVOCATION OF LICENSES AND PERMITS**
- 6.70 VIOLATIONS (Repealed Ord. ,2019).**
- 6.90 PENALTY FOR VIOLATIONS**

**Chapter 6.10**  
**DEFINITIONS**

**Sections:**

**6.10.010 Definitions.**

**6.10.010 Definitions.**

As used in this Title:

- A. **"Hotel"** means a suitable building kept, used, maintained, advertised, and held out to the public to be a place where sleeping accommodations are offered for pay to transient guests. Such sleeping accommodations shall be in the same building and such sleeping accommodations shall be so equipped and serviced that the Town Council shall be satisfied that the chief source of revenue to be derived from the operation of the hotel shall be from sleeping accommodations and not from the sale of alcoholic or malt beverages. No cottage, tourist camp, or rooming house shall be considered a hotel.
- B. **"Licensee"** means a person holding any permit or license in accordance with this Title or Title 12 of the Wyoming State Statutes, as amended.
- C. **"Restaurant"** means space in a building maintained, advertised and held out to the public as a place where individually priced meals are prepared and served primarily for on-premises consumption and where the primary source of revenue from the operation is from the sale of food and not from the sale of alcoholic or malt beverages. The building shall have a dining room or rooms, a kitchen, and the number and kinds of employees necessary for the preparing, cooking and serving of meals in order to satisfy the licensing authority that the space is intended for use as a full service restaurant.
  - 1. **"Full service restaurant"** means a restaurant at which waiters and waitresses deliver food and drink offered from a printed food menu to patrons at tables or booths.
  - 2. Food menu shall contain a minimum of five (5) qualifying selections. The service of only fry orders or such food and victuals as sandwiches, hamburgers or salads shall not be deemed a restaurant for the purposes of this section.
  - 3. Kitchen shall be an area with cooking appliances required to prepare plated meals.
  - 4. Dispensing Room means an enclosed and partitioned space within a restaurant large enough for a person to enter, but not a cabinet. Wall partitions may contain cut-out windows and doorways, but partitions shall extend from floor to ceiling.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 998 § 1, 2011; Ord. 853 § 3, 2007; Ord. 389 § 1, 1989; Ord. 90 § 1, 1965.)

**Chapter 6.20**  
**APPLICATION FOR LICENSES AND PERMITS**

**Sections:**

**6.20.025 State Laws Applicable.**

**6.20.050 Application Form and Fees.**

**6.20.010 Affidavit and of Authorization and Understanding.**

**6.20.012 Plan of Operations, All Licenses and Permits.**

**6.20.015 Affidavit of Understanding.** (Repealed. Ord.1185 § 1, 2017)

**6.20.020 Notice publication--Protests.** (Repealed Ord., 2019)

**6.30.030 Term - Exception.** (Repealed Ord., 2019)

**6.20.025 State Laws Applicable**

All licenses issued pursuant to this Title, and all use, possession, sales, and purchases of alcoholic beverages shall be subject to all requirements, regulations and limitations prescribed by Wyo. Stat. Ann. Title 12, *et seq.*, and are adopted by reference and amendments thereto except as is otherwise expressly set forth in this Title. If this Title is silent, then state statute is applicable. If there is a conflict between the state statute and this Title, then the stricter will apply.

**6.20.050 Application Form and Fees**

- A. A person desiring any liquor license under this Title shall apply to the Town Clerk on forms prepared by the Attorney General of the state of Wyoming, as and in accordance with the statutes of the State of Wyoming.
- B. The Town, upon application, state certification and public hearing, may issue a liquor license or permit pursuant to this Title and Title 12 of the Wyoming State Statutes, as amended.
- C. The fee paid annually for each license is as follows, said fees may be amended from time to time by ordinance of the Town Council; however, in no case shall the sum be greater than the amount authorized by applicable statutes of the State of Wyoming, and no application will be processed, nor any license issued, until payment in full has been made:
  - 1. Retail Liquor License: The fee is one thousand and five hundred dollars (\$1,500.00).
  - 2. Limited Retail (Club) Liquor License: The fee is five hundred dollars (\$500.00).
  - 3. Resort Liquor License: The fee is one thousand and five hundred dollars (\$1,500.00).
  - 4. Restaurant Liquor License: The fee is one thousand and five hundred dollars (\$1,500.00).
  - 5. Bar and Grill License: The fee is one thousand and five hundred dollars (\$1,500.00).
  - 6. Microbrewery Permit: The fee is five hundred dollars (\$500.00).
  - 7. Winery Permit: The fee is five hundred dollars (\$500.00).
  - 8. Satellite Winery Permit: The fee is one hundred dollars (\$100.00).
- D. The fee to be paid for each twenty-four (24) hour permit is as follows, which fees may be amended from time to time by ordinance of the Town Council; however, in no case shall the sum be greater than the amount authorized by applicable statutes of the State of Wyoming, and no permit will be issued until payment in full has been made:
  - 1. Catering Permit: The fee is twenty dollars (\$20.00).
  - 2. Malt Beverage Permit: The fee is one hundred dollars (\$100.00).

(Ord., 2019)

**6.20.010 Affidavit of Authorization and Understanding.**

- A. All persons filing applications for new licenses and permits, renewals or for transfer of ownership, unless otherwise noted in this title, shall submit a signed Affidavit of Authorization form as provided by the Town Clerk, which includes the applicant's full legal name, signature, social security number, driver's license number, and date of birth to assist with application processing by the Town Clerk and Chief of Police. By signing the Affidavit of Authorization and Understanding, all persons filing applications agree to a background check conducted by the Chief of Police or their designee.
- B. The applicant understands that it shall be the duty of the applicant to seek any additional required reviews, authorizations, permits, and approvals from any Town or County department or elected bodies.
- C. Each application submitted is affirmed as being true and correct to the best of the applicant's knowledge.
- D. Procedures for reviewing applications will be established by the Town Clerk, Chief of Police and Risk Manager.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 969 § 1, 2010; Ord. 853 § 4, 2007)

**6.20.012 Plan of Operations, All Licenses and Permits.**

- A. All new and transfer applications must include a Plan of Operations that at minimum sets forth in detail:
  - 1. The areas proposed for service of alcoholic and malt beverages;
  - 2. The plans for outdoor service of food and alcoholic and malt beverages; and
  - 3. The Restaurant Liquor Licensee's dispensing room(s) operations.
- B. Licensees must provide the Town Clerk a revised Plan of Operations anytime a Licensee changes the Plan of Operations (whether the original or a revised Plan) on file with the Town.

(Ord. \_\_, 2019)

**6.20.015 Affidavit of Understanding.** Repealed.

(Ord. 1185 § 1, 2017; Ord. 969 § 1, 2010)

**6.20.020 Notice publication--Protests.** Repealed.

**6.20.030 Term - Exception.** Repealed.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 1076 § 1, 2014; Ord. 853 § 4, 2007; Ord. 90 § 6, 1965.)

**Chapter 6.30**  
**ANNUAL LICENSES AND PERMITS**

**Sections:**

**6.30.010 Retail Liquor Licenses.**

**6.30.020 Resort or Restaurant Liquor Licenses.**

**6.30.030 Bar & Grill Liquor Licenses.** (Repealed Ord. \_\_, 2019)

**6.30.040 Microbrewery Permits, Authorization and Application.** (Repealed Ord. \_\_, 2019)

**6.30.050 Satellite Winery Permits, Application.** (Repealed Ord. \_\_, 2019)

**6.30.060 Satellite Manufacturer's Permits, Authorization and Application.** (Repealed Ord. \_\_, 2019)

**6.30.010 Retail Liquor Licenses.**

A. Establishments holding a retail liquor license that operate primarily for sales for off-premise consumption (i.e. a grocery store) shall maintain a separate area for alcoholic or malt beverages that shall restrict entry to persons over the age of twenty-one (21) years of age. (Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 853 § 5, 2007; Ord. 569 § 1, 1996. Ord. 504 § 7, 1995; Ord. 503 § 3, 1995; Ord. 90 § 3, 1965.)

**6.30.020 Restaurant Liquor Licenses.**

A. A restaurant liquor Licensee shall not promote the restaurant as a bar or lounge, nor shall the Licensee compete with a retail liquor Licensee in activities other than dining functions.

1. A Restaurant Liquor License does not allow:

- a. Providing liquor service at dances, receptions, or other social gatherings.
  - b. Advertising as a bar or saloon in publications or signage.
  - c. Having a separate name for any room or area that denotes the availability of alcoholic or malt beverages.
  - d. Advertising special prices or promotions for sale of alcoholic beverages separate from meals, "happy hour", unless the special price or promotion includes a qualifying restaurant meal.
  - e. Selling alcoholic or malt beverages to customers seated at a bar or counter unless they have been given a printed food menu.
  - f. Collecting a "cover charge" that includes the cost of any entertainment, live or television, unless such cover charge is part of and not separated from a package price which includes payment for a restaurant meal.
- (Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 853 § 5, 2007; Ord. 605 § 1, 1997; Ord. 388 § 1, 1989.)

**6.30.030 Bar & Grill Liquor Licenses.** Repealed.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 853 § 5, 2007; Ord. 828 § 1, 2006.)

**6.30.040 Microbrewery Permits, Authorization and Application.** Repealed.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 853 § 5, 2007; Ord. 456 § 1, 1993.)

## Minor changes accepted - MAY 7 Questions shown in Redline

**6.30.050      Satellite Winery Permits, Application.** Repealed.

(Ord. \_\_, 2019; Ord. 853 § 5, 2007; Ord. 723 § 1, 2003.)

**6.30.060      Satellite Manufacturer's Permits, Authorization and Application.** Repealed.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 1069 § 1, 2014)

## Chapter 6.40

### RESTRICTIONS UPON LICENSE AND PERMIT HOLDERS

#### Sections:

**6.40.010 License: Transfer, Renewal.** (Repealed Ord. \_\_, 2019)

**6.40.020 License: Contents, Signing, Attestation and Display.** (Repealed Ord. \_\_, 2019)

**6.40.030 Hours of Sale: Unlawful Acts Designated.**

**6.40.040 Place of Sale: Location, Regulation, and Restrictions.**

**6.40.045 Off-Premises Open Container.**

**6.40.050 Places for Consumption or Possession in Open Containers Prohibited.**

**6.40.055 Alcohol Server Training Required.**

**6.40.060 Minor, Habitual and Common Drunkards and Incompetent: Restrictions.**

**6.40.010 License: Transfer, Renewal.** Repealed.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 960 § 1, 2010; Ord. 853 § 6, 2007; Ord. 90 § 6, 1965.)

**6.40.020 License: Contents, Signing, Attestation and Display.** Repealed.

(Ord. \_\_, 2019; Ord. 853 § 6, 2007; Ord. 90 § 12, 1965.)

**6.40.030 Hours of Sale: Unlawful Acts Designated.**

- A. All persons licensed under this Title except clubs holding a limited retail license shall close the dispensing room and cease the sale of both alcoholic and malt liquors promptly at the hour of two (2) a.m. each day and keep the same closed until six (6) a.m. the same day.
- B. The Town Council may designate the dates during any city or county fairs, rodeos, pageants, jubilees or similar public gatherings when all licensees may operate without restriction as to closing hours, such unrestricted operation shall not exceed a total of four (4) full days in any one (1) calendar year.
- C. It is unlawful for any owner, manager, or employee of any establishment licensed under this Title, except clubs holding a limited retail license, to allow anyone other than an employee of the licensed establishment to be, or remain in the licensed room, or building, from and after thirty (30) minutes after the time designated by ordinance for closing of the dispensing room and ceasing the sale of both alcoholic and malt liquors. In cases of food service operations for which an additional dispensing room license has been obtained pursuant to this Title, the food service facilities may remain open to the public, but it shall be unlawful to allow the consumption of alcoholic beverages therein from and after thirty (30) minutes after the time established by ordinance for the closing of the dispensing room and the ceasing of sale of alcoholic and malt liquors.
- D. It is unlawful for any holder of a license or permit issued under the provisions of this Title or the statutes of the State of Wyoming, or his or its servants, agents or employees to permit any person under the age of twenty-one (21) years to enter or remain in a licensed building or an establishment that is primarily for off-premise sales of alcoholic liquor or malt beverages unless subject to an exemption under Wyo. Stat. Ann. § 12-6-101, as amended.

(Ord. \_\_, 2019; Ord. 853 § 6, 2007; Ord. 544 § 1, 1996; Ord. 227 § 1--2, 1977; Ord. 90A § 1, 1973; Ord. 90 § 8, 1965.)

**6.40.040 Place of Sale: Location, Regulation, and Restrictions.**

The place in which alcoholic and malt beverages are sold under a retail liquor license shall be located in the licensed building for which the license is approved and issued. Alcoholic beverages secured by a server may be served only in the licensed building and in an immediately adjacent fenced or enclosed area as approved by the licensing authority. The adjacent area shall not be located in another building. The licensing authority which issued the license shall as often as may be deemed necessary inspect the licensed building and adjoining areas where alcoholic beverages are served to determine compliance with sanitation, fire hazard, local permitting, and other applicable laws.

(Ord. 1185 § 1, 2017; Ord. 853 § 6, 2007; Ord. 90 § 9, 1965; Ord 516 § 1, 1995.)

**6.40.045 Off-Premises Open Container.**

A. Retail Liquor and Microbrewery Licensees selling alcoholic beverages that are not in the original package or are in reused original packages for off-premise consumption (sloshies, growlers and the like) shall seal the container in a fashion so that it is obvious as to whether the seal has been broken and so that it is not possible to consume any of the beverage as long as the seal is in place.

The Licensee shall, at their discretion, use any of the following approved methods to seal the container:

1. A shrinkable band, or shrinkable film, tightly covering the lid and neck of the container,  
or
2. A “milk” jug with a tamper-evident cap, or
3. A glass jug sealed with a shrinkable band, or shrinkable film, tightly covering the lid and neck of the container, or
4. Solid lengths of a tamper-evident tape that is placed over the lid, covering any straw hole(s), and down four (4) sides of the container.
  - a. Tamper-evident tape is defined as a distinct tape with aggressive adhesive designed to provide visible evidence of any interference, cutting, or removal of the tape.

B. Every Licensee selling alcoholic beverages as identified in A. above, shall post a sign visible to patrons stating “Alcoholic beverages are to remain secure and not accessible by Driver or Passengers while the vehicle is in motion – W.S. § 31-5-235.”

(Ord. \_\_, 2019.)

**6.40.050 Places for Consumption or Possession in Open Containers Prohibited.**

A. No alcoholic or malt beverage shall be consumed or carried by any person in open containers of any type on any street, sidewalk or curb or any other public property whatsoever within the Town of Jackson, except in dedicated Town of Jackson parks maintained by Jackson/Teton County Parks & Recreation, athletic fields, and the rodeo grounds.

- B. No alcoholic or malt beverages shall be consumed or carried by any person in open containers of any type within:
  - 1. The grandstands, or adjacent to, or on any baseball field during any game sanctioned by Little League Baseball Incorporated; or
  - 2. The Town Square which is bounded by East Broadway Street, North Cache Street, East Deloney Street and North Center Street.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 853 § 6, 2007; Ord. 172 § 1, 1974.)

**6.40.055 Alcohol Server Training Required.**

- A. All persons employed at any business operating with a liquor license, who are engaged in the selling or serving of alcoholic and malt beverages, or the managing thereof (hereinafter referred to as “alcohol server staff”), shall successfully complete an alcohol server training program compliance with Wyoming Statute § 12-2-402, within ninety (90) days of their date of hire, or the effective date of this rule, whichever is later.
- B. Alcohol Server Training Certification shall be valid for three (3) years. Alcohol server staff shall renew their certification prior to the expiration and place the new certificate on file with their employer.
- C. Every Licensee shall maintain a training record for their alcohol server staff, including their date of hire, proof of current alcohol server training certification as required by this Section. Every Licensee shall keep the training records for their current alcohol server staff available for inspection by law enforcement officers or officials of the Town of Jackson at any time that the licensed establishment is open.
- D. The Licensee or manager of the establishment may be cited for a violation of this Section, and the citation may be in addition to other penalties set forth in Title 12 of Wyoming State Statutes or the Jackson Municipal Code.

**6.40.060 Overserving of Alcoholic Beverages; Restrictions.**

- A. It is it is a violation of the liquor license issued under this Title for a licensee and/or any agent or employee thereof, to sell, furnish, give or deliver or cause to be sold, furnished, given or delivered alcoholic or malt beverages to any excessively intoxicated person. This violation is in addition to and not in lieu of any other criminal penalties under the Jackson Municipal Code and Wyoming State Statutes that may accrue for unlawful alcohol service.
- B. For purposes of this section, “excessively intoxicated” means intoxicated to the extent that a person’s mental and/or physical faculties are severely impaired, the impairment(s) would be obvious to a reasonable person, and the impairment is shown by any or all of the following: severe uncoordinated physical action, or severe diminished mental capacity, or severe physical or mental dysfunction.
- C. Under Section 9.64.020 of the Jackson Municipal Code it is unlawful for any person under the age of twenty-one (21) years to have any alcoholic or malt beverage in his possession or to be under the influence of any intoxicating liquor or malt beverage, within the Town of

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Jackson, unless an exemption stated under Wyoming State Statute § 12-6-101 is applicable, which includes possession by a person under the age of twenty-one (21) years making the delivery of such alcoholic beverage pursuant to his employment.

- D. It is unlawful for any person under the age of twenty-one (21) years to be in, or attempt to be in, or remain in any place where intoxicating or malt liquors are sold or dispensed, or for any person to falsify any identification or use any false identification in order to be or remain in such place of business or to obtain intoxicating liquor or malt beverages unless an exemption stated under W.S. § 12-6-101 is applicable.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 1072 § 1, 2014; Ord. 1063 § 1, 2014; Ord. 987 § 1, 2011; Ord. 853 § 6, 2007; Ord. 577 § 1, 1997; Ord. 375 § 1, 1988; Ord. 90A § 3, 1973; Ord. 90 § 13, 1965.)

**Chapter 6.50**  
**SPECIAL TWENTY-FOUR (24) HOUR PERMITS**

**Sections:**

**6.50.010 Catering Permits.**

**6.50.020 Malt Beverage Permits.** (Repealed Ord. \_\_, 2019)

**6.50.010       Catering Permits.**

- A. It is the duty and obligation of the resort or retail liquor Licensee under which the catering permittee is acting to ensure compliance with all State and Town alcohol laws and regulations and any violations thereof shall be attributed to the resort or retail liquor Licensee.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 1118, §1, 2016; Ord. 853 §7, 2007; Ord. 823 §1, 2006; Ord. 714 § 1, 2002)

**6.50.020       Malt Beverage Permits.** Repealed.

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 969 § 2, 2010; Ord. 853 § 7, 2007; Ord. 697 § 1, 2002; Ord. 90 § 4, 1965.)

**Chapter 6.60**  
**NONRENEWAL, SUSPENSION, AND REVOCATION**  
**OF LICENSES AND PERMITS**

**Sections:**

**6.60.010 Grounds for Denying Renewal of License or Permit.**

**6.60.020 Grounds for Suspension and/or Revocation.**

**6.60.010 Grounds for Denying Renewal of License or Permit.**

- A. A license or permit shall not be renewed or transferred if such renewal or transfer violates Title 12 of the Wyoming State Statutes, as amended, or the Jackson Municipal Code..
- B. The following, whether one (1) or more, may constitute a basis for nonrenewal of a license or permit:
1. Failure of the Licensee to comply with any provision(s) of state liquor law or this Title;
  2. Failure of the Licensee to comply with building occupancy limits after being advised of excess occupancy by a law enforcement or any code compliance officer;
  3. A pattern of failing to report incidents of illegal acts upon the licensed premises which results in injury to persons or property and which the Licensee knew or should have known about. A “pattern” for purposes of this section is defined as three (3) or more incidents in any twelve (12) month period;
  4. Failure to comply with Section 6.40.055 Alcohol Server Training Required.
  5. Failure of initial, consecutive, and/or cumulative compliance checks conducted by law enforcement pursuant to W.S. 12-6-103, as amended.
  6. Failure to comply with the Plan of Operations set forth in the license application.
- (Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 1173 § 1, 2017; Ord. 853 § 8, 2007.)

**6.60.020 Grounds for Suspension and/or Revocation.**

- A. The following actions, whether one (1) or more, shall require the Town Council to suspend a liquor license, with or without, the initiation of revocation proceedings. ~~be a basis for the Town Council to suspend a liquor license and/or for the Town Council to initiate revocation proceedings.~~ Revocation proceedings will be in accordance with W.S. § 12-7-201, as amended.
1. Failure by any licensee, or an agent or employee thereof, of three (3) compliance checks conducted by law enforcement pursuant to W.S. § 12-6-103, as amended, within a twelve (12) month period. A suspension will be carried out within the current liquor license year and be for ten (10) consecutive calendar days, and/or the Town Council may initiate revocation proceedings ~~consecutive or cumulative compliance checks in a twelve (12) month period. The suspension must occur within the liquor license year and be for a minimum of one hundred twenty (120) days.~~

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2. Failure by any licensee, or an agent or employee thereof, of five (5) compliance checks conducted by law enforcement pursuant to W.S. § 12-6-103, as amended, within a twenty-four (24) month period. A suspension will be carried out within the current liquor license year and be for thirty (30) consecutive calendar days, and/or the Town Council may initiate revocation proceedings~~in a twenty-four (24) month period. The suspension must occur within the liquor license year and be for a minimum of one hundred fifty (150) days.~~
3. A pattern of failing to report incidents of excessive drinking and/or disorderly conduct on the licensed premises. A suspension will be carried out within the current liquor license year and be for thirty (30) consecutive calendar days, and/or the Town Council may initiate revocation proceedings. A “pattern” for purposes of this section is defined as three (3) or more police reports in any twelve (12) month period.
4. The making of materially false statements on, or the submission of materially false documents in the State of Wyoming liquor license application and/or Town of Jackson liquor license application packet. A suspension will be carried out within the current liquor license year and be for thirty (30) consecutive calendar days, and/or the Town Council may initiate revocation proceedings.~~False information or false facts submitted as true and correct in an application packet for any license.~~
5. Three (3) or more substantiated violations with any provision(s) of Title 12 of the Wyoming State Statutes, as amended, or the Jackson Municipal Code in any twelve (12) month period. A suspension will be carried out within the current liquor license year and be for thirty (30) consecutive calendar days, and/or the Town Council may initiate revocation proceedings
6. ~~Any substantiated incident of noncompliance with any provision of Title 12 of the Wyoming State Statutes, as amended, or the Jackson Municipal Code, until the Licensee comes back into compliance with the provision.~~

B. In the event a suspension occurs:

1. The Town Clerk shall send a suspension notice to the Licensee by electronic-mail with a delivery receipt and certified postal mail to the address on file, with a copy to ~~by certified mail one copy of each of the suspension notices to the last known address of the license of permit holder and to the Director of the Wyoming Liquor Division of the State of Wyoming~~ and Chief of Police.
- ~~1.2.~~ 2. The Licensee shall either remove all of the alcoholic liquor and malt beverages from the licensed premises or secure the alcoholic liquor or malt beverages in a manner approved in writing by the Chief of Police or his/her designee. The method of securing this inventory shall be approved at least 72-hours before the suspension begins, when a suspension is set to begin on a certain date in the future. ~~The Town Clerk shall post one (1) copy of the suspension notice on the licensed or permitted premises;~~

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2.3. The Town Clerk shall post one (1) suspension notice on the licensed premises on or about the first day the suspension is to be carried out. The sale, offering to sell, distribution, or traffic of alcoholic liquor or malt beverages is unlawful during the suspension.~~The licensee or permittee shall either remove all of the alcoholic liquor and malt beverages from the licensed premises or secure the alcoholic liquor or malt beverages in a manner approved in writing by the Chief of Police or his/her designee.~~

(Ord. \_\_, 2019; Ord. 1185 § 1, 2017; Ord. 1173 § 1, 2017; Ord. 853 § 8, 2007.)

**Chapter 6.70**  
**VIOLATIONS**

**Sections:**

**6.70.010 Violations.** (Repealed Ord. \_\_, 2019)

**6.70.010 Violations.** Repealed  
(Ord. \_\_, 2019; Ord. 853 § 9, 2007.)

**Chapter 6.90**  
**PENALTY FOR VIOLATIONS**

**Sections:**

**6.90.010 General Penalty for Violations.**

**6.90.020 Compliance Check Failures.**

**6.90.010 General Penalty for Violations**

- A. Any person who violates any provisions of this title for which violation no specific penalty is provided is guilty of a misdemeanor and upon conviction thereof shall be punished according to Section 1.12.010 of this code.
- B. The provisions of this Chapter are cumulative and shall not be construed as preventing the Town of Jackson or the Wyoming Liquor Division from suspending or revoking a liquor license in any case authorized by law.

**6.90.020 Compliance Check Failures**

~~A. On the first compliance check failure, the licensee is required to have the employee failing the compliance check attend alcohol beverage server training as approved by the Jackson Police Department or the Wyoming Liquor Division, within thirty (30) calendar days of the failed compliance check, and thereafter must provide the Jackson Police Department with proof of compliance.~~ On the first compliance check failure, a member of the Licensee, or an officer or director thereof who is listed on the liquor license application, is required to attend alcohol server training with the employee who failed the compliance check within forty-five (45) days of the failed check.

1. The alcohol server training must be one of the programs approved by the Wyoming Liquor Division and Jackson Police Department.

~~1.2.~~ Licensee must provide the Jackson Police Department with the certificate of successful completion within one (1) week of completion of the alcohol beverage server training.

B. On a second consecutive compliance check failure, or a second compliance check failure within a twelve (12) month period, the licensee is required to do the following within the associated time limits:

- 1. Within two (2) calendar days of the failed compliance check, provide the Jackson Police Department with the names of all employees who serve alcoholic beverages; and
- 2. Within forty-five (45) calendar days of the failed compliance check, ensure that a member of the Licensee, or an officer or director thereof who is listed on the liquor license application, and all the employees, in accordance with Section

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6.90.020(B)(1) above, attend an alcohol server training as approved by the Wyoming Liquor Division and Jackson Police Department; and

3. Provide the Jackson Police Department with the certificate of successful completion in accordance with Section 6.90.020(B)(1) above, within one (1) week of completion of the alcohol beverage server training.

(Ord. \_\_, 2019; Ord. 853 § 10, 2007; Ord. 90 § 14, 1965.)



# TOWN OF JACKSON

## WORKSHOP DOCUMENTATION

**SUBMITTING DEPARTMENT:** Administration

**PRESENTER:** Larry Pardee/Tyler Sinclair

**WORKSHOP DATE:** May 7, 2019

**SUBJECT:** Child Care

### PURPOSE OF WORKSHOP ITEM

The purpose of this workshop item is to give the Town Council time to review and discuss general issues related to Child Care in the community.

### DESIRED OUTCOME

The desired outcome is for the Council to inform each other about their views on Child Care to further discussions with Teton County and identify any areas the Town could assist in better meeting this need in the community.

### BACKGROUND/ALTERNATIVES

Councilor Hailey Morton Levinson requested time at this workshop to discuss Child Care. Below staff has outlined the Town and State requirements associated with operating a Child Care facility:

#### **State of Wyoming**

Staff has provided below a summary from the Wyoming Department of Family Services related to licensing requirements by the State.

#### ***Who Needs to be Licensed?***

*If you are caring for more than two children who aren't related to you, you might have to be licensed. If you do not meet any of the exemption reasons below, then you need to apply for a license. If you do not meet one of the exemptions listed above and are caring for children, you are required by Wyoming law to be licensed. **It is considered a crime to operate a child care facility without a license if you are not exempt.** If you are not sure whether or not you are exempt from licensing requirements, contact the Child Care Licensor for your county. The exemptions are:*

- *A legal parent's or legal relative's care of a child.*
- *Occasional care of a neighbor's or friend's child if the person providing the care does not regularly engage in the activity.*
- *Parents exchanging care on a cooperative basis.*
- *Child care provided by a person employed to come to the home of the child's parent or guardian.*
- *Child care facilities providing care for no more than two unrelated children.*
- *Child care facilities supervised by the state, and local government, school district, agency or political subdivision thereof.*

#### **Advantages To Being Licensed:**

- *Increased income because you will be able to care for more children;*
- *Higher payments from DFS if you are caring for children receiving child care assistance;*

- *Scholarship funds through the [WY Quality Counts!](#) to help you get the training and education you need to provide quality care;*
- *Parent referrals to your program from Resource and Referral to help you in filling vacancies;*
- *Technical assistance and support to help you be successful in your business;*

#### **Licensing Classifications:**

- **Family Child Care Home** – *to provide care for 3 – 10 children in your own home without additional staff;*
- **Family Child Care Center** – *to provide care for a maximum of 15 children in your home or another building in which you do not reside with one additional staff when more than 10 children are present; or*
- **Child Care Center** – *to provide care for 16 or more children with adequate staff to meet the staff: child ratio requirements.*

### **Planning**

The Town revised its Childcare use classifications a few years ago to align with the State classifications for consistency between the Town and State in an effort to reduce confusion and inconsistencies in the number of children that were allowed. At this time the town also significantly reduced the parking requirements for these uses to better reflect the pick up and drop off nature of the business more than long term parking needs. Below is a summary of the use classifications and requirements from the Land Development Regulations.

#### **1. Daycare/Education**

Definition. A daycare or education use is the provision of educational instruction and/or care for part of the day.

##### **a. Includes:**

- schools
- childcare centers
- Requirements
  - o Require a Conditional Use Permit, including two public hearings at the Planning Commission and Town Council taking approximately 90-120 days to complete
  - o Wyoming Statutes. Each daycare or education use shall comply with the relevant provisions of the Wyoming Statutes and with local health, safety and fire codes.
  - o Allowed in all commercial zones, not allowed in residential zones

#### **2. Family Home Daycare**

Definition. A family home daycare is the provision of care, for hire, for part of a day, in a family setting. The intent of a family home daycare is to give small, local businesses a place to start. Family home daycares are intended to be at a residential scale; once they grow beyond a certain size they can no longer be characterized as family home daycares.

- Requirements
  - o Require a Basic Use Permit, staff level review only, takes up to 60 days
  - o A family home daycare shall provide care for no more than 10 persons.
  - o A family home daycare shall be operated by a person residing within the dwelling.
  - o A family home daycare shall comply with the relevant provisions of the Wyoming Statutes and with local health, safety, and fire codes.
  - o Allowed in all residential and commercial zones

#### **3. Home Daycare Center**

Definition. A home daycare center is the provision of care, for hire, for part of a day, in a family setting. The intent of a home daycare center is to give small, local businesses a place to start. Home daycare

centers are intended to be at a residential scale; once they grow beyond a certain size they can no longer be characterized as home daycare centers.

- Requirements
  - o Require a Conditional Use Permit, including two public hearings at the Planning Commission and Town Council taking approximately 90-120 days to complete
  - o A home daycare center shall provide care for no more than 15 persons.
  - o A home daycare center shall comply with the relevant provisions of the Wyoming Statutes and with local health, safety and fire codes.
  - o Allowed in limited residential and commercial zones

## Building

Building Code requirements for day cares.

1. Day cares- In 1 and 2 family dwellings, townhouses, owner/renter occupied condos and apartments may be used for day care purposes for 1 to 10 children with no special requirements for the building or restrooms. The Town requested and was granted by the State allowing up to 10 children instead of 5 as required by the Building Code.
2. Day cares-For more than 10 children older than 2 ½ years of age, the building shall be classified as an E Occupancy which then requires buildings to meet accessibility requirements and meet ICC A117.1 for children provisions (smaller toilets, water foundation, etc.), and if occupant load is greater than 15 persons separate restrooms are required. Day cares classified as an E Occupancy not located on the ground level (basements, 2<sup>nd</sup> floor or higher) shall be fire sprinkled.

The Town Council can use this time to discuss issues related to this topic and what role if any the Town may be able to assist in.

## COMPREHENSIVE PLAN ALIGNMENT

### **Policy 2.2.a: Enhance suitable locations as Complete Neighborhoods**

Principle 3.2 details the community's policies to encourage development, infill, and redevelopment that enhances suitable locations as Complete Neighborhoods that contain: defined character and quality design; public utilities; quality public space; a variety of housing types; schools, **childcare**, commercial, recreation and other amenities within walking distance; and connection by complete streets. Complete Neighborhoods contain the greatest potential for low energy consumption living because of the close proximity of residences to services and jobs. Complete Neighborhoods in the Town and County will lead to energy conservation through a reduction in motor vehicle miles traveled and consolidation of waste disposal and other infrastructure.

### **8.1.a: Maintain current, coordinated plans for delivery of desired service levels**

A **"service level"** is defined as the quality and quantity of a service provided to the community. To ensure that services are delivered to the public in a safe, efficient and timely manner, the Town and County will use best practices in coordinating with governmental and nongovernmental service providers to accomplish the following:

1. Identify each provider's acceptable service level
2. Develop an approach to ensure desired service levels are met
3. Identify barriers to service delivery objectives
4. Develop standards for measuring service delivery success

The community should identify acceptable service levels and develop standards for measuring service delivery success for the following local government services (listed in no particular order):

- o Fire, EMS and law enforcement,
- o Library,
- o Parks and recreation,
- o Public health,
- o Utilities and infrastructure,
- o Public transportation,
- o Weed and pest management,
- o Arts, culture and community events,
- o Child care,
- o Waste management and recycling, and
- o Energy conservation.

#### **Policy 8.1. dependent service providers**

The Town and County will **coordinate with independent service providers** to quantify and understand their service delivery goals, as well as their relation to the Common Values of the community. The community will derive greater benefit from long-term, coordinated planning efforts between the Town and County and independent service providers than would be realized through a project-by-project approach.

The Town and County will collaborate with independent service providers to **identify acceptable service levels** and develop standards for measuring service delivery success for the following services (listed in no particular order):

- Education,
- Utilities and infrastructure,
- Medical care,
- Child care,
- Waste management and recycling,
- Airport,
- Human services,
- Energy conservation,
- Arts, culture and community events, and
- Public transportation.

#### STAKEHOLDER ANALYSIS

The stakeholders involved include the residents and guests of the community and the local business community.

#### FISCAL IMPACT

There is no fiscal impact associated with this discussion.

#### STAFF IMPACT

There are no direct staff impacts associated with this discussion.

#### LEGAL ISSUES

None at this time.

#### ATTACHMENTS

None

#### RECOMMENDATION

Staff makes no recommendation.

#### SUGGESTED MOTION

No motion is required.



# TOWN OF JACKSON

## WORKSHOP DOCUMENTATION

**SUBMITTING DEPARTMENT:** Administration

**PRESENTER:** Roxanne Robinson

**WORKSHOP DATE:** February 19, 2019

**SUBJECT:** Organizational Structure

### PURPOSE OF WORKSHOP ITEM

The purpose of this item is to allow the Town Council time to discuss the issue that was brought up at the JIM retreat in 2019 for potentially moving some Town Jointly funded programs over to the County and some County Jointly funded programs over to the Town.

### DESIRED OUTCOME

The desired outcome is for the Council to have time to have a high level discussion of this issue as a group prior to discussing it with the County Commission.

### BACKGROUND/ALTERNATIVES

At the JIM Retreat this past March, the Council and Commission asked staff to bring forward a plan on moving administration of the Housing Department to the Town and the START Department to the County with no timeline given. Issues to consider are outlined below and a very rough plan is also outlined. These issues and the rough plan have not yet been worked on jointly with County staff and would need to be further vetted with County staff to ensure all issues are being considered.

#### Issues to Consider

- What is the goal of transferring administration of the departments from one government entity to another?
  - o To have more control? Transferring administration would not change the requirement for joint decisions related to budget, operations plans, action plans, etc. The Town and County already individually control the contributions made for Housing Projects from their own respective budgets.
  - o To have more consistent interaction and daily oversight? Transferring administration would provide more close interaction between the department and the Administrator. Operating under the policies of one organization over the other would provide more decision making authority for day to day operations.
  - o To be closer to the future needs/goals of the organizations geographically speaking?
    - Housing. As discussed in the Comprehensive Plan, the focus for affordable community housing is within the Town limits. This does not mean that housing will not occur in the County in appropriate places as well, but it may be that the bulk of affordable housing projects are built in the Town limits.
    - START. As discussed in the Integrated Transportation Plan, the focus for expansion of START service is in the areas outside of Town limits. There are still areas within Town to be addressed such as micro transit, but most of the expansion of services is slated for areas outside of Town limits.
      - Consider whether it makes sense to move administration of this organization when we may be close to creating a Regional Transportation Authority that is a separate entity from the Town and County and would be self governed, more closely resembling the structure of the Airport.
  - o To have better communication, be better informed?

- Costs
  - The Town of Jackson is on a Paid Time Off (PTO) plan where holidays, vacation and sick leave are all lumped together. It is a 'pay it forward' and a 'use it or lose it' plan. Employees are provided their allocation of PTO on July 1 and it is up to them to manage it throughout the year. At the end of the year, they are able to sell back 40 hours, but any hours over 40 are eliminated and they begin the year with their same allocation of hours. Hours are not carried over. Upon separation, depending on the month it occurs, a separating employee can sell back a prorated amount of PTO up to a maximum of 40 hours. The Town does not have to carry that funded liability needed to pay out accrued vacation or sick leave upon separation. Teton County has a traditional leave policy where employees earn leave time, accrue it, and carry it over from year to year. When the Town converted to this plan in the 1990s, we bought out employees accrued vacation (100% of the value) and accrued sick leave (25% of the value).
    - Housing. To bring the employees of the Housing Department onto the Town's plan, Teton County would need to pay out accrued leave to those employees. The Town would end up paying out 45% of the cost of that payout of leave. The Housing Department is a small team. At one point we discussed the possibility of this for Parks & Rec and at the time, the expenses were quite large for a large department.
    - START. To bring the employees of the START Department onto the County's plan, the Town would only be paying out a pro-rated amount of 40 hours depending on the month it occurred. The County would end up paying their 55% of the cost of that payout of leave.
- Personnel and Health Insurance Policies
  - The personnel policies differ between Town and County. There may be some adjustment in working through personnel matters with the different organizations.
  - The health insurance policies are very similar between the Town and County. Both organizations have similar care coverage, short and long term disability insurance, and high deductible health savings accounts. The Town has an HSA match where we don't put money towards an HSA unless the employee does as well. The County has an HSA contribution that does not require a match from the employee. Staff would need to conduct a detailed analysis of the differences should direction be provided to move forward that spells out the deductible differences and out of pocket maximums.
- Housing
  - The Town has approximately 22 units of different types along with a bunkhouse for our commuting employees and temporary (month or so) stays for new hires. I believe the County has a smaller number of units dedicated to employee housing. Joint employees of the Town receive preference over joint employees of the County for Town owned housing. However in January, the housing above the Park Maintenance Shop is expected to be ready for occupancy and this will result in 26 units where equal opportunity for housing will occur between the Town and the County (when a unit is available - if the Town has 3 people in their highest critical response tier and the County has 3 people in theirs, we would conduct a drawing so that equal opportunity to be selected occurs).
- Seasonal Employees
  - The administrative responsibilities associated with recruitment and selection and onboarding of START Bus drivers for the Winter and Summer seasons are intense. There is a significant impact on payroll every two weeks as well. This should also be taken into consideration. The County may want to consider putting systems in place where START would handle much of the work within the department, similar to how it is handled with Parks and Recreation.
- Drug and Alcohol Testing
  - Teton County would need to take over the DOT FTA drug testing responsibilities for START Bus. The Town would keep the DOT FMCSA responsibilities for our CDL drivers in Public Works.

- Other. There are likely other issues that would need to be considered and these could be brought forward after discussions with affected departments and County staff. They may include vehicle licensing and insurance, facility ownership/use/rental, retirement and leave, health insurance waiting periods, etc.

#### Rough Plan

1. Direct Town and County staff to bring forward exact costs.
2. Direct Town and County staff to prepare information about the change and meet with employees of affected departments to provide information and hear any concerns, and present those concerns to the Town Council and County Commission.
3. Direct Town and County staff to transfer the departments and prepare a timeline for completion.
4. Prepare offers of employment from Town or County.
5. Offers of employment are executed.
6. Employment is separated with one entity.
7. Onboarding is conducted with the new entity.

#### COMPREHENSIVE PLAN ALIGNMENT

Both the START Department and the Housing Department are integral and spelled out in the Comprehensive Plan in Section 5 and Section 7. Transferring administration of these Departments does not change the alignment with the Comprehensive Plan.

#### STAKEHOLDER ANALYSIS

Stakeholders include the employees of the affected departments, the Town and County employees involved with administration, personnel, budgeting, and finance for the affected departments, the elected officials concerned with efficiency and effectiveness.

#### FISCAL IMPACT

There would be a significant fiscal impact and that would need to be determined and evaluated prior to moving forward.

#### STAFF IMPACT

There would be a significant staff impact and that would need to be determined and evaluated prior to moving forward. Uncertainty and change affects employees and morale and would need to be seriously evaluated before a decision is made.

#### LEGAL ISSUES

JPA's would need to be amended.

#### ATTACHMENTS

None.

#### RECOMMENDATION

Staff recommends the Town Council discuss this issue and continue the discussion at a future joint information meeting as directed by the Mayor and Commissioner Chair.

#### SUGGESTED MOTION

No motion necessary at this time.



# TOWN OF JACKSON

## WORKSHOP DOCUMENTATION

**SUBMITTING DEPARTMENT:** Administration

**PRESENTER:** Larry Pardee

**WORKSHOP DATE:** May 7, 2019

**SUBJECT:** START

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### PURPOSE OF WORKSHOP ITEM

The purpose of this workshop item is to give the Town Council time to review and discuss general issues related to START services as well as review the FY20 Plan of Operations.

### DESIRED OUTCOME

The desired outcome is for the Council to inform each other about their views on START services and operations and the FY20 Plan of Operations prior to further discussions with Teton County.

### BACKGROUND/ALTERNATIVES

Mayor Muldoon requested time at this workshop to discuss START services. The Town Council can use this time to discuss issues including:

- The Town's responsibility or local government's responsibility in general to provide transit options for:
  - o Service To and From Teton Village
  - o Service To and From Star Valley and Teton Valley
  - o Service for Paratransit (ADA) residents
  - o Service for in Town shuttle riders
  - o Bike share services
- Future increased services
- Statement of the Ideal for transit services
- The FY20 Plan of Operations
- The Action Plan from the ITP

### COMPREHENSIVE PLAN ALIGNMENT

Providing transit services is in direct alignment with Section 7 of the Comprehensive Plan related to Multimodal Transportation.

### STAKEHOLDER ANALYSIS

The stakeholders involved include the residents and guests of the community and outlying communities that rely on transit services and that utilize roadways congested with traffic, the Town of Jackson and Teton County organizations as the local government entities that subsidize transit services, local entities subsidizing transit services, the hardworking team of Town, County, and joint employees that directly provide transit services and those that support transit services, the citizens of the community donating their time to provide guidance for our transit services, the local businesses that rely on this service to transport employees.

### FISCAL IMPACT

There is no fiscal impact associated with this discussion.

### STAFF IMPACT

There are no direct staff impacts associated with this discussion.

LEGAL ISSUES

None at this time.

ATTACHMENTS

FY20 Plan of Operations. Section 7 of the ITP, Action Plan

RECOMMENDATION

Staff makes no recommendation.

SUGGESTED MOTION

No motion is required.



## Southern Teton Area Rapid Transit

*A Joint Powers Program of the Town of Jackson and Teton County*

Operating Plan FY20

May 2019

Mission: We transport people. START safely provides the greater Jackson Hole community with convenient transportation that is affordable, service oriented and environmentally friendly, improving the quality of life in the region.



## **FY20 START Bus Operating Plan**

### **Guiding Documents**

- Comprehensive Plan
- Integrated Transportation Plan

### **Current Strategy Plans**

- Route Plan
- Microtransit
- TOJ Downtown Parking and Mobility Management Plan
- WYDOT – Snake River Bridge Replacement Stakeholder Group

### **Plan of Operations for FY20**

- Service Modes:
  - Commuter
  - In Town Shuttle
  - Teton Village
  - ADA Service
  - START Bike
  - Grand Targhee

### **FY20 Budget**

#### **Operational Data**

- Hours
- Miles

- Revenue
- Expenses
- Capital
  - Fleet Needs
  - 5 Year Plan

#### **Education and Outreach**

- Public Input Involvement
- Route Plan – Public Engagement Process
- Alignment with Regional Partners

### **Appendices**

- Appendix A – 5 Year Program for Bus Purchases

## GUIDING DOCUMENTS

## Jackson/Teton County Comprehensive Plan (The “Comp” Plan)

*“Residents and visitors will safely, efficiently, and economically move within our community and throughout the region using alternative transportation.”*

- Meet future transportation demand through the use of alternative modes
- Create a safe, efficient, interconnected, multi-modal transportation network
- Coordinate land use and transportation planning

## Integrated Transportation Plan (ITP)

- **Make Transit a Viable choice:** broaden transit market penetration beyond those who need to ride transit to include those who choose to ride.

## CURRENT STRATEGY PLANS

The following Studies are currently in progress that will have significant impact on the way START operates in FY20 and beyond:

## Route Plan

The 2020-2025 Route Plan work is intended to evaluate and identify the most effective way to use existing resources to increase ridership in order to decrease VMT – working toward the ITP goals.

The ITP includes a number of actions related to rethinking the existing START routes, including looking at express routes, expanded hours, reduced headways, looking at additional local stops along commuter routes, and a hub-and-spoke type rerouting. START resources currently support about 43,000 revenue hours and 63,000 total hours of bus service.

[illegible]

## Microtransit

For the purposes of this work, “Microtransit services” is defined as follows: IT-enabled, multi-passenger, transportation services that serve passengers using dynamically-generated routes and enable passengers to make their way to and from common pick-up or drop-off points. Microtransit services provide mass transit-like service on a smaller, more flexible scale.

START envisions providing all residents and businesses with a high quality, well-maintained Microtransit service system that efficiently integrates multiple transportation options across the region, while strengthening the local economy and reducing existing environmental impacts of vehicular travel in the community.

This project will coordinate very closely with the Route Plan described above to determine if this type of service is viable in conjunction with all services provided by START.

| Microtransit                          |       |  |  |  |       |  |  |  |      |  |  |  |
|---------------------------------------|-------|--|--|--|-------|--|--|--|------|--|--|--|
| Task                                  | FY 19 |  |  |  | FY 20 |  |  |  |      |  |  |  |
|                                       |       |  |  |  | 2019  |  |  |  | 2020 |  |  |  |
| RFP Issued                            |       |  |  |  |       |  |  |  |      |  |  |  |
| RFP Responses Received                |       |  |  |  |       |  |  |  |      |  |  |  |
| Evaluation of Service Options         |       |  |  |  |       |  |  |  |      |  |  |  |
| Coordination with Route Plan Analysis |       |  |  |  |       |  |  |  |      |  |  |  |
| Updates to START Board                |       |  |  |  |       |  |  |  |      |  |  |  |
| Start Date - Summer Season 2020       |       |  |  |  |       |  |  |  |      |  |  |  |

## TOJ Downtown Parking and Mobility Management Plan

The Town of Jackson is in the process of completing a Downtown Parking and Mobility Management Plan that will have direct and indirect implications for START. This plan is managed by the Town of Jackson Planning Department and START will be engaged with reviewing the results and will consider any operational or capital changes that may be warranted by the decisions made by the elected officials as a result of this study. In summary, this Plan contains recommendations intended to improve parking availability, reduce traffic congestion, and increase pedestrian and bike mobility in the Town Square and surrounding areas. The goal is not only to ensure that downtown parking better contributes to the economic vitality of the community but that it does so in a way that reflects and respects the community’s character. The Plan provides important data and recommendations that integrates all forms of travel – including START, leverages new technology, and proposes a long-term framework to address the staffing and funding levels necessary to successfully implement the various recommendations.

The Town Parking Management Study will create a complete parking strategy that balances the community’s goals for land use, transportation, and Town operations. It implements the [Integrated Transportation Plan](#) and the [2012 Comprehensive Plan](#) and updates the [2003 Downtown Parking Study](#). It consists of 4 Phases:

- Phase 1: Commercial and Residential Areas Outside of the Downtown Core (**Completed**)
- Phase 2: Downtown Core -Downtown Parking Management Plan (**Current**)

- Phase 3: Regional Corridor Parking (Regional Corridor Parking Management Plan)
- Phase 4: Communitywide TDM Scoping (Communitywide TDM Plan)

### **WYDOT – Snake River Bridge Replacement Stakeholder Group**

START is participating in a Stakeholder Group along with many other groups and is contributing recommendations to WYDOT as they look at the Project to replace the bridge on WY22 over the Snake River and related intersection of WY22/390.

Planning and Environmental Linkage Study (PELS) was completed in 2014 and purpose was to develop a vision for the corridor. This Stakeholder group will provide valuable recommendations to WYDOT for transportation improvements through this important corridor.

START main focus will continue stressing the importance of the High Occupancy (HOV) lane usage that will allow Transit to simply navigate this corridor. This is an objective described in the ITP plan – and an important one for START. Of equal importance is smart signalization actions for the intersection of WY22/390 = again, allowing easy access and mobility for Transit.

The following are completed tasks:

|                |                                     |
|----------------|-------------------------------------|
| November 2014: | PEL Study (Completed)               |
| December 2018: | 1 <sup>st</sup> Stakeholder Meeting |
| February 2019: | 2 <sup>nd</sup> Stakeholder Meeting |
|                | Public Meeting Conducted            |
| April 2019:    | 3 <sup>rd</sup> Stakeholder Meeting |

Upcoming Deadlines (As Estimated by WYDOT):

|                |                                    |
|----------------|------------------------------------|
| November 2019: | Grading Plans                      |
| July 2020:     | Right of Way and Engineering Plans |
| October 2020:  | Right of Way & Utility Plans       |
| April 2021:    | Final Plans                        |
| April 2023:    | Construction Begins                |

## **PLAN OF OPERATIONS FOR FY20**

### **SERVICE MODES:**

#### **Commuter Service**

Provide 4 commuter runs each servicing Teton Valley, Idaho and Star Valley, Wyoming to serve our workforce living outside of the valley at established times selected to best serve the working members of our community. These 4 revenue runs operate Monday through Friday, year round with 1 bus assigned to each respective run.

The Route Plan Study, currently in progress will provide information for to potential future changes needed for a more effective commuter service.

The FY20 Budget includes a request to increase service to Star Valley, Wyoming from 3 commuter runs to 4 (to match the service of employees working shifts from 7AM-7PM) provided to Teton Valley implanted in November of 2018.

The FY20 Budget also includes an increase in Facility Lease to account for the securement of an indoor parking location for the Star Valley fleet. This will eliminate the outside parking that has been in place since program inception.

#### **In Town Shuttle Service**

Provide in Town shuttle service at approximately 30 minute intervals, serviced by 4 buses annually, to transport locals and guests alike to various locations throughout the community. This “free fare” service operates 7 days/week, year round with increased service levels in the winter and summer. Routes are designed to best serve the community providing runs with frequent stops as well as those with cross town service with fewer stops.

The following studies are in progress that may impact our Town Shuttle routes into the future: Route Plan, Microtransit and Town Parking Management.

There are no increased service requests for the in Town shuttle in the FY20 Budget.

#### **Teton Village Service**

Provide West Bank/Teton Village/Stilson service at varying intervals depending on the season to transport employees, locals, and guests alike to Stilson and Teton Village. These revenue runs operate 7 days/week, year round with significantly increased service in winter for our skiing community, guests, and workforce that support Teton Village operations. Summer, Spring and Fall service utilize 2-4 buses with a peak usage of 22 buses during the winter season.

The following studies are in progress that may impact our Town Shuttle routes in the future: Route Plan, Microtransit and Town Parking Management.

The FY20 Budget contains a request to increase this service level from 60 minute intervals in the summer to 30 minute intervals.

**ADA Service**

Provide ADA mandated services, on demand, to residents of the Town of Jackson and service to/from Teton Village (within a ¾ mile corridor). This service is dedicated to those individuals unable to utilize the fixed route services due to mobility or cognitive disabilities and is by appointment only. This service operates 7 days/week, year round and mirrors the hours of operation for Town and Village Fixed route service and is currently serviced by 1 vehicle.

Implementation of an ADA Passenger Eligibility Process is underway for FY20 to ensure compliance with ADA and Federal Transit regulations.

The FY20 Budget contains a request to increase the full time staff dedicated to the provision of this service from one FTE to two FTEs.

**START Bike Service**

Provide bike share rental opportunities for hub locations throughout the Town of Jackson as an alternative to single vehicle trips for those who commute and work in Town. This service is provided 24/7 from the end of April through October with 55 bikes. Friends of Pathways administers the program under a Memorandum of Understanding. Implementation of a revised pricing structure will be in place for FY20 to encourage more usage of the START Bike program. A sponsorship program search is underway for FY20.

There are no increased service requests for the START Bike Service in the FY20 Budget.

**Grand Targhee Service**

START assumed grant administration of this service beginning in October 2018. Grand Targhee is the Operator of the service. Service is conducted in the Winter and Summer Seasons only by 2-3 buses. The service focuses on transporting employees of the Resort to/from the City of Driggs.

Providing general oversight of the Operator, FY20 will focus on review of the Drug/Alcohol compliance and review of safety and training processes.

This service is a pass through with regards to the FY20 budget.

## **FY20 BUDGET**

### **OPERATIONAL DATA**

The FY20 Budget request reflects the effect of adding 6,395 annual hours and corresponding 101,640 annual miles.

The FY20 service change requests will specifically address Strategic Objectives in the ITP as noted above. Total hours and total miles, primary measures of START's business activity, will grow at about 10 percent and 12 percent respectively over FY19 budgeted hours and is depicted in charts at the conclusion of this section.

The first service change request reflects the request to increase the Route 20 – Green line service during the summer by doubling the amount of round trips effectively reducing trip frequency from 1 hour intervals to 30 minutes. This increased service is a specific Strategy Objective outlined in the ITP with the goal of providing increased opportunity for the community to utilize Stilson as a Park-and-Ride location – whether you are heading to/from Town and/or Teton Village.

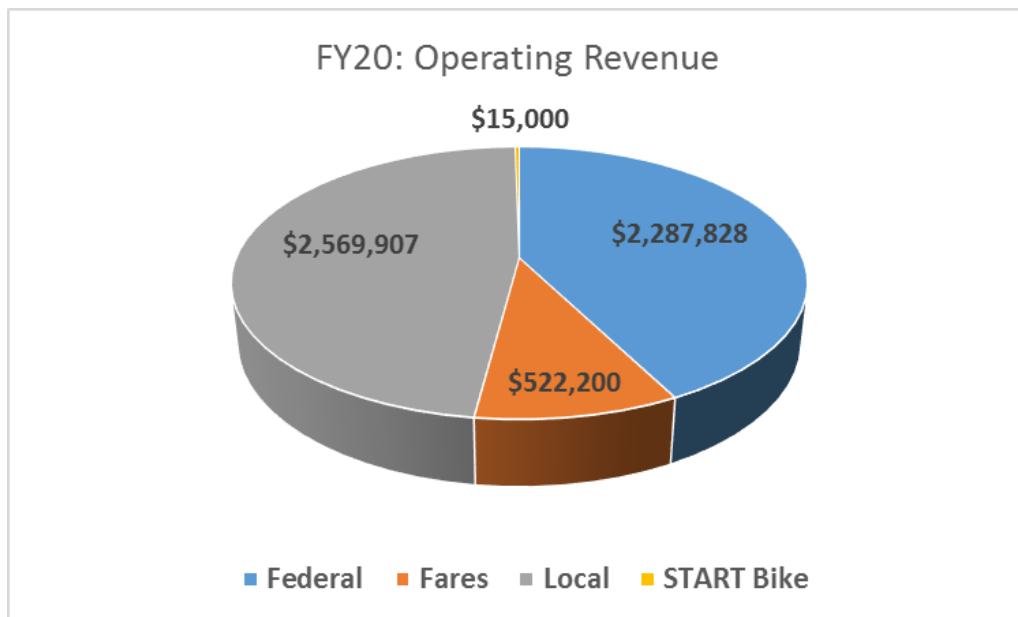
The second service change focuses on adding an additional commuter line to our Star Valley area. This will increase daily trips to/from the Etna and Alpine area from 3 round trips to 4 – thus matching the service levels currently operating to/from Teton Valley, Idaho and the Cities of Victor and Driggs. This also addresses another specific ITP Strategic Objective.

| <b>HOURS</b> |                 |                 |                         |                                 |
|--------------|-----------------|-----------------|-------------------------|---------------------------------|
|              | <b>FY18</b>     | <b>FY19</b>     | <b>FY20<br/>Planned</b> | <b>Change<br/>FY20 vs. FY19</b> |
| Town         | 25,065.0        | 25,065.0        | 25,065.0                | <b>0%</b>                       |
| Village      | 29,300.0        | 29,300.0        | 34,300.0                | <b>17%</b>                      |
| Commuter     | 4,710.0         | 5,085.0         | 6,280.0                 | <b>24%</b>                      |
| ADA          | 3,100.0         | 3,300.0         | 3,500.0                 | <b>6%</b>                       |
| <b>TOTAL</b> | <b>62,175.0</b> | <b>62,750.0</b> | <b>69,145.0</b>         | <b>10%</b>                      |

| <b>MILES</b> |                |                |                         |                                 |
|--------------|----------------|----------------|-------------------------|---------------------------------|
|              | <b>FY18</b>    | <b>FY19</b>    | <b>FY20<br/>Planned</b> | <b>Change<br/>FY20 vs. FY19</b> |
| Town         | 243,030        | 243,030        | 243,030                 | 0%                              |
| Village      | 463,675        | 463,675        | 528,675                 | 14%                             |
| Commuter     | 132,054        | 141,464        | 176,104                 | 24%                             |
| ADA          | 31,025         | 33,025         | 35,025                  | 6%                              |
| <b>TOTAL</b> | <b>869,784</b> | <b>881,194</b> | <b>982,834</b>          | <b>12%</b>                      |

### Operational Revenue:

Overall, Operational revenue request is 17% percent above FY19 Budget and is depicted in the pie chart. More detail is available with working Budget Request until finalized by Town Council in June.



### Expenses:

Overall, Operation and Administrative expenditures are requested to grow at about 19% and 14% (15% Total) percent respectively above FY19 Budget. Capital Outlay has grown 169% due to significant bus purchases to be finalized in FY20. All are summarized in the following chart. More detail is available with working Budget Request until finalized by Town Council in June.

| <b>EXPENSES</b> |                |                |                   |                      |      |
|-----------------|----------------|----------------|-------------------|----------------------|------|
|                 | FY18<br>Actual | FY19<br>Budget | FY20<br>Requested | Change FY20 vs. FY19 |      |
|                 |                |                |                   | \$\$\$               | %    |
| Administration  | 565,800        | 712,550        | 850,975           | 138,425              | 19%  |
| Operation       | 3,218,804      | 3,959,908      | 4,525,575         | 565,667              | 14%  |
| SUB-Total       | 3,784,604      | 4,672,458      | 5,376,550         | 704,092              | 15%  |
|                 |                |                |                   |                      |      |
| Capital Outlay  | -              | 2,498,350      | 6,720,000         | 4,221,650            | 169% |
| TOTAL           | 3,784,604      | 7,170,808      | 12,096,550        | 4,925,742            | 69%  |

### **CAPITAL PROGRAM**

FY20 Capital request includes the following requests: Vehicles (10), Benches, Bus Shelters (3) and Facility upgrade for the electric buses. Further focus on the vehicles is below.

#### **EXISTING FLEET NEEDS FOR FY20**

The required number of buses by type is determined by the demand during the peak period of the year. That period occurs approximately from 7AM to 11AM and 2:30PM to 6:30PM during the winter season and is driven by the demand for service Jackson Hole Mountain Resort and Teton Village – thus the need for increased number of buses to provide the service.

The past 2 winter seasons, START has had to decommission 8 vehicles due to reaching end of useful life. FY20 includes a request for 8 leased vehicles to be used for this specific purpose during the winter season.

Zero Emission Electric Buses – START is readily awaiting the delivery of up to 8 all Electric propelled vehicles in the 1<sup>st</sup> quarter of 2020. Proterra, Inc. is our partner in this exciting endeavor. START anticipates putting these vehicles into service at the beginning of FY21.

Each type of service provided by START Bus has unique requirements for the type of bus needed, including leased vehicles. It is important to note the buses used on the Commuter routes are also used on the local service during the day. The number and type of vehicles that are needed for FY20 requested service levels are described in the tables below.

| WINTER                      |         |         |          |         | SUMMER & MUD SEASONS     |         |         |          |         |
|-----------------------------|---------|---------|----------|---------|--------------------------|---------|---------|----------|---------|
| Vehicle Needs (4 Months)    |         |         |          |         | Vehicle Needs (8 Months) |         |         |          |         |
|                             | Town    | Teton   | Commuter | ADA     |                          | Town    | Teton   | Commuter | ADA     |
|                             | Shuttle | Village | Routes   | Service |                          | Shuttle | Village | Routes   | Service |
|                             |         |         |          |         |                          |         |         |          |         |
| Over the Road Coaches (MCI) |         |         | 2        |         |                          |         |         | 2        |         |
|                             |         |         |          |         |                          |         |         |          |         |
| Full Size City Buses        |         | 14      | 6        |         |                          |         | 4       | 6        |         |
|                             |         |         |          |         |                          |         |         |          |         |
| 30 ft Hybrids               | 4       |         |          |         |                          | 4       |         |          |         |
|                             |         |         |          |         |                          |         |         |          |         |
| Leased Vehicles             |         | 8       |          |         |                          |         |         |          |         |
|                             |         |         |          |         |                          |         |         |          |         |
| ADA Buses                   |         |         |          | 1       |                          |         |         |          | 1       |
|                             |         |         |          |         |                          |         |         |          |         |
| TOTAL                       | 4       | 22      | 8        | 1       |                          | 4       | 4       | 8        | 1       |
|                             |         |         |          |         |                          |         |         |          |         |

**5 Year Plan for Bus Replacement Cost for Existing Service-** The main cost to consider in the operation of START Bus is the cost of replacing the existing fleet as the buses reach the end of useful life or beyond (FTA stipulates standard full size Transit buses reach useful life after 12 years of useful life and/or reaching over 500K miles). For the purposes of this plan it has been assumed that federal funding will be available to fund 80% of the cost for replacements of buses in the existing fleet and 20% provided locally. This assumption is based on the premise START is successful in winning grant awards that are extremely competitive.

Based on these assumptions, the estimated funds needed annually for the purchase of replacement buses for the existing fleet are illustrated below and with more detail in Appendix A.

| 5 YR - Bus Replacement Plan |             |             |             |             |             |              |
|-----------------------------|-------------|-------------|-------------|-------------|-------------|--------------|
| Vehicle Needs (8 Months)    |             |             |             |             |             |              |
|                             | FY20        | FY21        | FY22        | FY23        | FY24        | Total        |
| Number of Buses             | 10          | 4           | 5           | 6           | 4           | 29           |
| Estimated Cost              | \$6,394,000 | \$1,840,000 | \$2,350,000 | \$3,840,000 | \$2,800,000 | \$17,224,000 |
| Federal (80%)               | \$5,077,460 | \$1,472,000 | \$1,880,000 | \$3,072,000 | \$2,240,000 | \$13,741,460 |
| Local (20%)                 | \$1,316,540 | \$ 368,000  | \$ 470,000  | \$ 768,000  | \$ 560,000  | \$ 3,482,540 |

## **EDUCATION AND OUTREACH**

### **Public Input Involvement**

The START Advisory Board meets every month on the second Thursday beginning at 11:30AM in the Council Chambers. There is a standing agenda item for public comment regarding START service.

START has a website, [www.startbus.com](http://www.startbus.com), (can also be accessed via Town website [www.townofjackson.com](http://www.townofjackson.com)) wherein any community member may submit comments in the “Report an Issue” section. The website also allows passengers to sign up for Service Alerts under the “Rider Alerts” section.

Public hearings by the START Board will be conducted should changes in the fare structure be proposed. Other public hearings will be scheduled at the discretion of the START Advisory Board.

General surveys will be distributed from time-to-time in order to gauge public interest related to changes in service. Surveys are generally distributed to onboard passengers as well as electronically through surveying sites, including Town of Jackson and START.

### **Route Plan – Public Engagement Process:**

Our public outreach goal is to connect with as many people as possible through a public involvement effort that engages key partners, stakeholders, and constituents throughout the entire Route Plan Study planning process via five phases of public engagement and outreach.

#### **Phase 1 –**

Stakeholder Interviews, Community Familiarization: Our initial effort will include 12-15 stakeholder interviews with key partners, decision-makers, and rider groups. We will also do in-depth community and route familiarizations.

#### **Phase 2 –**

Rider Survey, Focus Groups, and Driver Meeting: As part of the evaluation of the existing services, we will carry out an onboard rider survey (printed in English and Spanish) to solicit input on existing service and unmet needs. We will also conduct three different focus group meetings to solicit input – the representation of these groups will be determined in partnership with START Board. We will also hold a driver meeting.

#### **Phase 3 –**

Route Options Workshop: Following development of possible options, we will lead a public workshop and open house to review the route options and seek input. We will incorporate a fun, participatory prioritization exercise, as part of the workshop.

#### **Phase 4 –**

Community Survey on Route Options: An online survey (in English and Spanish) will be created for additional feedback on the options for anyone in the community to complete.

#### **Phase 5 –**

Draft Presentation: Our consultant will personally present the draft recommended Route Plan to the decision making bodies.

### **Alignment and Communication/Outreach with Existing Regional Partners**

- **WYDOT:** Wyoming Department of Transportation is the direct recipient for all Federal funding received by START for service in Wyoming. WYDOT serves as the oversight agency regarding START Federal funds in Wyoming. Staff will continue to work with WYDOT at every opportunity to ensure START positions are presented and understood including the Snake River Bridge Replacement and WY22/390 interchange planning.
- **IDT:** Idaho Department of Transportation is the direct recipient for all Federal funding received by START for service in Idaho. IDT serves as the oversight agency regarding START Federal funds in Idaho. Staff will continue to engage with IDT at every appropriate opportunity to ensure START positions are presented and understood.
- **Regional Transportation Planning Organization (RTPO):** begin continued outreach with Lincoln County, Wyoming and Teton County, Idaho and local partners (ITP – Chapter 6).
- **St John's Hospital:** continued discussions with partnership opportunities as the medical facility looks to house employees in Lincoln County.
- **Teton Village Association:** continued partnership in meeting travel demand management requirements to/from Teton Village
- **Jackson Hole Mountain Resort:** continued partnership to move employees and guests to/from the Jackson Hole Mountain Resort.
- **Grand Targhee Resort:** continued grant administration for Employee Shuttle in Winter and Summer Seasons.
- **GTNP:** continued exploration of pilot survey in/around GTNP. Talks currently underway with TVA involved. (ITP Strategic Objective)
- **Airport:** continued exploration of service to/from the Jackson Hole Airport with a focus on improvements/restructuring of current Taxi-2-Fly service and transporting employees. (ITP Strategic Objective)

## APPENDIX – A

| START - Five Year Program for Bus Purchases |           |                |                      | NOTE: All figures are estimated until Grants are final. |      |                |                       |             |
|---------------------------------------------|-----------|----------------|----------------------|---------------------------------------------------------|------|----------------|-----------------------|-------------|
| REPLACEMENT BUSES ONLY                      |           |                |                      |                                                         |      |                |                       |             |
| Description                                 | Budget Yr | Funding Source | Anticipated Delivery | Replacing Bus                                           | Year | Purchase Price | Federal & State Share | Local Share |
|                                             | Ending    |                |                      |                                                         |      |                |                       |             |
| Purchase Price:                             |           |                |                      |                                                         |      |                |                       |             |
| Gillig 29FT Hybrid                          | 2009      |                |                      |                                                         |      | \$546,939      | \$437,551             | \$109,388   |
| Gillig 40FT Low Floor                       | 2015      |                |                      |                                                         |      | \$420,000      | \$336,000             | \$84,000    |
| MCI 45FT Commuter                           | 2006      |                |                      |                                                         |      | \$500,000      | \$400,000             | \$100,000   |
|                                             |           |                |                      |                                                         |      |                |                       |             |
| REPLACEMENT (Fire)                          | 2019      | Insurance Rec. | Sep-19               | 206                                                     | 2012 | \$384,000      | \$0                   | \$0         |
| REPLACEMENT (Bluebird)                      | 2019      | FTA 5339/LoNo  | 2020 - 1 Qtr         | 293                                                     | 2004 | \$740,000      | \$625,683             | \$162,318   |
| REPLACEMENT (Bluebird)                      | 2019      | FTA 5339/LoNo  | 2020 - 1 Qtr         | 297                                                     | 2005 | \$740,000      | \$625,683             | \$162,318   |
| REPLACEMENT (Bluebird)                      | 2019      | FTA 5339/LoNo  | 2020 - 1 Qtr         | 294                                                     | 2004 | \$740,000      | \$625,683             | \$162,318   |
| REPLACEMENT (ADA)                           | 2019      | FTA 5339       | 2020 - 1 Qtr         | 285                                                     | 2001 | \$90,000       | \$72,000              | \$18,000    |
| REPLACEMENT (Bluebird)                      | 2020      | FTA 5339/LoNo  | 2020 - 1 Qtr         | 274                                                     | 2006 | \$740,000      | \$625,683             | \$162,318   |
| REPLACEMENT (Bluebird)                      | 2020      | FTA 5339/LoNo  | 2020 - 1 Qtr         | 275                                                     | 2006 | \$740,000      | \$625,683             | \$162,318   |
| REPLACEMENT (Bluebird)                      | 2020      | FTA 5339/LoNo  | 2020 - 1 Qtr         | 295                                                     | 2005 | \$740,000      | \$625,683             | \$162,318   |
| REPLACEMENT (Bluebird)                      | 2020      | FTA 5339/LoNo  | 2020 - 1 Qtr         | 298                                                     | 2005 | \$740,000      | \$625,683             | \$162,318   |
| REPLACEMENT (Bluebird)                      | 2020      | FTA 5339/LoNo  | 2020 - 1 Qtr         | 299                                                     | 2008 | \$740,000      | \$625,683             | \$162,318   |
| FY20 Totals                                 |           |                |                      |                                                         |      | \$6,394,000    | \$5,077,460           | \$1,316,540 |
|                                             |           |                |                      |                                                         |      |                |                       |             |
| REPLACEMENT (Colorado Gillig)               | 2021      | FTA 5339       | Sep-21               | 250                                                     | 2001 | \$460,000      | \$368,000             | \$92,000    |
| REPLACEMENT (Colorado Gillig)               | 2021      | FTA 5339       | Sep-21               | 251                                                     | 2001 | \$460,000      | \$368,000             | \$92,000    |
| REPLACEMENT (Colorado Gillig)               | 2021      | FTA 5339       | Sep-21               | 252                                                     | 2001 | \$460,000      | \$368,000             | \$92,000    |
| REPLACEMENT (Colorado Gillig)               | 2021      | FTA 5339       | Sep-21               | 253                                                     | 2001 | \$460,000      | \$368,000             | \$92,000    |
| FY21 Totals                                 |           |                |                      |                                                         |      | \$1,840,000    | \$1,472,000           | \$368,000   |
|                                             |           |                |                      |                                                         |      |                |                       |             |
| REPLACEMENT (39 Pass)                       | 2022      | FTA 5339       | Sep-22               | 201                                                     | 2009 | \$470,000      | \$376,000             | \$94,000    |
| REPLACEMENT (39 Pass)                       | 2022      | FTA 5339       | Sep-22               | 202                                                     | 2009 | \$470,000      | \$376,000             | \$94,000    |
| REPLACEMENT (39 Pass)                       | 2022      | FTA 5339       | Sep-22               | 203                                                     | 2009 | \$470,000      | \$376,000             | \$94,000    |
| REPLACEMENT (39 Pass)                       | 2022      | FTA 5339       | Sep-22               | 204                                                     | 2009 | \$470,000      | \$376,000             | \$94,000    |
| REPLACEMENT (39 Pass)                       | 2022      | FTA 5339       | Sep-22               | 205                                                     | 2009 | \$470,000      | \$376,000             | \$94,000    |
| FY22 Totals                                 |           |                |                      |                                                         |      | \$2,350,000    | \$1,880,000           | \$470,000   |
|                                             |           |                |                      |                                                         |      |                |                       |             |
| REPLACEMENT (26 Pass/Hybrid)                | 2023      | FTA 5339       | Oct-23               | 272                                                     | 2009 | \$610,000      | \$488,000             | \$122,000   |
| REPLACEMENT (26 Pass/Hybrid)                | 2023      | FTA 5339       | Oct-23               | 273                                                     | 2009 | \$610,000      | \$488,000             | \$122,000   |
| REPLACEMENT (30 Pass/Hybrid)                | 2023      | FTA 5339       | Oct-23               | 276                                                     | 2011 | \$610,000      | \$488,000             | \$122,000   |
| REPLACEMENT (30 Pass/Hybrid)                | 2023      | FTA 5339       | Oct-23               | 277                                                     | 2011 | \$610,000      | \$488,000             | \$122,000   |
| REPLACEMENT (57 Pass/MCI Commuter)          | 2023      | FTA 5339       | Oct-23               | 1600                                                    | 2007 | \$700,000      | \$560,000             | \$140,000   |
| REPLACEMENT (57 Pass/MCI Commuter)          | 2023      | FTA 5339       | Oct-23               | 1700                                                    | 2009 | \$700,000      | \$560,000             | \$140,000   |
| FY23 Totals                                 |           |                |                      |                                                         |      | \$3,840,000    | \$3,072,000           | \$768,000   |
|                                             |           |                |                      |                                                         |      |                |                       |             |
| NEW/ADDITIONAL BUSES ONLY                   |           |                |                      |                                                         |      |                |                       |             |
|                                             |           |                |                      |                                                         |      |                |                       |             |
| FY24 Totals                                 |           |                |                      | # Buses                                                 | 4    | \$2,800,000    | \$2,240,000           | \$560,000   |
| ted New Commuter for Additional Routes:     |           |                |                      |                                                         |      |                |                       |             |



# 7. ACTION PLAN

## Strategic, Prioritized, Accountable

### OVERVIEW

This chapter includes two sections. The Implementation section provides an implementation schedule for the Plan, identifying timing and priorities for Plan elements found in chapters 2 – 6. The Funding the Plan section provides a blueprint for generating the increased funding that will be required for full implementation.

### IMPLEMENTATION

#### Immediate Actions (2015 - 2018)

##### General – All Chapters

- ☐ Develop a Community Capital Improvement Plan for transportation projects through a cooperative effort of the Town, County, Wyoming DOT, federal agencies and the school district. Incorporate the chartering process described in the Project Development section of Chapter 5.

##### Transit Development (Chapter 2)

###### **Facilities**

- ☐ Identify funding source and schedule for completion of the START maintenance facility.
- ☐ Initiate study of locations, design and costs of satellite maintenance facilities.
- ☐ Identify high priority locations for bus shelters and begin annual program of upgrades.
- ☐ Conduct a transit access needs study to determine potential demand for park 'n ride access to transit (both remote parking for commuter routes and peripheral/intercept parking for access to Town of Jackson) and also to identify potential needs for improvements to first and last mile access by active transportation modes (walking and bicycling). Document capital needs for potential capital funding.

###### **Town Shuttle**

- ☐ Expand and revise route structure, increase hours of service.

###### **Commuter Routes**

- ☐ Increase service on the Teton Valley, Idaho route by adding one run a day to the schedule.

## ***Corridor Routes***

- ☐ Increase winter service on the Teton Village route by adding peak hour express runs.
- ☐ Increase summer service on the Teton Village route by adding runs.
- ☐ Initiate coordination with Grand Teton National Park on a pilot program providing summer service between the Town and the Park.

## ***Transit Passes***

- ☐ Implement an expanded county-wide commuter pass program, working directly with employers.

## Active Transportation (Chapter 3)

### ***Town of Jackson Community Streets Plan (CSP)***

- ☐ Adopt the CSP (Council).
- ☐ Adopt new Land Development Regulations.
- ☐ Begin requiring compliance with CSP through development application review process.
- ☐ Begin implementing capital projects on schedule identified in the CSP.

### ***Teton County Community Streets Policy and Plan***

- ☐ Initiate development of a Teton County Community Streets Policy and Plan.

### ***Pathways Program***

- ☐ Update the Pathways Master Plan.
- ☐ Continue implementation of Pathways capital projects plan.

### ***Maintenance Practice***

- ☐ Implement enhanced winter maintenance practices.

### ***Activity Monitoring***

- ☐ Implement enhanced data collection to monitor active transportation activity levels.

## Transportation Demand Management (Chapter 4)

### ***Establish a Transportation Demand Management Program (TDM)***

- ☐ Create, fund and fill a TDM coordinator position.

### ***Parking Management***

- ☐ Update the 2003 Downtown Jackson downtown parking study.

### ***Commuters***

- ☐ Implement an expanded transit commuter pass program. Set pricing and policies.
- ☐ Begin working with large employers to implement commuter TDM strategies.

### ***New Development***

- ☐ Incorporate new TDM requirements for large projects in Land Development Regulations.



#### **Residents**

- ☐ Initiate outreach to parents and schools for active travel to and from school.

#### **Visitors**

- ☐ Coordinate with Travel and Tourism Board on enhanced visitor travel information.

#### **Travel Planning App**

- ☐ Develop a travel planning and monitoring app for use by residents, commuters and visitors and explore potential integration of this app with Wyoming's 511 highway information services.

### Major Capital Projects (Chapter 5)

#### **Capital Group 1 (WY-22)**

- ☐ Coordinate with WYDOT to add WY-22 and the "Y" Intersection to the STIP including new construction and smaller spot improvements to improve overall efficiencies.
- ☐ Coordinate with WYDOT to initiate concept planning and design of Capital Group 1.

#### **Capital Group 2 (WY-390)**

- ☐ Coordinate with WYDOT to add the southern section of WY-390 to the STIP including new construction and smaller spot improvements to improve overall efficiencies.
- ☐ Coordinate with WYDOT to initiate concept planning and design of the southern section of Capital Group 2.

#### **Capital Group 3 (Regional Connections)**

- ☐ Monitor trends based on benchmarks.

#### **Capital Group 4 (Local Connectivity)**

- ☐ Initiate concept planning and design for the Tribal Trails Connector and South Park Loop Road intersection improvements.
- ☐ Initiate location study and corridor plan for a South Park East-West Connector.
- ☐ Coordinate with WYDOT on design concept for Maple Way/US-26 intersection.
- ☐ Initiate final design, fund and build Snow King – Maple Way Corridor enhancements.

#### **Wildlife Protection**

- ☐ Complete the Teton County Wildlife Crossing Plan.

### Regional Transportation Planning Organization (RTPO – Chapter 6)

#### **First Stage Organization**

- ☐ Create, fund and fill an executive director position (could initially overlap with TDM coordinator position).
- ☐ Establish Policy Board and make appointments.
- ☐ Establish Technical Advisory Committee and make appointments.
- ☐ Initiate TDM program (see Transportation Demand Management, above.)
- ☐ Consolidate Pathways program into RTPO.
- ☐ Initiate monitoring and reporting of key indicators.

- ☐ Provide planning support to START and Pathways program.
- ☐ Initiate development of transportation funding proposal.

## High Priority Actions (2015 - 2024)

### Transit Development (Chapter 2)

#### **Facilities**

- ☐ Fund and complete construction of START maintenance facility.
- ☐ Design and begin acquisition and development of satellite maintenance facilities.
- ☐ Continue upgrading high priority locations for bus shelters.

#### **Town Shuttle**

- ☐ Increase frequency of service and disaggregate loop routes.

#### **Commuter Routes**

- ☐ Continue increasing service on the Teton Valley, Idaho route by adding runs to the schedule.
- ☐ Increase service on the Star Valley route by adding runs to the schedule.
- ☐ Increase service to Wilson and add service to South Park by providing both local and express commuter runs

#### **Corridor Routes**

- ☐ Continue increasing summer and winter service on the Teton Village route.
- ☐ Initiate federal Small Starts planning process for BRT service between Town of Jackson and Teton Village.
- ☐ Initiate a 2 – 3 year pilot program of summer service between the Town and Grand Teton National Park.

### Active Transportation (Chapter 3)

#### **Town of Jackson Community Streets Plan (CSP)**

- ☐ Continue requiring compliance with CSP in development application review process.
- ☐ Continue implementing capital projects on schedule identified in the CSP.

#### **Teton County Community Streets Policy and Plan**

- ☐ Adopt and begin implementation of a Teton County Community Streets Policy and Plan.

#### **Pathways Program**

- ☐ Continue implementation of Pathways capital projects plan.

#### **Maintenance Practice**

- ☐ Continue enhanced winter maintenance practices.

#### **Activity Monitoring**

- ☐ Continue enhanced data collection to monitor walk and bike activity levels.



#### Transportation Demand Management (Chapter 4)

##### ***Commuters***

- ☐ Continue working with employers to implement commuter TDM strategies.
- ☐ Develop and support employer TDM network, including quarterly meetings.
- ☐ Schedule and host annual special events and promotions.
- ☐ Implement guaranteed ride home program.
- ☐ Keep up with technology in transit pass programs.

##### ***Residents***

- ☐ Continue outreach to parents and schools for active travel to and from school.

##### ***Visitors***

- ☐ Continue working with Travel and Tourism Board on enhanced visitor travel information.

#### Major Capital Projects (Chapter 5)

##### ***Capital Group 1 (WY-22)***

- ☐ Coordinate with WYDOT to reconstruct WY-22 and the "Y" Intersection.

##### ***Capital Group 2 (WY-390)***

- ☐ Coordinate with WYDOT to reconstruct the southern section of WY-390.

##### ***Capital Group 3 (Regional Connections)***

- ☐ Monitor trends based on benchmarks.

##### ***Capital Group 4 (Local Connectivity)***

- ☐ Construct Tribal Trails Connector and South Park Loop Road intersection improvements.
- ☐ Construct a South Park East-West Connector.
- ☐ Reconstruct Maple Way/US-26 intersection.

#### Regional Transportation Planning Organization (RTPO – Chapter 6)

##### ***Second Stage Organization***

- ☐ Go to the voters for approval and implement expanded funding of the regional transportation program.
- ☐ 2019 – prepare a technical update (data only) of the ITP
- ☐ 2024 – prepare a complete update of the ITP.

## Benchmarked Actions (2025 - 2035)

### Transit Development (Chapter 2)

#### **Facilities**

- ☐ Continue upgrading high priority locations for bus shelters.

#### **Commuter Routes**

- ☐ Continue increasing service on the Teton Valley, Idaho route.
- ☐ Continue increasing service on the Star Valley route.

#### **Corridor Routes**

- ☐ Implement BRT service between Town of Jackson and Teton Village.

### Major Capital Projects (Chapter 5)

#### **Capital Group 3 (Regional Connections)**

- ☐ Monitor trends based on benchmarks.

## FUNDING THE PLAN

The transportation partners (Town, County and Wyoming DOT) are not currently funded at levels that would support implementation of this Integrated Transportation Plan. Funding the plan will require a strategic approach based on the following assumptions and principles:

#### **Federal Funding**

The federal surface transportation program will continue to be uncertain. Federal funding levels will decline over the near term. In particular, the potential exists for declines in transit capital funding. Discretionary grant programs (TIGER, etc.) may continue to be funded, but will be hard to predict. At the same time, there are grant opportunities in programs outside US DOT, including the Departments of Agriculture and Energy and EPA that the partners will investigate and pursue.

#### **Project Development**

The adage that “money comes to plans faster than plans come to money” is nowhere more true than in local and regional transportation. The partners will work to establish an inventory of high-priority, “shovel-ready” capital projects in support of an opportunistic approach to meeting the funding challenge. These will include a range of modal projects and a range of project sizes to improve the potential for a successful match between funding opportunities and candidate projects.

#### **Dedicated Transit Funding**

About  $\frac{3}{4}$  of transit system costs are incurred for operations and maintenance. Regional transit systems in western states (for example RFTA, EcoTransit and Summit Stage in Colorado, NAIPTA in Arizona) have gained traction and managed to keep up with demand only when local, dedicated sources of operations funding have been put in place. This is one of the highest priorities in Jackson Hole.

## Capital Funding

Infrastructure programs like transportation (and water, sewer, electrical service, etc.) tend to languish and fail to keep up with demand if funding is uncertain. Only where stable, predictable flows of capital funding are made available are transportation agencies able to plan and manage multi-year capital projects. The Town and County will establish a revenue stream for regional transportation capital projects. This funding will be dedicated to regional projects and will be programmed and managed by the RTPO (see Chapter 6), with the following priorities:

- Transit capital, including completion of the consolidated maintenance facility;
- Capital project development (see Project Development, above);
- Capital Groups 1 – 4, in partnership with Wyoming DOT; and,
- Regional transportation planning and management.

## Private Sector

The RTPO will reach out to the private sector, including especially employers and the tourism industry, to draw them into active involvement in implementation of the transportation program. This effort will initially focus on the larger employers and on collaboration with the Jackson Hole Chamber of Commerce.

## Transparency and Accountability

The partners will work to establish a routine system of monitoring and reporting of regional transportation system demand and performance. This will be the responsibility of the RTPO (Chapter 6) and will ensure a stable foundation of public support for the regional transportation program.

## Available Funding Sources

Potential sources of funding for Plan implementation are shown in Table 7-1. An analysis of suitability of the various potential sources for specific Plan priorities is described below.

**Table 7-1. Potential Funding Sources**

| Funding Source                                              | Current Tax Rate                                                                | Revenue                                                                                                                                         | Details                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>General County-Wide Sales Tax</b>                        | 4¢ State + 2¢ Teton County (1¢ General Purpose, 1¢ Special Purpose/SPET)        | Each 1¢ sales tax in Teton County generates about \$11.2 million annually                                                                       | <ul style="list-style-type: none"> <li>• Local sales tax revenue is shared between the County and Town based on population</li> <li>• County could impose additional 1¢ general purpose sales tax with vote of the public</li> </ul>                                                |
| <b>Lodging Tax</b>                                          | 2¢                                                                              | Each 1¢ lodging tax in Teton County generates about \$2.3 million annually                                                                      | <ul style="list-style-type: none"> <li>• In Teton County lodging tax revenue must be allocated 60% for tourism promotion, 10% for general purposes, and 30% for visitor impacts</li> <li>• A lodging tax extension was approved by Teton County voters in November, 2014</li> </ul> |
| <b>General County-Wide Property Tax</b>                     | 9 mils for general fund purposes; total levies up to 60 mils on some properties | Each 1 mil property tax in Teton County generates about \$2.4 million annually (applied to properties in the County and in the Town of Jackson) | <ul style="list-style-type: none"> <li>• County general purpose maximum levy is 11 mils</li> <li>• Town of Jackson does not impose a property tax for general funding purposes</li> </ul>                                                                                           |
| <b>Regional Transportation Authority (RTA) Property Tax</b> | Not implemented in Teton County                                                 | Each ½ mil county-wide (including town) would produce about \$1.2 million annually                                                              | <ul style="list-style-type: none"> <li>• Authorized by Title 18, Chapter 14, Wyoming Statutes – up to ½ mil</li> <li>• Must be applied county-wide; multi-county RTAs are allowed</li> </ul>                                                                                        |

## Funding Source Suitability

It will be important for the Town and County to be strategic in designing a funding program for this Plan. The following suitability analysis will guide local discussion, debate and development of a funding strategy.

### **Sales Tax**

Sales tax receipts can be more volatile than property tax receipts as economic cycles play out, but in Teton County will offer more opportunity for growth. Accordingly sales taxes represent an appealing source of funding for capital programs (all modes) but seem less ideal for transit operations and maintenance, where volatility can be problematic. One appeal of this revenue source is the fact that a significant portion of sales tax revenues in Teton County are paid by visitors and tourists. However, the most important characteristic of a sales tax is the sheer amount of revenue it produces.

### **Lodging Tax**

It makes sense to look to a lodging tax increase as a way to fund part of the cost of transit capital and operations, as well as bicycle and pedestrian capital projects. Peak demand in Jackson Hole is clearly produced by the seasonal influx of visitors and tourists, which creates a significant amount of the unmet financial need in state and regional transportation programs. However, the lodging tax as a source may not be readily scalable, since only 30 – 40% of revenues from a tax increase could be made available for transportation programs, creating a surge in tourism promotion that would have to be explained as part of asking for voter approval.

### **General County-Wide Property Tax**

An argument can be made that property taxes are a logical source of funding for transit operations and maintenance because good transit service is an essential utility, much like water, sewer, and emergency response services. Also, this revenue source is relatively stable over time, which helps avoid the challenges a transit program can face during a recession, when revenues from sales taxes and lodging taxes decline at the same time that ridership demand increases. Property taxes are also a good source of revenue for road and street maintenance, but that approach is clouded in this instance due to the legacy of the Town not applying a property tax and the difficulty of proposing that County landowners pay for Town street maintenance.

### **Regional Transportation Authority (RTA) Property Tax**

This is essentially the same as the County-wide property tax described above, but would be tied to the provisions of Wyoming's RTA statute. This statute was designed to enable multi-county transit agencies, which could be a part of Teton County's future, but is off-target for near-term Jackson Hole needs. In any event the RTA property tax is limited to ½ mill, which is not enough revenue to warrant the effort.

### **Private Sector**

Finally, while not a tax source, there should be a role for the private sector in funding the transit system. The most direct way to do this in Jackson Hole will be to expand private employer participation in buying transit passes for commuters, a topic addressed in Chapter 2 (Transit Development Plan) and Chapter 4 (TDM).

## Gap Analysis

To achieve full implementation of this Plan, increased funding beyond existing sources will be needed to address the following major priorities:

- transit service expansion – capital and operations and maintenance (O&M) costs;
- local roadway projects (e.g., Maple Way/Snow King); and,
- continued investment in pathways as well as bike lane and pedestrian improvements.

All of the major roadway projects described in this Plan are state highways that would be funded from state and federal revenue sources. It is also possible that elements of certain local projects could be supported in part with state and federal highway funding – a new intersection at Maple Way and US-26, a new intersection at WY-22 and the Tribal Trails Connector, etc.

This Plan also calls for increases in spending for local pathways, sidewalks, and streets. While the exact amount of these capital costs would not be known until project design is completed, an increase in capital spending of \$2 million annually would quickly accomplish many of the objectives identified in the Plan.

Growing and improving transit services will represent the largest single cost facing the Town and County. Federal transit funding should provide much of the capital costs – including completion of the transit maintenance facility (which probably cannot be funded from local sources). However, the level of START operations and maintenance (O&M) funding needed by 2024 will require a new source of local revenue.

Table 2-2 in Chapter 2 provides cost estimates for transit expansion. Table 7-2 below shows the net revenue increases required for this expansion. By 2024, a net increase in local transit capital and O&M funding of about \$2.7 million would be required annually (above 2013 budget levels). Much of the capital cost (80%) would be funded with federal funds – which will grow as the transit system grows. An increased share of the O&M costs would be met by increasing START’s operating ratio from 23% to 30% – a direct outcome of implementing the transportation demand management program (Chapter 3).

If Town and County voters were to approve a 1¢ increase in the local sales tax, the increased funding required for transit implementation to 2024 could be met with well less than half of the (\$11M) proceeds of the additional 1¢, leaving significant funding for other transportation projects and yet allowing for half of the new sales tax proceeds to be invested in affordable housing. So, while the transit costs are daunting, they are well within the scope of potential local action to address funding.

However, the transit funding gap will widen further between 2024 and 2035, and sometime after 2024 additional funding for transit will be required. One of the major issues to be addressed in the next Integrated Transportation Plan Update (to be developed in 2024) will be how to meet this need. Additional revenue sources – local property taxes, lodging taxes, an RTA tax – would be available and should be considered. However, for purposes of this Action Plan, it is clear that sufficient funding capacity is technically available for the Town, County and WYDOT to fully implement the “Immediate” and “High Priority” projects and programs required by 2024.

**Table 7-2. START Budget Increases (in millions)**

| Budget Items                                       | 2013 Budget | 2024 Estimate | Net Increase <sup>3</sup> | 2035 Estimate | Net Increase <sup>4</sup> |
|----------------------------------------------------|-------------|---------------|---------------------------|---------------|---------------------------|
| <b>Operations &amp; Maintenance (O&amp;M) Cost</b> | \$2.9       | \$6.6         | \$3.7                     | \$14.6        | \$11.7                    |
| <b>Local Share Cost<sup>1</sup></b>                | \$0.3       | \$0.6         | \$0.3                     | \$1.2         | \$0.9                     |
| <b>Total Cost</b>                                  | \$3.2       | \$7.2         | \$4.0                     | \$15.8        | \$12.6                    |
| <b>Operating Revenue<sup>2</sup></b>               | \$0.7       | \$2.0         | \$1.3                     | \$4.4         | \$3.7                     |
| <b>Local Funding Required</b>                      | \$2.5       | \$5.2         | \$2.7                     | \$11.4        | \$8.9                     |

1. 20% local share/80% federal share

2. 23% of O&M in 2013, 30% in 2024 and 2035

3. 2024 compared to 2013

4. 2035 compared to 2013