

Jackson Town Council Regular Meeting

November 7, 2022

6:00 PM

Town Council Chambers

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. ZOOM LINK FOR PUBLIC PARTICIPATION

To join, click the link or copy to your browser: <https://us02web.zoom.us/j/84578929326?pwd=S1VPcVgrZklUcVhPSjVUOWxpNW44dz09>

If the link does not work, join at zoom.com with Webinar ID **845 7892 9326** Password: **83001**

or join by phone **+1 719 359 4580** with Webinar ID **845 7892 9326** and Password: **83001**

II. OPENING

- A. Call to Order and Roll Call
- B. Pledge of Allegiance
- C. Announcements/Proclamations
 - 1. Lung Cancer Awareness Month Proclamation
 - 2. Introductions of Brad Boreman, David Lionheart, and Tyrone Spruill

III. PUBLIC COMMENT

This section is reserved for comments from the public on items that are not otherwise included in this agenda. Public comment is limited to 3 minutes. As a general practice, the Council does not discuss, debate, or take action on issues raised or comments made under public comment. Council may refer items to staff for follow-up. If you would like to communicate with the Council during the meeting, please address them during open public comment, when public comment is called for on a specific item or send an email to Council@jacksonwy.gov.

IV. CONSENT CALENDAR

All matters listed in this section are considered to be of routine nature by the governing body and will be enacted in one motion, unless it is removed from the consent calendar and considered separately by Council. Public comment may be given on any item.

- A. Meeting Minutes
 - 1. October 17, 2022 Town Council Workshop
 - 2. October 17, 2022 Town Council Meeting
 - 3. October 24, 2022 Special Town Council Meeting/Retreat
- B. Disbursements
- C. P22-217 JH Half Marathon Temporary Sign (Paul Anthony)
- D. P22-240 First Baptist Monday Services Temporary Sign (Paul Anthony)
- E. P22-250 KHOL Membership Drive Temporary Sign (Paul Anthony)
- F. Special Event: Town Square Lighting (Carl Pelletier)
- G. Special Event: Small Business Saturday (Carl Pelletier)

Please note that at any point during the meeting, the Mayor and Council 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.

- H. Special Event: Santa on Town Square (Carl Pelletier)
- I. Special Event: Tribe Christmas Eve Service (Carl Pelletier)
- J. Special Event: Caroling on the Town Square (Carl Pelletier)
- K. Special Event: Menorah Holiday Display (Carl Pelletier)
- L. Sewer Pipe Master Plan Contract Approval (Johnny Ziem)
- M. Amendment to S4 Flats Ground Lease (April Norton)
- N. Crane Encroachment Agreement - 165 N Glenwood (Floren Poliseo)

V. PUBLIC HEARINGS, DISCUSSION AND/OR POSSIBLE ACTION ITEMS

A. Administration

- 1. Retail License Transfer Application DG JH LLC (Lynsey Lenamond) *This item will be continued to the December 5, 2022 meeting.*

B. Community Development

- 1. P22-249 Public Art Task Force Annual Plan Expenditures (Katelyn Page)
- 2. P22-239 Art Enrichment Allocation Ordinance (Katelyn Page)

C. Legal

- 1. Public Defender Contract (Lea Colasuonno)

D. Planning

- 1. P22-115 Request for Alley Vacation - N. Cache (Paul Anthony)
- 2. P22-176 Request for LDR Amendment - Yellowstone Teton Clean Cities (Katelyn Page)
- 3. P22-212 Request for Fee Reduction for P22-176 (Katelyn Page)
- 4. P22-211 Request for LDR Amendment - Neighborhood Low Density-5 (Katelyn Page)
- 5. P22-213 Request for Fee Reduction for P22-211 (Katelyn Page)

VI. RESOLUTIONS

- A. Resolution 22-22 FY2023 Budget Amendment #1 (Kelly Thompson)

VII. ORDINANCES

- A. Ordinance C: P22-239 Art Enrichment Allocation (first reading)
- B. Ordinance D: Title 2 Personnel Update (first reading)
- C. Ordinance M: Exterior Lighting Amendment (third reading, to be designated Ordinance 1324)

VIII. MATTERS FROM MAYOR AND COUNCIL

- A. Board and Commission Reports

IX. MATTERS FROM THE TOWN MANAGER

- A. Town Manager's Report

Please note that at any point during the meeting, the Mayor and Council 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.

X. ADJOURN

Please note that at any point during the meeting, the Mayor and Council 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.

LUNG CANCER AWARENESS MONTH

Recognizing November 2022 as Lung Cancer Awareness Month

WHEREAS, lung cancer is the leading cause of cancer death among men and women in the United States and Wyoming, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined; and

WHEREAS, according to the Centers for Disease Control and Prevention, there were 1,502 new lung cancer cases and 1,077 deaths because of lung cancer between 2015 and 2019 in Wyoming; and

WHEREAS, the 5-year survival rate for localized lung cancer is 60%, yet only 24% of lung cancers are diagnosed at this stage; and

WHEREAS, screening for lung cancer for high-risk individuals using low-dose computed tomography can lead to the earlier detection of lung cancer and save lives, reducing the mortality by 20% when compared to screening by chest x-ray in the National Lung Screening Trial and reducing the risk of death at 10 years by 24% in men and 33% in women as demonstrated by another large randomized trial; and

WHEREAS, funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities; and

WHEREAS, lung cancer incidence is decreasing twice as fast in men as it is in women, each year more women die from lung cancer, and by 2035, more women will die from lung cancer than men; and

WHEREAS, African Americans have the highest lung cancer incidence and mortality of all races, and disparities in lung cancer screening, diagnosis, treatment, and mortality are well characterized among African Americans and other racial minorities; and

WHEREAS, lung cancer in “never smokers” is the 7th leading cause of cancer-related death and accounts for 17,000-26,000 deaths in the US every year, 60-70% of “never smokers” diagnosed with lung cancer are women, and the proportion of lung cancers diagnosed in “never smokers” is increasing in the US; and

WHEREAS, organizations working in Jackson, such as the American Lung Cancer Screening Initiative and Women’s Lung Cancer Forum, are committed to educating about lung cancer and lung cancer screening and working to increase lung cancer screening rates in Jackson.

NOW, THEREFORE, I, Arne Jorgensen, Vice Mayor of the Town of Jackson, do hereby proclaim November 2022 as Lung Cancer Awareness Month, and recognize the need for research in lung

cancer affecting women and lung cancer health disparities, and encourage all citizens to learn about lung cancer and early detection through lung cancer screening.

DATED THIS 7th DAY of NOVEMBER 2022.

TOWN OF JACKSON

ATTEST:

Arne Jorgensen, Vice Mayor

Riley Taylor, Town Clerk

Brad Boreman
Street Operator

Brad comes to us from North Central Ohio. He enjoys the outdoors, diesel trucks, and live music. He is planning to spend his free time exploring the region. Brad chose to work in Jackson, because how could you not enjoy your work surrounded by all this beautiful scenery.

David Lionheart
Transit Operator

David lives in Driggs. Over the past four years, he has driven buses for Jackson Hole Whitewater, Grand Targhee, the Driggs School District, and START during the 2019-20 winter season. He is a book author and former management consultant and business executive from the San Francisco Bay Area. He has lived in Teton Valley since 2012.

Tyrone Spruill
Part-Time Kennel Technician

Tyrone Spruill is the newest member of the Animal Shelter team. He is a part-time Kennel Technician. Tyrone moved to Jackson in 2014 from the beautiful metropolis of San Francisco. His classically rugged good looks has made him state that he's never met a mirror that he didn't like. Although he appears a little aloof he is a very comfortable person to be around. He is an avid Mel Brooks fan and a dedicated reader. Tyrone is a firm believer that comedy should never be suppressed and always looks on the bright side of life.

TOWN COUNCIL PROCEEDINGS - UNAPPROVED

OCTOBER 17, 2022

JACKSON, WYOMING

The Jackson Town Council met in regular workshop in the Town Hall Council Chambers located at 150 East Pearl in Jackson, at 1:30 P.M. This meeting was held in-person and through the Zoom platform. Upon roll call the following were found to be present:

TOWN COUNCIL: Vice Mayor Arne Jorgensen, Jim Rooks, Jonathan Schechter, and Jessica Sell Chambers.

STAFF: Roxanne Robinson, Lea Colasuonno, Tyler Sinclair, Paul Anthony, Floren Poliseo, Johnny Ziem, Susan Scarlata, Tanya Anderson, and Riley Taylor.

Director Updates. Floren Poliseo gave an update on behalf of the Public Works Department. Council held discussion with staff.

Short Term Rentals - Continued. Tyler Sinclair, Lea Colasuonno, and Paul Anthony made staff comment. Council held discussion with staff. Morgan Bruemmer made public comment. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to direct staff to draft an amendment to the text of the Town of Jackson Land Development Regulations and Town Municipal Code, as necessary, consistent with the direction described in this October 17, 2022, staff report as amended by Council as follows:

1. Allow three to four STRs/year with a maximum number of days
2. Enforcement, including loss of right to STR for 5-year period
3. Fire Department Inspection Fee should be proportional to unit size and the amount of time taken
4. Operational Standards to include notifying neighbors with contact information for issues that may arise
5. Make an effective date for new regulations, with notice regarding existing contracts

Vice Mayor Jorgensen called for the vote. The vote showed all in favor with Mayor Morton Levinson absent. The motion carried.

Setting a Pay Philosophy. Roxanne Robinson made staff comment. Brenda Turner, Laura Linehan, and Lexi Scholten from Baker Tilly gave a presentation to Council. Council held discussion with the consultant and staff. There was no public comment.

A motion was made by Jessica Chambers with no second to direct staff and Baker Tilly to move forward with presenting the results of the classification and compensation study using a 'lead' approach and develop estimates for implementation of those results based on that 'lead' approach to be presented at the November 21, 2022, Council workshop. The motion was not taken to a vote.

A motion was made by Jim Rooks and seconded by Arne Jorgensen to direct staff and Baker Tilly to move forward with presenting the results of the classification and compensation study using a 'lead/lag' approach and develop estimates for implementation of those results based on that 'lead/lag' approach to be presented at the November 21, 2022, Council workshop. Vice Mayor Jorgensen called for the vote. The vote showed 3-1 in favor with Sell Chambers opposed and Mayor Morton Levinson absent. The motion carried.

Council recessed at 3:59 p.m. and resumed the meeting at 4:05 p.m.

Town of Jackson Sustainability Plan. Tanya Anderson made staff comment. Council held discussion with staff. Sandy Shuptrine and Margie Lynch made public comment. A motion was made by Jonathan Schechter and seconded by Jim Rooks to continue this item to the next available meeting. Vice Mayor Jorgensen called for the vote. The vote showed all in favor with Mayor Morton Levinson absent. The motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to adjourn the meeting. Vice Mayor Jorgensen called for the vote. The vote showed all in favor with Mayor Morton Levinson absent. The motion carried. The meeting adjourned at 5:00 p.m. Minutes: rt

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

Publish JH News & Guide: September 28, 2022

TOWN COUNCIL PROCEEDINGS - UNAPPROVED

OCTOBER 17, 2022

JACKSON, WYOMING

The Jackson Town Council met in regular session in the Town Hall Council Chambers located at 150 East Pearl in Jackson, at 6:00 P.M. This meeting was held in-person and through the Zoom platform. Upon roll call the following were found to be present:

TOWN COUNCIL: Mayor Morton Levinson, Arne Jorgensen, Jim Rooks, Jonathan Schechter, and Jessica Sell Chambers.

STAFF: Tyler Sinclair, Lea Colasuonno, Paul Anthony, Tyler Valentine, Floren Poliseo, Brian Lenz, Carl Pelletier, Johnny Ziem, Michelle Weber, Kelly Thompson, Lynsey Lenamond, and Riley Taylor.

Mayor Morton Levinson introduced Grace Cocoran, Kennel Technician, and read proclamations for Domestic Violence Awareness Month, Fall Clean Up and Burn Week, and Childhood Cancer Awareness Week. Students from Jackson Hole High School gave a presentation on a recent trip to Tlaxcala, the Sister City to Jackson.

Public Comment. There was no public comment.

Consent Calendar. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to approve the consent calendar including items A-G as presented with the following motions.

- A. **Meeting Minutes.** To approve the meeting minutes as presented for the September 12, 2022 Joint Information Meeting and October 3, 2022 Town Council Meeting.
- B. **Disbursements.** To approve disbursements as presented. NCPERS 96.00, Ace Hardware 374.86, AFLAC 3064.76, Allegiance 214530.89, Amazon 98.51, Tanya Anderson 724.94, Nicole Anglesey 92.00, AT&T 43.23, Axon Enterprises 1498.65, David Baker 248.95, Best drive Idaho Falls 3888.00, Bison Lumber 45.64, Blue Spruce 125.65, Eric Briggs 90.45, Caselle 1867.00, Petty Cash 128.00, Century Link 223.87, Jessica Chambers 1011.46, City of Driggs 4524.03, Community Safety Network 15500.00, Conrad Bischoff 1897.50, Control Systems Tech 32500.00, Core and Main 18261.88, Creative Energies 1422.84, Dick Anderson 637862.40, Division of Child Support 509.23, Division of Victim Services 150.00, Er Express 101.53, Energy Laboratories 1510.00, Entermann-Rovin 1440.00, enter sect 3.50, Etna Trade Park 4062.00, Evans Construction 2741.20, Evident 50.00, Flat Creek Apartments 619736.27, FleetPride 180.88, Freedom Mailing 1810.82, Frog Creek 12783.56, Garmin USA 63.95, Gerta LLC 2400.00, Gillig LLC 484.00, Greenwood Mapping 1035.00, Hach Chemical 125.20, Karen Harris 74.00, HD Fowler Company 8320.66, High Country Linen 567.27, HR 28 LLC 2900.00, Idaho State Tax 4090.00, Interstate Battery 100.95, IVY Outdoor Services 18832.50, JJ Keller 1652.58, Jackson Downtowner 68675.40, Jackson Hole Aire 15000.00, JH Children's Museum 5000.00, Jackson Hole Community Center 43102.50, JH News and Guide 5370.91, Jackson Lumber 585.94, Jackson Whole Family 50.00, Jorgensen Associates 1290.00, Kenyon Noble 2966.61, Kilmer's 4300.00, Kimley Horn 8165.00, Tom Klus 45.00, Lynsey Lenamond 3142.66, Lower Valley 34482.13, Jason Markman 1900.00, Michael Danoff and Associates 2368.75, Mobility Forefront 35000.00, MSC Industries 102.59, Napa 1035.33, National Assoc of Clean Cities 750.00, National League of cities 1239.00, Nelson Engineering 11858.25, Carl Pelletier 242.90, Plainsman Printing 662.85, Prazma Paint 2734.33, Premier Truck 67.82, Quadient Leasing 468.69, Quick Brown Fox 220.00, R and A Safety 1385.00, Joshua Rae 29850.00, Rafer J 292.86, Amy Renova 207.41, S4 Flats LLC 12333.00, Satellite Fulfillment 710.97, Safety Supply 1659.00, Senior Center 33495.25, Sherwin-Williams 12.79, Silver Star 3565.30, Shane Smith 3600.00, Snake River Roaster 425.70, Spring Creek Animal 877.31, SPSC POA 301.38, St Johns 65.00, Kirk Stone 2800.00, Teton County Clerk 264837.33, Teton County Integrated 45.00, Teton County Sheriffs 2088.00, Teton County Fire 21060.24, Teton County Fund 10 100484.37, Teton County Fund 13 26814.32, Teton Rentals 211.00, Teton Youth and Family Services 77226.00, The aftermarket Parts 3203.30, The Connor Field Trust 2575.00, Thomson West 920.75, Tracey Trefren 562.91, Uplift Desk 1781.00, Valley Office 533.90, Verizon 859.89, Virginian Village Condo HOA 1080.00, Westbank Sanitation 934.55, Western State 303811.11, Westwood Curtis 413403.46, White Glove 1785.31, Wilma Sorsby Trust 3000.00, Wilson Hardware 2670.97, John Wilson 2200.00, Wy Child Support 146.76, Workers Comp 17507.55, Wyoming Law Enforcement 200.00, Wyoming Retirement 138605.64, Wyoming.com 5.00, Yellow Iron Excavation 1130.00
- C. **September Municipal Court Report.** To accept the September Municipal Court Report into record.
- D. **P22-232: Protect Our Water JH Temporary Sign.** To approve temporary banner application (P22-232) for Protect our Water JH, including the three conditions of approval recommended by the Planning Director in this staff report dated October 17, 2022.

- E. **P22-241: AWANA Kids Temporary Sign.** To approve temporary banner application (P22-241) for First Baptist AWANA, including the three conditions of approval recommended by the Planning Director in this staff report dated October 17, 2022.
- F. **Well 9 Design Agreement.** To 1. Accept the September 30, 2022 proposal from Nelson Engineering (revised October 12, 2022) for Rangeview Well House and Well #9 Completion; 2. Subject to legal review and changes by the Town Attorney, authorize the Mayor to execute the contract for a an amount not to exceed a maximum of \$232,500; and 3. Approve a budget amendment of \$55,000 from the Water Enterprise Fund.
- G. **Millward Emergency Water Main Replacement Project.** To approve funding of the 2022 Millward Emergency Water Main Replacement Project and direct staff to amend the budget in the amount of \$300,000, award the contact to Evans Construction Company, of Jackson, Wyoming, and authorize the mayor to execute a contract for construction subject to drafting, review, and final approval by the Town Attorney and Town Engineer.

There was no public comment. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Karns Meadow Master Plan. Tyler Sinclair and Steve Ashworth made staff comment. Council held discussion with staff. Pete Karns, Julien Hass, Katherine Dawson, and Max Huntington made public comment. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to direct staff to submit an application to rezone the Karns Meadow tracts as presented by staff in the October 17, 2022 staff report, and to direct staff to move forward with public engagement alternative number one for the development of a Karns Meadow Master Plan. Alternative one included moving forward with the draft site plan and allow public input only on the things included in that plan. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

P22-156 Development Plan for Hotel Jackson. Tyler Valentine made staff comment. Council held discussion with staff. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to approve a Development Plan Amendment (P22-156) to incorporate 145 N. Glenwood Street into the Hotel Jackson Development Plan and to transfer approximately 4,463 sf of floor area to 135 N. Cache Street, based upon the findings and conditions presented in the staff report, the departmental reviews, and subject to this staff report dated October 17, 2022. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

P22-202 JH Wildlife Safaris Parking Lease Agreement. Katelyn Page made staff comment. Council held discussion with staff. Matt Scott made public comment. A motion was made by Jim Rooks and seconded by Arne Jorgensen to direct staff to bring back a draft of the parking lease between the Town of Jackson and 1490 JHWS, LLC, including a market rate, at a future Council Meeting. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

P21-149 Request for Subdivision Plat at 315-327 Batch Plant Road. Tyler Valentine made staff comment. Council held discussion with staff. A motion was made by Jim Rooks and seconded by Jonathan Schechter to approve Subdivision Plat P21-149 for the Batch Plant Townhomes Addition to the Town of Jackson located at 315-327 Batch Plant Road based upon the findings and conditions presented in the staff report, the departmental reviews, and subject to this staff report dated October 17, 2022. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

185 N Glenwood Streetlight Agreement. Floren Poliseo and Lea Colasuonno made staff comment. Council held discussion with staff. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve entering into the Lighting Agreement with Glenwood JH, Inc. as presented in the attachment to the staff report—the Lighting Agreement—and subject to final approval by the Town Engineer and Town Attorney. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Ordinances. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to read the ordinances in short title. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Ordinance M: An Ordinance Regarding Exterior Lighting

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1097, 1124, 1128, 1136, 1155, 1197, AND 1278; SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART); AND SECTIONS 1.9.6, 5.3.1, 5.6.1, AND 9.5 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING EXTERIOR LIGHTING IN THE TOWN OF JACKSON.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

Jim Rooks recused himself from discussion. There was no public comment. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve Ordinance M on second reading. Mayor Morton Levinson called for the vote. The vote showed all in favor with Jim Rooks recused. The motion carried.

Ordinance Q: An Ordinance Relating to Bear Resistant Containers

AN ORDINANCE ADDING SECTIONS 8.12.105 AND 8.12.108 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON RELATING TO BEAR RESISTANT CONTAINERS AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

There was no public comment. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve Ordinance Q on third reading and designate it Ordinance No. 1323. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Matters from Mayor and Council. Council discussed the Crisis Intervention Team training, Joint Corporations Committee meeting in Cheyenne, and Mountain and Resort Town Planners Summit in Snowmass A motion was made by Jonathan Schechter and seconded by Jim Rooks to approve travel authorization for Jessica Sell Chambers, and any other council member that wishes to attend, to attend CAST and NLC meetings. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Jessica Sell Chambers to direct the Town Manager or their designee to draft a brief scoping staff report about XX to be added to an agenda within 45 days. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Town Manager’s Report. Tyler Sinclair made staff comment. Council held discussion with staff. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to approve the Town Manager’s report. The report contained an update on Council training. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to adjourn the meeting. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried. The meeting adjourned at 8:13 p.m. Minutes: rt

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

TOWN COUNCIL PROCEEDINGS - UNAPPROVED

OCTOBER 24, 2022

JACKSON, WYOMING

The Jackson Town Council met in special session in the Fireside Room of Grandview Lodge located at Snow King Mountain Resort in Jackson, at 9:00 A.M. This meeting was held in-person. Upon roll call the following were found to be present:

TOWN COUNCIL: Mayor Morton Levinson, Arne Jorgensen, Jim Rooks, Jonathan Schechter, and Jessica Sell Chambers.

STAFF: Tyler Sinclair, Roxanne Robinson, Lea Colasuonno, Floren Poliseo, Michelle Weber, Steve Ashworth, April Norton, Kelly Thompson, Michael Palazzolo, Susan Scarlata, Bruce Abel, and Riley Taylor.

Call to Order, Roll Call, Welcome and Introductions. Mayor Morton Levinson gave a brief welcome. Heidi Brinkman and Heather Bergman, Brinkman Consulting, Inc., provided an overview of the agenda.

Staff and Partner Perspectives on Town Manager Position. Council discussed their role in the hiring of the Town Manager and management of Department Directors. The consultant discussed best practices, common job descriptions, and interview and survey results.

Council recessed at 10:07 a.m. and reconvened at 10:17 a.m.

Council Discussion on Town Manager Position. Council discussed characteristics they feel are most important in a Town Manager and different methods for establishing a position description.

Council recessed for lunch at 11:35 a.m. and reconvened at 12:12 p.m.

Town Manager Position Next Steps. Council discussed the hiring process and timeline.

A motion was made by Mayor Morton Levinson and seconded by Jessica Sell Chambers to recess for Executive Session to consider the appointment, employment, right to practice, or dismissal of an officer pursuant to Wyoming State Statute 16-4-405(a)(ii). Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Town Manager Position Next Steps. Council continued discussion of the hiring process and timeline.

Council recessed at 1:55 p.m. and reconvened at 2:15 p.m.

Budget Discussion and Update. Tyler Sinclair, Roxanne Robinson, and Kelly Thompson made staff comment. Council held discussion with staff. There was no motion.

Adjourn. A motion was made by Schechter and seconded by Chambers to adjourn. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried. 2:43.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

Publish JH News & Guide: November 2, 2022

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
7135	770 WYOMING LLC	102522	CREDIT	10/25/2022	116.55	.00	
7135	770 WYOMING LLC	102522	CREDIT	10/25/2022	111.98	.00	
Total 7135:					228.53	.00	
328	842-NCPERS GROUP WYOMIN	842112022	PAYROLL DEDUCTIONS	10/01/2022	96.00	96.00	10/28/2022
Total 328:					96.00	96.00	
51	ACE HARDWARE	792359	LIGHT BULBS	07/29/2022	71.96	.00	
51	ACE HARDWARE	795286	BATTERY	08/22/2022	24.99	.00	
51	ACE HARDWARE	799304	LOCK ENTRY	09/26/2022	63.97	.00	
51	ACE HARDWARE	799379	SPONGE	09/26/2022	9.99	.00	
51	ACE HARDWARE	799382	KEYS	09/26/2022	14.95	.00	
51	ACE HARDWARE	799458	KEYS	09/27/2022	8.97	.00	
51	ACE HARDWARE	800041	BATTERY	09/30/2022	12.99	.00	
51	ACE HARDWARE	800130	FURNACE FILTER	10/02/2022	3.49	.00	
51	ACE HARDWARE	800135	FURNACE FILTER	10/02/2022	67.43	.00	
51	ACE HARDWARE	800187	PAINT ROLLER	10/03/2022	7.98	.00	
51	ACE HARDWARE	800272	PADLOCK	10/03/2022	46.98	.00	
51	ACE HARDWARE	800301	SAW BLADE	10/04/2022	96.95	.00	
51	ACE HARDWARE	800434	BATTERIES	10/04/2022	14.99	.00	
51	ACE HARDWARE	800711	CREDIT	10/06/2022	7.49-	.00	
51	ACE HARDWARE	800824	SABER TORX	10/07/2022	246.13	.00	
51	ACE HARDWARE	800825	CONCRETE	10/07/2022	35.97	.00	
51	ACE HARDWARE	800862	CONCRETE	10/07/2022	35.97	.00	
51	ACE HARDWARE	801070	BATTERY	10/10/2022	14.99	.00	
51	ACE HARDWARE	801158	SUPPLIES	10/11/2022	32.80	.00	
51	ACE HARDWARE	801168	BATTERY	10/11/2022	54.97	.00	
51	ACE HARDWARE	801286	CONCRETE	10/12/2022	146.87	.00	
51	ACE HARDWARE	801367	SCREWS	10/12/2022	54.47	.00	
51	ACE HARDWARE	801383	SCREWS	10/12/2022	6.00-	.00	
51	ACE HARDWARE	801502	BAR CLAW	10/13/2022	25.48	.00	
51	ACE HARDWARE	801511	CREDIT	10/13/2022	17.99-	.00	
51	ACE HARDWARE	801590	CLAMPS	10/13/2022	47.88	.00	
51	ACE HARDWARE	801607	STAPLES	10/14/2022	5.99	.00	
51	ACE HARDWARE	801865	DUCT TAPE	10/17/2022	6.99	.00	
51	ACE HARDWARE	801889	TOILET RING	10/17/2022	18.98	.00	
51	ACE HARDWARE	801972	HASPS	10/17/2022	29.48	.00	
51	ACE HARDWARE	802876	CLEANING SUPPLIES	10/25/2022	43.96	.00	
51	ACE HARDWARE	802898	LED BULBS	10/25/2022	7.49	.00	
51	ACE HARDWARE	802963	CLEANING SUPPLIES	10/25/2022	21.97	.00	
51	ACE HARDWARE	803109	CARTRIDGE FILTER	10/26/2022	26.99	.00	
51	ACE HARDWARE	803144	GASKET	10/26/2022	34.48	.00	
51	ACE HARDWARE	803213	WD40	10/26/2022	55.96	.00	
Total 51:					1,361.98	.00	
5728	ADVANCED CONCRETE SOLUTI	3772	REFINISH ANIMAL SHELTER FL	10/26/2022	24,300.00	.00	
Total 5728:					24,300.00	.00	
2269	AFLAC	400538	ACCOUNT #y9599	10/25/2022	3,064.76	3,064.76	10/28/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 2269:					3,064.76	3,064.76	
88	AIRGAS INTERMOUNTAIN INC.	9130921839	GRIT FLT	10/10/2022	146.52	.00	
Total 88:					146.52	.00	
6686	Allegiance Benefit Plan Manage, I	101222	C;AIMS 10.10.22	10/12/2022	33,728.53	33,728.53	10/25/2022
6686	Allegiance Benefit Plan Manage, I	102022	CLAIMS FOR 10.17.2022	10/20/2022	57,735.99	57,735.99	10/25/2022
6686	Allegiance Benefit Plan Manage, I	102722	CLAIMS 10.24.22	10/27/2022	50,137.80	50,137.80	10/27/2022
Total 6686:					141,602.32	141,602.32	
5726	AMAZON	111-D4GF-4Q	JACKETS	04/20/2022	211.25	.00	
5726	AMAZON	11HD-PPMP-T	LIGHTING PANEL	09/30/2022	232.09	.00	
5726	AMAZON	1KY1-TGJ9-3H	DOOR SWEEP	10/26/2022	300.42	.00	
5726	AMAZON	1MVN-94YX-H	GEC FIREPLACE	10/25/2022	13.55	.00	
5726	AMAZON	1QR3-DVJJ-9K	VALVE	10/06/2022	11.99	.00	
5726	AMAZON	1TRP-FDKJ-L	WINDOW BLINDS	10/12/2022	486.00	.00	
5726	AMAZON	1V7M-XV3K-G	CEILING TILES	10/06/2022	121.00	.00	
5726	AMAZON	1YMT-G1VM-P	WATER FILTER	10/19/2022	94.46	.00	
Total 5726:					1,470.76	.00	
6575	APEX SAGE INC	100622	WWTOP	10/06/2022	2,278.06	.00	
6575	APEX SAGE INC	100622WWTP	WWTP	10/06/2022	2,278.06	.00	
6575	APEX SAGE INC	101022	WWTP	10/10/2022	23,212.87	.00	
6575	APEX SAGE INC	101022B	BUNKHOUSE	10/10/2022	23,212.87	.00	
6575	APEX SAGE INC	101222B	BUNKHOUSE	10/12/2022	7,737.50	.00	
Total 6575:					58,719.36	.00	
4389	APPLE INC	1017928048	IPADS	10/24/2022	14,410.00	.00	
4389	APPLE INC	AK12780700	KEYBOARD	10/25/2022	2,212.00	.00	
Total 4389:					16,622.00	.00	
6250	ARBOR WORKS TREE SERVICE	6555	TREE REMOVAL	10/14/2022	750.00	.00	
Total 6250:					750.00	.00	
3487	ARCHITECTURAL BUILDING SU	71382219	VISION FRAME	09/27/2022	83.23	.00	
Total 3487:					83.23	.00	
7027	ARISTORENAS, MARIA	101922	TASK FORCE MEETING	10/19/2022	450.00	.00	
Total 7027:					450.00	.00	
7136	ARTS DISTRICT WEST, LLC	102522	175 S GLENWOOD BOND RELE	10/25/2022	20,620.25	.00	
Total 7136:					20,620.25	.00	
1783	AT&T	287259163099	charges for account 28725916309	10/08/2022	1,605.40	.00	
1783	AT&T	287272169264	MONTHLY ACCOUNT 287272169	10/12/2022	43.23	.00	
Total 1783:					1,648.63	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
7028	BADILLO, MARCELA	101922	TASK FORCE MEETING	10/19/2022	450.00	.00	
Total 7028:					450.00	.00	
7099	BAKER TILLY US, LLP	101522	244820 SALARY SURVEY	10/15/2022	35,675.00	.00	
7099	BAKER TILLY US, LLP	BT2216472	COMPENSATION STUDY	10/25/2022	13,770.00	.00	
Total 7099:					49,445.00	.00	
6879	BAKER, DAVID	110122	TRAVEL EXPENSES	11/01/2022	109.76	.00	
Total 6879:					109.76	.00	
7033	BERGMAN, PIERRE	101922	TASK FORCE MEETING	10/19/2022	450.00	.00	
Total 7033:					450.00	.00	
7134	BIANCA SILVIA CALLES	102622	BAIL REFUND 21-08-0288	10/26/2022	420.00	.00	
Total 7134:					420.00	.00	
3500	BISON LUMBER	2209-792654	REBAR	09/28/2022	12.02	.00	
3500	BISON LUMBER	2210-793694	SCREWS	10/10/2022	63.17	.00	
3500	BISON LUMBER	2210-793762	CONCEALED	10/10/2022	15.48	.00	
3500	BISON LUMBER	2210-794032	SCREWS	10/12/2022	96.11	.00	
3500	BISON LUMBER	2210-794393	2X6 MATERIAL	10/17/2022	1,373.42	.00	
3500	BISON LUMBER	2210-795235	CREDIT	10/25/2022	3.61-	.00	
Total 3500:					1,556.59	.00	
4485	BLISS CARGO	15626	SHIPPING CHARGES	10/02/2022	37.52	.00	
Total 4485:					37.52	.00	
4634	BREAKFAST ROTARY OF JH	2489	QUARTERLY DUES WEBER	10/01/2022	175.00	.00	
Total 4634:					175.00	.00	
6727	BRIGGS, ERIC L	17741	TOOLS	10/06/2022	147.90	.00	
6727	BRIGGS, ERIC L	17876	TOOLS	10/13/2022	25.92	.00	
6727	BRIGGS, ERIC L	18002	TOOLS	10/20/2022	29.95	.00	
Total 6727:					203.77	.00	
5	CARQUEST AUTO PARTS INC.	6090-587035	PLUG AND FITTING	09/30/2022	9.12	.00	
5	CARQUEST AUTO PARTS INC.	6090-587856	BATTERY BOX	10/06/2022	15.45	.00	
5	CARQUEST AUTO PARTS INC.	6090-588865	SEALANT	10/15/2022	14.11	.00	
Total 5:					38.68	.00	
544	CENTURYLINK	307-111-5050-	307-111-5050 246m	10/07/2022	2,187.94	.00	
544	CENTURYLINK	307-733-3106-	307-733-3106 742B	10/13/2022	46.70	.00	
544	CENTURYLINK	612878947	75912352 SERVICES	10/20/2022	159.09	.00	
Total 544:					2,393.73	.00	
5967	CITY OF DRIGGS	BBSTART2022	START DRIGGS RENT	10/26/2022	2,620.35	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5967:					2,620.35	.00	
69	COMMUNITY ENTRY SERVICES	101022	2ND QUARTER PAYMENT	10/10/2022	32,500.00	.00	
Total 69:					32,500.00	.00	
514	CONRAD & BISCHOFF INC.	IN-115518-22	DIESEL	10/13/2022	41,621.68	.00	
Total 514:					41,621.68	.00	
4887	CONTROL SYSTEM TECHNOLO	10422	WATER	04/26/2022	600.00	.00	
4887	CONTROL SYSTEM TECHNOLO	10611	WATER SCADA	10/11/2022	3,802.50	.00	
4887	CONTROL SYSTEM TECHNOLO	10626	CONTROL SERVICE	10/17/2022	3,135.00	.00	
Total 4887:					7,537.50	.00	
1691	CORE & MAIN LP	0008110211-00	Wrong vendor	09/19/2022	50.56-	.00	
1691	CORE & MAIN LP	R684721	CREDIT	10/03/2022	4,327.00-	.00	
Total 1691:					4,377.56-	.00	
3001	CREATIVE ENERGIES, LLC	7865	EGUAGE TROUBLE SHOOT	09/14/2022	1,998.00	.00	
Total 3001:					1,998.00	.00	
6718	CULTIVATE	102622	2ND QUARTER	10/26/2022	1,625.00	.00	
Total 6718:					1,625.00	.00	
7030	DAY, JEAN	101922	TASK FORCE MEETIN	10/19/2022	450.00	.00	
Total 7030:					450.00	.00	
4918	DEAN'S PEST CONTROL LLC	73420	RODENT CONTROL	08/18/2022	100.00	.00	
4918	DEAN'S PEST CONTROL LLC	73701	RODENT CONTROL	08/19/2022	50.00	.00	
4918	DEAN'S PEST CONTROL LLC	73736	RODENT CONTROL	08/16/2022	100.00	.00	
4918	DEAN'S PEST CONTROL LLC	74544	RODENT CONTROL WWTP	09/14/2022	100.00	.00	
4918	DEAN'S PEST CONTROL LLC	74870	RODENT CONTROL	09/23/2022	50.00	.00	
4918	DEAN'S PEST CONTROL LLC	74902	RODENT CONTROL @START	09/06/2022	100.00	.00	
4918	DEAN'S PEST CONTROL LLC	75428	RODENT CONTROL @ START	09/23/2022	250.00	.00	
Total 4918:					750.00	.00	
65	DELCON INC	1003	WELL #5	05/31/2022	3,372.33	.00	
Total 65:					3,372.33	.00	
148	DELL	10621399090	Monitors. Budgeted.	10/12/2022	9,630.00	.00	
Total 148:					9,630.00	.00	
7037	DICK ANDERSON CONSTRUCTI	102722	PAY APP #2	10/27/2022	533,271.19	.00	
7037	DICK ANDERSON CONSTRUCTI	3	PRECONSTRUCITON SERVICE	09/07/2022	35,736.00	.00	
Total 7037:					569,007.19	.00	
6270	DISCOUNT SNOW STAKES	0176539	SNOW STAKES	10/07/2022	1,007.87	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6270:					1,007.87	.00	
6883	DIVISION OF CHILD SUPPORT	102122	DCSE CASE #0005405448	10/21/2022	509.23	509.23	10/19/2022
Total 6883:					509.23	509.23	
6057	DOVER, JOHN	102022	REIMBURSE DOT	10/20/2022	100.00	.00	
Total 6057:					100.00	.00	
502	ELECTRICAL WHSLE SUPPLY C	S5409370.001	WIRE	10/13/2022	104.00	.00	
502	ELECTRICAL WHSLE SUPPLY C	S5411050.001	CODING TAPE	10/17/2022	12.45	.00	
Total 502:					116.45	.00	
1134	ENERGY LABORATORIES INC.	482824	INFLUENT EFFLUENT	06/29/2022	417.00	.00	
1134	ENERGY LABORATORIES INC.	505993	INFLUENT EFFLUENT	09/29/2022	187.00	.00	
1134	ENERGY LABORATORIES INC.	509087	INFLUENT EFFLUENT	10/13/2022	417.00	.00	
1134	ENERGY LABORATORIES INC.	510571	INFLUENT EFFLUENT	10/18/2022	169.00	.00	
1134	ENERGY LABORATORIES INC.	512285	INFLUENT EFFLUENT	10/24/2022	417.00	.00	
1134	ENERGY LABORATORIES INC.	513176	INFLUENT EFFLUENT	10/27/2022	169.00	.00	
Total 1134:					1,776.00	.00	
6753	ESRI, INC	94337191	ANNUAL SUBSCRIPTION	10/04/2022	253.15	.00	
6753	ESRI, INC	94337191	ANNUAL SUBSCRIPTION	10/04/2022	253.14	.00	
Total 6753:					506.29	.00	
6552	ETNA TRADE PARK LLC	101022B	PROPANE START	10/10/2022	2,491.00	.00	
Total 6552:					2,491.00	.00	
81	EVANS CONSTRUCTION INC	102022	PAY APP #3 EAST PEARL SIDE	10/20/2022	327,358.47	.00	
Total 81:					327,358.47	.00	
3885	EVIDENT	193861B	INK PAD	10/06/2022	28.00	.00	
Total 3885:					28.00	.00	
4294	FIRE SERVICES OF IDAHO	12480509	ANNUAL FIRM ALARM INSPECT	09/26/2022	270.00	.00	
4294	FIRE SERVICES OF IDAHO	12480510	ANNUAL FIRE ALARM INSPECTI	09/26/2022	270.00	.00	
4294	FIRE SERVICES OF IDAHO	12480511	ANNUAL FIRE ALARM INSPECTI	09/26/2022	270.00	.00	
4294	FIRE SERVICES OF IDAHO	12480512	ANNUAL FIRE ALARM INSPECTI	09/26/2022	360.00	.00	
4294	FIRE SERVICES OF IDAHO	12480513	ANNUAL INSPECTION	09/26/2022	270.00	.00	
4294	FIRE SERVICES OF IDAHO	12480573	ANNUAL FIRE INSPECTION	09/26/2022	260.00	.00	
4294	FIRE SERVICES OF IDAHO	12480684	ANNUAL FIRE ALARM INSPECTI	09/26/2022	280.00	.00	
4294	FIRE SERVICES OF IDAHO	12481200	ALARM SYSTEM REPAIR	09/28/2022	880.00	.00	
4294	FIRE SERVICES OF IDAHO	12482188	SNOW KING SERVICE	09/30/2022	39,000.00	.00	
4294	FIRE SERVICES OF IDAHO	12482192	STARLINK	09/30/2022	860.00	.00	
4294	FIRE SERVICES OF IDAHO	12482195	STARLINK	09/30/2022	880.00	.00	
4294	FIRE SERVICES OF IDAHO	12482213	STARLINK DIALER	09/30/2022	880.00	.00	
4294	FIRE SERVICES OF IDAHO	12482214	ANNUAL FIRE ALARM INSPECTI	09/30/2022	470.00	.00	
4294	FIRE SERVICES OF IDAHO	12482249	HOME RANCH ALARM REPAIR	09/30/2022	7,285.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4294:					52,235.00	.00	
2549	FIRST TRANSIT	11828789	CONTRACT SERVICES	09/23/2022	31,345.16	.00	
Total 2549:					31,345.16	.00	
4709	FLEETPRIDE	102801707	FORGED CLEVIS	10/05/2022	24.48	.00	
4709	FLEETPRIDE	102839532	CREDIT	10/06/2022	10.20	.00	
4709	FLEETPRIDE	102958248	FORGED CLEVIS	10/11/2022	10.20	.00	
4709	FLEETPRIDE	103040565	OIL SEAL	10/14/2022	143.48	.00	
4709	FLEETPRIDE	103169828	SEIVEL STEEL CONNECT	10/20/2022	4.24	.00	
4709	FLEETPRIDE	IDF015842	SERVICE REPAIR	10/20/2022	2,546.88	.00	
4709	FLEETPRIDE	IDF015857	ALIGNNMEN	10/21/2022	476.00	.00	
Total 4709:					3,195.08	.00	
3521	FRIENDS OF PATHWAYS	1278	START Bike Operations AUGUST	08/31/2022	8,424.00	.00	
3521	FRIENDS OF PATHWAYS	1279	START Bike Operations - SEPTE	09/30/2022	8,424.00	.00	
Total 3521:					16,848.00	.00	
7034	FRITTS, JASON	101922	TASK FORCE MEETING	10/19/2022	450.00	.00	
Total 7034:					450.00	.00	
6126	GARMIN USA	DL25957801	MONTHLY CHARGES	10/27/2022	2.00	.00	
Total 6126:					2.00	.00	
4212	GILLIG LLC	40925971	SENSOR	06/02/2022	72.54	.00	
4212	GILLIG LLC	40938659	WINDSHIELD	07/14/2022	688.47	.00	
4212	GILLIG LLC	40938661	STUD	07/14/2022	73.30	.00	
4212	GILLIG LLC	40943223	TIE ROD	07/29/2022	79.56	.00	
4212	GILLIG LLC	40957135	HYDRAULIC FAN	09/14/2022	838.40	.00	
4212	GILLIG LLC	40963627	GASKETS	10/05/2022	287.46	.00	
4212	GILLIG LLC	40964571	BRAKE	10/07/2022	883.08	.00	
4212	GILLIG LLC	40965818	TORQUE AND STEPWELL	10/12/2022	1,361.20	.00	
4212	GILLIG LLC	40966307	ABSORBER	10/13/2022	286.14	.00	
4212	GILLIG LLC	40966308	KIT TRANSOM PRO ASM	10/13/2022	409.76	.00	
4212	GILLIG LLC	40966309	ROD ASM	10/13/2022	857.66	.00	
4212	GILLIG LLC	40966789	ROD	10/14/2022	850.92	.00	
4212	GILLIG LLC	40967175	MOTOR	10/17/2022	1,203.13	.00	
Total 4212:					7,891.62	.00	
7137	GOVOS, INC	INV-KSW-0061	OPTIMIZATION FEE	10/11/2022	5,048.96	.00	
Total 7137:					5,048.96	.00	
6913	H & R ENTERPRISES, LLC	531	START CAPS AND BEANIES	10/13/2022	1,601.00	.00	
Total 6913:					1,601.00	.00	
93	HACH CHEMICAL CO.	13235614	NITRATE, TNT+	09/09/2022	1,480.23	.00	
93	HACH CHEMICAL CO.	13253839	FILTER	09/20/2022	125.20	.00	
93	HACH CHEMICAL CO.	13263588	AMMONIA, TNT+, HR	09/26/2022	547.61	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 93:					2,153.04	.00	
4988	HD FOWLER COMPANY	I6239373	COUPLING	10/11/2022	613.07	.00	
Total 4988:					613.07	.00	
7031	HERNANDEZ, BRANDON	101922	TASK FORCE MEETING	10/19/2022	450.00	.00	
Total 7031:					450.00	.00	
96	HIGH COUNTRY LINEN	0341165	shop TOWELS @ START	09/28/2022	91.56	.00	
96	HIGH COUNTRY LINEN	0343546	MATS @ START	10/12/2022	221.96	.00	
96	HIGH COUNTRY LINEN	0345128	BRUSH	10/21/2022	9.46	.00	
96	HIGH COUNTRY LINEN	0345735	SHOP SUPPLIES	10/26/2022	91.56	.00	
96	HIGH COUNTRY LINEN	C0332855	MATS @ WWTP	08/15/2022	40.50	.00	
96	HIGH COUNTRY LINEN	S0339183	CLEANER	09/16/2022	184.54	.00	
96	HIGH COUNTRY LINEN	S0344357	SUPPLIES @ START	10/18/2022	284.33	.00	
Total 96:					842.91	.00	
6041	HOLE FOOD RESCUE	101522	2ND QUARTER	10/15/2022	5,000.00	.00	
Total 6041:					5,000.00	.00	
7143	HOT SPOTS LLC	222050	INSPECTIONS	09/19/2022	3,750.00	.00	
Total 7143:					3,750.00	.00	
503	HUNT CONSTRUCTION INC	10488	CRACK REPAIR	10/18/2022	17,347.25	.00	
Total 503:					17,347.25	.00	
6873	HURST, MARY	103122	TRAVEL EXPENSES	10/31/2022	100.32	.00	
Total 6873:					100.32	.00	
4044	IDAHO FALLS PETERBILT	624372	FILTERS	10/20/2022	189.20	.00	
4044	IDAHO FALLS PETERBILT	624940	1883	10/26/2022	108.80	.00	
Total 4044:					298.00	.00	
36	IDAHO STATE TAX COMMISSIO	102822	OCTOBER WITHHOLDINGS	10/28/2022	4,221.00	4,221.00	10/28/2022
Total 36:					4,221.00	4,221.00	
4677	IDEXX DISTRIBUTION, INC.	3116285365	GAMMA RRAD COLILERT	10/18/2022	1,296.88	.00	
Total 4677:					1,296.88	.00	
7126	INEO SYSTRANS USA INC	5463	START CAD MOBILE TICKETING	09/05/2022	80,002.70	.00	
Total 7126:					80,002.70	.00	
5667	INNOVYZE, LLC	Q-127691	INFOCARE RENEWAL	12/22/2021	1,440.00	1,440.00	10/18/2022
Total 5667:					1,440.00	1,440.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
7132	INTERMOUNTAIN ERECTORS, I	6423TOJ	STRUCTRAL STEEL	10/24/2022	150,403.40	.00	
7132	INTERMOUNTAIN ERECTORS, I	REV 6402TOJ	STRUCTURAL STEEL	09/27/2022	225,497.00	.00	
Total 7132:					375,900.40	.00	
6484	INTERNATIONAL INSTITUTE OF	101322	MEMBERSHIP FOR RILEY TAYL	10/13/2022	185.00	.00	
Total 6484:					185.00	.00	
106	INTERSTATE BATTERY	22254799	BATTERIES	10/10/2022	100.95	.00	
106	INTERSTATE BATTERY	22254855	BATTERIES	10/17/2022	419.85	.00	
106	INTERSTATE BATTERY	22254937	BATTERIES	10/24/2022	563.85	.00	
Total 106:					1,084.65	.00	
6954	IVY OUTDOOR SERVICES LLC	0000020	SEPTEMBER TRASH 2022	10/01/2022	1,755.00	.00	
Total 6954:					1,755.00	.00	
1081	JACK'S TIRE & OIL	C48765-37	GRADER TIRES	10/10/2022	14,428.54	.00	
Total 1081:					14,428.54	.00	
2	JACKSON CURBSIDE INC.	00030364	RECYCLE @ PW	10/10/2022	210.00	.00	
2	JACKSON CURBSIDE INC.	00030370	TOWN HALL RECYCLING	10/10/2022	495.00	.00	
2	JACKSON CURBSIDE INC.	00030380	DOWNTOWN RECYCLING	10/10/2022	1,480.00	.00	
2	JACKSON CURBSIDE INC.	00030381	RECYCLING @ SI-FERRIN	10/10/2022	225.00	.00	
Total 2:					2,410.00	.00	
6931	JACKSON DOWTOWNER, LLC	1012	DOWNTOWN SERVICES SEPTE	10/15/2022	63,579.39	.00	
Total 6931:					63,579.39	.00	
858	JACKSON HOLE COMMUNITY H	102022	LANDSCAPE BOND RELEASE	10/20/2022	54,062.56	.00	
858	JACKSON HOLE COMMUNITY H	102822	RELEASE BOND 174 N KING B2	10/28/2022	54,062.56	54,062.56	10/28/2022
858	JACKSON HOLE COMMUNITY H	103122	2ND QUARTER	10/31/2022	12,500.00	.00	
Total 858:					120,625.12	54,062.56	
6474	JACKSON HOLE LAW, PC	1694	LEGAL SERVICES	09/30/2022	3,005.00	.00	
6474	JACKSON HOLE LAW, PC	1717	LEGAL SERVICES	10/31/2022	3,005.00	.00	
Total 6474:					6,010.00	.00	
131	JACKSON HOLE NEWS & GUID	341825	AD#407564	07/13/2022	45.00	.00	
131	JACKSON HOLE NEWS & GUID	343424	AD#409180	08/24/2022	499.50	.00	
131	JACKSON HOLE NEWS & GUID	343425	AD#409181	08/24/2022	270.00	.00	
131	JACKSON HOLE NEWS & GUID	344704	AD#410384	09/21/2022	31.50	.00	
131	JACKSON HOLE NEWS & GUID	345341	AD#410553	10/05/2022	573.80	.00	
131	JACKSON HOLE NEWS & GUID	345531	AD#411150	01/01/2022	235.80	.00	
131	JACKSON HOLE NEWS & GUID	345532	AD#410552	10/12/2022	573.80	.00	
131	JACKSON HOLE NEWS & GUID	345609	AD#411115	10/12/2022	36.00	.00	
131	JACKSON HOLE NEWS & GUID	345610	AD#411114	10/12/2022	40.50	.00	
131	JACKSON HOLE NEWS & GUID	345796	AD#410553	10/19/2022	873.80	.00	
131	JACKSON HOLE NEWS & GUID	345797	AD#411151	10/19/2022	210.60	.00	
131	JACKSON HOLE NEWS & GUID	345798	AD#411335	10/19/2022	238.50	.00	
131	JACKSON HOLE NEWS & GUID	345799	AD#410386	10/19/2022	628.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
131	JACKSON HOLE NEWS & GUID	345851	AD#411116	10/19/2022	54.00	.00	
131	JACKSON HOLE NEWS & GUID	345854	AD#411334	10/19/2022	45.00	.00	
131	JACKSON HOLE NEWS & GUID	345912	AD#411270	10/19/2022	604.80	.00	
131	JACKSON HOLE NEWS & GUID	345913	AD#411267	10/19/2022	518.40	.00	
131	JACKSON HOLE NEWS & GUID	345914	AD#411219	10/19/2022	410.40	.00	
131	JACKSON HOLE NEWS & GUID	345915	AD#411304	10/19/2022	604.80	.00	
131	JACKSON HOLE NEWS & GUID	345916	AD#411305	10/19/2022	604.80	.00	
131	JACKSON HOLE NEWS & GUID	345917	AD#411306	10/19/2022	604.80	.00	
131	JACKSON HOLE NEWS & GUID	345918	AD#411200	10/19/2022	604.80	.00	
Total 131:					8,308.60	.00	
7142	JACKSON HOLE PSYCHIC REA	102622	BUSINESS LICENSE REFUND	10/26/2022	110.00	.00	
Total 7142:					110.00	.00	
5084	JACKSON HOLE SECURITY, LL	1902	SERVICE CALL	09/29/2022	658.40	.00	
Total 5084:					658.40	.00	
114	JACKSON LUMBER INC	0000805701-0	WET/DRY VAC	09/01/2022	122.00	.00	
114	JACKSON LUMBER INC	0000817089-0	2X8 MATERIAL	10/07/2022	980.50	.00	
114	JACKSON LUMBER INC	0000817224-0	2X6 material	10/07/2022	681.67	.00	
114	JACKSON LUMBER INC	0000817226-0	2X8 MATERIAL	10/07/2022	796.78	.00	
114	JACKSON LUMBER INC	0000817421-0	JOIST HANGERS AND 2X8	10/10/2022	208.34	.00	
114	JACKSON LUMBER INC	0000821115-00	LATH	10/19/2022	98.44	.00	
114	JACKSON LUMBER INC	0000822472-0	LAG SCREWS	10/24/2022	854.60	.00	
Total 114:					2,148.77	.00	
283	JEWISON, SAMUEL LEE	110122	REIMBURSEMENT FOR FUEL	11/01/2022	50.00	.00	
283	JEWISON, SAMUEL LEE	110122	REIMBURSEMENT- SAFETY BO	11/01/2022	100.00	.00	
Total 283:					150.00	.00	
7130	JOHNSON, MARC	102022	BAIL REFUND 22-07-0151	10/20/2022	2,500.00	2,500.00	10/24/2022
Total 7130:					2,500.00	2,500.00	
7118	JONES SIMKINS	51333	AUDIT SERVICES	09/30/2022	30,300.00	.00	
Total 7118:					30,300.00	.00	
139	JORGENSEN ASSOCIATES, PC	49889	06013 CORE FACILITES	10/10/2022	68,591.18	.00	
139	JORGENSEN ASSOCIATES, PC	50058	06013 CORE FACILITES	10/27/2022	31,309.31	.00	
Total 139:					99,900.49	.00	
6918	JP CONCRETE FINISHING, LLC	INV0021	SNOW KING CURB	09/07/2022	16,751.22	.00	
6918	JP CONCRETE FINISHING, LLC	INV0022	72 west kelly	09/13/2022	4,408.52	4,408.52	10/18/2022
6918	JP CONCRETE FINISHING, LLC	INV0023	pathways ap repairs	09/13/2022	3,154.40	3,154.40	10/18/2022
6918	JP CONCRETE FINISHING, LLC	INV0024	TOUCH UPS	09/13/2022	150.00	.00	
Total 6918:					24,464.14	7,562.92	
7139	KARISSA AKIN LLC	1216	SPET VIDEO PRODUCTION	10/05/2022	4,600.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 7139:					4,600.00	.00	
7029	KRUEGER, ERICA JADE	101922	TASK FORCE METING	10/19/2022	450.00	.00	
Total 7029:					450.00	.00	
7133	LAWMAN SUPPLY COMPANY	IN1778128	LEATHERHEAD TOOLS	10/18/2022	974.92	.00	
Total 7133:					974.92	.00	
6847	LENAMOND, LYNSEY	103122	REIMBURSE	10/31/2022	85.23	.00	
Total 6847:					85.23	.00	
6336	LEO'S CONSTRUCTION	102822	RELEASE BOND 180 CRABTRE	10/28/2022	12,000.00	12,000.00	10/28/2022
Total 6336:					12,000.00	12,000.00	
5691	LEPCO	49740	GRANULAR BASE	09/27/2022	374.00	.00	
5691	LEPCO	49806	INSTALL ANCHOR BOLTS	09/29/2022	92.92	.00	
5691	LEPCO	49874	SERVICE CALL	10/06/2022	3,798.98	.00	
5691	LEPCO	49899	GRANULAR BASE	10/06/2022	893.00	.00	
5691	LEPCO	50104	GRANULAR	10/20/2022	374.00	.00	
Total 5691:					5,532.90	.00	
677	MACY'S SERVICES	36687	CAMERA LINES	09/23/2022	165.00	.00	
677	MACY'S SERVICES	36768	SNAKE LINES	09/30/2022	576.25	.00	
Total 677:					741.25	.00	
7112	MARKMAN, JASON	103122	LVE ELECTRICAL REIMBURSE	10/31/2022	23.81	.00	
Total 7112:					23.81	.00	
7119	MCNIFF, GEORGINA	092822R	RETURN BOND	09/28/2022	1,740.00	.00	
Total 7119:					1,740.00	.00	
7128	MERLCER, STEPHEN	101922	RETURN BOND B22-0875 1030	10/19/2022	8,000.00	8,000.00	10/19/2022
Total 7128:					8,000.00	8,000.00	
5182	METADOME, LLC	61476	CAST IRON PLATE	08/24/2022	3,236.00	.00	
Total 5182:					3,236.00	.00	
5344	MEXIA, DOMINGO	148	TRANSLATING SERVICES COU	10/20/2022	320.00	.00	
5344	MEXIA, DOMINGO	150	COURT TRANSLATING	10/20/2022	320.00	.00	
Total 5344:					640.00	.00	
5833	MEYER, KARL	102022	REIMBURSE DOT PHYSICAL	10/20/2022	150.00	.00	
Total 5833:					150.00	.00	
5387	MIKE'S WELDING INC	13687	FLAT BAR	10/26/2022	37.20	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5387:					37.20	.00	
7140	MONSIDO, INC	INV-23599	MO PLATFORM	09/19/2022	2,625.00	.00	
Total 7140:					2,625.00	.00	
6046	MORLEY, BRUCE	101022	OVERPAYMENT REFUND	10/10/2022	100.81	.00	
Total 6046:					100.81	.00	
4623	MSC INDUSTRIAL SUPPLY CO	57007955001	MISC PARTS	09/30/2022	415.23	.00	
4623	MSC INDUSTRIAL SUPPLY CO	5707955002	COUPLERS	10/03/2022	140.74	.00	
Total 4623:					555.97	.00	
257	NAPA AUTO PARTS INC.	082109	ATP	07/28/2022	24.29	.00	
257	NAPA AUTO PARTS INC.	092619	RING TERMINAL	09/14/2022	7.49	.00	
257	NAPA AUTO PARTS INC.	095099	MULTI VEHICLE ATF	09/27/2022	125.88	.00	
257	NAPA AUTO PARTS INC.	095582	WINDSHIELD WASHER	09/29/2022	5.64	.00	
257	NAPA AUTO PARTS INC.	095900	ADAPTER	09/30/2022	12.96	.00	
257	NAPA AUTO PARTS INC.	096457	BRAKE PADS	10/03/2022	163.26	.00	
257	NAPA AUTO PARTS INC.	096759	FILTERS	10/04/2022	60.00	.00	
257	NAPA AUTO PARTS INC.	097133	FILTERS	10/06/2022	40.00	.00	
257	NAPA AUTO PARTS INC.	097207	Adapter	10/06/2022	16.42	.00	
257	NAPA AUTO PARTS INC.	097617	BATTERY BOX	10/08/2022	56.18	.00	
257	NAPA AUTO PARTS INC.	097619	BATTERY BOX	10/08/2022	58.07	.00	
257	NAPA AUTO PARTS INC.	098044	FILTERS	10/11/2022	162.52	.00	
257	NAPA AUTO PARTS INC.	098241	AKEBONO	10/12/2022	394.17	.00	
257	NAPA AUTO PARTS INC.	098489	SHIFT BSHIN	10/13/2022	6.70	.00	
257	NAPA AUTO PARTS INC.	098522	TUBE CLAMP	10/13/2022	36.58	.00	
257	NAPA AUTO PARTS INC.	098849	SEALANT	10/14/2022	36.75	.00	
257	NAPA AUTO PARTS INC.	099184	SEAL REPAIR	10/17/2022	13.05	.00	
257	NAPA AUTO PARTS INC.	099385	GASKET	10/18/2022	10.34	.00	
257	NAPA AUTO PARTS INC.	099701	CREDIT	10/19/2022	10.34	.00	
257	NAPA AUTO PARTS INC.	099766	ORING AND ADAPTER	10/19/2022	6.90	.00	
257	NAPA AUTO PARTS INC.	099870	WD40	10/19/2022	18.98	.00	
257	NAPA AUTO PARTS INC.	099916	SILENTGUARD REAR	10/20/2022	42.09	.00	
257	NAPA AUTO PARTS INC.	099919	OIL FILTER	10/20/2022	6.23	.00	
257	NAPA AUTO PARTS INC.	100175	FILLER	10/21/2022	24.49	.00	
257	NAPA AUTO PARTS INC.	100273	CLEANER	10/21/2022	8.29	.00	
257	NAPA AUTO PARTS INC.	101439	V-BELT	10/27/2022	14.44	.00	
Total 257:					1,229.02	.00	
187	NELSON ENGINEERING	60054	21-411-03 VINE STREET	10/31/2022	12,270.00	.00	
Total 187:					12,270.00	.00	
7035	NOLAD, STACY	101922	TASK FORCE MEETING	10/19/2022	450.00	.00	
Total 7035:					450.00	.00	
513	ON SIGHT LAND SURVEYORS I	102822	P22-248 REVIEW	10/28/2022	300.00	.00	
Total 513:					300.00	.00	
1504	ONE CALL OF WYOMING	64850	LOCATING TICKETS	10/06/2022	441.75	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1504	ONE CALL OF WYOMING	64850	LOCATING TICKETS	10/06/2022	441.75	.00	
	Total 1504:				883.50	.00	
6894	PALINDROME STUDIO	000367	SPET BALLOT ADVERTS	10/05/2022	1,200.00	.00	
	Total 6894:				1,200.00	.00	
7070	PEAK WATER SERVICES, LLC	INVPWS820	SERVICE	10/26/2022	1,062.50	.00	
	Total 7070:				1,062.50	.00	
5707	PERFORM PRINTING INC	P 1328	THERMAL ROLL PARKING TICK	10/27/2022	2,913.50	.00	
	Total 5707:				2,913.50	.00	
4894	PLATT	3F98266	POLARIS GREY	09/20/2022	29.26	.00	
	Total 4894:				29.26	.00	
7090	PORT53 TECHNOLOGIES, INC	7444	DUO TOKENS	10/24/2022	1,386.80	.00	
	Total 7090:				1,386.80	.00	
6068	POWER ENGINEERING CO, INC	0247981-IN	COOLING TREATMENT	09/16/2022	1,044.08	.00	
	Total 6068:				1,044.08	.00	
262	PRAZMA PAINT & AUTO BODY	20466	CHEVY BOLT REPAIRS	09/30/2022	2,567.81	2,567.81	10/18/2022
	Total 262:				2,567.81	2,567.81	
6483	PREMIER TRUCK- SALT LAKE C	775432918	PEAK WIN	10/10/2022	609.12	.00	
6483	PREMIER TRUCK- SALT LAKE C	775437450	OPRAS	10/14/2022	72.10	.00	
6483	PREMIER TRUCK- SALT LAKE C	775440520	KIT	10/25/2022	1,311.03	.00	
6483	PREMIER TRUCK- SALT LAKE C	775440618	SENSOR	10/25/2022	411.26	.00	
	Total 6483:				2,403.51	.00	
4922	PREMIER VEHICLE INSTALLATI	39573	ACCESSORY POCKETS	09/30/2022	181.71	.00	
	Total 4922:				181.71	.00	
532	QUICK BROWN FOX LLC	3958	WINTER PASSES	10/25/2022	275.00	.00	
	Total 532:				275.00	.00	
4869	RIDGELINE EXCAVATION INC	1444	MANHOLD KARNS MEADOW	10/03/2022	5,443.57	.00	
	Total 4869:				5,443.57	.00	
1551	ROCKY MOUNTAIN INFO NETW	22272	RMIN MEMBERSHIP	07/01/2022	100.00	.00	
	Total 1551:				100.00	.00	
4723	RON'S TOWING	22-23792	TOW	10/26/2022	300.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4723:					300.00	.00	
2850	RT1 INC	100522	shipping CHARGES	10/05/2022	312.28	.00	
Total 2850:					312.28	.00	
5812	RUI INC. DBA VILLAGE GARDN	1324730	LAWN CARE @ WILDFLOWER	09/30/2022	175.20	.00	
5812	RUI INC. DBA VILLAGE GARDN	1324779	LAWN CARE 145 W HANSEN	09/30/2022	306.60	.00	
5812	RUI INC. DBA VILLAGE GARDN	1324780	LAWN CARE	09/30/2022	146.00	.00	
Total 5812:					627.80	.00	
6889	SAFELITE FULFILLMENT INC	05008-002492	WINDSHIELD	09/28/2022	710.97	.00	
Total 6889:					710.97	.00	
7032	SANCHEZ-MACHUCA, ROSA	101922	TASK FORCE MEETING	10/19/2022	450.00	.00	
Total 7032:					450.00	.00	
6372	SB EQUIPMENT RENTALS, LLC	9858	SCISSOR LIFT RENTAL	10/10/2022	540.00	.00	
Total 6372:					540.00	.00	
4831	SCHAEFFER MFG. CO	PXG4629-INV1	OIL	10/06/2022	3,857.13	.00	
Total 4831:					3,857.13	.00	
4691	SCHOW'S TRUCK CENTER	C005052290:0	CAST TYPE	05/05/2022	2,240.46	.00	
4691	SCHOW'S TRUCK CENTER	C005053656:0	KIT BK	10/11/2022	287.20	.00	
4691	SCHOW'S TRUCK CENTER	R005016205:0	SERVICE CALL	10/12/2022	1,586.50	.00	
Total 4691:					4,114.16	.00	
4359	SHERWIN-WILLIAMS CO.	2834-8	PAINT	07/22/2022	62.45	.00	
Total 4359:					62.45	.00	
4548	SILVER CREEK SUPPLY	0008110211-00	POLY TUBING	09/19/2022	50.56	.00	
4548	SILVER CREEK SUPPLY	0008121770-0	NIPPLE BRASS AND BELL	09/20/2022	21.10	.00	
4548	SILVER CREEK SUPPLY	0008358823-0	COUPLERS	10/12/2022	80.47	.00	
4548	SILVER CREEK SUPPLY	0008380819-0	POLY 250 PSI	10/13/2022	379.01	.00	
Total 4548:					531.14	.00	
4720	SILVERSTAR	54639 1122	INTERNET SERVICES	11/01/2022	2,695.57	.00	
4720	SILVERSTAR	654791 1122	654791 SERVICES	11/01/2022	869.73	.00	
Total 4720:					3,565.30	.00	
7141	SIMPSON PROPERTIES	101822	REFUND OVERPAYMENT	10/18/2022	137.25	.00	
Total 7141:					137.25	.00	
236	SMITH POWER PRODUCTS,INC	3186688	HARNESS	09/29/2022	312.30	.00	
236	SMITH POWER PRODUCTS,INC	3188014	GASKET AND HARNESS	10/13/2022	368.11	.00	
236	SMITH POWER PRODUCTS,INC	3188863	SENSOR	10/24/2022	454.64	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 236:					1,135.05	.00	
5632	SNAKE RIVER MEP COMPLETE,	7081	WWTP	09/27/2022	798.12	.00	
Total 5632:					798.12	.00	
4699	SNAKE RIVER ROASTING	616246	COFFEE	10/04/2022	163.35	.00	
4699	SNAKE RIVER ROASTING	616369	COFFEE	10/11/2022	94.00	.00	
4699	SNAKE RIVER ROASTING	616502	COFFEE	10/18/2022	163.35	.00	
4699	SNAKE RIVER ROASTING	79991	COFFEE POT	09/08/2022	108.00	.00	
Total 4699:					528.70	.00	
7050	SOSA'S JANITORIAL SERVICE	110122	TOWN HALL CLEANING OCTOB	11/02/2022	7,200.00	.00	
Total 7050:					7,200.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600039	ANIMAL CARE	10/19/2022	140.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600041	SPAY	10/19/2022	142.16	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600042	ANIMAL CARE	10/19/2022	87.16	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600044	ANIMAL CARE	10/19/2022	18.93	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600154	ANIMAL CARE	10/20/2022	87.16	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600155	ANIMAL CARE	10/20/2022	20.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600157	ANIMAL CARE	10/20/2022	216.38	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600158	ANIMAL CARE	10/20/2022	112.46	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600339	ANIMAL CARE	10/25/2022	20.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600340	ANIMAL CARE	10/25/2022	85.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600341	ANIMAL CARE	10/25/2022	138.16	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600342	ANIMAL CARE	10/25/2022	20.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600343	ANIMAL CARE	10/25/2022	42.08	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600348	ANIMAL CARE	10/25/2022	587.53	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600697	ANIMAL CARE	11/01/2022	97.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600698	ANIMAL CARE	11/01/2022	182.70	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600699	ANIMAL CARE	11/01/2022	182.70	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600700	ANIMAL CARE	11/01/2022	182.70	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600701	ANIMAL CARE	11/01/2022	182.70	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600702	ANIMAL CARE	11/01/2022	182.70	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600703	ANIMAL CARE	11/01/2022	182.70	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600704	ANIMAL CARE	11/01/2022	182.70	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600705	ANIMAL CARE	11/01/2022	352.20	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334600706	ANIMAL CARE	11/01/2022	176.10	.00	
1505	SPRING CREEK ANIMAL HOSPI	534600040	ANIMAL CARE	10/19/2022	115.80	.00	
1505	SPRING CREEK ANIMAL HOSPI	625032594	ANIMAL CARE	10/13/2022	50.42	.00	
1505	SPRING CREEK ANIMAL HOSPI	625032595	ANIMAL CARE	10/13/2022	15.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	625032596	ANIMAL CARE	10/13/2022	38.48	.00	
Total 1505:					3,840.92	.00	
241	ST JOHN'S HOSPITAL	50000671	case blood draws	09/26/2022	65.00	.00	
Total 241:					65.00	.00	
3989	STINKY PRINTS, INC	68571	SPET POSTERS	10/04/2022	31.55	.00	
Total 3989:					31.55	.00	
1054	SUNRISE ENVIRONMENTAL	134252	AEROSOL	10/11/2022	337.02	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1054:					337.02	.00	
7076	SUSTAINABLE STRATEGIES DC	3147	GRANT CONSULTANT	10/02/2022	7,500.00	.00	
Total 7076:					7,500.00	.00	
4990	Swagit Productions, LLC	SW-00745SI	STREAMING SERVICES	09/30/2022	1,775.00	.00	
Total 4990:					1,775.00	.00	
581	TETON COUNTY INTEGRATED	590811	DUMP FEES	10/21/2022	26.00	.00	
581	TETON COUNTY INTEGRATED	7680	CARBOARD PICKUP SERVICE	10/01/2022	327.00	.00	
581	TETON COUNTY INTEGRATED	7704	BULB RECYCLING	10/06/2022	72.00	.00	
Total 581:					425.00	.00	
268	TETON MOTORS INC	5103880	HUB	09/29/2022	222.57	.00	
Total 268:					222.57	.00	
3162	TETON TRASH REMOVAL, INC.	22 OCT 1142	RESIDENTAL CAN	10/01/2022	49.00	.00	
Total 3162:					49.00	.00	
3237	THE AFTERMARKET PARTS CO	82827404	CONTRACTOR 28 VOLT	10/11/2022	351.24	.00	
Total 3237:					351.24	.00	
154	THE CHILDREN'S LEARNING C	101322	2ND QUARTER PAYMENT	10/13/2022	29,252.75	.00	
Total 154:					29,252.75	.00	
6810	THE TIRE RACK, INC.	HU91640	TIRES	09/28/2022	823.56	.00	
6810	THE TIRE RACK, INC.	HV71748	TIRES	10/06/2022	844.44	.00	
6810	THE TIRE RACK, INC.	HV71881	TIRES	10/06/2022	1,169.90	.00	
6810	THE TIRE RACK, INC.	HV71883	TIRES	10/06/2022	233.98	.00	
6810	THE TIRE RACK, INC.	HW41739	TIRES	10/14/2022	968.04	.00	
6810	THE TIRE RACK, INC.	HX43500	TIRES	10/25/2022	662.68	.00	
Total 6810:					4,702.60	.00	
7131	THOMPSON LOGGING, INC	66479	2X8-16	10/12/2022	4,160.00	.00	
Total 7131:					4,160.00	.00	
5038	TREFONAS LAW, P.C.	101722	LEGAL SERVICES	10/17/2022	435.60	.00	
Total 5038:					435.60	.00	
777	UPPER CASE PRINTING INK	18748	INSERTS	10/05/2022	171.72	.00	
Total 777:					171.72	.00	
5789	VALLEY LANDSCAPE SERVICE,	10468	DRIVEWAY REPAIR 70 E SIMPS	09/15/2022	1,700.00	.00	
Total 5789:					1,700.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3881	VALLEY OFFICE SYSTEMS	AR1112251	COLOR COPIER	10/24/2022	562.77	.00	
Total 3881:					562.77	.00	
3070	VALLEY WEST ENGINEERING,	1664	Rancher St Design	10/07/2022	7,689.94	.00	
3070	VALLEY WEST ENGINEERING,	1664	Rancher St Design	10/07/2022	1,726.31	.00	
3070	VALLEY WEST ENGINEERING,	1664	Rancher St Design	10/07/2022	1,046.25	.00	
Total 3070:					10,462.50	.00	
7129	VILLASANA, CHRISTIAN MEDIN	102022	BAIL REFUND 22-07-0241	10/20/2022	1,690.00	1,690.00	10/24/2022
Total 7129:					1,690.00	1,690.00	
517	WAM	17245	FALL WORKSHOP TYLE SINCLA	10/19/2022	125.00	.00	
Total 517:					125.00	.00	
6226	WEST COAST CODE CONSULT	UT22-579-007	PLAN REVIEW SERVICES	10/03/2022	1,800.00	.00	
Total 6226:					1,800.00	.00	
563	WESTBANK SANITATION	4075374T022	WWTP trash	10/01/2022	1,869.95	.00	
563	WESTBANK SANITATION	4077587T022	940 Simon Lane	10/01/2022	61.38	.00	
563	WESTBANK SANITATION	4078577T022	3585 CANADIAN DR	10/01/2022	52.63	.00	
563	WESTBANK SANITATION	4078598T022	910 SIMON LANE	10/01/2022	112.14	.00	
Total 563:					2,096.10	.00	
1640	WESTERN STATE	IN002167289	SERVICE CALL	10/04/2022	1,353.63	.00	
1640	WESTERN STATE	IN002176200	FABRICATE SNOW WING	10/13/2022	3,683.79	.00	
1640	WESTERN STATE	IN002177153	YELLOW PAINT	10/13/2022	179.36	.00	
Total 1640:					5,216.78	.00	
2802	WESTWOOD CURTIS	102122	RANCHER STREET PAY APP #5	10/21/2022	557,463.31	.00	
Total 2802:					557,463.31	.00	
472	WHITE GLOVE CLEANING, INC.	8345	SHELTER CLEANING	08/31/2022	3,048.13	.00	
472	WHITE GLOVE CLEANING, INC.	8417	HOUSE CLEAING SK HOUSING	09/30/2022	350.00	.00	
472	WHITE GLOVE CLEANING, INC.	8451	SOAP AND TP	09/30/2022	388.75	.00	
472	WHITE GLOVE CLEANING, INC.	8452	PaPER AND SOAP	09/30/2022	723.75	.00	
472	WHITE GLOVE CLEANING, INC.	8454	SOAP	09/30/2022	221.00	.00	
Total 472:					4,731.63	.00	
5489	WRENCH IT PLUMBING & HEATI	9744	940 SIMON LANE	09/10/2022	280.44	.00	
5489	WRENCH IT PLUMBING & HEATI	9842	HOME RANCH RESTROOMS	09/27/2022	162.50	.00	
Total 5489:					442.94	.00	
3619	WY CHILD SUPPORT ENFORCE	102122	case #209790	10/21/2022	146.76	146.76	10/19/2022
Total 3619:					146.76	146.76	
4139	WY WORKERS' SAFETY & COM	102822	NOVEMBER PREMIUM	10/28/2022	17,372.04	17,372.04	10/28/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4139:					17,372.04	17,372.04	
6733	Wyoming Business Alliance	3190	MEMBERSHIP DUES	07/01/2022	400.00	.00	
Total 6733:					400.00	.00	
1064	WYOMING DEPARTMENT OF H	I0015234	monthly water samples	10/03/2022	240.00	.00	
Total 1064:					240.00	.00	
4198	WYOMING FIRST AID & SAFETY	80001496	first aid kit resupply	10/11/2022	148.45	.00	
Total 4198:					148.45	.00	
5788	WYOMING GARAGE DOOR, LLC	2559	PUBLIC WORKS	10/05/2022	5,537.70	.00	
Total 5788:					5,537.70	.00	
329	WYOMING RETIREMENT SYST	229421B	SEPTEMBER CONTRIBUTIONS	09/30/2022	.80	.80	10/28/2022
329	WYOMING RETIREMENT SYST	230518	OCTOBER CONTRIBUTIONS	10/27/2022	34,776.29	34,776.29	10/28/2022
329	WYOMING RETIREMENT SYST	230519	OCTOBER CONTRIBUTIONS	10/27/2022	34,364.60	34,364.60	10/28/2022
329	WYOMING RETIREMENT SYST	230520	OCTOBER CONTRIBUTIONS	10/27/2022	69,715.66	69,715.66	10/28/2022
Total 329:					138,857.35	138,857.35	
4839	Wyoming Water Development Co	101722	LOAN PAYMENT STORAGE TAN	10/17/2022	66,969.91	.00	
Total 4839:					66,969.91	.00	
1334	WYTRANS	1757	MEMBERSHIP DUES	10/01/2022	480.00	.00	
Total 1334:					480.00	.00	
2842	YELLOW IRON EXCAVATION, LL	75367	455 VINE	09/30/2022	80.00	.00	
Total 2842:					80.00	.00	
Grand Totals:					3,287,669.59	395,692.75	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
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Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Council Regular Meeting
Submitting Department:	Planning Department	Presenter:	Paul Anthony
Agenda Item:	P22-217: TEMPORARY SIGN PERMIT JH Half Marathon	Public Comment:	Yes

Purpose & Policy Considerations.

To approve or deny a temporary sign not requiring a special event or exposition license under the Town's sign standards.

Requested Action.

JH Half Marathon has requested to display one (1) temporary banner under Section 5.6.1.C.4.c of the LDRs to advertise registration for their 2023 half marathon event (see attached for design details).

- 105 Buffalo Way – Albertson's during:
 - April 16, 2023 – April 22, 2023
 - May 28, 2023 – June 3, 2023

Section 5.6.1.C.4.c of the Town's Land Development Regulations allows Council to approve up to four (4) off-site banners. The event does not require any Town services; therefore, a special event license is not required. Staff recommends approval, as the Town has permitted such signs in the past, as long as all other regulations for signage are complied with.

Recommendations.

The Planning Director recommends approval based on finding that the request is consistent with the LDRs subject to the following conditions:

1. The use of site shall be granted by the property owner.
2. The sign shall not be located on the sidewalks or in the public right of way.
3. The sign is approved for the following location:
 - 105 Buffalo Way – Albertson's during:
 - April 16, 2023 – April 22, 2023
 - May 28, 2023 – June 3, 2023

Background.

NA

Analysis.

NA

Alternatives (Optional).

NA

Fiscal Impact.

None

Staff Impact.

Preparation of this report took approximately 2 hours of staff time to process.

Attachments or Links.

Applicant Submittal

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to **approve** temporary banner application (P22-217) for JH Half Marathon, including the three conditions of approval recommended by the Planning Director in this staff report dated November 7, 2022.

Location: Albertson's
Banner Design: 4' x 10'
Material: Vinyl

Jackson Hole Half Marathon
June 10, 2023
jhhalf.com to register



You don't know the "Hole" until you know the Half of it!



TEMPORARY SIGN PERMIT APPLICATION

Planning & Building Department

150 East Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

First, go to www.townofjackson.com/245/Temporary-Sign-Permit
for process and other necessary information.

EVENT NAME:

Event Name: JH Half Marathon Physical Address of Event: Jackson, WY
Description of Event: Running Race- Half marathon and 5K
Grand Opening ☐ Yes ☒ No ☐

EVENT SPONSOR/APPLICANT: Name:

Mailing Address: 970 W Broadway #489 Phone: 307-413-2695
E-mail: Jackson, WY 83001 ZIP: 83001
Non-Profit: ☒ For Profit: ☐

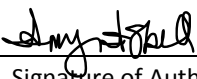
TEMPORARY BANNER LOCATION: Consent from Property Owner Required

Business/Description: <u>Albertsons</u>	Business/Description: _____
Physical Address: <u>105 Buffalo Way</u>	Physical Address: _____
Dates of Display: <u>3/12-18,4/16-22,5/28-6/3</u>	Dates of Display: _____
Consent from Owner Obtained? Yes ☒ No ☐	Consent from Owner Obtained? Yes ☐ No ☐
Business/Description: _____	Business/Description: _____
Physical Address: _____	Physical Address: _____
Dates of Display: _____	Dates of Display: _____
Consent from Owner Obtained? Yes ☐ No ☐	Consent from Owner Obtained? Yes ☐ No ☐

SUBMITTAL REQUIREMENTS. Have you attached the following? Please answer accordingly.

Yes ☐ No ☒ Illustration of each proposed sign that includes dimensions, colors, materials and type of sign.
Yes ☐ No ☒ Installation specifications, and any structural details or specifications required for freestanding signs.

Under penalty of perjury, I hereby certify that I have read this application and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of the Town of Jackson to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.


Signature of Authorized Event Applicant
Amy Asbell
Applicant Name Printed

8-24-22
Date
JH Half Owner
Title

Katelyn Page

From: Amy Asbell <jhhorsethief@gmail.com>
Sent: Wednesday, September 28, 2022 7:33 PM
To: Katelyn Page
Subject: Re: Temporary Sign Permit



Hi Katelyn~

Can we just go with the April and May dates? Or do I need to fill out a different form?

Please let me know.

Amy

On Wed, Sep 28, 2022 at 4:34 PM Katelyn Page <KPage@jacksonwy.gov> wrote:

Hi Amy,

I am preparing your Temp Sign application for Council review.

We allow for a maximum of 14 hang days but you have 21 days listed:

- March 12, 2023 – March 18, 2023 (7)
- April 16, 2023 – April 22, 2023 (7)
- May 28, 2023 – June 3, 2023 (7)

Please send updated application with adjusted hang days with max 14days by October 4. (staff report is due date)

Thanks,

Katelyn S. Page

Direct: (307) 734-3493

Cell: (205) 721-5757

kpage@jacksonwy.gov

From: Amy Asbell <jhorsethief@gmail.com>
Sent: Wednesday, August 24, 2022 1:06 PM
To: Annette Langley <ALangley@jacksonwy.gov>
Cc: Katelyn Page <KPage@jacksonwy.gov>; Pam Reed <preed@theriver.com>
Subject: Re: Temporary Sign Permit

Attached is a mock up of our banner. Our banner will be 4' x 10' feet.

Amy

[Mock up of JH Half banner](#)

On Wed, Aug 24, 2022 at 12:55 PM Annette Langley <ALangley@jacksonwy.gov> wrote:

Thanks Amy. We'll need a mock-up or photo of the banner and dimensions in order to get this approved by Town Council.

Annette Langley

Planning Coordinator

Town of Jackson

PO Box 1687

Jackson, WY 83001

307-733-0440 x 1304

www.jacksonwy.gov



[Sign Up for the Town's Newsletter!](#)

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Council Regular Meeting
Submitting Department:	Planning Department	Presenter:	Paul Anthony
Agenda Item:	P22-240: TEMPORARY SIGN PERMIT First Baptist Monday Night Services	Public Comment:	Yes

Purpose & Policy Considerations.

To approve or deny temporary signs not requiring a special event or exposition license under the Town's sign standards.

Requested Action.

First Baptist Church has requested to display one (1) temporary banner under Section 5.6.1.C.4.c of the LDRs to advertise weekly services and community meals. Each week advertises a different service and meal (see attached for design details).

- 90 W. Kelly Ave. – First Baptist Church during:
 - December 11, 2022 – December 18, 2022
 - January 22, 2023 – January 30, 2023
 - March 5, 2023 – March 12, 2023
 - April 16, 2023 – April 24, 2023

Section 5.6.1.C.4.c of the Town's Land Development Regulations allows Council to approve up to four (4) off-site banners. The event does not require any Town services; therefore, a special event license is not required. Staff recommends approval, as the Town has permitted such signs in the past, as long as all other regulations for signage are complied with.

Recommendations.

The Planning Director recommends approval based on finding that the request is consistent with the LDRs subject to the following conditions:

1. The use of site shall be granted by the property owner.
2. The signs shall not be located on the sidewalks or in the public right of way.
3. The signs are approved for the following location:
 - 90 W. Kelly Ave. – First Baptist Church during:
 - December 11, 2022 – December 18, 2022
 - January 22, 2023 – January 30, 2023
 - March 5, 2023 – March 12, 2023
 - April 16, 2023 – April 24, 2023

Background.

NA

Analysis.

NA

Alternatives (Optional).

NA

Fiscal Impact.

None

Staff Impact.

Preparation of this report took approximately 2 hours of staff time to process.

Attachments or Links.

Applicant Submittal

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to **approve** temporary banner application (P22-240) for First Baptist Church, including the three conditions of approval recommended by the Planning Director in this staff report dated October 3, 2022.

Location: 90 W. Kelly (First Baptist Church)

Banner Design: 4' x 10'

Material: Vinyl





TEMPORARY SIGN PERMIT APPLICATION

Planning & Building Department

150 East Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

**First, go to www.townofjackson.com/245/Temporary-Sign-Permit
for process and other necessary information.**

EVENT NAME:

Event Name: Monday Night Service Physical Address of Event: 90 West Kelly Ave
Description of Event: Weekly church service with free community meal
Grand Opening ☐ Yes ☒ No

EVENT SPONSOR/APPLICANT: Name:

Mailing Address: PO Box 1167 Phone: 307-733-3706
E-mail: assistant@firstbjackson.org ZIP: 83001
Non-Profit: ☒ For Profit: ☐

TEMPORARY BANNER LOCATION: Consent from Property Owner Required

Business/Description: <u>First Baptist Church</u>	Business/Description: <u>First Baptist Church</u>
Physical Address: <u>90 West Kelly Ave</u>	Physical Address: <u>90 West Kelly Ave</u>
Dates of Display: <u>December 11-18, 2022</u>	Dates of Display: <u>January 22 - 30, 2023</u>
Consent from Owner Obtained? Yes ☒ No ☐	Consent from Owner Obtained? Yes ☒ No ☐
Business/Description: <u>First Baptist Church</u>	Business/Description: <u>First Baptist Church</u>
Physical Address: <u>90 West Kelly Ave</u>	Physical Address: <u>90 West Kelly Ave</u>
Dates of Display: <u>March 5 - 12, 2023</u>	Dates of Display: <u>April 16 - 24, 2023</u>
Consent from Owner Obtained? Yes ☒ No ☐	Consent from Owner Obtained? Yes ☒ No ☐

SUBMITTAL REQUIREMENTS. Have you attached the following? Please answer accordingly.

Yes ☒ No ☐ Illustration of each proposed sign that includes dimensions, colors, materials and type of sign.
Yes ☒ No ☐ Installation specifications, and any structural details or specifications required for freestanding signs.

Under penalty of perjury, I hereby certify that I have read this application and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of the Town of Jackson to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.



Signature of Authorized Event Applicant
Nicholas Staron

Applicant Name Printed

9/27/22

Date
Tech Director

Title

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Council Regular Meeting
Submitting Department:	Planning Department	Presenter:	Paul Anthony
Agenda Item:	P22-250: TEMPORARY SIGN PERMIT KHOL Membership Drive	Public Comment:	Yes

Purpose & Policy Considerations.

To approve or deny temporary signs not requiring a special event or exposition license under the Town's sign standards.

Requested Action.

KHOL has requested to display one (1) temporary banner under Section 5.6.1.C.4.c of the LDRs to advertise their membership drive (see attached for design details).

- 105 Buffalo Way – Albertson's during:
 - November 14, 2022 – November 18, 2022

Section 5.6.1.C.4.c of the Town's Land Development Regulations allows Council to approve up to four (4) off-site banners. The event does not require any Town services; therefore, a special event license is not required. Staff recommends approval, as the Town has permitted such signs in the past, as long as all other regulations for signage are complied with.

Recommendations.

The Planning Director recommends approval based on finding that the request is consistent with the LDRs subject to the following conditions:

1. The use of site shall be granted by the property owner.
2. The sign shall not be located on the sidewalks or in the public right of way.
3. The sign is approved for the following location:
 - 105 Buffalo Way – Albertson's during:
 - November 14, 2022 – November 18, 2022

Background.

NA

Analysis.

NA

Alternatives (Optional).

NA

Fiscal Impact.

None

Staff Impact.

Preparation of this report took approximately 2 hours of staff time to process.

Attachments or Links.

Applicant Submittal

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to **approve** temporary banner application (P22-250) for KHOL, including the three conditions of approval recommended by the Planning Director in this staff report dated November 7, 2022.

Location: Albertson's
Banner Design: 10' x 10'
Material: Vinyl





TEMPORARY SIGN PERMIT APPLICATION

Planning & Building Department

150 East Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

**First, go to www.townofjackson.com/245/Temporary-Sign-Permit
for process and other necessary information.**

EVENT NAME:

Event Name: KHOL Membership Drive Physical Address of Event: 265 S. Cache St
Description of Event: KHOL listeners call into the station and pledge money in order to become members. No physical event.
Grand Opening ☐ Yes ☐ No ☒

EVENT SPONSOR/APPLICANT: Name:

Mailing Address: KHOL - PO Box 588 Jackson WY 83001 Phone: 307-733-4030
E-mail: eli@jhcr.org ZIP: 83001
Non-Profit: ☒ For Profit: ☐

TEMPORARY BANNER LOCATION: Consent from Property Owner Required

Business/Description: <u>Albertsons</u>	Business/Description: _____
Physical Address: <u>105 Buffalo Way</u>	Physical Address: _____
Dates of Display: <u>11/14/22 - 11/18/22</u>	Dates of Display: _____
Consent from Owner Obtained? Yes ☒ No ☐	Consent from Owner Obtained? Yes ☐ No ☐
Business/Description: _____	Business/Description: _____
Physical Address: _____	Physical Address: _____
Dates of Display: _____	Dates of Display: _____
Consent from Owner Obtained? Yes ☐ No ☐	Consent from Owner Obtained? Yes ☐ No ☐

SUBMITTAL REQUIREMENTS. Have you attached the following? Please answer accordingly.

Yes ☒ No ☐ Illustration of each proposed sign that includes dimensions, colors, materials and type of sign.
Yes ☒ No ☐ Installation specifications, and any structural details or specifications required for freestanding signs.

Under penalty of perjury, I hereby certify that I have read this application and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of the Town of Jackson to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Eli Bernstein
Signature of Authorized Event Applicant
KHOL Jackson Hole Community Radio - Eli Bernstein
Applicant Name Printed

10/12/22
Date
Deputy director
Title

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Meeting Consent
Submitting Department:	Administration	Presenter:	Carl Pelletier
Agenda Item:	Special Event: Town Square Lighting	Public Comment	Yes

Purpose & Policy Considerations.

The Mayor and Council approve all special event applications requesting the use of Town Square.

Requested Action.

Staff is requesting Town Council consider the special event application submitted by the Jackson Hole Chamber of Commerce to host the Town Square Lighting Ceremony on Friday, November 25, 2022.

Recommendations.

Staff recommends approval of the application, subject to the conditions and restrictions listed in this staff report.

Background.

The applicant, the Jackson Hole Chamber of Commerce, requests approval to host the annual Town Square Lighting Ceremony on Friday, November 25, 2022 from 4:00 to 7:00 P.M. with set up beginning at 3:00 P.M. and tear down ending by 8:00 P.M. The ceremony will include a performance by the Jackson Hole Community Band and Jackson Hole Chorale, a tree lighting countdown by the Mayor, and the arrival of Santa via sled dogs or via a fire engine. The Howdy Pardners will provide security and will be serving hot drinks and cookies (following the recommendations of TC Department of Health).

The applicant requests the following:

1. Use of Town Square.
2. Use of power in the Town Square.
3. Assistance from the Police Department to help get Santa across Town Square to the Stage Stop.
4. (The applicant is not requesting any closures; rather, assistance in the intersection at Deloney and Center from 5:45 to 6:15 P.M. so that Santa Claus can cross from Wells Fargo to the northeast corner of Town Square.
5. The Mayor or alternative representative from the Town Council to announce Santa's arrival.
6. Town personnel to turn on the tree lights at 5:30 P.M. at the Mayor's signal.
7. The use of Town barricades to line the approach of Santa Claus.

The application has been submitted to all Town departments for recommendation and comment. **There are no changes to this event as compared to previous years.**

Analysis.

The application has been submitted for review and comment to all Town departments.

Possible Alternatives.

- Approve the request with modifications
- Deny the request
- Other

Comprehensive Plan & Priority Alignment.

Special events align within the Comprehensive Plan & Community Priority Goals in addressing Town as Heart of the Region – The Central Complete Neighborhood: The Town of Jackson will continue to be the primary location for jobs, housing, shopping educational and cultural activities.

Principle 4.4—Enhance civic spaces, social functions, and environmental amenities to make Town a more desirable Complete Neighborhood.

The Town of Jackson has traditionally served as the cultural, social and civic hub for Teton County and the region. Maintaining and improving public spaces will support Jackson as the community’s central Complete Neighborhood, a gateway to the nation’s parks and forests, and the regional center for tourism, the arts and employment. The enhancement of natural features such as Karns Meadows, Flat Creek and Cache Creek corridors will further contribute to Jackson’s role as the central Complete Neighborhood.

Policy 4.4.a: Maintain and improve public spaces

Public spaces are the building blocks of a thriving community. Jackson’s public spaces and civic facilities should be interesting and memorable, and should reinforce our sense of community. Town will continue to promote high quality design of public spaces, including creating attractive gateways, preserving views, and providing appealing public right-of-way amenities. The integration of fine arts professionals in the design of public spaces will be encouraged to create unique and visually engaging projects. New developments in Town should contribute to quality public spaces—including, but not limited to, pedestrian amenities, parks, outdoor squares, landscaped areas and public art.

Fiscal Impact.

\$27.00 Special Event Application Fee

Staff Impact.

The following staff impacts have occurred and/or would be anticipated if the event is approved:

- Special event processing (30 minutes)
- Departmental reviews (approximately 1 hour)
- Staff report preparation (1 hour)
- Parks and Recreation Personnel to assist with utilities (30 minutes)
- On-duty police officers to assist with the escorting of Santa Claus (30 minutes)

In total approximately 3.5 hours of staff time split between town, county and joint departments.

Conditions and Restrictions.

Should Council wish to approve this application, staff recommends that approval be subject to the following conditions and restrictions:

1. Insurance: An insurance certificate that names the “Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers” and states that coverage is primary and non-contributory is required at least ten days prior to the event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town Attorney.
2. The applicant shall coordinate all set up with the Parks and Recreation department at least one week prior to the event.
3. No alterations of park amenities are permitted without the prior permission of the Parks & Rec Department, and no items may be secured to any live forestry.
4. Nothing shall be placed on the pedestrian walkways.
5. Any power or sound cords that cross walkways shall be taped and secured to prevent a tripping hazard.
6. The applicant shall provide and be responsible for the sound system and have it ready for the start of the event.

7. The applicant shall clean up immediately after the event.
8. Applicant shall provide and be responsible for additional trash receptacles at all food and beverage areas.
9. Food service shall be coordinated with Teton County Public Health.
10. Any additional conditions as directed by the Town Council.

Attachments or Links.

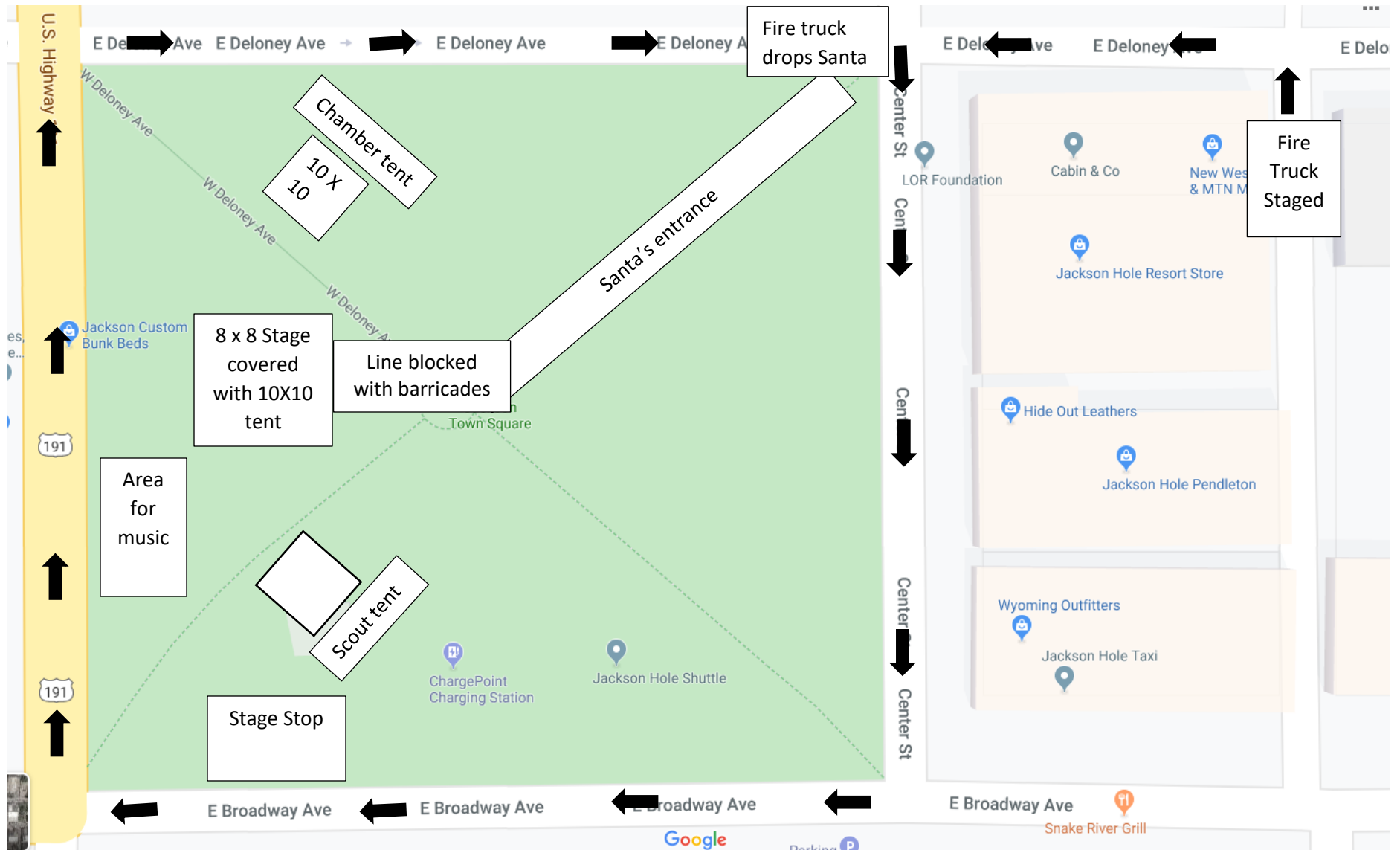
Special Event Application

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the special event application made by the Jackson Chamber of Commerce to host the Town Square Lighting special event, subject to the conditions and restrictions listed in the staff report.

Town Square Lighting – 2022

Friday, November 25, 2022: 5-7 PM



Special Event Application

Submit Completed Document To:

Town Hall
Town of Jackson - Special Events
150 East Pearl Street
P.O. Box 1687
Jackson, Wyoming 83001

cpelletier@townofjackson.com
(307) 733-3932 ext. 1112 (phone)
(307) 739-0919 (fax)



**A completed application
must be submitted at least
21 days prior to your event.**

Non-Profit Fee: \$25
For-Profit Fee: \$150

APPLICANT INFORMATION

Name of Event: Town Square Lighting

Name of Organization: Jackson Hole Chamber of Commerce

Type of Organization: ☒ Non-Profit ☐ Public Agency ☐ For-Profit Business

Mailing Address: PO Box 550

City: Jackson State: Wyoming Zip Code: 83001

Name of Person Completing Application: Erin Farmer

Email Address: erin@jacksonholechamber.com

Work Phone: 307.201.2309 Cell Phone: 254.631.8988

EVENT INFORMATION

Type of Event: ☐ Run / Walk ☐ Concert ☐ Filming ☐ Assembly
☐ Parade ☐ Festival ☐ Biking ☐ Education
☒ Other: Town Square Lighting

Description & Purpose of Event *(Attach additional sheets if necessary):* _____

To light the square for the holiday season

Location of Event: Town Square Alternative Location: _____

Date(s) of Event: 11.25.2022 Event Operating Hours: 4:00-7:00pm

Event Set Up Begins Date: November 25, 2022 Time: 3:00

Event Clean Up Ends Date: November 25, 2022 Time: 8:00

Special Event Application

EVENT INFORMATION (Continued)

Estimated Event Attendance (Spectators and Participants) Per Day: 1000 Total Event: 1000

Special Considerations (check all that apply):

- | | | |
|--|---|---|
| ☐ Alcoholic Beverages | ☐ Cooking/Grilling | ☒ Electricity Requested |
| ☐ Food Sales | ☐ Merchandise Sales | ☐ Recurring Event |
| ☐ Ticketed Admission | ☒ Sound Amplification | ☐ Pets or Animals |
| ☒ Tents | ☐ Street Closure | ☐ Sidewalk Closure |
| ☐ Overnight Parking | ☐ Overnight RV Camping | ☒ Use of Town Square |

Event Co-Sponsor (s): _____

All for-profit organizations must submit a letter of event sponsorship from a non-profit organization if sales are requested on public property.

Will you be charging admission or a fee for your event? ☐ Yes ☒ No

Alternative Contact Information During the Event (someone besides applicant who will be on site and available for Town personnel or Police to contact during the event):

Name: Britney Magleby Cell Phone: 208.521.0019

EVENT SITE PLAN

On a separate sheet of paper, provide a Site Plan sketch of the event. Include maps or a diagram of the entire event including the names of streets or areas that are part of the venue and the surrounding area. The plan should include the following (if applicable):

- | | |
|--|---|
| ☒ Tents (X) | ☒ Food Vendors (FV) |
| ☐ Beverage Vendors (BV) | ☐ Alcohol Vendors (A) |
| ☐ Portable Toilets (T) | ☐ Hand Washing Sink (HWS) |
| ☒ Stages or Amplified Sound (SO) | ☐ Bleachers (BL) |
| ☐ Garbage Receptacles (G) | ☐ Recycling Receptacles (RR) |
| ☐ Retail Merchants (RM) | ☐ Security (P) |
| ☐ Fire Lane (FL) | ☐ Fire Extinguishers (EX) |
| ☐ First Aid / EMS (FA) | ☐ Barricades (B) |
| ☒ Electricity / Generator (EL) | ☐ Trailers, Vehicles, Storage (TR) |

Fire hydrants or sidewalk curb breaks that are used for ADA accessibility may not be blocked at any time.

Special Event Application

STREET / SIDEWALK / PUBLIC PARKING LOT - CLOSURE REQUESTS

Will the event close any street, sidewalk, alley or public parking lot? ☐ Yes ☒ No

Area of Closure Request	Date(s)	Start Time	End Time

The applicant will be responsible for production, posting and removal of "No Parking" and "Handicap Parking" signs along Town streets where public parking spaces exist within the event site. If the event involves a closure this will be need to be coordinated with the Jackson Police Department at least 2 weeks prior to the requested closure date. Jackson Police Department: (307) 733-1430. All parking signs, road signs, cones and barricades must be taken down immediately following the event's ending time.

Will the event restrict / close access to any public parking spaces? ☐ Yes ☒ No

If "Yes", how many parking spaces will be unavailable due to the event: _____ parking spaces

Will the event closure requests impact any START Bus routes? ☐ Yes ☒ No

If "Yes", which routes will be impacted? Has START Bus been contacted about this impact?

Route Description: _____ START Bus contacted? ☐ Yes ☐ No

RESIDENT AND/OR BUSINESS NOTIFICATION

Events that require road closures, parking space closures, or sidewalk closures or may cause disruption for the Town of Jackson residents, businesses, churches, etc. may be required to mail or hand deliver notification to the affected parties within a two block radius at least one week prior to the event's Town Council consideration meeting. Notices must reflect the date(s), day(s), time(s) and location(s) of the event, types of activities taking place at the event, the event coordinator's contact information and the date and time of the Town Council meeting.

Have you provided a sample of the notice and a proposed list of recipients?

☐ Yes ☐ No

Special Event Application

TOWN EQUIPMENT REQUESTS

Indicate the type and the quantity of items that you are requesting:

_____ Large Street Barricades	_____ "Road Closed" Street Signs
_____ Small Sidewalk Barricades	_____ "Local Traffic Only" Street Signs
_____ 28 Inch Street Cones	_____ "Detour" Street Signs
_____ Candlestick Cones	_____ 32-Gallon Recycling Bins

☼ The equipment above can be arranged through the Public Works Department (307) 733-3079. A \$500 deposit will be required at the time of pick-up for equipment. The applicant is responsible for arranging the pick up of equipment from the Public Works Department as well as returning equipment immediately following the event. The Town of Jackson will only deliver equipment to parades and Town sponsored events.

☼ The Town of Jackson has a very limited number of recycling bins that can be utilized as part of your event's recycle plan. The applicant will be responsible for emptying the recycle containers and cleaning the bins before they are returned to the Public Works Department.

☼ If you are uncertain of the exact number of equipment needed please feel free to contact either the special event coordinator or the Public Works Department for additional information.

☼ Additional equipment such as bleachers, electrical spiderboxes, etc., can be requested through the Parks and Recreation Department (307) 732-5753.

TOWN SERVICES REQUESTS

Indicate the Town services that you are requesting. *Please note: you will need to coordinate services with individual departments and a fee may be associated with your request.*

POLICE DEPARTMENT

(307) 733-1430

☐ Event Security	☐ Mounted Horse Patrol	☐ Traffic Control
☐ Race Lead Vehicle	☐ Parade Lead Vehicle	☐ General Presence
☐ Towing / Ticketing	☐ Assistance with Parking Closures	☐ Assistance with Street Closures

Please describe in detail your request: _____

Will need a police to escort fire truck for Santa

The Chief of Police determines if police services will be needed at the special event for public safety concerns. The Chief of Police will also determine the number of police officers to staff the event. Fees may be associated with the need for additional police services at the event.

Special Event Application

TOWN SERVICES REQUESTS (Continued)

PUBLIC WORKS DEPARTMENT (307) 733-3079

☐ Street Sweeping

☐ Snow Removal

☐ Street Marking

Please describe in detail your request

PARKS AND RECREATION DEPARTMENT (307) 732-5753

☐ Irrigation Locates - Any event placing stakes in turf must obtain irrigation locates.

☒ Electricity Access

☐ Turf / Tree Care - Any additional mowing, raking, trimming or spraying needs.

☐ Additional Public Restroom Cleaning

Please describe in detail your request: _____

**Please note: if you are requesting the use of a public park or public ball field you must confirm and reserve your space through the Parks and Recreation Department. The only exception is George Washington Memorial Park (Town Square), which does not require a reservation form.*

Is the requested event site a public park or ball field? ☐ Yes ☒ No

If "Yes", has the site been reserved with Parks and Recreation? ☐ Yes ☒ No

FIRE / EMS DEPARTMENT (307) 733-4732

☐ Foot Patrol

☐ Ambulance

☒ Fire Engine

☐ Rescue Truck

☐ Bicycle Patrol

☐ Event Site Inspection

Please describe in detail your request: Will need a police to escort fire truck for Santa _____

Special Event Application

TOWN SERVICES REQUESTS (Continued)

START BUS

(307) 732-8651

☐ Event Specific Shuttle(s)

Please describe in detail your request: _____

VOICE / MUSIC AMPLIFICATION REQUESTS

Will your event have any amplified sound? ☒ Yes ☐ No

If "Yes", please indicate times: Start Time: 4:30 Finish Time: 6:00

Will your event feature any musical entertainment? ☐ Yes ☐ No

If "Yes", please attach the schedule of any music or entertainment proposed to occur during event.

SIGN or BANNER REQUESTS

Are you requesting to hang signs or banners? ☐ Yes ☒ No

If "Yes", have you completed a sign permit application? ☐ Yes ☒ No

A Sign Permit Application will need to be submitted along with this application if signs are requested. This permit can be accessed on the Town of Jackson website or through the Planning Department.

INSURANCE REQUIREMENTS

An insurance certificate is required prior to the start of your event. This certificate must name the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and must also state that coverage is primary and non-contributory is required for every event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. **The additional insured language on the certificate may not include any limitations or exclusions.** Insurance certificates are subject to the review and approval of the Town Attorney. Please be sure to include alcohol liability if there will be alcohol at the event. You must supply insurance before your event.

A certificate of insurance is attached: ☒ Yes ☐ No

Special Event Application

PORTABLE RESTROOMS AND SINKS

The Town of Jackson requires the applicant to provide additional chemical toilets or portable toilets for all events with an anticipated peak time attendance exceeding 75 people.

You are required to provide portable restroom facilities at your event unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during your event. The Town of Jackson may determine the total number of required restroom facilities required on a case-by-case basis based on the presence of food and drink at the event and the maximum number of attendees at your event during peak time. The Town of Jackson may determine that you need to coordinate with Parks and Recreation for additional public restroom cleanings if you intend on using a public restroom as part of your restroom facility plan.

Do you plan to provide portable restroom facilities? ☐ Yes ☒ No

If "Yes", please indicate the total number of portable toilets and number of ADA accessible toilets.

Total Number of Portable Toilets: _____ Number of ADA Accessible Portable Toilets: _____

If "No", please explain: _____

Portable restrooms may not be located within 50 feet of any food vendor.

Restroom Company: _____

Restroom Drop off / Pick Up Date for Drop Off: _____ Time for Drop Off: _____

Date for Pick Up: _____ Time for Pick Up: _____

ALCOHOL

Will there be alcoholic beverages at the event? ☐ Yes ☒ No

Will you be offering any alcoholic beverages besides beer? ☐ Yes ☒ No

If "Yes", what will be offered in addition to beer? _____

If you are planning on serving alcoholic beverages at your event, then either a completed Malt Beverage Permit (beer only) or Catering Permit (beer, wine and/or spirits) must be submitted. You can access these applications on the Town of Jackson website.

Special Event Application

VENDORS / MERCHANTS / SALES

Will anything be sold at your event?

☐ Yes

☒ No

If you are planning on selling items at your event then you will need to complete either an Exposition Business License (for 2 or more vendors) or a Transient Merchant License (for 1 vendor). A complete list of vendors, including a vendor tax ID, must be submitted to the Town of Jackson and to the State of Wyoming's Department of Revenue prior to the event. Both the Exposition License and the Transient Merchant License are on the Town of Jackson's website.

Please describe any sales activity at your event:

Will any food or beverages be sold at your event?

☐ Yes

☒ No

If "Yes", you will need to contact the Teton County's Department of Environmental Health prior to the event (307) 732-8490.

TRASH REMOVAL PLAN

All events are required to have a plan for the collection removal of trash during and after the event. The trash receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the waste removal plan. ***For assistance with formulating a Trash Removal Plan please contact Integrated Solid Waste and Recycling at (307) 732-5771.***

Will you be using a waste company for your waste removal plan?

☐ Yes

☒ No

If "Yes", which company will you be using? _____

How many trash receptacles will be supplied for your event? _____

When will the trash receptacles be delivered? _____

When will the trash receptacles be picked up and removed from site? _____

Describe your plan for the collection and removal of trash during your special event:

Applicants are responsible for cleaning and restoring the site immediately following the event. Please pick up all trash associated with your event including, but not limited to paper, bottles, cans, signs, course markings, etc. The cost of any employee overtime incurred because of an applicant's failure to clean / restore the site following the event will be borne by the applicant and will be considered in future application requests. If you believe that no litter will be generated during your event please state this in your plan.

Special Event Application

SUSTAINABLE EVENT PLANNING

The Town of Jackson encourages all special events to strive to be sustainable in our community and for our environment. We have partnered with the **Teton County Integrated Solid Waste and Recycling (ISWR)** to offer opportunities to help your special event to be as "green" as possible. Opportunities available:

- ☐ Rental / Use of Recycling Bins for Special Events
- ☐ Use of JH20 Water Bottle Refilling Station for Special Events
- ☐ Consultation on Conducting Green Special Events

Please contact the Waste Diversion and Outreach Coordinator at ISWR at 307-732-5771.

RECYCLING PLAN

All events are required to have a plan for the collection and removal of recyclable materials during and after the event. The recycling receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the recycling collection and removal plan. ***For assistance with formulating a Recycling Plan please contact Teton County Integrated Solid Waste and Recycling (ISWR) at (307) 732-5771.***

Will you be using a company for your recycling plan? ☐ Yes ☒ No

If "Yes" which company will you be using? _____

How many recycling receptacles will they (or you) supply for your event? _____

When will these recycling receptacles be delivered? _____

When will recycling receptacles be picked up and removed from site? _____

Describe your plan for collection and removal of recyclable materials during your special event: _____

Applicants are responsible for cleaning and restoring the site immediately following the event. If you believe that no recyclable materials will be generated during your event please state this in your plan. For a list of recyclables and how they need to be sorted, or for information about where the recycling bins are located call ISWR (307) 732-5771.

Special Event Application

SIGNIFICANT EVENT CHANGES

Has this event been approved in the Town of Jackson in previous years?

☒ Yes

☐ No

If "YES" please indicate any significant changes to the event request since its last approval:

No significant changes

STANDARD CONDITIONS OF APPROVAL

Please review the following standard list of conditions and restricts for events. Initial the bottom of each page indicating that you have read, understand and agree to these conditions and restrictions.

GENERAL

The event shall be conducted in a timely, safe and professional manner.

All town ordinances, including, but not limited to noise, possession and use of weapons, open fires and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.

The applicant shall advise and instruct all participants, volunteers, vendors, merchants and spectators on event conditions, restrictions, prohibitions and responsibilities as indicated by the Town Council in the staff report.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TRASH / CLEAN UP

The applicant shall clean up immediately following each event and shall be responsible for the collection and removal of all refuse generated by the event.

If trash will be generated from the event, then the applicant must supply extra trash and containers and dispose of all trash generated by the event. Trash containers shall not be permitted to overflow.

If recyclable materials are generated from the event, then the applicant is required to provide recycling containers and provide for the removal of all recycled material. Recycling containers shall not be permitted to overflow.

STREETS

Fire department access roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets (IFC 503.2.1). Booths and tents may be erected on either side of street, however, a 20 foot straight path must be provided.

SIDEWALKS

The applicant shall not block walkways or otherwise obstruct pedestrian traffic.

All walkways, boardwalks, entrances and ADA ramps must be kept open and unobstructed at all times

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

POWER / ELECTRICAL

Electrical power is available from Town Square. The applicant shall coordinate all power needs with the Parks & Recreation Department's Park Manager (307-733-5057) at least three (3) business days prior to the event.

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).

ADDITIONAL PERMIT & LICENSE FEES

The applicant shall apply and pay for all licenses and/or permits prior to the events.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TOWN EQUIPMENT

The use of the Parks & Recreation Department bleachers shall be coordinated through that department (307) 732-5753.

Barricade, road sign, cone and recycle bin use shall be coordinated through the Public Works Department. The applicants shall be responsible for pick up, setup, placement and disassembly and return. All equipment use require a \$500 damage deposit that must be submitted at the time of pick up at the Public Works Department to protect against any loss or damage.

All barricades, cones, bins and road signs must be removed immediately following the event. These items must be returned the same location as they were picked up.

PORTABLE RESTROOMS

If applicable, the applicant shall provide an adequate number of port-a-potties at the event site and shall arrange for their removal immediately at the conclusion of the event.

The applicant shall ensure all port-a-potties are placed on paved areas.

INSURANCE

The applicant and all participating organizations are required to maintain liability insurance in the amount of \$1,000,000.00. Prior to the event, each organization shall provide a certificate of insurance naming the Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers and must also state that coverage is primary and non-contributory. The Town Attorney shall approve all certificates of insurance.

FOOD / VENDING

The applicant shall obtain the necessary food service permits from Teton County Environmental Health.

The applicant shall provide additional trash receptacles in the food service areas.

Per Section 5.20 of the Municipal Code: The applicant shall be responsible for ensuring that all sales tax receipts are remitted to the Wyoming Department of Revenue and in no event later than the thirtieth day of the month following the exposition [and] acquire and keep on file names, addresses and phone numbers of all participants.

In addition to providing a list of all participating vendors, artists, and merchants, along with their social security numbers and addresses, to the Wyoming Department of Revenue, pursuant to Jackson Municipal Code Section 5.20.020 A.1.b., the applicant shall also provide that same list to the Town of Jackson Finance Department.

Vendors shall not dump hot water or other liquids on the turf.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ALCOHOL

The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises. All ID's must be checked and ID bracelet system may be required.

Only 16oz or small plastic cups are used for beer and alcohol sales.

No alcohol shall be served in bottles or glass containers.

The applicant shall be responsible to be alert to and report any instances of underage drinking to the Jackson Police Department.

It is recommended that servers be TIPS trained prior to serving alcohol. No "over serving" shall be allowed to occur or serving to obviously intoxicated persons.

Participants shall not be permitted to leave the event with open containers.

No more than two beers shall be sold to any person at any one time.

TOWN PARKS

The applicant shall coordinate the use of any public park (including the Town Square), including reservations, paperwork and applicable fees, with the Parks and Recreation Department.

The applicant shall coordinate park reservation and the payment of Parks & Recreation fees at least 30 days prior to the event.

The applicant is required to provide turf protection in front of and behind any table or other exhibit where crowds will stand. The applicant shall abide by all Parks & Recreation Department recommendations with regards to turf protection.

Vehicles are prohibited on all turf areas of any park or anywhere within the Town Square.

No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.

Use of Town Square shall be subject to the submission to and approval of staff of a detailed site plan, indicating set-up, safety procedures and turf protection, and the imposition of such other conditions or restrictions deemed necessary.

Irrigation locates are required if stakes are placed in the ground. Applicant may forfeit damage deposit if an irrigation locate is not conducted and irrigation equipment is damaged.

Per Municipal Code, dogs are not allowed in Town Parks.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TENTS

Irrigation locates are required before any tents may be erected or stakes or any other items are placed in any public park, including the Town Square. The applicant shall coordinate all water locates with the Parks & Recreation Department's Park Manager (307-732-5793) at least three (3) business days prior to the event.

All tents having an area in excess of 200 square feet shall require advance permitting through the Fire Department unless open on all sides (IFC 105.6.43).

Tents which can hold over 50 or more occupants must provide the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC 3103.6).

Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2).

Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).

Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).

Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).

All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7).

Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).

Any cooking performed within tents shall require advance approval by the Fire Department (IFC 3104.15.3 – 3104.15.7).

Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).

FAIR GROUNDS / RODEO GROUNDS

All use of the Rodeo Grounds shall be coordinated through and subject to the approval of the Fair Manager under the authority of the Parks and Recreation Department.

Anyone camping at the Rodeo Grounds shall indicate that they are affiliated with the group by placing a card in the windshield of their vehicle. Campers are reminded that fires are not permitted.

Initials: EF _____

Special Event Application

STANDARD CONDITONS FOR ALL EVENTS (continued)

ROAD CLOSURES / PUBLIC PARKING CLOSURES

The applicant shall notify all business, residences, churches, etc. affected by the street closures and public parking closures prior to the public hearing.

The applicant shall notify, in advance, all business, residences, churches, etc. affected by the street closures and public parking closures and shall provide advance community radio and/or newspaper announcements regarding the event and the closures.

The applicant shall coordinate all road closures with the Police Department and shall provide an adequate number of volunteers to assist with traffic control and barricade setup/removal during each event.

The applicant shall coordinate all road closures with START, Fire/EMS, Public Works and the Police Department. Volunteer placement and assignments shall be reviewed and approved in advance with the Police Department.

The applicant shall be responsible for producing, posting and removing the temporary No Parking signs. No Parking signs must be posted two days prior to the parking closures. The applicant should meet with the Police Department two weeks prior to the event to discuss the procurement, posting and removal of the signs.

Emergency vehicle access lanes shall be maintained during the event.

FIREWORKS

All fireworks displays must be approved by the Fire Chief prior to the event.

The Fire Department will monitor the firing area potential for wildfire. The Department will make recommendations directly to the applicant for mitigation and will give final approval the day of the event.

The application shall be subject to the review and approval of the Fire Department and any additional conditions or restrictions placed by such Department.

Please note, that the conditions and restrictions listed above are standard for special events held in Town, additional conditions or restrictions may be required by the Town Council and/or staff upon further review of the application.

I have read and understand the standard conditions for events. I have answered all of the questions in this application truthfully and to the best of my knowledge.

APPLICANT:

Erin Farmer

Key: d000b0c098795dc6be92b88b94d9284

APPLICANT:

Erin Farmer

Printed Name

DATE:

10-12-2022

TITLE:

Special Events Coordinator

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Meeting Consent
Submitting Department:	Administration	Presenter:	Carl Pelletier
Agenda Item:	Special Event: Small Business Saturdays	Public Comment:	Yes

Purpose & Policy Considerations.

The Mayor and Council approve all special event applications requesting the use of the Town Square.

Requested Action.

Staff is requesting Town Council consider the special event application submitted by the Jackson Hole Chamber of Commerce to host the Small Business Saturday on the Town Square.

Recommendations.

Staff recommends the approval of the application, subject to the conditions and restrictions listed in this staff report.

Background.

The Jackson Hole Chamber of Commerce has submitted a special event application for permission to host a Small Business Saturdays special event in the Stage Stop Building on the Town Square every Saturday between the dates of November 26 and December 17 between the hours of 1:00pm and 4:00pm.

The applicant has indicated that they would like to utilize the Stage Stop Building on the Town Square to gift wrap presents for individuals who purchase presents in town shop. They have also requested to give away and sell hot chocolate and cookies. In addition they have requested to place signage on the boardwalk in front of the Stage Stop Building (A-frame) as well as on the building for the duration of the event.

The applicant requests the following:

- Permission to place temporary signs on the boardwalk in front of the Stage Stop Building between the hours of 1:00pm and 4:00pm on Saturdays only between the dates of November 26 and December 17, 2022.
- Permission to place temporary signs on the Stage Stop building itself between the dates of November 26 and December 17, 2022.
- Permission for an exposition license.
- Permission to operate a gift wrapping event inside of the Stage Stop Building.

Analysis.

The plans submitted by the applicant has been reviewed by all Town Departments.

Possible Alternatives.

The applicant has not provided any possible alternatives.

- Approve the request with modifications
- Deny the request
- Other

Comprehensive Plan & Priority Alignment.

Special events align within the Comprehensive Plan & Community Priority Goals in addressing Town as Heart of the Region – The Central Complete Neighborhood: The Town of Jackson will continue to be the primary location for jobs, housing, shopping educational and cultural activities.

Principle 4.4—Enhance civic spaces, social functions, and environmental amenities to make Town a more desirable Complete Neighborhood.

The Town of Jackson has traditionally served as the cultural, social and civic hub for Teton County and the region. Maintaining and improving public spaces will support Jackson as the community’s central Complete Neighborhood, a gateway to the nation’s parks and forests, and the regional center for tourism, the arts and employment. The enhancement of natural features such as Karns Meadows, Flat Creek and Cache Creek corridors will further contribute to Jackson’s role as the central Complete Neighborhood.

Policy 4.4.a: Maintain and improve public spaces

Public spaces are the building blocks of a thriving community. Jackson’s public spaces and civic facilities should be interesting and memorable, and should reinforce our sense of community. Town will continue to promote high quality design of public spaces, including creating attractive gateways, preserving views, and providing appealing public right-of-way amenities. The integration of fine arts professionals in the design of public spaces will be encouraged to create unique and visually engaging projects. New developments in Town should contribute to quality public spaces—including, but not limited to, pedestrian amenities, parks, outdoor squares, landscaped areas and public art.

Fiscal Impact.

\$27.00 Special Event Application Fee

Staff Impact.

The following staff impacts have occurred and/or would be anticipated if the event is approved:

- Special event processing (30 minutes)
- Departmental reviews (approximately 1 hour)
- Staff report preparation (30 minutes)
- Follow-up (30 minutes)

Conditions and Restrictions.

Should Council wish to approve this application, staff recommends that approval be subject to the following conditions and restrictions:

1. Insurance: An insurance certificate that names the “Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers” and states that coverage is primary and non-contributory is required for every event **at least ten days prior to the event**. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town attorney.
2. Applicant shall coordinate all use of the Town Square with the Parks & Recreation Department.
3. There shall be no alterations to the amenities to the park without prior approval from the park superintendent.
4. All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.
5. No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.
6. The applicant and all participants shall conduct all activities in a responsible, professional and timely manner.
7. Any signage placed on the boardwalk shall not excessively obstruct pedestrian access.
8. Any signage place on the boardwalk or on the Stage Stop Building must be removed at the conclusion of the event.

Attachments or Links.

Special Event Application

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the special event application made by the Jackson Hole Chamber of Commerce Small Business Saturdays special event, subject to the conditions and restrictions listed in the staff report.

Special Event Application

Submit Completed Document To:

Town Hall
Town of Jackson - Special Events
150 East Pearl Street
P.O. Box 1687
Jackson, Wyoming 83001



**A completed application
must be submitted at least
21 days prior to your event.**

cpelletier@townofjackson.com
(307) 733-3932 ext. 1112 (phone)
(307) 739-0919 (fax)

Non-Profit Fee: \$25
For-Profit Fee: \$150

APPLICANT INFORMATION

Name of Event: Small Business Saturday's

Name of Organization: Jackson Hole Chamber of Commerce

Type of Organization: ☒ Non-Profit ☐ Public Agency ☐ For-Profit Business

Mailing Address: PO Box 550

City: Jackson State: Wyoming Zip Code: 83001

Name of Person Completing Application: Erin Farmer

Email Address: erin@jacksonholechamber.com

Work Phone: (307)733-2818 Cell Phone: 2546318988

EVENT INFORMATION

Type of Event: ☐ Run / Walk ☐ Concert ☐ Filming ☐ Assembly
☐ Parade ☐ Festival ☐ Biking ☐ Education
☒ Other: _____

Description & Purpose of Event *(Attach additional sheets if necessary):* _____

Free Christmas gift wrapping for anyone who has bought from a local business in Jackson

Location of Event: Town Square Alternative Location: _____

Date(s) of Event: 11.26, 12.3, 12.10, 12.17 Event Operating Hours: 1:00 - 4:00, on the

Event Set Up Begins Date: November 26, 2022 Time: 12:00pm

Event Clean Up Ends Date: December 17, 2022 Time: 8:00pm

Special Event Application

EVENT INFORMATION (Continued)

Estimated Event Attendance (Spectators and Participants) Per Day: 500 Total Event: 2000

Special Considerations (check all that apply):

- | | | |
|--|---|--|
| ☐ Alcoholic Beverages | ☐ Cooking/Grilling | ☐ Electricity Requested |
| ☐ Food Sales | ☐ Merchandise Sales | ☐ Recurring Event |
| ☐ Ticketed Admission | ☒ Sound Amplification | ☐ Pets or Animals |
| ☐ Tents | ☐ Street Closure | ☐ Sidewalk Closure |
| ☐ Overnight Parking | ☐ Overnight RV Camping | ☐ Use of Town Square |

Event Co-Sponsor (s): _____

All for-profit organizations must submit a letter of event sponsorship from a non-profit organization if sales are requested on public property.

Will you be charging admission or a fee for your event? ☐ Yes ☒ No

Alternative Contact Information During the Event (someone besides applicant who will be on site and available for Town personnel or Police to contact during the event):

Name: Britney Magleby Cell Phone: 208.521.0019

EVENT SITE PLAN

On a separate sheet of paper, provide a Site Plan sketch of the event. Include maps or a diagram of the entire event including the names of streets or areas that are part of the venue and the surrounding area. The plan should include the following (if applicable):

- | | |
|---|---|
| ☐ Tents (X) | ☐ Food Vendors (FV) |
| ☐ Beverage Vendors (BV) | ☐ Alcohol Vendors (A) |
| ☐ Portable Toilets (T) | ☐ Hand Washing Sink (HWS) |
| ☐ Stages or Amplified Sound (SO) | ☐ Bleachers (BL) |
| ☐ Garbage Receptacles (G) | ☐ Recycling Receptacles (RR) |
| ☐ Retail Merchants (RM) | ☐ Security (P) |
| ☐ Fire Lane (FL) | ☐ Fire Extinguishers (EX) |
| ☐ First Aid / EMS (FA) | ☐ Barricades (B) |
| ☐ Electricity / Generator (EL) | ☐ Trailers, Vehicles, Storage (TR) |

Fire hydrants or sidewalk curb breaks that are used for ADA accessibility may not be blocked at any time.

Special Event Application

STREET / SIDEWALK / PUBLIC PARKING LOT - CLOSURE REQUESTS

Will the event close any street, sidewalk, alley or public parking lot? ☐ Yes ☒ No

Area of Closure Request	Date(s)	Start Time	End Time

The applicant will be responsible for production, posting and removal of "No Parking" and "Handicap Parking" signs along Town streets where public parking spaces exist within the event site. If the event involves a closure this will be need to be coordinated with the Jackson Police Department at least 2 weeks prior to the requested closure date. Jackson Police Department: (307) 733-1430. All parking signs, road signs, cones and barricades must be taken down immediately following the event's ending time.

Will the event restrict / close access to any public parking spaces? ☐ Yes ☒ No

If "Yes", how many parking spaces will be unavailable due to the event: _____ parking spaces

Will the event closure requests impact any START Bus routes? ☐ Yes ☒ No

If "Yes", which routes will be impacted? Has START Bus been contacted about this impact?

Route Description: _____ START Bus contacted? ☐ Yes ☒ No

RESIDENT AND/OR BUSINESS NOTIFICATION

Events that require road closures, parking space closures, or sidewalk closures or may cause disruption for the Town of Jackson residents, businesses, churches, etc. may be required to mail or hand deliver notification to the affected parties within a two block radius at least one week prior to the event's Town Council consideration meeting. Notices must reflect the date(s), day(s), time(s) and location(s) of the event, types of activities taking place at the event, the event coordinator's contact information and the date and time of the Town Council meeting.

Have you provided a sample of the notice and a proposed list of recipients? ☐ Yes ☒ No

Special Event Application

TOWN EQUIPMENT REQUESTS

Indicate the type and the quantity of items that you are requesting:

_____ Large Street Barricades	_____ "Road Closed" Street Signs
_____ Small Sidewalk Barricades	_____ "Local Traffic Only" Street Signs
_____ 28 Inch Street Cones	_____ "Detour" Street Signs
_____ Candlestick Cones	_____ 32-Gallon Recycling Bins

☼ The equipment above can be arranged through the Public Works Department (307) 733-3079. A \$500 deposit will be required at the time of pick-up for equipment. The applicant is responsible for arranging the pick up of equipment from the Public Works Department as well as returning equipment immediately following the event. The Town of Jackson will only deliver equipment to parades and Town sponsored events.

☼ The Town of Jackson has a very limited number of recycling bins that can be utilized as part of your event's recycle plan. The applicant will be responsible for emptying the recycle containers and cleaning the bins before they are returned to the Public Works Department.

☼ If you are uncertain of the exact number of equipment needed please feel free to contact either the special event coordinator or the Public Works Department for additional information.

☼ Additional equipment such as bleachers, electrical spiderboxes, etc., can be requested through the Parks and Recreation Department (307) 732-5753.

TOWN SERVICES REQUESTS

Indicate the Town services that you are requesting. *Please note: you will need to coordinate services with individual departments and a fee may be associated with your request.*

POLICE DEPARTMENT

(307) 733-1430

☐ Event Security	☐ Mounted Horse Patrol	☐ Traffic Control
☐ Race Lead Vehicle	☐ Parade Lead Vehicle	☐ General Presence
☐ Towing / Ticketing	☐ Assistance with Parking Closures	☐ Assistance with Street Closures

Please describe in detail your request: _____

The Chief of Police determines if police services will be needed at the special event for public safety concerns. The Chief of Police will also determine the number of police officers to staff the event. Fees may be associated with the need for additional police services at the event.

Special Event Application

TOWN SERVICES REQUESTS (Continued)

PUBLIC WORKS DEPARTMENT (307) 733-3079

☐ Street Sweeping

☐ Snow Removal

☐ Street Marking

Please describe in detail your request

PARKS AND RECREATION DEPARTMENT (307) 732-5753

☐ Irrigation Locates - Any event placing stakes in turf must obtain irrigation locates.

☐ Electricity Access

☐ Turf / Tree Care - Any additional mowing, raking, trimming or spraying needs.

☐ Additional Public Restroom Cleaning

Please describe in detail your request: _____

**Please note: if you are requesting the use of a public park or public ball field you must confirm and reserve your space through the Parks and Recreation Department. The only exception is George Washington Memorial Park (Town Square), which does not require a reservation form.*

Is the requested event site a public park or ball field? ☐ Yes ☒ No

If "Yes", has the site been reserved with Parks and Recreation? ☐ Yes ☐ No

FIRE / EMS DEPARTMENT (307) 733-4732

☐ Foot Patrol

☐ Ambulance

☐ Fire Engine

☐ Rescue Truck

☐ Bicycle Patrol

☐ Event Site Inspection

Please describe in detail your request: _____

Special Event Application

TOWN SERVICES REQUESTS (Continued)

START BUS

(307) 732-8651

☐ Event Specific Shuttle(s)

Please describe in detail your request: _____

VOICE / MUSIC AMPLIFICATION REQUESTS

Will your event have any amplified sound? ☒ Yes ☐ No

If "Yes", please indicate times: Start Time: 1:00 Finish Time: 4:00

Will your event feature any musical entertainment? ☒ Yes ☐ No

If "Yes", please attach the schedule of any music or entertainment proposed to occur during event.

SIGN or BANNER REQUESTS

Are you requesting to hang signs or banners? ☒ Yes ☐ No

If "Yes", have you completed a sign permit application? ☒ Yes ☐ No

A Sign Permit Application will need to be submitted along with this application if signs are requested. This permit can be accessed on the Town of Jackson website or through the Planning Department.

INSURANCE REQUIREMENTS

An insurance certificate is required prior to the start of your event. This certificate must name the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and must also state that coverage is primary and non-contributory is required for every event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. **The additional insured language on the certificate may not include any limitations or exclusions.** Insurance certificates are subject to the review and approval of the Town Attorney. Please be sure to include alcohol liability if there will be alcohol at the event. You must supply insurance before your event.

A certificate of insurance is attached: ☒ Yes ☐ No

Special Event Application

PORTABLE RESTROOMS AND SINKS

The Town of Jackson requires the applicant to provide additional chemical toilets or portable toilets for all events with an anticipated peak time attendance exceeding 75 people.

You are required to provide portable restroom facilities at your event unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during your event. The Town of Jackson may determine the total number of required restroom facilities required on a case-by-case basis based on the presence of food and drink at the event and the maximum number of attendees at your event during peak time. The Town of Jackson may determine that you need to coordinate with Parks and Recreation for additional public restroom cleanings if you intend on using a public restroom as part of your restroom facility plan.

Do you plan to provide portable restroom facilities? ☐ Yes ☒ No

If "Yes", please indicate the total number of portable toilets and number of ADA accessible toilets.

Total Number of Portable Toilets: _____ Number of ADA Accessible Portable Toilets: _____

If "No", please explain: _____

Portable restrooms may not be located within 50 feet of any food vendor.

Restroom Company: _____

Restroom Drop off / Pick Up Date for Drop Off: _____ Time for Drop Off: _____

Date for Pick Up: _____ Time for Pick Up: _____

ALCOHOL

Will there be alcoholic beverages at the event? ☐ Yes ☒ No

Will you be offering any alcoholic beverages besides beer? ☐ Yes ☒ No

If "Yes", what will be offered in addition to beer? _____

If you are planning on serving alcoholic beverages at your event, then either a completed Malt Beverage Permit (beer only) or Catering Permit (beer, wine and/or spirits) must be submitted. You can access these applications on the Town of Jackson website.

Special Event Application

VENDORS / MERCHANTS / SALES

Will anything be sold at your event?

☐ Yes

☒ No

If you are planning on selling items at your event then you will need to complete either an Exposition Business License (for 2 or more vendors) or a Transient Merchant License (for 1 vendor). A complete list of vendors, including a vendor tax ID, must be submitted to the Town of Jackson and to the State of Wyoming's Department of Revenue prior to the event. Both the Exposition License and the Transient Merchant License are on the Town of Jackson's website.

Please describe any sales activity at your event:

Will any food or beverages be sold at your event?

☐ Yes

☒ No

If "Yes", you will need to contact the Teton County's Department of Environmental Health prior to the event (307) 732-8490.

TRASH REMOVAL PLAN

All events are required to have a plan for the collection removal of trash during and after the event. The trash receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the waste removal plan. ***For assistance with formulating a Trash Removal Plan please contact Integrated Solid Waste and Recycling at (307) 732-5771.***

Will you be using a waste company for your waste removal plan?

☐ Yes

☒ No

If "Yes", which company will you be using? _____

How many trash receptacles will be supplied for your event? _____

When will the trash receptacles be delivered? _____

When will the trash receptacles be picked up and removed from site? _____

Describe your plan for the collection and removal of trash during your special event:

Applicants are responsible for cleaning and restoring the site immediately following the event. Please pick up all trash associated with your event including, but not limited to paper, bottles, cans, signs, course markings, etc. The cost of any employee overtime incurred because of an applicant's failure to clean / restore the site following the event will be borne by the applicant and will be considered in future application requests. If you believe that no litter will be generated during your event please state this in your plan.

Special Event Application

SUSTAINABLE EVENT PLANNING

The Town of Jackson encourages all special events to strive to be sustainable in our community and for our environment. We have partnered with the **Teton County Integrated Solid Waste and Recycling (ISWR)** to offer opportunities to help your special event to be as "green" as possible. Opportunities available:

- ☐ Rental / Use of Recycling Bins for Special Events
- ☐ Use of JH20 Water Bottle Refilling Station for Special Events
- ☐ Consultation on Conducting Green Special Events

Please contact the Waste Diversion and Outreach Coordinator at ISWR at 307-732-5771.

RECYCLING PLAN

All events are required to have a plan for the collection and removal of recyclable materials during and after the event. The recycling receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the recycling collection and removal plan. ***For assistance with formulating a Recycling Plan please contact Teton County Integrated Solid Waste and Recycling (ISWR) at (307) 732-5771.***

Will you be using a company for your recycling plan? ☐ Yes ☒ No

If "Yes" which company will you be using? _____

How many recycling receptacles will they (or you) supply for your event? _____

When will these recycling receptacles be delivered? _____

When will recycling receptacles be picked up and removed from site? _____

Describe your plan for collection and removal of recyclable materials during your special event: _____

Applicants are responsible for cleaning and restoring the site immediately following the event. If you believe that no recyclable materials will be generated during your event please state this in your plan. For a list of recyclables and how they need to be sorted, or for information about where the recycling bins are located call ISWR (307) 732-5771.

Special Event Application

SIGNIFICANT EVENT CHANGES

Has this event been approved in the Town of Jackson in previous years?

☒ Yes

☐ No

If "YES" please indicate any significant changes to the event request since its last approval:

This year we are going to attempt to have a local business donate cookies and/or hot coco. While we are wrapping presents for free, we are also wanting to give out the treats for free. We will also want to decorate stage stop to make it feel more "festive".

STANDARD CONDITIONS OF APPROVAL

Please review the following standard list of conditions and restricts for events. Initial the bottom of each page indicating that you have read, understand and agree to these conditions and restrictions.

GENERAL

The event shall be conducted in a timely, safe and professional manner.

All town ordinances, including, but not limited to noise, possession and use of weapons, open fires and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.

The applicant shall advise and instruct all participants, volunteers, vendors, merchants and spectators on event conditions, restrictions, prohibitions and responsibilities as indicated by the Town Council in the staff report.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TRASH / CLEAN UP

The applicant shall clean up immediately following each event and shall be responsible for the collection and removal of all refuse generated by the event.

If trash will be generated from the event, then the applicant must supply extra trash and containers and dispose of all trash generated by the event. Trash containers shall not be permitted to overflow.

If recyclable materials are generated from the event, then the applicant is required to provide recycling containers and provide for the removal of all recycled material. Recycling containers shall not be permitted to overflow.

STREETS

Fire department access roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets (IFC 503.2.1). Booths and tents may be erected on either side of street, however, a 20 foot straight path must be provided.

SIDEWALKS

The applicant shall not block walkways or otherwise obstruct pedestrian traffic.

All walkways, boardwalks, entrances and ADA ramps must be kept open and unobstructed at all times

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

POWER / ELECTRICAL

Electrical power is available from Town Square. The applicant shall coordinate all power needs with the Parks & Recreation Department's Park Manager (307-733-5057) at least three (3) business days prior to the event.

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).

ADDITIONAL PERMIT & LICENSE FEES

The applicant shall apply and pay for all licenses and/or permits prior to the events.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TOWN EQUIPMENT

The use of the Parks & Recreation Department bleachers shall be coordinated through that department (307) 732-5753.

Barricade, road sign, cone and recycle bin use shall be coordinated through the Public Works Department. The applicants shall be responsible for pick up, setup, placement and disassembly and return. All equipment use require a \$500 damage deposit that must be submitted at the time of pick up at the Public Works Department to protect against any loss or damage.

All barricades, cones, bins and road signs must be removed immediately following the event. These items must be returned the same location as they were picked up.

PORTABLE RESTROOMS

If applicable, the applicant shall provide an adequate number of port-a-potties at the event site and shall arrange for their removal immediately at the conclusion of the event.

The applicant shall ensure all port-a-potties are placed on paved areas.

INSURANCE

The applicant and all participating organizations are required to maintain liability insurance in the amount of \$1,000,000.00. Prior to the event, each organization shall provide a certificate of insurance naming the Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers and must also state that coverage is primary and non-contributory. The Town Attorney shall approve all certificates of insurance.

FOOD / VENDING

The applicant shall obtain the necessary food service permits from Teton County Environmental Health.

The applicant shall provide additional trash receptacles in the food service areas.

Per Section 5.20 of the Municipal Code: The applicant shall be responsible for ensuring that all sales tax receipts are remitted to the Wyoming Department of Revenue and in no event later than the thirtieth day of the month following the exposition [and] acquire and keep on file names, addresses and phone numbers of all participants.

In addition to providing a list of all participating vendors, artists, and merchants, along with their social security numbers and addresses, to the Wyoming Department of Revenue, pursuant to Jackson Municipal Code Section 5.20.020 A.1.b., the applicant shall also provide that same list to the Town of Jackson Finance Department.

Vendors shall not dump hot water or other liquids on the turf.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ALCOHOL

The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises. All ID's must be checked and ID bracelet system may be required.

Only 16oz or small plastic cups are used for beer and alcohol sales.

No alcohol shall be served in bottles or glass containers.

The applicant shall be responsible to be alert to and report any instances of underage drinking to the Jackson Police Department.

It is recommended that servers be TIPS trained prior to serving alcohol. No "over serving" shall be allowed to occur or serving to obviously intoxicated persons.

Participants shall not be permitted to leave the event with open containers.

No more than two beers shall be sold to any person at any one time.

TOWN PARKS

The applicant shall coordinate the use of any public park (including the Town Square), including reservations, paperwork and applicable fees, with the Parks and Recreation Department.

The applicant shall coordinate park reservation and the payment of Parks & Recreation fees at least 30 days prior to the event.

The applicant is required to provide turf protection in front of and behind any table or other exhibit where crowds will stand. The applicant shall abide by all Parks & Recreation Department recommendations with regards to turf protection.

Vehicles are prohibited on all turf areas of any park or anywhere within the Town Square.

No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.

Use of Town Square shall be subject to the submission to and approval of staff of a detailed site plan, indicating set-up, safety procedures and turf protection, and the imposition of such other conditions or restrictions deemed necessary.

Irrigation locates are required if stakes are placed in the ground. Applicant may forfeit damage deposit if an irrigation locate is not conducted and irrigation equipment is damaged.

Per Municipal Code, dogs are not allowed in Town Parks.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TENTS

Irrigation locates are required before any tents may be erected or stakes or any other items are placed in any public park, including the Town Square. The applicant shall coordinate all water locates with the Parks & Recreation Department's Park Manager (307-732-5793) at least three (3) business days prior to the event.

All tents having an area in excess of 200 square feet shall require advance permitting through the Fire Department unless open on all sides (IFC 105.6.43).

Tents which can hold over 50 or more occupants must provide the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC 3103.6).

Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2).

Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).

Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).

Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).

All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7)

Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).

Any cooking performed within tents shall require advance approval by the Fire Department (IFC 3104.15.3 – 3104.15.7).

Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).

FAIR GROUNDS / RODEO GROUNDS

All use of the Rodeo Grounds shall be coordinated through and subject to the approval of the Fair Manager under the authority of the Parks and Recreation Department.

Anyone camping at the Rodeo Grounds shall indicate that they are affiliated with the group by placing a card in the windshield of their vehicle. Campers are reminded that fires are not permitted.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ROAD CLOSURES / PUBLIC PARKING CLOSURES

The applicant shall notify all business, residences, churches, etc. affected by the street closures and public parking closures prior to the public hearing.

The applicant shall notify, in advance, all business, residences, churches, etc. affected by the street closures and public parking closures and shall provide advance community radio and/or newspaper announcements regarding the event and the closures.

The applicant shall coordinate all road closures with the Police Department and shall provide an adequate number of volunteers to assist with traffic control and barricade setup/removal during each event.

The applicant shall coordinate all road closures with START, Fire/EMS, Public Works and the Police Department. Volunteer placement and assignments shall be reviewed and approved in advance with the Police Department.

The applicant shall be responsible for producing, posting and removing the temporary No Parking signs. No Parking signs must be posted two days prior to the parking closures. The applicant should meet with the Police Department two weeks prior to the event to discuss the procurement, posting and removal of the signs.

Emergency vehicle access lanes shall be maintained during the event.

FIREWORKS

All fireworks displays must be approved by the Fire Chief prior to the event.

The Fire Department will monitor the firing area potential for wildfire. The Department will make recommendations directly to the applicant for mitigation and will give final approval the day of the event.

The application shall be subject to the review and approval of the Fire Department and any additional conditions or restrictions placed by such Department.

Please note, that the conditions and restrictions listed above are standard for special events held in Town, additional conditions or restrictions may be required by the Town Council and/or staff upon further review of the application.

I have read and understand the standard conditions for events. I have answered all of the questions in this application truthfully and to the best of my knowledge.

APPLICANT:

Erin Farmer

Key: d000b0c098795dc6be92b86b94d9294

APPLICANT:

Erin Farmer

Printed Name

DATE:

10-25-2022

TITLE:

Special Events Coordinator

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Meeting Consent
Submitting Department:	Administration	Presenter:	Carl Pelletier
Agenda Item:	Special Event: Santa on Town Square	Public Comment	Yes

Purpose & Policy Considerations.

The Mayor and Council approve all special event applications requesting the use of Town Square.

Requested Action.

Staff is requesting Town Council consider the special event application submitted by the Jackson Hole Chamber of Commerce to host Santa on Town Square from Saturday, December 17, 2022 through Saturday, December 24, 2022.

Recommendations.

Staff recommends approval of the application, subject to the conditions and restrictions listed in this staff report.

Background.

The Jackson Hole Chamber of Commerce requests approval to host the annual Santa on the Square special event at the Stage Stop Building on the Town Square. The event will run every day from December 17, 2022 through December 24, 2022 from 5:00 P.M. to 7:00 P.M. The applicant requests the following:

1. The use of the Stage Stop Building at the Town Square for Holiday visits with Santa.
2. Permission to display an A-frame sign from December 17, 2022 – December 24, 2022. Current regulations allow A-frame signs only on private property.
3. Permission to display a wooden cut out sign which reads “Santa” from December 17, 2022 – December 24, 2022.
4. Permission to place two temporary propane heaters on sidewalk adjacent to the Town Square between the hours of 5:00 P.M. and 7:00 P.M. from December 17 – December 24, 2022.
5. Permission to place a 20’x 10’ tent inside of the Town Square next to the Stage Stop building during the dates of December 17, 2022 – December 24, 2022. This tent would remain up throughout this time frame.
6. Permission to display a temporary banner on either the 10x10 tent or on the Stage Stop Building from the dates of December 17, 2022 – December 24, 2022 per the attached sign request.

The application has been submitted to all Town departments for recommendation and comment. This event has been approved in the past.

Analysis.

The application has been submitted for review and comment to all Town departments.

Possible Alternatives.

- Approve the request with modifications
- Deny the request
- Other

Comprehensive Plan & Priority Alignment.

Special events align within the Comprehensive Plan & Community Priority Goals in addressing Town as Heart of the Region – The Central Complete Neighborhood: The Town of Jackson will continue to be the primary location for jobs, housing, shopping educational and cultural activities.

Principle 4.4—Enhance civic spaces, social functions, and environmental amenities to make Town a more desirable Complete Neighborhood.

The Town of Jackson has traditionally served as the cultural, social and civic hub for Teton County and the region. Maintaining and improving public spaces will support Jackson as the community's central Complete Neighborhood, a gateway to the nation's parks and forests, and the regional center for tourism, the arts and employment. The enhancement of natural features such as Karns Meadows, Flat Creek and Cache Creek corridors will further contribute to Jackson's role as the central Complete Neighborhood.

Policy 4.4.a: Maintain and improve public spaces

Public spaces are the building blocks of a thriving community. Jackson's public spaces and civic facilities should be interesting and memorable, and should reinforce our sense of community. Town will continue to promote high quality design of public spaces, including creating attractive gateways, preserving views, and providing appealing public right-of-way amenities. The integration of fine arts professionals in the design of public spaces will be encouraged to create unique and visually engaging projects. New developments in Town should contribute to quality public spaces—including, but not limited to, pedestrian amenities, parks, outdoor squares, landscaped areas and public art.

Fiscal Impact.

\$27.00 Special Event Application Fee

Staff Impact.

The following staff impacts have occurred and/or would be anticipated if the event is approved:

- Special event processing (30 minutes)
- Departmental reviews (approximately 1 hour)
- Staff report preparation (1 hour)

In total approximately 2.5 hours of staff time split between town, county and joint departments.

Conditions and Restrictions.

Should Council wish to approve this application, staff recommends that approval be subject to the following conditions and restrictions:

1. The applicant shall immediately clean up every day after the event. All trash generated by the event shall be removed by the applicant from Town Square.
2. Insurance: An insurance certificate that names the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and states that coverage is primary and non-contributory is required at least ten days prior to the event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town Attorney.
3. Only signs as described in the accompanying sign permit application are permitted.
4. Food service shall be coordinated with Teton County Public Health.
5. The applicant shall abide by guidelines set forth in a Town Square Holiday Display policy if applicable.
6. Fire/EMS will conduct inspections of the site and additional requirements per the International Fire Code could be enforced prior to and during the event.
7. Tents which can hold over 50 or more occupants must provide this the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC 3103.6).
8. Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2)

9. Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).
10. Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).
11. All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7)
12. Any cooking performed within tents shall require advance approval by this Department (IFC 3104.15.3 – 3104.15.7).
13. Smoking shall not be permitted in tents, canopies or membrane structures. Approved “No Smoking” signs shall be conspicuously posted (IFC 3104.6).
14. Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).
15. Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).
16. All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).
17. No stakes shall be placed in George Washington Memorial Park without first obtaining permission and utility locates from Parks and Recreation. Utility locates must be coordinated at least ten (10) days prior to the event.
18. The applicant will abide by any additional conditions and restrictions as deemed by the Town Council.

Attachments or Links.

Special Event Application

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the application of the Chamber of Commerce for the Santa on the Square events from December 17, 2022 - December 24, 2022 subject to the conditions and restrictions listed in the staff report.



TEMPORARY SIGN PERMIT APPLICATION

Planning & Building Department

150 East Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

First, go to www.townofjackson.com/245/Temporary-Sign-Permit
for process and other necessary information.

EVENT NAME:

Event Name: Town Square Lighting Physical Address of Event: _____

Description of Event: _____

Grand Opening ____ Yes ☒ No ____

EVENT SPONSOR/APPLICANT: Name:

Mailing Address: _____ Phone: _____

E-mail: _____ ZIP: _____

Non-Profit: ____ For Profit: ____

TEMPORARY BANNER LOCATION: Consent from Property Owner Required

Business/Description: Town Square

Physical Address: 10 E Broadway

Dates of Display: 11.25

Consent from Owner Obtained? Yes ☒ No ____

Business/Description: _____

Physical Address: _____

Dates of Display: _____

Consent from Owner Obtained? Yes ____ No ____

Business/Description: Town Square - StageStop

Physical Address: 10 E Broadway

Dates of Display: 11.18-11.25

Consent from Owner Obtained? Yes ☒ No ____

Business/Description: _____

Physical Address: _____

Dates of Display: _____

Consent from Owner Obtained? Yes ____ No ____

SUBMITTAL REQUIREMENTS. Have you attached the following? Please answer accordingly.

Yes ☒ No ____ Illustration of each proposed sign that includes dimensions, colors, materials and type of sign.

Yes ☒ No ____ Installation specifications, and any structural details or specifications required for freestanding signs.

Under penalty of perjury, I hereby certify that I have read this application and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of the Town of Jackson to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Signature of Authorized Event Applicant

Erin Farmer

Applicant Name Printed

10.26.2022

Date

Events Coordinator

Title



12 ft x 3 ft banner on fabric with grommets

Either hung on Town Square tent where Santa will be OR StageStop.

Our sponsor will also be included to the left of "December", when we confirm them.

Special Event Application

Submit Completed Document To:

Town Hall
Town of Jackson - Special Events
150 East Pearl Street
P.O. Box 1687
Jackson, Wyoming 83001

cpelletier@townofjackson.com
(307) 733-3932 ext. 1112 (phone)
(307) 739-0919 (fax)



**A completed application
must be submitted at least
21 days prior to your event.**

Non-Profit Fee: \$25
For-Profit Fee: \$150

APPLICANT INFORMATION

Name of Event: Santa On Town Square

Name of Organization: Jackson Hole Chamber of Commerce

Type of Organization: ☒ Non-Profit ☐ Public Agency ☐ For-Profit Business

Mailing Address: PO Box 550

City: Jackson State: Wyoming Zip Code: 83001

Name of Person Completing Application: Erin Farmer

Email Address: Erin@jacksonholechamber.com

Work Phone: 307.201.2309 Cell Phone: 2546318988

EVENT INFORMATION

Type of Event: ☐ Run / Walk ☐ Concert ☐ Filming ☐ Assembly
☐ Parade ☐ Festival ☐ Biking ☐ Education
☒ Other: Santa sitting at StageStop on town Square

Description & Purpose of Event *(Attach additional sheets if necessary):* _____

Santa sit at StageStop, kids and families come to see santa

Location of Event: Town Square Alternative Location: _____

Date(s) of Event: 11.17-12.24 Event Operating Hours: 5:00-7:00pm

Event Set Up Begins Date: November 17, 2022 Time: 3:00

Event Clean Up Ends Date: December 24, 2022 Time: 8:00pm

Special Event Application

EVENT INFORMATION (Continued)

Estimated Event Attendance (Spectators and Participants) Per Day: 100 Total Event: 700

Special Considerations (check all that apply):

- | | | |
|--|---|---|
| ☐ Alcoholic Beverages | ☐ Cooking/Grilling | ☐ Electricity Requested |
| ☐ Food Sales | ☐ Merchandise Sales | ☒ Recurring Event |
| ☐ Ticketed Admission | ☒ Sound Amplification | ☐ Pets or Animals |
| ☒ Tents | ☐ Street Closure | ☐ Sidewalk Closure |
| ☐ Overnight Parking | ☐ Overnight RV Camping | ☐ Use of Town Square |

Event Co-Sponsor (s): N/A

All for-profit organizations must submit a letter of event sponsorship from a non-profit organization if sales are requested on public property.

Will you be charging admission or a fee for your event? ☐ Yes ☒ No

Alternative Contact Information During the Event (someone besides applicant who will be on site and available for Town personnel or Police to contact during the event):

Name: Britney Magleby Cell Phone: 208.521.0019

EVENT SITE PLAN

On a separate sheet of paper, provide a Site Plan sketch of the event. Include maps or a diagram of the entire event including the names of streets or areas that are part of the venue and the surrounding area. The plan should include the following (if applicable):

- | | |
|---|---|
| ☒ Tents (X) | ☐ Food Vendors (FV) |
| ☐ Beverage Vendors (BV) | ☐ Alcohol Vendors (A) |
| ☐ Portable Toilets (T) | ☐ Hand Washing Sink (HWS) |
| ☐ Stages or Amplified Sound (SO) | ☐ Bleachers (BL) |
| ☐ Garbage Receptacles (G) | ☐ Recycling Receptacles (RR) |
| ☐ Retail Merchants (RM) | ☐ Security (P) |
| ☐ Fire Lane (FL) | ☐ Fire Extinguishers (EX) |
| ☐ First Aid / EMS (FA) | ☐ Barricades (B) |
| ☐ Electricity / Generator (EL) | ☐ Trailers, Vehicles, Storage (TR) |

Fire hydrants or sidewalk curb breaks that are used for ADA accessibility may not be blocked at any time.

Special Event Application

STREET / SIDEWALK / PUBLIC PARKING LOT - CLOSURE REQUESTS

Will the event close any street, sidewalk, alley or public parking lot? ☐ Yes ☒ No

Area of Closure Request	Date(s)	Start Time	End Time

The applicant will be responsible for production, posting and removal of "No Parking" and "Handicap Parking" signs along Town streets where public parking spaces exist within the event site. If the event involves a closure this will be need to be coordinated with the Jackson Police Department at least 2 weeks prior to the requested closure date. Jackson Police Department: (307) 733-1430. All parking signs, road signs, cones and barricades must be taken down immediately following the event's ending time.

Will the event restrict / close access to any public parking spaces? ☐ Yes ☒ No

If "Yes", how many parking spaces will be unavailable due to the event: _____ parking spaces

Will the event closure requests impact any START Bus routes? ☐ Yes ☒ No

If "Yes", which routes will be impacted? Has START Bus been contacted about this impact?

Route Description: _____ START Bus contacted? ☐ Yes ☒ No

RESIDENT AND/OR BUSINESS NOTIFICATION

Events that require road closures, parking space closures, or sidewalk closures or may cause disruption for the Town of Jackson residents, businesses, churches, etc. may be required to mail or hand deliver notification to the affected parties within a two block radius at least one week prior to the event's Town Council consideration meeting. Notices must reflect the date(s), day(s), time(s) and location(s) of the event, types of activities taking place at the event, the event coordinator's contact information and the date and time of the Town Council meeting.

Have you provided a sample of the notice and a proposed list of recipients? ☐ Yes ☒ No

Special Event Application

TOWN EQUIPMENT REQUESTS

Indicate the type and the quantity of items that you are requesting:

_____ Large Street Barricades	_____ "Road Closed" Street Signs
_____ Small Sidewalk Barricades	_____ "Local Traffic Only" Street Signs
_____ 28 Inch Street Cones	_____ "Detour" Street Signs
_____ Candlestick Cones	_____ 32-Gallon Recycling Bins

☼ The equipment above can be arranged through the Public Works Department (307) 733-3079. A \$500 deposit will be required at the time of pick-up for equipment. The applicant is responsible for arranging the pick up of equipment from the Public Works Department as well as returning equipment immediately following the event. The Town of Jackson will only deliver equipment to parades and Town sponsored events.

☼ The Town of Jackson has a very limited number of recycling bins that can be utilized as part of your event's recycle plan. The applicant will be responsible for emptying the recycle containers and cleaning the bins before they are returned to the Public Works Department.

☼ If you are uncertain of the exact number of equipment needed please feel free to contact either the special event coordinator or the Public Works Department for additional information.

☼ Additional equipment such as bleachers, electrical spiderboxes, etc., can be requested through the Parks and Recreation Department (307) 732-5753.

TOWN SERVICES REQUESTS

Indicate the Town services that you are requesting. *Please note: you will need to coordinate services with individual departments and a fee may be associated with your request.*

POLICE DEPARTMENT

(307) 733-1430

☐ Event Security	☐ Mounted Horse Patrol	☐ Traffic Control
☐ Race Lead Vehicle	☐ Parade Lead Vehicle	☐ General Presence
☐ Towing / Ticketing	☐ Assistance with Parking Closures	☐ Assistance with Street Closures

Please describe in detail your request: _____

The Chief of Police determines if police services will be needed at the special event for public safety concerns. The Chief of Police will also determine the number of police officers to staff the event. Fees may be associated with the need for additional police services at the event.

Special Event Application

TOWN SERVICES REQUESTS (Continued)

PUBLIC WORKS DEPARTMENT (307) 733-3079

☐ Street Sweeping

☐ Snow Removal

☐ Street Marking

Please describe in detail your request

PARKS AND RECREATION DEPARTMENT (307) 732-5753

☐ Irrigation Locates - Any event placing stakes in turf must obtain irrigation locates.

☐ Electricity Access

☐ Turf / Tree Care - Any additional mowing, raking, trimming or spraying needs.

☐ Additional Public Restroom Cleaning

Please describe in detail your request: _____

**Please note: if you are requesting the use of a public park or public ball field you must confirm and reserve your space through the Parks and Recreation Department. The only exception is George Washington Memorial Park (Town Square), which does not require a reservation form.*

Is the requested event site a public park or ball field? ☐ Yes ☒ No

If "Yes", has the site been reserved with Parks and Recreation? ☐ Yes ☐ No

FIRE / EMS DEPARTMENT (307) 733-4732

☐ Foot Patrol

☐ Ambulance

☐ Fire Engine

☐ Rescue Truck

☐ Bicycle Patrol

☐ Event Site Inspection

Please describe in detail your request: _____

Special Event Application

TOWN SERVICES REQUESTS (Continued)

START BUS

(307) 732-8651

☐ Event Specific Shuttle(s)

Please describe in detail your request: _____

VOICE / MUSIC AMPLIFICATION REQUESTS

Will your event have any amplified sound? ☒ Yes ☐ No

If "Yes", please indicate times: Start Time: 5:00 Finish Time: 7:00

Will your event feature any musical entertainment? ☐ Yes ☒ No

If "Yes", please attach the schedule of any music or entertainment proposed to occur during event.

SIGN or BANNER REQUESTS

Are you requesting to hang signs or banners? ☒ Yes ☐ No

If "Yes", have you completed a sign permit application? ☒ Yes ☐ No

A Sign Permit Application will need to be submitted along with this application if signs are requested. This permit can be accessed on the Town of Jackson website or through the Planning Department.

INSURANCE REQUIREMENTS

An insurance certificate is required prior to the start of your event. This certificate must name the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and must also state that coverage is primary and non-contributory is required for every event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. **The additional insured language on the certificate may not include any limitations or exclusions.** Insurance certificates are subject to the review and approval of the Town Attorney. Please be sure to include alcohol liability if there will be alcohol at the event. You must supply insurance before your event.

A certificate of insurance is attached: ☒ Yes ☐ No

Special Event Application

PORTABLE RESTROOMS AND SINKS

The Town of Jackson requires the applicant to provide additional chemical toilets or portable toilets for all events with an anticipated peak time attendance exceeding 75 people.

You are required to provide portable restroom facilities at your event unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during your event. The Town of Jackson may determine the total number of required restroom facilities required on a case-by-case basis based on the presence of food and drink at the event and the maximum number of attendees at your event during peak time. The Town of Jackson may determine that you need to coordinate with Parks and Recreation for additional public restroom cleanings if you intend on using a public restroom as part of your restroom facility plan.

Do you plan to provide portable restroom facilities? ☐ Yes ☒ No

If "Yes", please indicate the total number of portable toilets and number of ADA accessible toilets.

Total Number of Portable Toilets: _____ Number of ADA Accessible Portable Toilets: _____

If "No", please explain: _____

Portable restrooms may not be located within 50 feet of any food vendor.

Restroom Company: _____

Restroom Drop off / Pick Up Date for Drop Off: _____ Time for Drop Off: _____

Date for Pick Up: _____ Time for Pick Up: _____

ALCOHOL

Will there be alcoholic beverages at the event? ☐ Yes ☒ No

Will you be offering any alcoholic beverages besides beer? ☐ Yes ☒ No

If "Yes", what will be offered in addition to beer? _____

If you are planning on serving alcoholic beverages at your event, then either a completed Malt Beverage Permit (beer only) or Catering Permit (beer, wine and/or spirits) must be submitted. You can access these applications on the Town of Jackson website.

Special Event Application

VENDORS / MERCHANTS / SALES

Will anything be sold at your event?

☐ Yes

☒ No

If you are planning on selling items at your event then you will need to complete either an Exposition Business License (for 2 or more vendors) or a Transient Merchant License (for 1 vendor). A complete list of vendors, including a vendor tax ID, must be submitted to the Town of Jackson and to the State of Wyoming's Department of Revenue prior to the event. Both the Exposition License and the Transient Merchant License are on the Town of Jackson's website.

Please describe any sales activity at your event:

Will any food or beverages be sold at your event?

☐ Yes

☒ No

If "Yes", you will need to contact the Teton County's Department of Environmental Health prior to the event (307) 732-8490.

TRASH REMOVAL PLAN

All events are required to have a plan for the collection removal of trash during and after the event. The trash receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the waste removal plan. ***For assistance with formulating a Trash Removal Plan please contact Integrated Solid Waste and Recycling at (307) 732-5771.***

Will you be using a waste company for your waste removal plan?

☐ Yes

☒ No

If "Yes", which company will you be using? _____

How many trash receptacles will be supplied for your event? _____

When will the trash receptacles be delivered? _____

When will the trash receptacles be picked up and removed from site? _____

Describe your plan for the collection and removal of trash during your special event:

Not much trash generated - chamber will remove after event.

Applicants are responsible for cleaning and restoring the site immediately following the event. Please pick up all trash associated with your event including, but not limited to paper, bottles, cans, signs, course markings, etc. The cost of any employee overtime incurred because of an applicant's failure to clean / restore the site following the event will be borne by the applicant and will be considered in future application requests. If you believe that no litter will be generated during your event please state this in your plan.

Special Event Application

SUSTAINABLE EVENT PLANNING

The Town of Jackson encourages all special events to strive to be sustainable in our community and for our environment. We have partnered with the **Teton County Integrated Solid Waste and Recycling (ISWR)** to offer opportunities to help your special event to be as "green" as possible. Opportunities available:

- ☐ Rental / Use of Recycling Bins for Special Events
- ☐ Use of JH20 Water Bottle Refilling Station for Special Events
- ☐ Consultation on Conducting Green Special Events

Please contact the Waste Diversion and Outreach Coordinator at ISWR at 307-732-5771.

RECYCLING PLAN

All events are required to have a plan for the collection and removal of recyclable materials during and after the event. The recycling receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the recycling collection and removal plan. ***For assistance with formulating a Recycling Plan please contact Teton County Integrated Solid Waste and Recycling (ISWR) at (307) 732-5771.***

Will you be using a company for your recycling plan? ☐ Yes ☒ No

If "Yes" which company will you be using? _____

How many recycling receptacles will they (or you) supply for your event? _____

When will these recycling receptacles be delivered? _____

When will recycling receptacles be picked up and removed from site? _____

Describe your plan for collection and removal of recyclable materials during your special event: _____

Applicants are responsible for cleaning and restoring the site immediately following the event. If you believe that no recyclable materials will be generated during your event please state this in your plan. For a list of recyclables and how they need to be sorted, or for information about where the recycling bins are located call ISWR (307) 732-5771.

Special Event Application

SIGNIFICANT EVENT CHANGES

Has this event been approved in the Town of Jackson in previous years?

☒ Yes

☐ No

If "YES" please indicate any significant changes to the event request since its last approval:

No major changes

STANDARD CONDITIONS OF APPROVAL

Please review the following standard list of conditions and restricts for events. Initial the bottom of each page indicating that you have read, understand and agree to these conditions and restrictions.

GENERAL

The event shall be conducted in a timely, safe and professional manner.

All town ordinances, including, but not limited to noise, possession and use of weapons, open fires and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.

The applicant shall advise and instruct all participants, volunteers, vendors, merchants and spectators on event conditions, restrictions, prohibitions and responsibilities as indicated by the Town Council in the staff report.

Initials: EF

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TRASH / CLEAN UP

The applicant shall clean up immediately following each event and shall be responsible for the collection and removal of all refuse generated by the event.

If trash will be generated from the event, then the applicant must supply extra trash and containers and dispose of all trash generated by the event. Trash containers shall not be permitted to overflow.

If recyclable materials are generated from the event, then the applicant is required to provide recycling containers and provide for the removal of all recycled material. Recycling containers shall not be permitted to overflow.

STREETS

Fire department access roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets (IFC 503.2.1). Booths and tents may be erected on either side of street, however, a 20 foot straight path must be provided.

SIDEWALKS

The applicant shall not block walkways or otherwise obstruct pedestrian traffic.

All walkways, boardwalks, entrances and ADA ramps must be kept open and unobstructed at all times

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

POWER / ELECTRICAL

Electrical power is available from Town Square. The applicant shall coordinate all power needs with the Parks & Recreation Department's Park Manager (307-733-5057) at least three (3) business days prior to the event.

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).

ADDITIONAL PERMIT & LICENSE FEES

The applicant shall apply and pay for all licenses and/or permits prior to the events.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TOWN EQUIPMENT

The use of the Parks & Recreation Department bleachers shall be coordinated through that department (307) 732-5753.

Barricade, road sign, cone and recycle bin use shall be coordinated through the Public Works Department. The applicants shall be responsible for pick up, setup, placement and disassembly and return. All equipment use require a \$500 damage deposit that must be submitted at the time of pick up at the Public Works Department to protect against any loss or damage.

All barricades, cones, bins and road signs must be removed immediately following the event. These items must be returned the same location as they were picked up.

PORTABLE RESTROOMS

If applicable, the applicant shall provide an adequate number of port-a-potties at the event site and shall arrange for their removal immediately at the conclusion of the event.

The applicant shall ensure all port-a-potties are placed on paved areas.

INSURANCE

The applicant and all participating organizations are required to maintain liability insurance in the amount of \$1,000,000.00. Prior to the event, each organization shall provide a certificate of insurance naming the Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers and must also state that coverage is primary and non-contributory. The Town Attorney shall approve all certificates of insurance.

FOOD / VENDING

The applicant shall obtain the necessary food service permits from Teton County Environmental Health.

The applicant shall provide additional trash receptacles in the food service areas.

Per Section 5.20 of the Municipal Code: The applicant shall be responsible for ensuring that all sales tax receipts are remitted to the Wyoming Department of Revenue and in no event later than the thirtieth day of the month following the exposition [and] acquire and keep on file names, addresses and phone numbers of all participants.

In addition to providing a list of all participating vendors, artists, and merchants, along with their social security numbers and addresses, to the Wyoming Department of Revenue, pursuant to Jackson Municipal Code Section 5.20.020 A.1.b., the applicant shall also provide that same list to the Town of Jackson Finance Department.

Vendors shall not dump hot water or other liquids on the turf.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ALCOHOL

The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises. All ID's must be checked and ID bracelet system may be required.

Only 16oz or small plastic cups are used for beer and alcohol sales.

No alcohol shall be served in bottles or glass containers.

The applicant shall be responsible to be alert to and report any instances of underage drinking to the Jackson Police Department.

It is recommended that servers be TIPS trained prior to serving alcohol. No "over serving" shall be allowed to occur or serving to obviously intoxicated persons.

Participants shall not be permitted to leave the event with open containers.

No more than two beers shall be sold to any person at any one time.

TOWN PARKS

The applicant shall coordinate the use of any public park (including the Town Square), including reservations, paperwork and applicable fees, with the Parks and Recreation Department.

The applicant shall coordinate park reservation and the payment of Parks & Recreation fees at least 30 days prior to the event.

The applicant is required to provide turf protection in front of and behind any table or other exhibit where crowds will stand. The applicant shall abide by all Parks & Recreation Department recommendations with regards to turf protection.

Vehicles are prohibited on all turf areas of any park or anywhere within the Town Square.

No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.

Use of Town Square shall be subject to the submission to and approval of staff of a detailed site plan, indicating set-up, safety procedures and turf protection, and the imposition of such other conditions or restrictions deemed necessary.

Irrigation locates are required if stakes are placed in the ground. Applicant may forfeit damage deposit if an irrigation locate is not conducted and irrigation equipment is damaged.

Per Municipal Code, dogs are not allowed in Town Parks.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TENTS

Irrigation locates are required before any tents may be erected or stakes or any other items are placed in any public park, including the Town Square. The applicant shall coordinate all water locates with the Parks & Recreation Department's Park Manager (307-732-5793) at least three (3) business days prior to the event.

All tents having an area in excess of 200 square feet shall require advance permitting through the Fire Department unless open on all sides (IFC 105.6.43).

Tents which can hold over 50 or more occupants must provide the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC 3103.6).

Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2).

Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).

Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).

Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).

All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7)

Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).

Any cooking performed within tents shall require advance approval by the Fire Department (IFC 3104.15.3 – 3104.15.7).

Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).

FAIR GROUNDS / RODEO GROUNDS

All use of the Rodeo Grounds shall be coordinated through and subject to the approval of the Fair Manager under the authority of the Parks and Recreation Department.

Anyone camping at the Rodeo Grounds shall indicate that they are affiliated with the group by placing a card in the windshield of their vehicle. Campers are reminded that fires are not permitted.

Initials: EF _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ROAD CLOSURES / PUBLIC PARKING CLOSURES

The applicant shall notify all business, residences, churches, etc. affected by the street closures and public parking closures prior to the public hearing.

The applicant shall notify, in advance, all business, residences, churches, etc. affected by the street closures and public parking closures and shall provide advance community radio and/or newspaper announcements regarding the event and the closures.

The applicant shall coordinate all road closures with the Police Department and shall provide an adequate number of volunteers to assist with traffic control and barricade setup/removal during each event.

The applicant shall coordinate all road closures with START, Fire/EMS, Public Works and the Police Department. Volunteer placement and assignments shall be reviewed and approved in advance with the Police Department.

The applicant shall be responsible for producing, posting and removing the temporary No Parking signs. No Parking signs must be posted two days prior to the parking closures. The applicant should meet with the Police Department two weeks prior to the event to discuss the procurement, posting and removal of the signs.

Emergency vehicle access lanes shall be maintained during the event.

FIREWORKS

All fireworks displays must be approved by the Fire Chief prior to the event.

The Fire Department will monitor the firing area potential for wildfire. The Department will make recommendations directly to the applicant for mitigation and will give final approval the day of the event.

The application shall be subject to the review and approval of the Fire Department and any additional conditions or restrictions placed by such Department.

Please note, that the conditions and restrictions listed above are standard for special events held in Town, additional conditions or restrictions may be required by the Town Council and/or staff upon further review of the application.

I have read and understand the standard conditions for events. I have answered all of the questions in this application truthfully and to the best of my knowledge.

APPLICANT:

Erin Farmer

Key: d000b0c098795dc6be92b88b94d9284

APPLICANT:

Erin Farmer

Printed Name

DATE:

10-27-2022

TITLE:

Special Events Coordinator

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Meeting Consent
Submitting Department:	Administration	Presenter:	Carl Pelletier
Agenda Item:	Special Event: Traditional Christmas Eve Service	Public Comment:	Yes

Purpose & Policy Considerations.

The Mayor and Council approve all special event applications requesting the use of the Town Square.

Requested Action.

Staff is requesting Town Council consider the special event application submitted by Tribe JH to host a Traditional Christmas Eve Service in the Town Square.

Recommendations.

Staff recommends the approval of the application, subject to the conditions and restrictions listed in this staff report.

Background.

Tribe JH, an independent non-denominational church, has submitted a special event application for permission to host a Traditional Christmas Eve Service in the Town Square on Saturday, December 24 between the hours of 6:30pm and 7:30pm. The applicant indicates that this is a “traditional, all-community Christmas Eve service to gather locals and visitors for an outdoor service. The applicant was approved for a similar request in 2021. The applicant has indicated no significant changes from last year’s request.

The applicant has indicated that they have a small sound pod and speakers for outdoor events. They are requesting the use of musical instruments (last year 1 amplified guitar and 1 violin was used during the service) and a vocal mic for carols and the service message. They are requesting to set up a riser platform measuring 8 feet by 16 feet and 24 inches high. They have requested that attendees would be allowed to bring and set up lawn chairs for the service. They have also requested the use of tall outdoor propane heaters that would be supplied by Canvas Unlimited.

On the evening of December 24th several events have historically been approved in the Town Square including the Chamber of Commerce’s “Santa on Town Square”, Grand Teton Skating Association’s “Winter Wonderland” and the Community Bible Church’s “Caroling on the Town Square.” The applicant has reached out to the organizers of these different events and no concerns were expressed and Tribe JH has agreed to work with each of these organizations to avoid any conflict. There is typically an ice rink in the western quadrant and holiday displays in the eastern quadrant. Tribe JH is amenable to locating in either the southern or northern quadrant of the Town Square.

The applicant is also requesting the placement of one temporary sign to be displayed at Albertsons between the dates of December 12 and December 23 per the temporary sign application included in this staff report (see attached for banner sizing).

- 105 Buffalo Way, Albertson’s during:
 - December 12 – December 23, 2022

Section 5.6.1.C.4.c of the Town’s Land Development Regulations allows Council to approve up to four (4) off-site banners. The event does not require any Town services; therefore, a special event license is not required. Staff recommends approval, as the Town has permitted such signs in the past, as long as all other regulations for signage are complied with.

The applicant requests the following:

- Permission to set up a riser stage in the Town Square on Saturday, December 24, 2022.
- Permission for amplified sound in the Town Square between 6:30pm and 7:30pm on Saturday, December 24, 2022.
- Permission to access electricity in the Town Square.
- Permission to place a temporary sign at Albertsons per the conditions and restrictions listed below.

Analysis.

The application has been submitted for review and comment to all Town departments. The Town of Jackson does not have a policy regarding religious services in the Town Square.

Possible Alternatives.

- Approve the request with modifications
- Deny the request
- Other

Comprehensive Plan & Priority Alignment.

Special events align within the Comprehensive Plan & Community Priority Goals in addressing Town as Heart of the Region – The Central Complete Neighborhood: The Town of Jackson will continue to be the primary location for jobs, housing, shopping educational and cultural activities.

Principle 4.4—Enhance civic spaces, social functions, and environmental amenities to make Town a more desirable Complete Neighborhood.

The Town of Jackson has traditionally served as the cultural, social and civic hub for Teton County and the region. Maintaining and improving public spaces will support Jackson as the community's central Complete Neighborhood, a gateway to the nation's parks and forests, and the regional center for tourism, the arts and employment. The enhancement of natural features such as Karns Meadows, Flat Creek and Cache Creek corridors will further contribute to Jackson's role as the central Complete Neighborhood.

Policy 4.4.a: Maintain and improve public spaces

Public spaces are the building blocks of a thriving community. Jackson's public spaces and civic facilities should be interesting and memorable, and should reinforce our sense of community. Town will continue to promote high quality design of public spaces, including creating attractive gateways, preserving views, and providing appealing public right-of-way amenities. The integration of fine arts professionals in the design of public spaces will be encouraged to create unique and visually engaging projects. New developments in Town should contribute to quality public spaces—including, but not limited to, pedestrian amenities, parks, outdoor squares, landscaped areas and public art.

Fiscal Impact.

\$27.00 Special Event Application Fee

Staff Impact.

The following staff impacts have occurred and/or would be anticipated if the event is approved:

- Special event processing (30 minutes)
- Departmental reviews (approximately 3 hours)
- Staff report preparation (1 hour)
- Follow-up (30 minutes)

Conditions and Restrictions.

Should Council wish to approve this application, staff recommends that approval be subject to the following conditions and restrictions:

1. Insurance: An insurance certificate that names the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and states that coverage is primary and non-contributory is required for every event **at least ten days prior to the event**. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town attorney.
2. Applicant shall coordinate all use of the Town Square with the Parks & Recreation Department.
3. All power needs and irrigation locates must be coordinated with Parks & Recreation at least five (5) business days prior to set up of the event; otherwise, no stakes for tents or any other item may be placed in the ground (733-5056).
4. There shall be no alterations to the amenities to the park without prior approval from the park superintendent.
5. Vehicles may not be driven into the park.
6. All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.
7. No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.
8. All event banners shall be subject to the approval of the Planning and Building Department.
9. The approved temporary banner will be subject to the following conditions:
 1. The use of site shall be granted by the property owner.
 2. The sign shall not be located on the sidewalks or in the public right of way.
 3. The sign is approved for the following locations:
 - 105 Buffalo Way, Albertson's during:
 - December 12 – December 23, 2022
10. Applicant shall abide by all Fire Department restrictions and specifications including those concerning temporary tents (over 400 square feet) and portable heaters.
11. The applicant and all participants shall conduct all activities in a responsible, professional and timely manner.

Attachments or Links.

Special Event Application

Temporary Sign Application

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the special event application made by Tribe JH to host the Traditional Christmas Eve Service special event, subject to the conditions and restrictions listed in the staff report.

Special Event Application

Submit Completed Document To:

Town Hall
Town of Jackson - Special Events
150 East Pearl Street
P.O. Box 1687
Jackson, Wyoming 83001

cpelletier@townofjackson.com
(307) 733-3932 ext. 1112 (phone)
(307) 739-0919 (fax)



**A completed application
must be submitted at least
21 days prior to your event.**

Non-Profit Fee: \$25
For-Profit Fee: \$150

APPLICANT INFORMATION

Name of Event: Tribe Christmas Eve Service

Name of Organization: Tribe

Type of Organization: ☒ Non-Profit ☐ Public Agency ☐ For-Profit Business

Mailing Address: PO Box 6818

City: Jackson State: WY Zip Code: 83001

Name of Person Completing Application: Lissa Hunter

Email Address: Lissa@tribejh.com

Work Phone: 3076905053 Cell Phone: _____

EVENT INFORMATION

Type of Event: ☐ Run / Walk ☐ Concert ☐ Filming ☒ Assembly
☐ Parade ☐ Festival ☐ Biking ☐ Education
☐ Other: _____

Description & Purpose of Event *(Attach additional sheets if necessary):* _____

Celebrate Christmas Eve together as a community

Location of Event: Town Square Alternative Location: _____

Date(s) of Event: Dec 24th, 2022 Event Operating Hours: 6:30-7:30pm

Event Set Up Begins Date: December 24, 2022 Time: 5pm

Event Clean Up Ends Date: December 24, 2022 Time: 7:30PM

Special Event Application

EVENT INFORMATION (Continued)

Estimated Event Attendance (Spectators and Participants) Per Day: ¹²⁵_____ Total Event: ¹²⁵_____

Special Considerations (check all that apply):

- | | | |
|--|---|--|
| ☐ Alcoholic Beverages | ☐ Cooking/Grilling | ☐ Electricity Requested |
| ☐ Food Sales | ☐ Merchandise Sales | ☐ Recurring Event |
| ☐ Ticketed Admission | ☐ Sound Amplification | ☐ Pets or Animals |
| ☐ Tents | ☐ Street Closure | ☐ Sidewalk Closure |
| ☐ Overnight Parking | ☐ Overnight RV Camping | ☐ Use of Town Square |

Event Co-Sponsor (s): _____

All for-profit organizations must submit a letter of event sponsorship from a non-profit organization if sales are requested on public property.

Will you be charging admission or a fee for your event? ☐ Yes ☒ No

Alternative Contact Information During the Event (someone besides applicant who will be on site and available for Town personnel or Police to contact during the event):

Name: Brian Hunter Cell Phone: 3076998989

EVENT SITE PLAN

On a separate sheet of paper, provide a Site Plan sketch of the event. Include maps or a diagram of the entire event including the names of streets or areas that are part of the venue and the surrounding area. The plan should include the following (if applicable):

- | | |
|--|---|
| ☐ Tents (X) | ☐ Food Vendors (FV) |
| ☐ Beverage Vendors (BV) | ☐ Alcohol Vendors (A) |
| ☐ Portable Toilets (T) | ☐ Hand Washing Sink (HWS) |
| ☒ Stages or Amplified Sound (SO) | ☐ Bleachers (BL) |
| ☐ Garbage Receptacles (G) | ☐ Recycling Receptacles (RR) |
| ☐ Retail Merchants (RM) | ☐ Security (P) |
| ☐ Fire Lane (FL) | ☐ Fire Extinguishers (EX) |
| ☐ First Aid / EMS (FA) | ☐ Barricades (B) |
| ☒ Electricity / Generator (EL) | ☐ Trailers, Vehicles, Storage (TR) |

Fire hydrants or sidewalk curb breaks that are used for ADA accessibility may not be blocked at any time.

Special Event Application

STREET / SIDEWALK / PUBLIC PARKING LOT - CLOSURE REQUESTS

Will the event close any street, sidewalk, alley or public parking lot? ☐ Yes ☒ No

Area of Closure Request	Date(s)	Start Time	End Time

The applicant will be responsible for production, posting and removal of "No Parking" and "Handicap Parking" signs along Town streets where public parking spaces exist within the event site. If the event involves a closure this will be need to be coordinated with the Jackson Police Department at least 2 weeks prior to the requested closure date. Jackson Police Department: (307) 733-1430. All parking signs, road signs, cones and barricades must be taken down immediately following the event's ending time.

Will the event restrict / close access to any public parking spaces? ☐ Yes ☒ No

If "Yes", how many parking spaces will be unavailable due to the event: _____ parking spaces

Will the event closure requests impact any START Bus routes? ☐ Yes ☒ No

If "Yes", which routes will be impacted? Has START Bus been contacted about this impact?

Route Description: _____ START Bus contacted? ☐ Yes ☐ No

RESIDENT AND/OR BUSINESS NOTIFICATION

Events that require road closures, parking space closures, or sidewalk closures or may cause disruption for the Town of Jackson residents, businesses, churches, etc. may be required to mail or hand deliver notification to the affected parties within a two block radius at least one week prior to the event's Town Council consideration meeting. Notices must reflect the date(s), day(s), time(s) and location(s) of the event, types of activities taking place at the event, the event coordinator's contact information and the date and time of the Town Council meeting.

Have you provided a sample of the notice and a proposed list of recipients?

☐ Yes ☐ No

Special Event Application

TOWN EQUIPMENT REQUESTS

Indicate the type and the quantity of items that you are requesting:

_____ Large Street Barricades	_____ "Road Closed" Street Signs
_____ Small Sidewalk Barricades	_____ "Local Traffic Only" Street Signs
_____ 28 Inch Street Cones	_____ "Detour" Street Signs
_____ Candlestick Cones	_____ 32-Gallon Recycling Bins

☼ The equipment above can be arranged through the Public Works Department (307) 733-3079. A \$500 deposit will be required at the time of pick-up for equipment. The applicant is responsible for arranging the pick up of equipment from the Public Works Department as well as returning equipment immediately following the event. The Town of Jackson will only deliver equipment to parades and Town sponsored events.

☼ The Town of Jackson has a very limited number of recycling bins that can be utilized as part of your event's recycle plan. The applicant will be responsible for emptying the recycle containers and cleaning the bins before they are returned to the Public Works Department.

☼ If you are uncertain of the exact number of equipment needed please feel free to contact either the special event coordinator or the Public Works Department for additional information.

☼ Additional equipment such as bleachers, electrical spiderboxes, etc., can be requested through the Parks and Recreation Department (307) 732-5753.

TOWN SERVICES REQUESTS

Indicate the Town services that you are requesting. *Please note: you will need to coordinate services with individual departments and a fee may be associated with your request.*

POLICE DEPARTMENT

(307) 733-1430

☐ Event Security	☐ Mounted Horse Patrol	☐ Traffic Control
☐ Race Lead Vehicle	☐ Parade Lead Vehicle	☐ General Presence
☐ Towing / Ticketing	☐ Assistance with Parking Closures	☐ Assistance with Street Closures

Please describe in detail your request: _____

The Chief of Police determines if police services will be needed at the special event for public safety concerns. The Chief of Police will also determine the number of police officers to staff the event. Fees may be associated with the need for additional police services at the event.

Special Event Application

TOWN SERVICES REQUESTS (Continued)

PUBLIC WORKS DEPARTMENT (307) 733-3079

☐ Street Sweeping

☐ Snow Removal

☐ Street Marking

Please describe in detail your request

PARKS AND RECREATION DEPARTMENT (307) 732-5753

☐ Irrigation Locates - Any event placing stakes in turf must obtain irrigation locates.

☒ Electricity Access

☐ Turf / Tree Care - Any additional mowing, raking, trimming or spraying needs.

☐ Additional Public Restroom Cleaning

Please describe in detail your request: _____

**Please note: if you are requesting the use of a public park or public ball field you must confirm and reserve your space through the Parks and Recreation Department. The only exception is George Washington Memorial Park (Town Square), which does not require a reservation form.*

Is the requested event site a public park or ball field? ☐ Yes ☒ No

If "Yes", has the site been reserved with Parks and Recreation? ☐ Yes ☐ No

FIRE / EMS DEPARTMENT (307) 733-4732

☐ Foot Patrol

☐ Ambulance

☐ Fire Engine

☐ Rescue Truck

☐ Bicycle Patrol

☐ Event Site Inspection

Please describe in detail your request: _____

Special Event Application

TOWN SERVICES REQUESTS (Continued)

START BUS

(307) 732-8651

☐ Event Specific Shuttle(s)

Please describe in detail your request: _____

VOICE / MUSIC AMPLIFICATION REQUESTS

Will your event have any amplified sound? ☒ Yes ☐ No

If "Yes", please indicate times: Start Time: 6:30PM Finish Time: 7:30PM

Will your event feature any musical entertainment? ☒ Yes ☐ No

If "Yes", please attach the schedule of any music or entertainment proposed to occur during event.

SIGN or BANNER REQUESTS

Are you requesting to hang signs or banners? ☒ Yes ☐ No

If "Yes", have you completed a sign permit application? ☒ Yes ☐ No

A Sign Permit Application will need to be submitted along with this application if signs are requested. This permit can be accessed on the Town of Jackson website or through the Planning Department.

INSURANCE REQUIREMENTS

An insurance certificate is required prior to the start of your event. This certificate must name the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and must also state that coverage is primary and non-contributory is required for every event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. **The additional insured language on the certificate may not include any limitations or exclusions.** Insurance certificates are subject to the review and approval of the Town Attorney. Please be sure to include alcohol liability if there will be alcohol at the event. You must supply insurance before your event.

A certificate of insurance is attached: ☒ Yes ☐ No

Special Event Application

PORTABLE RESTROOMS AND SINKS

The Town of Jackson requires the applicant to provide additional chemical toilets or portable toilets for all events with an anticipated peak time attendance exceeding 75 people.

You are required to provide portable restroom facilities at your event unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during your event. The Town of Jackson may determine the total number of required restroom facilities required on a case-by-case basis based on the presence of food and drink at the event and the maximum number of attendees at your event during peak time. The Town of Jackson may determine that you need to coordinate with Parks and Recreation for additional public restroom cleanings if you intend on using a public restroom as part of your restroom facility plan.

Do you plan to provide portable restroom facilities? ☐ Yes ☒ No

If "Yes", please indicate the total number of portable toilets and number of ADA accessible toilets.

Total Number of Portable Toilets: _____ Number of ADA Accessible Portable Toilets: _____

If "No", please explain: _____

Portable restrooms may not be located within 50 feet of any food vendor.

Restroom Company: _____

Restroom Drop off / Pick Up Date for Drop Off: _____ Time for Drop Off: _____

Date for Pick Up: _____ Time for Pick Up: _____

ALCOHOL

Will there be alcoholic beverages at the event? ☐ Yes ☒ No

Will you be offering any alcoholic beverages besides beer? ☐ Yes ☒ No

If "Yes", what will be offered in addition to beer? _____

If you are planning on serving alcoholic beverages at your event, then either a completed Malt Beverage Permit (beer only) or Catering Permit (beer, wine and/or spirits) must be submitted. You can access these applications on the Town of Jackson website.

Special Event Application

VENDORS / MERCHANTS / SALES

Will anything be sold at your event?

☐ Yes

☒ No

If you are planning on selling items at your event then you will need to complete either an Exposition Business License (for 2 or more vendors) or a Transient Merchant License (for 1 vendor). A complete list of vendors, including a vendor tax ID, must be submitted to the Town of Jackson and to the State of Wyoming's Department of Revenue prior to the event. Both the Exposition License and the Transient Merchant License are on the Town of Jackson's website.

Please describe any sales activity at your event:

Will any food or beverages be sold at your event?

☐ Yes

☒ No

If "Yes", you will need to contact the Teton County's Department of Environmental Health prior to the event (307) 732-8490.

TRASH REMOVAL PLAN

All events are required to have a plan for the collection removal of trash during and after the event. The trash receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the waste removal plan. ***For assistance with formulating a Trash Removal Plan please contact Integrated Solid Waste and Recycling at (307) 732-5771.***

Will you be using a waste company for your waste removal plan?

☐ Yes

☒ No

If "Yes", which company will you be using? _____

How many trash receptacles will be supplied for your event? _____

When will the trash receptacles be delivered? _____

When will the trash receptacles be picked up and removed from site? _____

Describe your plan for the collection and removal of trash during your special event:

Applicants are responsible for cleaning and restoring the site immediately following the event. Please pick up all trash associated with your event including, but not limited to paper, bottles, cans, signs, course markings, etc. The cost of any employee overtime incurred because of an applicant's failure to clean / restore the site following the event will be borne by the applicant and will be considered in future application requests. If you believe that no litter will be generated during your event please state this in your plan.

Special Event Application

SUSTAINABLE EVENT PLANNING

The Town of Jackson encourages all special events to strive to be sustainable in our community and for our environment. We have partnered with the **Teton County Integrated Solid Waste and Recycling (ISWR)** to offer opportunities to help your special event to be as "green" as possible. Opportunities available:

- ☐ Rental / Use of Recycling Bins for Special Events
- ☐ Use of JH20 Water Bottle Refilling Station for Special Events
- ☐ Consultation on Conducting Green Special Events

Please contact the Waste Diversion and Outreach Coordinator at ISWR at 307-732-5771.

RECYCLING PLAN

All events are required to have a plan for the collection and removal of recyclable materials during and after the event. The recycling receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the recycling collection and removal plan. ***For assistance with formulating a Recycling Plan please contact Teton County Integrated Solid Waste and Recycling (ISWR) at (307) 732-5771.***

Will you be using a company for your recycling plan? ☐ Yes ☒ No

If "Yes" which company will you be using? _____

How many recycling receptacles will they (or you) supply for your event? _____

When will these recycling receptacles be delivered? _____

When will recycling receptacles be picked up and removed from site? _____

Describe your plan for collection and removal of recyclable materials during your special event: _____

Applicants are responsible for cleaning and restoring the site immediately following the event. If you believe that no recyclable materials will be generated during your event please state this in your plan. For a list of recyclables and how they need to be sorted, or for information about where the recycling bins are located call ISWR (307) 732-5771.

Special Event Application

SIGNIFICANT EVENT CHANGES

Has this event been approved in the Town of Jackson in previous years?

☒ Yes

☐ No

If "YES" please indicate any significant changes to the event request since its last approval:

Tribe would be very appreciative to do exactly what was approved last year. We worked with the carolers that sang on the square while we set up. It was a beautiful and fun celebration for families as well as visitors to Jackson. We had approx 125 people, 40 of which joined in with Tribe that were shopping on the square from out of town and thanked us for being so accessible. Thanks to the town.

STANDARD CONDITIONS OF APPROVAL

Please review the following standard list of conditions and restricts for events. Initial the bottom of each page indicating that you have read, understand and agree to these conditions and restrictions.

GENERAL

The event shall be conducted in a timely, safe and professional manner.

All town ordinances, including, but not limited to noise, possession and use of weapons, open fires and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.

The applicant shall advise and instruct all participants, volunteers, vendors, merchants and spectators on event conditions, restrictions, prohibitions and responsibilities as indicated by the Town Council in the staff report.

Initials: LH

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TRASH / CLEAN UP

The applicant shall clean up immediately following each event and shall be responsible for the collection and removal of all refuse generated by the event.

If trash will be generated from the event, then the applicant must supply extra trash and containers and dispose of all trash generated by the event. Trash containers shall not be permitted to overflow.

If recyclable materials are generated from the event, then the applicant is required to provide recycling containers and provide for the removal of all recycled material. Recycling containers shall not be permitted to overflow.

STREETS

Fire department access roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets (IFC 503.2.1). Booths and tents may be erected on either side of street, however, a 20 foot straight path must be provided.

SIDEWALKS

The applicant shall not block walkways or otherwise obstruct pedestrian traffic.

All walkways, boardwalks, entrances and ADA ramps must be kept open and unobstructed at all times

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

POWER / ELECTRICAL

Electrical power is available from Town Square. The applicant shall coordinate all power needs with the Parks & Recreation Department's Park Manager (307-733-5057) at least three (3) business days prior to the event.

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).

ADDITIONAL PERMIT & LICENSE FEES

The applicant shall apply and pay for all licenses and/or permits prior to the events.

Initials: LH _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TOWN EQUIPMENT

The use of the Parks & Recreation Department bleachers shall be coordinated through that department (307) 732-5753.

Barricade, road sign, cone and recycle bin use shall be coordinated through the Public Works Department. The applicants shall be responsible for pick up, setup, placement and disassembly and return. All equipment use require a \$500 damage deposit that must be submitted at the time of pick up at the Public Works Department to protect against any loss or damage.

All barricades, cones, bins and road signs must be removed immediately following the event. These items must be returned the same location as they were picked up.

PORTABLE RESTROOMS

If applicable, the applicant shall provide an adequate number of port-a-potties at the event site and shall arrange for their removal immediately at the conclusion of the event.

The applicant shall ensure all port-a-potties are placed on paved areas.

INSURANCE

The applicant and all participating organizations are required to maintain liability insurance in the amount of \$1,000,000.00. Prior to the event, each organization shall provide a certificate of insurance naming the Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers and must also state that coverage is primary and non-contributory. The Town Attorney shall approve all certificates of insurance.

FOOD / VENDING

The applicant shall obtain the necessary food service permits from Teton County Environmental Health.

The applicant shall provide additional trash receptacles in the food service areas.

Per Section 5.20 of the Municipal Code: The applicant shall be responsible for ensuring that all sales tax receipts are remitted to the Wyoming Department of Revenue and in no event later than the thirtieth day of the month following the exposition [and] acquire and keep on file names, addresses and phone numbers of all participants.

In addition to providing a list of all participating vendors, artists, and merchants, along with their social security numbers and addresses, to the Wyoming Department of Revenue, pursuant to Jackson Municipal Code Section 5.20.020 A.1.b., the applicant shall also provide that same list to the Town of Jackson Finance Department.

Vendors shall not dump hot water or other liquids on the turf.

Initials: LH

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ALCOHOL

The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises. All ID's must be checked and ID bracelet system may be required.

Only 16oz or small plastic cups are used for beer and alcohol sales.

No alcohol shall be served in bottles or glass containers.

The applicant shall be responsible to be alert to and report any instances of underage drinking to the Jackson Police Department.

It is recommended that servers be TIPS trained prior to serving alcohol. No "over serving" shall be allowed to occur or serving to obviously intoxicated persons.

Participants shall not be permitted to leave the event with open containers.

No more than two beers shall be sold to any person at any one time.

TOWN PARKS

The applicant shall coordinate the use of any public park (including the Town Square), including reservations, paperwork and applicable fees, with the Parks and Recreation Department.

The applicant shall coordinate park reservation and the payment of Parks & Recreation fees at least 30 days prior to the event.

The applicant is required to provide turf protection in front of and behind any table or other exhibit where crowds will stand. The applicant shall abide by all Parks & Recreation Department recommendations with regards to turf protection.

Vehicles are prohibited on all turf areas of any park or anywhere within the Town Square.

No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.

Use of Town Square shall be subject to the submission to and approval of staff of a detailed site plan, indicating set-up, safety procedures and turf protection, and the imposition of such other conditions or restrictions deemed necessary.

Irrigation locates are required if stakes are placed in the ground. Applicant may forfeit damage deposit if an irrigation locate is not conducted and irrigation equipment is damaged.

Per Municipal Code, dogs are not allowed in Town Parks.

Initials: LH _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TENTS

Irrigation locates are required before any tents may be erected or stakes or any other items are placed in any public park, including the Town Square. The applicant shall coordinate all water locates with the Parks & Recreation Department's Park Manager (307-732-5793) at least three (3) business days prior to the event.

All tents having an area in excess of 200 square feet shall require advance permitting through the Fire Department unless open on all sides (IFC 105.6.43).

Tents which can hold over 50 or more occupants must provide the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC 3103.6).

Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2).

Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).

Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).

Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).

All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7)

Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).

Any cooking performed within tents shall require advance approval by the Fire Department (IFC 3104.15.3 – 3104.15.7).

Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).

FAIR GROUNDS / RODEO GROUNDS

All use of the Rodeo Grounds shall be coordinated through and subject to the approval of the Fair Manager under the authority of the Parks and Recreation Department.

Anyone camping at the Rodeo Grounds shall indicate that they are affiliated with the group by placing a card in the windshield of their vehicle. Campers are reminded that fires are not permitted.

Initials: LH _____

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ROAD CLOSURES / PUBLIC PARKING CLOSURES

The applicant shall notify all business, residences, churches, etc. affected by the street closures and public parking closures prior to the public hearing.

The applicant shall notify, in advance, all business, residences, churches, etc. affected by the street closures and public parking closures and shall provide advance community radio and/or newspaper announcements regarding the event and the closures.

The applicant shall coordinate all road closures with the Police Department and shall provide an adequate number of volunteers to assist with traffic control and barricade setup/removal during each event.

The applicant shall coordinate all road closures with START, Fire/EMS, Public Works and the Police Department. Volunteer placement and assignments shall be reviewed and approved in advance with the Police Department.

The applicant shall be responsible for producing, posting and removing the temporary No Parking signs. No Parking signs must be posted two days prior to the parking closures. The applicant should meet with the Police Department two weeks prior to the event to discuss the procurement, posting and removal of the signs.

Emergency vehicle access lanes shall be maintained during the event.

FIREWORKS

All fireworks displays must be approved by the Fire Chief prior to the event.

The Fire Department will monitor the firing area potential for wildfire. The Department will make recommendations directly to the applicant for mitigation and will give final approval the day of the event.

The application shall be subject to the review and approval of the Fire Department and any additional conditions or restrictions placed by such Department.

Please note, that the conditions and restrictions listed above are standard for special events held in Town, additional conditions or restrictions may be required by the Town Council and/or staff upon further review of the application.

I have read and understand the standard conditions for events. I have answered all of the questions in this application truthfully and to the best of my knowledge.

APPLICANT: _____

Lissa Hunter
Key: d000b9c098795dc6be92b88b94d9284

APPLICANT: _____

Lissa Hunter

Printed Name

DATE: _____

10-24-2022

TITLE: _____

admin



TEMPORARY SIGN PERMIT APPLICATION

Planning & Building Department

150 East Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

**First, go to www.townofjackson.com/245/Temporary-Sign-Permit
for process and other necessary information.**

EVENT NAME:

Event Name: Tribe Christmas Service Physical Address of Event: Town Square
Description of Event: Christmas Eve Service

Grand Opening ☐ Yes ☒ No

EVENT SPONSOR/APPLICANT: Name:

Mailing Address: PO Box 6818 Jackson WY Phone: 307-220-4500
E-mail: wyomingamanda@gmail.com ZIP: 83002
Non-Profit: ☒ For Profit: ☐

TEMPORARY BANNER LOCATION: Consent from Property Owner Required

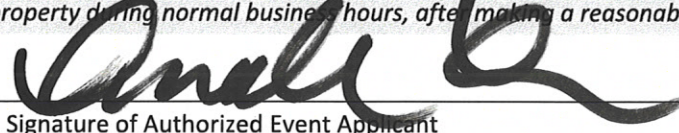
Business/Description: <u>Albertsons</u>	Business/Description: _____
Physical Address: <u>105 Buffalo Way Jacks</u>	Physical Address: _____
Dates of Display: <u>Dec. 12-23, 2022</u>	Dates of Display: _____
Consent from Owner Obtained? Yes ☒ No ☐	Consent from Owner Obtained? Yes ☐ No ☐
Business/Description: _____	Business/Description: _____
Physical Address: _____	Physical Address: _____
Dates of Display: _____	Dates of Display: _____
Consent from Owner Obtained? Yes ☐ No ☐	Consent from Owner Obtained? Yes ☐ No ☐

SUBMITTAL REQUIREMENTS. Have you attached the following? Please answer accordingly.

Yes ☒ No ☐ Illustration of each proposed sign that includes dimensions, colors, materials and type of sign.

Yes ☒ No ☐ Installation specifications, and any structural details or specifications required for freestanding signs.

Under penalty of perjury, I hereby certify that I have read this application and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of the Town of Jackson to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.


Signature of Authorized Event Applicant

Amanda Lack

Applicant Name Printed

10-26-22
Date
Volunteer
Title

From: [Amanda Lack](#)
To: [Town of Jackson Planning Department](#)
Subject: Temp sign approval request
Date: Wednesday, October 26, 2022 9:24:19 AM
Attachments: [temp sign app \(1\).pdf](#)



Hello!

Below is a banner graphic submission as well as an attached application for a temporary sign this December.

Dimensions of the banner are 16' x 12' and colors being used are white and black. The material is just a standard vinyl sign. Installation specs are simple grommets being hung on existing hooks.

Thank you!

Amanda Lack
307-220-4500



STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Meeting Consent
Submitting Department:	Administration	Presenter:	Carl Pelletier
Agenda Item:	Special Event: Christmas Caroling on the Town Square	Public Comment	Yes

Purpose & Policy Considerations.

The Mayor and Council approve all special event applications requesting the use of Town Square.

Requested Action.

Staff is requesting Town Council consider the special event application submitted by the Community Bible Church to host Caroling on the Town Square on Saturday, December 24, 2022.

Recommendations.

Staff recommends approval of the application, subject to the conditions and restrictions listed in this staff report.

Background.

The Community Bible Church requests permission for Christmas caroling on the Town Square on December 24, 2022 from 5:30 P.M. to 6:15 P.M. The applicant anticipates that approximately 70 people will attend the event. This event has been approved in previous years and there are no changes to the event as compared to past years.

Analysis.

The application has been submitted for review and comment to all Town departments.

Possible Alternatives.

- Approve the request with modifications
- Deny the request
- Other

Comprehensive Plan & Priority Alignment.

Special events align within the Comprehensive Plan & Community Priority Goals in addressing Town as Heart of the Region – The Central Complete Neighborhood: The Town of Jackson will continue to be the primary location for jobs, housing, shopping educational and cultural activities.

Principle 4.4—Enhance civic spaces, social functions, and environmental amenities to make Town a more desirable Complete Neighborhood.

The Town of Jackson has traditionally served as the cultural, social and civic hub for Teton County and the region. Maintaining and improving public spaces will support Jackson as the community's central Complete Neighborhood, a gateway to the nation's parks and forests, and the regional center for tourism, the arts and employment. The enhancement of natural features such as Karns Meadows, Flat Creek and Cache Creek corridors will further contribute to Jackson's role as the central Complete Neighborhood.

Policy 4.4.a: Maintain and improve public spaces

Public spaces are the building blocks of a thriving community. Jackson's public spaces and civic facilities should be interesting and memorable, and should reinforce our sense of community. Town will continue to promote high quality design of public spaces, including creating attractive gateways, preserving views, and providing appealing public right-of-way amenities. The integration of fine arts professionals in the design of public spaces will be encouraged to create unique

and visually engaging projects. New developments in Town should contribute to quality public spaces—including, but not limited to, pedestrian amenities, parks, outdoor squares, landscaped areas and public art.

Fiscal Impact.

\$27.00 Special Event Application Fee

Staff Impact.

The following staff impacts have occurred and/or would be anticipated if the event is approved:

- Special event processing (30 minutes)
- Departmental reviews (approximately 1 hour)
- Staff report preparation (1 hour)

In total approximately 2.5 hours of staff time split between town, county and joint departments.

Conditions and Restrictions.

Should Council wish to approve this application, staff recommends that approval be subject to the following conditions and restrictions:

1. The applicant shall be responsible to immediately collect and remove any refuse generated by the event.
2. The applicant shall not block any pedestrian walkways.
3. Insurance: An insurance certificate that names the “Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers” and states that coverage is primary and non-contributory is required at least ten days prior to the event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town Attorney.
4. Banners are not permitted unless approved under a separate sign permit application.
5. No stakes or other items shall be placed into the ground, and alterations to park amenities are not permitted, without the prior approval of the Parks and Recreation Department park superintendent.

Attachments or Links.

Special Event Application

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the special event application made by the Community Bible Church for Caroling on the Town Square on December 24, 2022 subject to the conditions and restrictions listed in the staff report.

Special Event Application

Submit Completed Document To:

Town Hall
Town of Jackson - Special Events
150 East Pearl Street
P.O. Box 1687
Jackson, Wyoming 83001

cpelletier@townofjackson.com
(307) 733-3932 ext. 1112 (phone)
(307) 739-0919 (fax)



**A completed application
must be submitted at least
21 days prior to your event.**

Non-Profit Fee: \$25
For-Profit Fee: \$150

APPLICANT INFORMATION

Name of Event: Caroling on the Town Square

Name of Organization: Community Bible Church

Type of Organization: ☒ Non-Profit ☐ Public Agency ☐ For-Profit Business

Mailing Address: 1450 South Park Loop Rd

City: Jackson State: WY Zip Code: 83001

Name of Person Completing Application: Lisa Moyer

Email Address: officecbcjh@gmail.com

Work Phone: 307-733-1941 Cell Phone: 307-413-1911

EVENT INFORMATION

Type of Event: ☐ Run / Walk ☐ Concert ☐ Filming ☐ Assembly
☐ Parade ☐ Festival ☐ Biking ☐ Education
☒ Other: caroling

Description & Purpose of Event *(Attach additional sheets if necessary):* _____

Singing Christmas Carols on the Town Square on Christmas Eve

Location of Event: Town Square Alternative Location: _____

Date(s) of Event: 12/24/2022 Event Operating Hours: 5:30pm-6:15pm

Event Set Up Begins Date: December 24, 2022 Time: 5:30pm

Event Clean Up Ends Date: December 24, 2022 Time: 6:15pm

Special Event Application

EVENT INFORMATION (Continued)

Estimated Event Attendance (Spectators and Participants) Per Day: 70 Total Event: 70

Special Considerations (check all that apply):

- | | | |
|--|---|--|
| ☐ Alcoholic Beverages | ☐ Cooking/Grilling | ☐ Electricity Requested |
| ☐ Food Sales | ☐ Merchandise Sales | ☐ Recurring Event |
| ☐ Ticketed Admission | ☐ Sound Amplification | ☐ Pets or Animals |
| ☐ Tents | ☐ Street Closure | ☐ Sidewalk Closure |
| ☐ Overnight Parking | ☐ Overnight RV Camping | ☐ Use of Town Square |

Event Co-Sponsor (s): _____

All for-profit organizations must submit a letter of event sponsorship from a non-profit organization if sales are requested on public property.

Will you be charging admission or a fee for your event? ☐ Yes ☒ No

Alternative Contact Information During the Event (someone besides applicant who will be on site and available for Town personnel or Police to contact during the event):

Name: Don Landis Cell Phone: 307-413-7150

EVENT SITE PLAN

On a separate sheet of paper, provide a Site Plan sketch of the event. Include maps or a diagram of the entire event including the names of streets or areas that are part of the venue and the surrounding area. The plan should include the following (if applicable):

- | | |
|---|---|
| ☐ Tents (X) | ☐ Food Vendors (FV) |
| ☐ Beverage Vendors (BV) | ☐ Alcohol Vendors (A) |
| ☐ Portable Toilets (T) | ☐ Hand Washing Sink (HWS) |
| ☐ Stages or Amplified Sound (SO) | ☐ Bleachers (BL) |
| ☐ Garbage Receptacles (G) | ☐ Recycling Receptacles (RR) |
| ☐ Retail Merchants (RM) | ☐ Security (P) |
| ☐ Fire Lane (FL) | ☐ Fire Extinguishers (EX) |
| ☐ First Aid / EMS (FA) | ☐ Barricades (B) |
| ☐ Electricity / Generator (EL) | ☐ Trailers, Vehicles, Storage (TR) |

Fire hydrants or sidewalk curb breaks that are used for ADA accessibility may not be blocked at any time.

Special Event Application

STREET / SIDEWALK / PUBLIC PARKING LOT - CLOSURE REQUESTS

Will the event close any street, sidewalk, alley or public parking lot? ☐ Yes ☒ No

Area of Closure Request	Date(s)	Start Time	End Time

The applicant will be responsible for production, posting and removal of "No Parking" and "Handicap Parking" signs along Town streets where public parking spaces exist within the event site. If the event involves a closure this will be need to be coordinated with the Jackson Police Department at least 2 weeks prior to the requested closure date. Jackson Police Department: (307) 733-1430. All parking signs, road signs, cones and barricades must be taken down immediately following the event's ending time.

Will the event restrict / close access to any public parking spaces? ☐ Yes ☒ No

If "Yes", how many parking spaces will be unavailable due to the event: _____ parking spaces

Will the event closure requests impact any START Bus routes? ☐ Yes ☒ No

If "Yes", which routes will be impacted? Has START Bus been contacted about this impact?

Route Description: _____ START Bus contacted? ☐ Yes ☐ No

RESIDENT AND/OR BUSINESS NOTIFICATION

Events that require road closures, parking space closures, or sidewalk closures or may cause disruption for the Town of Jackson residents, businesses, churches, etc. may be required to mail or hand deliver notification to the affected parties within a two block radius at least one week prior to the event's Town Council consideration meeting. Notices must reflect the date(s), day(s), time(s) and location(s) of the event, types of activities taking place at the event, the event coordinator's contact information and the date and time of the Town Council meeting.

Have you provided a sample of the notice and a proposed list of recipients?

☐ Yes ☐ No

Special Event Application

TOWN EQUIPMENT REQUESTS

Indicate the type and the quantity of items that you are requesting:

_____ Large Street Barricades	_____ "Road Closed" Street Signs
_____ Small Sidewalk Barricades	_____ "Local Traffic Only" Street Signs
_____ 28 Inch Street Cones	_____ "Detour" Street Signs
_____ Candlestick Cones	_____ 32-Gallon Recycling Bins

☼ The equipment above can be arranged through the Public Works Department (307) 733-3079. A \$500 deposit will be required at the time of pick-up for equipment. The applicant is responsible for arranging the pick up of equipment from the Public Works Department as well as returning equipment immediately following the event. The Town of Jackson will only deliver equipment to parades and Town sponsored events.

☼ The Town of Jackson has a very limited number of recycling bins that can be utilized as part of your event's recycle plan. The applicant will be responsible for emptying the recycle containers and cleaning the bins before they are returned to the Public Works Department.

☼ If you are uncertain of the exact number of equipment needed please feel free to contact either the special event coordinator or the Public Works Department for additional information.

☼ Additional equipment such as bleachers, electrical spiderboxes, etc., can be requested through the Parks and Recreation Department (307) 732-5753.

TOWN SERVICES REQUESTS

Indicate the Town services that you are requesting. *Please note: you will need to coordinate services with individual departments and a fee may be associated with your request.*

POLICE DEPARTMENT

(307) 733-1430

☐ Event Security	☐ Mounted Horse Patrol	☐ Traffic Control
☐ Race Lead Vehicle	☐ Parade Lead Vehicle	☐ General Presence
☐ Towing / Ticketing	☐ Assistance with Parking Closures	☐ Assistance with Street Closures

Please describe in detail your request: _____

The Chief of Police determines if police services will be needed at the special event for public safety concerns. The Chief of Police will also determine the number of police officers to staff the event. Fees may be associated with the need for additional police services at the event.

Special Event Application

TOWN SERVICES REQUESTS (Continued)

PUBLIC WORKS DEPARTMENT (307) 733-3079

☐ Street Sweeping

☐ Snow Removal

☐ Street Marking

Please describe in detail your request

PARKS AND RECREATION DEPARTMENT (307) 732-5753

☐ Irrigation Locates - Any event placing stakes in turf must obtain irrigation locates.

☐ Electricity Access

☐ Turf / Tree Care - Any additional mowing, raking, trimming or spraying needs.

☐ Additional Public Restroom Cleaning

Please describe in detail your request: _____

**Please note: if you are requesting the use of a public park or public ball field you must confirm and reserve your space through the Parks and Recreation Department. The only exception is George Washington Memorial Park (Town Square), which does not require a reservation form.*

Is the requested event site a public park or ball field? ☐ Yes ☒ No

If "Yes", has the site been reserved with Parks and Recreation? ☐ Yes ☐ No

FIRE / EMS DEPARTMENT (307) 733-4732

☐ Foot Patrol

☐ Ambulance

☐ Fire Engine

☐ Rescue Truck

☐ Bicycle Patrol

☐ Event Site Inspection

Please describe in detail your request: _____

Special Event Application

TOWN SERVICES REQUESTS (Continued)

START BUS

(307) 732-8651

☐ Event Specific Shuttle(s)

Please describe in detail your request: _____

VOICE / MUSIC AMPLIFICATION REQUESTS

Will your event have any amplified sound? ☐ Yes ☒ No

If "Yes", please indicate times: Start Time: _____ Finish Time: _____

Will your event feature any musical entertainment? ☐ Yes ☒ No

If "Yes", please attach the schedule of any music or entertainment proposed to occur during event.

SIGN or BANNER REQUESTS

Are you requesting to hang signs or banners? ☐ Yes ☒ No

If "Yes", have you completed a sign permit application? ☐ Yes ☐ No

A Sign Permit Application will need to be submitted along with this application if signs are requested. This permit can be accessed on the Town of Jackson website or through the Planning Department.

INSURANCE REQUIREMENTS

An insurance certificate is required prior to the start of your event. This certificate must name the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and must also state that coverage is primary and non-contributory is required for every event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. **The additional insured language on the certificate may not include any limitations or exclusions.** Insurance certificates are subject to the review and approval of the Town Attorney. Please be sure to include alcohol liability if there will be alcohol at the event. You must supply insurance before your event.

A certificate of insurance is attached: ☒ Yes ☐ No

Special Event Application

PORTABLE RESTROOMS AND SINKS

The Town of Jackson requires the applicant to provide additional chemical toilets or portable toilets for all events with an anticipated peak time attendance exceeding 75 people.

You are required to provide portable restroom facilities at your event unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during your event. The Town of Jackson may determine the total number of required restroom facilities required on a case-by-case basis based on the presence of food and drink at the event and the maximum number of attendees at your event during peak time. The Town of Jackson may determine that you need to coordinate with Parks and Recreation for additional public restroom cleanings if you intend on using a public restroom as part of your restroom facility plan.

Do you plan to provide portable restroom facilities? ☐ Yes ☒ No

If "Yes", please indicate the total number of portable toilets and number of ADA accessible toilets.

Total Number of Portable Toilets: _____ Number of ADA Accessible Portable Toilets: _____

If "No", please explain: _____

Portable restrooms may not be located within 50 feet of any food vendor.

Restroom Company: _____

Restroom Drop off / Pick Up Date for Drop Off: _____ Time for Drop Off: _____

Date for Pick Up: _____ Time for Pick Up: _____

ALCOHOL

Will there be alcoholic beverages at the event? ☐ Yes ☒ No

Will you be offering any alcoholic beverages besides beer? ☐ Yes ☒ No

If "Yes", what will be offered in addition to beer? _____

If you are planning on serving alcoholic beverages at your event, then either a completed Malt Beverage Permit (beer only) or Catering Permit (beer, wine and/or spirits) must be submitted. You can access these applications on the Town of Jackson website.

Special Event Application

VENDORS / MERCHANTS / SALES

Will anything be sold at your event?

☐ Yes

☒ No

If you are planning on selling items at your event then you will need to complete either an Exposition Business License (for 2 or more vendors) or a Transient Merchant License (for 1 vendor). A complete list of vendors, including a vendor tax ID, must be submitted to the Town of Jackson and to the State of Wyoming's Department of Revenue prior to the event. Both the Exposition License and the Transient Merchant License are on the Town of Jackson's website.

Please describe any sales activity at your event:

Will any food or beverages be sold at your event?

☐ Yes

☒ No

If "Yes", you will need to contact the Teton County's Department of Environmental Health prior to the event (307) 732-8490.

TRASH REMOVAL PLAN

All events are required to have a plan for the collection removal of trash during and after the event. The trash receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the waste removal plan. ***For assistance with formulating a Trash Removal Plan please contact Integrated Solid Waste and Recycling at (307) 732-5771.***

Will you be using a waste company for your waste removal plan?

☐ Yes

☒ No

If "Yes", which company will you be using? _____

How many trash receptacles will be supplied for your event? _____

When will the trash receptacles be delivered? _____

When will the trash receptacles be picked up and removed from site? _____

Describe your plan for the collection and removal of trash during your special event:

Applicants are responsible for cleaning and restoring the site immediately following the event. Please pick up all trash associated with your event including, but not limited to paper, bottles, cans, signs, course markings, etc. The cost of any employee overtime incurred because of an applicant's failure to clean / restore the site following the event will be borne by the applicant and will be considered in future application requests. If you believe that no litter will be generated during your event please state this in your plan.

Special Event Application

SUSTAINABLE EVENT PLANNING

The Town of Jackson encourages all special events to strive to be sustainable in our community and for our environment. We have partnered with the **Teton County Integrated Solid Waste and Recycling (ISWR)** to offer opportunities to help your special event to be as "green" as possible. Opportunities available:

- ☐ Rental / Use of Recycling Bins for Special Events
- ☐ Use of JH20 Water Bottle Refilling Station for Special Events
- ☐ Consultation on Conducting Green Special Events

Please contact the Waste Diversion and Outreach Coordinator at ISWR at 307-732-5771.

RECYCLING PLAN

All events are required to have a plan for the collection and removal of recyclable materials during and after the event. The recycling receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the recycling collection and removal plan. ***For assistance with formulating a Recycling Plan please contact Teton County Integrated Solid Waste and Recycling (ISWR) at (307) 732-5771.***

Will you be using a company for your recycling plan? ☐ Yes ☒ No

If "Yes" which company will you be using? _____

How many recycling receptacles will they (or you) supply for your event? _____

When will these recycling receptacles be delivered? _____

When will recycling receptacles be picked up and removed from site? _____

Describe your plan for collection and removal of recyclable materials during your special event: _____

Applicants are responsible for cleaning and restoring the site immediately following the event. If you believe that no recyclable materials will be generated during your event please state this in your plan. For a list of recyclables and how they need to be sorted, or for information about where the recycling bins are located call ISWR (307) 732-5771.

Special Event Application

SIGNIFICANT EVENT CHANGES

Has this event been approved in the Town of Jackson in previous years?

☒ Yes

☐ No

If "YES" please indicate any significant changes to the event request since its last approval:
There will not be any changes to this event as in years past.

STANDARD CONDITIONS OF APPROVAL

Please review the following standard list of conditions and restricts for events. Initial the bottom of each page indicating that you have read, understand and agree to these conditions and restrictions.

GENERAL

The event shall be conducted in a timely, safe and professional manner.

All town ordinances, including, but not limited to noise, possession and use of weapons, open fires and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.

The applicant shall advise and instruct all participants, volunteers, vendors, merchants and spectators on event conditions, restrictions, prohibitions and responsibilities as indicated by the Town Council in the staff report.

Initials: Im

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TRASH / CLEAN UP

The applicant shall clean up immediately following each event and shall be responsible for the collection and removal of all refuse generated by the event.

If trash will be generated from the event, then the applicant must supply extra trash and containers and dispose of all trash generated by the event. Trash containers shall not be permitted to overflow.

If recyclable materials are generated from the event, then the applicant is required to provide recycling containers and provide for the removal of all recycled material. Recycling containers shall not be permitted to overflow.

STREETS

Fire department access roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets (IFC 503.2.1). Booths and tents may be erected on either side of street, however, a 20 foot straight path must be provided.

SIDEWALKS

The applicant shall not block walkways or otherwise obstruct pedestrian traffic.

All walkways, boardwalks, entrances and ADA ramps must be kept open and unobstructed at all times

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

POWER / ELECTRICAL

Electrical power is available from Town Square. The applicant shall coordinate all power needs with the Parks & Recreation Department's Park Manager (307-733-5057) at least three (3) business days prior to the event.

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).

ADDITIONAL PERMIT & LICENSE FEES

The applicant shall apply and pay for all licenses and/or permits prior to the events.

Initials: Im

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TOWN EQUIPMENT

The use of the Parks & Recreation Department bleachers shall be coordinated through that department (307) 732-5753.

Barricade, road sign, cone and recycle bin use shall be coordinated through the Public Works Department. The applicants shall be responsible for pick up, setup, placement and disassembly and return. All equipment use require a \$500 damage deposit that must be submitted at the time of pick up at the Public Works Department to protect against any loss or damage.

All barricades, cones, bins and road signs must be removed immediately following the event. These items must be returned the same location as they were picked up.

PORTABLE RESTROOMS

If applicable, the applicant shall provide an adequate number of port-a-potties at the event site and shall arrange for their removal immediately at the conclusion of the event.

The applicant shall ensure all port-a-potties are placed on paved areas.

INSURANCE

The applicant and all participating organizations are required to maintain liability insurance in the amount of \$1,000,000.00. Prior to the event, each organization shall provide a certificate of insurance naming the Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers and must also state that coverage is primary and non-contributory. The Town Attorney shall approve all certificates of insurance.

FOOD / VENDING

The applicant shall obtain the necessary food service permits from Teton County Environmental Health.

The applicant shall provide additional trash receptacles in the food service areas.

Per Section 5.20 of the Municipal Code: The applicant shall be responsible for ensuring that all sales tax receipts are remitted to the Wyoming Department of Revenue and in no event later than the thirtieth day of the month following the exposition [and] acquire and keep on file names, addresses and phone numbers of all participants.

In addition to providing a list of all participating vendors, artists, and merchants, along with their social security numbers and addresses, to the Wyoming Department of Revenue, pursuant to Jackson Municipal Code Section 5.20.020 A.1.b., the applicant shall also provide that same list to the Town of Jackson Finance Department.

Vendors shall not dump hot water or other liquids on the turf.

Initials: lm

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ALCOHOL

The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises. All ID's must be checked and ID bracelet system may be required.

Only 16oz or small plastic cups are used for beer and alcohol sales.

No alcohol shall be served in bottles or glass containers.

The applicant shall be responsible to be alert to and report any instances of underage drinking to the Jackson Police Department.

It is recommended that servers be TIPS trained prior to serving alcohol. No "over serving" shall be allowed to occur or serving to obviously intoxicated persons.

Participants shall not be permitted to leave the event with open containers.

No more than two beers shall be sold to any person at any one time.

TOWN PARKS

The applicant shall coordinate the use of any public park (including the Town Square), including reservations, paperwork and applicable fees, with the Parks and Recreation Department.

The applicant shall coordinate park reservation and the payment of Parks & Recreation fees at least 30 days prior to the event.

The applicant is required to provide turf protection in front of and behind any table or other exhibit where crowds will stand. The applicant shall abide by all Parks & Recreation Department recommendations with regards to turf protection.

Vehicles are prohibited on all turf areas of any park or anywhere within the Town Square.

No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.

Use of Town Square shall be subject to the submission to and approval of staff of a detailed site plan, indicating set-up, safety procedures and turf protection, and the imposition of such other conditions or restrictions deemed necessary.

Irrigation locates are required if stakes are placed in the ground. Applicant may forfeit damage deposit if an irrigation locate is not conducted and irrigation equipment is damaged.

Per Municipal Code, dogs are not allowed in Town Parks.

Initials: Im

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TENTS

Irrigation locates are required before any tents may be erected or stakes or any other items are placed in any public park, including the Town Square. The applicant shall coordinate all water locates with the Parks & Recreation Department's Park Manager (307-732-5793) at least three (3) business days prior to the event.

All tents having an area in excess of 200 square feet shall require advance permitting through the Fire Department unless open on all sides (IFC 105.6.43).

Tents which can hold over 50 or more occupants must provide the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC 3103.6).

Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2).

Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).

Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).

Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).

All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7).

Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).

Any cooking performed within tents shall require advance approval by the Fire Department (IFC 3104.15.3 – 3104.15.7).

Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).

FAIR GROUNDS / RODEO GROUNDS

All use of the Rodeo Grounds shall be coordinated through and subject to the approval of the Fair Manager under the authority of the Parks and Recreation Department.

Anyone camping at the Rodeo Grounds shall indicate that they are affiliated with the group by placing a card in the windshield of their vehicle. Campers are reminded that fires are not permitted.

Initials: Im

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ROAD CLOSURES / PUBLIC PARKING CLOSURES

The applicant shall notify all business, residences, churches, etc. affected by the street closures and public parking closures prior to the public hearing.

The applicant shall notify, in advance, all business, residences, churches, etc. affected by the street closures and public parking closures and shall provide advance community radio and/or newspaper announcements regarding the event and the closures.

The applicant shall coordinate all road closures with the Police Department and shall provide an adequate number of volunteers to assist with traffic control and barricade setup/removal during each event.

The applicant shall coordinate all road closures with START, Fire/EMS, Public Works and the Police Department. Volunteer placement and assignments shall be reviewed and approved in advance with the Police Department.

The applicant shall be responsible for producing, posting and removing the temporary No Parking signs. No Parking signs must be posted two days prior to the parking closures. The applicant should meet with the Police Department two weeks prior to the event to discuss the procurement, posting and removal of the signs.

Emergency vehicle access lanes shall be maintained during the event.

FIREWORKS

All fireworks displays must be approved by the Fire Chief prior to the event.

The Fire Department will monitor the firing area potential for wildfire. The Department will make recommendations directly to the applicant for mitigation and will give final approval the day of the event.

The application shall be subject to the review and approval of the Fire Department and any additional conditions or restrictions placed by such Department.

Please note, that the conditions and restrictions listed above are standard for special events held in Town, additional conditions or restrictions may be required by the Town Council and/or staff upon further review of the application.

I have read and understand the standard conditions for events. I have answered all of the questions in this application truthfully and to the best of my knowledge.

APPLICANT:

Lisa Moyer

Key: d000b9c098795dc6be92b88b94d9294

APPLICANT:

Lisa Moyer

Printed Name

DATE:

10-26-2022

TITLE:

secretary



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/26/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Glidewell Investments and Insurance Group 1750 South Avenue West Missoula, MT 59801	CONTACT NAME: PHONE (A/C, No, Ext): (406) 541-4449 FAX (A/C, No): (877) 314-5382 E-MAIL ADDRESS: ministry@glidewell.pro
INSURED Community Bible Church 1450 S Park Loop Rd Jackson, WY 83001	INSURER(S) AFFORDING COVERAGE INSURER A: Brotherhood Mutual Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
	NAIC # 13528

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☐ GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:	☒		49M500470	06/26/2022	06/26/2023	EACH OCCURRENCE \$ 1,000,000.00
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000.00						
	MED EXP (Any one person) \$ 10,000.00						
	PERSONAL & ADV INJURY \$ 1,000,000.00						
							GENERAL AGGREGATE \$ 3,000,000.00
							PRODUCTS - COMP/OP AGG \$ 3,000,000.00
							\$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y / N ☒ N / A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE ☐ OTH-ER ☐
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

In accordance with the Additional Insureds provision endorsed to the policy in the Liability and Medical Coverage Form (BGL-11), Town of Jackson is named as additional insured on POLICY #49M500470 in relation to the Christmas Carols on Christmas Eve taking place at Jackson Town Square 10 E Broadway, Jackson, WY 8300 on December 24, 2022.

CERTIFICATE HOLDER

CANCELLATION

Town of Jackson
PO Box 1687
Jackson, WY 8300

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Meeting Consent
Submitting Department:	Administration	Presenter:	Carl Pelletier
Agenda Item:	Menorah Display	Public Comment:	Yes

Purpose & Policy Considerations.

The Mayor and Council approve all special event applications including holiday displays requesting the use of Town Square.

Requested Action.

The applicant, Chabad Lubavitch of Wyoming, requests permission to use the Town Square to showcase a Menorah Display from December 18, 2022 (set-up) to December 27, 2022.

Recommendations.

Staff recommends approval of the application, subject to the conditions and restrictions listed in this staff report.

Background.

The applicant, Chabad Lubavitch of Wyoming, requests permission to use the Town Square to showcase a Menorah Display from December 18, 2022 (set-up) to December 27, 2022. The display is approximately eight feet tall and five feet wide. The purpose of the event is to celebrate and raise awareness of Hanukkah. The applicant will turn on one bulb on the first night and an additional bulb will be turned on each night of Hanukkah at around 5:00 PM. The applicant requests that the Menorah remain lit (turned on) all night. The proposed Menorah requires an electrical power outlet and has LED bulbs. In year's past, the applicant has requesting permission for a small community gathering on December 25, 2022 at 7:30 P.M. to light the Menorah & sing a few songs. The event will last approximately 30-45 minutes and will be led by Rabbi Zalman Mendelsohn. During this gathering no microphones, mega-phones or other forms of amplified sound will be used.

At the November 18, 2013 Special Workshop Meeting, the Jackson Town Council approved a policy regarding unattended holiday displays in Town Square. The Town Square Holiday Display policy states the following:

- 1. All unattended holiday display applications shall be subject to the standard, uniform special event application process and be subject to all standard departmental reviews;*
- 2. All unattended holiday displays shall be displayed for no more than 14 consecutive days (this does NOT include one day before and one day after display for setup and teardown respectively);*
- 3. All unattended holiday displays shall be placed on the eastern quadrant of the Town Square;*
- 4. The timing of an unattended holiday display application shall have no bearing on the ultimate location of a display on the Town Square, instead the location of each display shall be awarded by lottery;*
- 5. All unattended holiday displays will include a placard noting the group that sponsored the display.*

A drawing for placement of the holiday display was conducted by the Town Clerk on Tuesday, November 1, 2022. In that drawing, the Menorah display was chosen to set up in the northeast quadrant of the Town Square (Corner of Deloney and Center) for the 2022 winter season.

Analysis.

This application has been submitted to Town departments for review and approval. This event has been approved in years past. There are no indicated changes from previous years.

Possible Alternatives.

- Approve the request with modifications
- Deny the request
- Other

Fiscal Impact.

None

Staff Impact.

The following staff impacts have occurred and/or would be anticipated if the event is approved:

- Special event processing (30 minutes)
- Departmental reviews (approximately 1 hour)
- Staff report preparation (1 hour)
- Parks and Recreation Personnel to assist with utilities (30 minutes)

In total approximately 3 hours of staff time split between town, county and joint departments.

Conditions and Restrictions.

Should Council wish to approve this application, staff recommends that approval be subject to the following conditions and restrictions:

1. The applicant shall immediately clean up after the event.
2. No signs are permitted unless approved under a separate sign permit.
3. The applicant shall contact the Parks & Recreation Department at least 7 days prior to the event for electrical outlets and provide any irrigation locates if necessary.
4. The applicant shall not alter the Town Square without prior approval from the Parks & Recreation Department.
5. Turf protection is required in high traffic areas.
6. Extension cords and flexible cords must be protected from damage and physical impact.
7. All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from the Fire Department (IFC 605.9).
8. Insurance: An insurance certificate that names the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and states that coverage is primary and non-contributory is required at least ten days prior to the event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town Attorney.
9. The applicant shall abide by any guidelines set forth in a Town Square Holiday Display policy approved by Council.

The Town Square Holiday Display policy states the following:

- a. All unattended holiday display applications shall be subject to the standard, uniform special event application process and be subject to all standard departmental reviews;
- b. All unattended holiday displays shall be displayed for no more than 14 consecutive days (this does NOT include one day before and one day after display for setup and teardown respectively);
- c. All unattended holiday displays shall be placed on the eastern quadrant of the Town Square;
- d. The timing of an unattended holiday display application shall have no bearing on the ultimate location of a display on the Town Square, instead the location of each display shall be awarded by lottery;
- e. All unattended holiday displays will include a placard noting the group that sponsored the display.

Attachments or Links.

Special Event Application

Suggested Motion.

I move to approve the application request for the Menorah Display on the Town Square from December 18, 2022 to December 27, 2022 subject to the conditions and restrictions listed in the staff report.

Special Event Application

Submit Completed Document To:

Town Hall
Town of Jackson - Special Events
150 East Pearl Street
P.O. Box 1687
Jackson, Wyoming 83001

cpelletier@townofjackson.com
(307) 733-3932 ext. 1112 (phone)
(307) 739-0919 (fax)



**A completed application
must be submitted at least
21 days prior to your event.**

Non-Profit Fee: \$25
For-Profit Fee: \$150

APPLICANT INFORMATION

Name of Event: Menorah Display

Name of Organization: Chabad Lubavitch of Wyoming

Type of Organization: ☒ Non-Profit ☐ Public Agency ☐ For-Profit Business

Mailing Address: P.O. Box 9818

City: Jackson State: Wyoming Zip Code: 83002

Name of Person Completing Application: Rabbi Zalman Mendelsohn

Email Address: Info@jewishwyoming.com

Work Phone: 3074136123 Cell Phone: _____

EVENT INFORMATION

Type of Event: ☐ Run / Walk ☐ Concert ☐ Filming ☐ Assembly
☐ Parade ☐ Festival ☐ Biking ☐ Education
☒ Other: Menorah lighting and menorah display

Description & Purpose of Event *(Attach additional sheets if necessary):* _____

To celebrate and raise awareness of the Chanukah holiday.

Location of Event: Jackson town square Alternative Location: _____

Date(s) of Event: Menorah lighting Dec 25. 7:30pm. Event Operating Hours: _____

Event Set Up Begins Date: December 18, 2022 Time: _____

Event Clean Up Ends Date: December 27, 2022 Time: _____

Special Event Application

EVENT INFORMATION (Continued)

Estimated Event Attendance Per Day: ²⁰ _____ Total Event: _____
(Spectators and Participants)

Special Considerations (check all that apply):

- | | | |
|--|---|---|
| ☐ Alcoholic Beverages | ☐ Cooking/Grilling | ☒ Electricity Requested |
| ☐ Food Sales | ☐ Merchandise Sales | ☐ Recurring Event |
| ☐ Ticketed Admission | ☐ Sound Amplification | ☐ Pets or Animals |
| ☐ Tents | ☐ Street Closure | ☐ Sidewalk Closure |
| ☐ Overnight Parking | ☐ Overnight RV Camping | ☒ Use of Town Square |

Event Co-Sponsor (s): _____

All for-profit organizations must submit a letter of event sponsorship from a non-profit organization if sales are requested on public property.

Will you be charging admission or a fee for your event? ☐ Yes ☒ No

Alternative Contact Information During the Event (someone besides applicant who will be on site and available for Town personnel or Police to contact during the event):

Name: _____ Cell Phone: _____

EVENT SITE PLAN

On a separate sheet of paper, provide a Site Plan sketch of the event. Include maps or a diagram of the entire event including the names of streets or areas that are part of the venue and the surrounding area. The plan should include the following (if applicable):

- | | |
|---|---|
| ☐ Tents (X) | ☐ Food Vendors (FV) |
| ☐ Beverage Vendors (BV) | ☐ Alcohol Vendors (A) |
| ☐ Portable Toilets (T) | ☐ Hand Washing Sink (HWS) |
| ☐ Stages or Amplified Sound (SO) | ☐ Bleachers (BL) |
| ☐ Garbage Receptacles (G) | ☐ Recycling Receptacles (RR) |
| ☐ Retail Merchants (RM) | ☐ Security (P) |
| ☐ Fire Lane (FL) | ☐ Fire Extinguishers (EX) |
| ☐ First Aid / EMS (FA) | ☐ Barricades (B) |
| ☐ Electricity / Generator (EL) | ☐ Trailers, Vehicles, Storage (TR) |

Fire hydrants or sidewalk curb breaks that are used for ADA accessibility may not be blocked at any time.

Special Event Application

STREET / SIDEWALK / PUBLIC PARKING LOT - CLOSURE REQUESTS

Will the event close any street, sidewalk, alley or public parking lot? ☐ Yes ☒ No

Area of Closure Request	Date(s)	Start Time	End Time

The applicant will be responsible for production, posting and removal of "No Parking" and "Handicap Parking" signs along Town streets where public parking spaces exist within the event site. If the event involves a closure this will be need to be coordinated with the Jackson Police Department at least 2 weeks prior to the requested closure date. Jackson Police Department: (307) 733-1430. All parking signs, road signs, cones and barricades must be taken down immediately following the event's ending time.

Will the event restrict / close access to any public parking spaces? ☐ Yes ☒ No

If "Yes", how many parking spaces will be unavailable due to the event: _____ parking spaces

Will the event closure requests impact any START Bus routes? ☐ Yes ☒ No

If "Yes", which routes will be impacted? Has START Bus been contacted about this impact?

Route Description: _____ START Bus contacted? ☐ Yes ☒ No

RESIDENT AND/OR BUSINESS NOTIFICATION

Events that require road closures, parking space closures, or sidewalk closures or may cause disruption for the Town of Jackson residents, businesses, churches, etc. may be required to mail or hand deliver notification to the affected parties within a two block radius at least one week prior to the event's Town Council consideration meeting. Notices must reflect the date(s), day(s), time(s) and location(s) of the event, types of activities taking place at the event, the event coordinator's contact information and the date and time of the Town Council meeting.

Have you provided a sample of the notice and a proposed list of recipients? ☐ Yes ☒ No

Special Event Application

TOWN EQUIPMENT REQUESTS

Indicate the type and the quantity of items that you are requesting:

_____ Large Street Barricades	_____ "Road Closed" Street Signs
_____ Small Sidewalk Barricades	_____ "Local Traffic Only" Street Signs
_____ 28 Inch Street Cones	_____ "Detour" Street Signs
_____ Candlestick Cones	_____ 32-Gallon Recycling Bins

☼ The equipment above can be arranged through the Public Works Department (307) 733-3079. A \$500 deposit will be required at the time of pick-up for equipment. The applicant is responsible for arranging the pick up of equipment from the Public Works Department as well as returning equipment immediately following the event. The Town of Jackson will only deliver equipment to parades and Town sponsored events.

☼ The Town of Jackson has a very limited number of recycling bins that can be utilized as part of your event's recycle plan. The applicant will be responsible for emptying the recycle containers and cleaning the bins before they are returned to the Public Works Department.

☼ If you are uncertain of the exact number of equipment needed please feel free to contact either the special event coordinator or the Public Works Department for additional information.

☼ Additional equipment such as bleachers, electrical spiderboxes, etc., can be requested through the Parks and Recreation Department (307) 732-5753.

TOWN SERVICES REQUESTS

Indicate the Town services that you are requesting. *Please note: you will need to coordinate services with individual departments and a fee may be associated with your request.*

POLICE DEPARTMENT

(307) 733-1430

☐ Event Security	☐ Mounted Horse Patrol	☐ Traffic Control
☐ Race Lead Vehicle	☐ Parade Lead Vehicle	☐ General Presence
☐ Towing / Ticketing	☐ Assistance with Parking Closures	☐ Assistance with Street Closures

Please describe in detail your request: _____

The Chief of Police determines if police services will be needed at the special event for public safety concerns. The Chief of Police will also determine the number of police officers to staff the event. Fees may be associated with the need for additional police services at the event.

Special Event Application

TOWN SERVICES REQUESTS (Continued)

PUBLIC WORKS DEPARTMENT (307) 733-3079

☐ Street Sweeping

☐ Snow Removal

☐ Street Marking

Please describe in detail your request

PARKS AND RECREATION DEPARTMENT (307) 732-5753

☐ Irrigation Locates - Any event placing stakes in turf must obtain irrigation locates.

☐ Electricity Access

☐ Turf / Tree Care - Any additional mowing, raking, trimming or spraying needs.

☐ Additional Public Restroom Cleaning

Please describe in detail your request: _____

**Please note: if you are requesting the use of a public park or public ball field you must confirm and reserve your space through the Parks and Recreation Department. The only exception is George Washington Memorial Park (Town Square), which does not require a reservation form.*

Is the requested event site a public park or ball field? ☐ Yes ☒ No

If "Yes", has the site been reserved with Parks and Recreation? ☐ Yes ☒ No

FIRE / EMS DEPARTMENT (307) 733-4732

☐ Foot Patrol

☐ Ambulance

☐ Fire Engine

☐ Rescue Truck

☐ Bicycle Patrol

☐ Event Site Inspection

Please describe in detail your request: _____

Special Event Application

TOWN SERVICES REQUESTS (Continued)

START BUS

(307) 732-8651

☐ Event Specific Shuttle(s)

Please describe in detail your request: _____

VOICE / MUSIC AMPLIFICATION REQUESTS

Will your event have any amplified sound? ☐ Yes ☒ No

If "Yes", please indicate times: Start Time: _____ Finish Time: _____

Will your event feature any musical entertainment? ☐ Yes ☒ No

If "Yes", please attach the schedule of any music or entertainment proposed to occur during event.

SIGN or BANNER REQUESTS

Are you requesting to hang signs or banners? ☐ Yes ☒ No

If "Yes", have you completed a sign permit application? ☐ Yes ☒ No

A Sign Permit Application will need to be submitted along with this application if signs are requested. This permit can be accessed on the Town of Jackson website or through the Planning Department.

INSURANCE REQUIREMENTS

An insurance certificate is required prior to the start of your event. This certificate must name the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and must also state that coverage is primary and non-contributory is required for every event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. **The additional insured language on the certificate may not include any limitations or exclusions.** Insurance certificates are subject to the review and approval of the Town Attorney. Please be sure to include alcohol liability if there will be alcohol at the event. You must supply insurance before your event.

A certificate of insurance is attached: ☐ Yes ☒ No

Special Event Application

PORTABLE RESTROOMS AND SINKS

The Town of Jackson requires the applicant to provide additional chemical toilets or portable toilets for all events with an anticipated peak time attendance exceeding 75 people.

You are required to provide portable restroom facilities at your event unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during your event. The Town of Jackson may determine the total number of required restroom facilities required on a case-by-case basis based on the presence of food and drink at the event and the maximum number of attendees at your event during peak time. The Town of Jackson may determine that you need to coordinate with Parks and Recreation for additional public restroom cleanings if you intend on using a public restroom as part of your restroom facility plan.

Do you plan to provide portable restroom facilities? ☐ Yes ☒ No

If "Yes", please indicate the total number of portable toilets and number of ADA accessible toilets.

Total Number of Portable Toilets: _____ Number of ADA Accessible Portable Toilets: _____

If "No", please explain:

Portable restrooms may not be located within 50 feet of any food vendor.

Restroom Company: _____

Restroom Drop off / Pick Up Date for Drop Off: Time for Drop Off:_____

Date for Pick Up: _____ Time for Pick Up: _____

ALCOHOL

Will there be alcoholic beverages at the event? ☐ Yes ☒ No

Will you be offering any alcoholic beverages besides beer? ☐ Yes ☒ No

If "Yes", what will be offered in addition to beer?

If you are planning on serving alcoholic beverages at your event, then either a completed Malt Beverage Permit (beer only) or Catering Permit (beer, wine and/or spirits) must be submitted. You can access these applications on the Town of Jackson website.

Special Event Application

VENDORS / MERCHANTS / SALES

Will anything be sold at your event?

☐ Yes

☒ No

If you are planning on selling items at your event then you will need to complete either an Exposition Business License (for 2 or more vendors) or a Transient Merchant License (for 1 vendor). A complete list of vendors, including a vendor tax ID, must be submitted to the Town of Jackson and to the State of Wyoming's Department of Revenue prior to the event. Both the Exposition License and the Transient Merchant License are on the Town of Jackson's website.

Please describe any sales activity at your event:

Will any food or beverages be sold at your event?

☐ Yes

☐ No

If "Yes", you will need to contact the Teton County's Department of Environmental Health prior to the event (307) 732-8490.

TRASH REMOVAL PLAN

All events are required to have a plan for the collection removal of trash during and after the event. The trash receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the waste removal plan. ***For assistance with formulating a Trash Removal Plan please contact Integrated Solid Waste and Recycling at (307) 732-5771.***

Will you be using a waste company for your waste removal plan?

☐ Yes

☒ No

If "Yes", which company will you be using? _____

How many trash receptacles will be supplied for your event? _____

When will the trash receptacles be delivered? _____

When will the trash receptacles be picked up and removed from site? _____

Describe your plan for the collection and removal of trash during your special event:

Applicants are responsible for cleaning and restoring the site immediately following the event. Please pick up all trash associated with your event including, but not limited to paper, bottles, cans, signs, course markings, etc. The cost of any employee overtime incurred because of an applicant's failure to clean / restore the site following the event will be borne by the applicant and will be considered in future application requests. If you believe that no litter will be generated during your event please state this in your plan.

Special Event Application

SUSTAINABLE EVENT PLANNING

The Town of Jackson encourages all special events to strive to be sustainable in our community and for our environment. We have partnered with the **Teton County Integrated Solid Waste and Recycling (ISWR)** to offer opportunities to help your special event to be as "green" as possible. Opportunities available:

- ☐ Rental / Use of Recycling Bins for Special Events
- ☐ Use of JH20 Water Bottle Refilling Station for Special Events
- ☐ Consultation on Conducting Green Special Events

Please contact the Waste Diversion and Outreach Coordinator at ISWR at 307-732-5771.

RECYCLING PLAN

All events are required to have a plan for the collection and removal of recyclable materials during and after the event. The recycling receptacles located in the Town parks, parking lots, ball fields, sidewalks and public restrooms should not be included in the recycling collection and removal plan. ***For assistance with formulating a Recycling Plan please contact Teton County Integrated Solid Waste and Recycling (ISWR) at (307) 732-5771.***

Will you be using a company for your recycling plan? ☐ Yes ☒ No

If "Yes" which company will you be using? _____

How many recycling receptacles will they (or you) supply for your event? _____

When will these recycling receptacles be delivered? _____

When will recycling receptacles be picked up and removed from site? _____

Describe your plan for collection and removal of recyclable materials during your special event: _____

Applicants are responsible for cleaning and restoring the site immediately following the event. If you believe that no recyclable materials will be generated during your event please state this in your plan. For a list of recyclables and how they need to be sorted, or for information about where the recycling bins are located call ISWR (307) 732-5771.

Special Event Application

SIGNIFICANT EVENT CHANGES

Has this event been approved in the Town of Jackson in previous years?

☒ Yes

☐ No

If "YES" please indicate any significant changes to the event request since its last approval:

STANDARD CONDITIONS OF APPROVAL

Please review the following standard list of conditions and restricts for events. Initial the bottom of each page indicating that you have read, understand and agree to these conditions and restrictions.

GENERAL

The event shall be conducted in a timely, safe and professional manner.

All town ordinances, including, but not limited to noise, possession and use of weapons, open fires and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.

The applicant shall advise and instruct all participants, volunteers, vendors, merchants and spectators on event conditions, restrictions, prohibitions and responsibilities as indicated by the Town Council in the staff report.

Initials: Rzm

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TRASH / CLEAN UP

The applicant shall clean up immediately following each event and shall be responsible for the collection and removal of all refuse generated by the event.

If trash will be generated from the event, then the applicant must supply extra trash and containers and dispose of all trash generated by the event. Trash containers shall not be permitted to overflow.

If recyclable materials are generated from the event, then the applicant is required to provide recycling containers and provide for the removal of all recycled material. Recycling containers shall not be permitted to overflow.

STREETS

Fire department access roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets (IFC 503.2.1). Booths and tents may be erected on either side of street, however, a 20 foot straight path must be provided.

SIDEWALKS

The applicant shall not block walkways or otherwise obstruct pedestrian traffic.

All walkways, boardwalks, entrances and ADA ramps must be kept open and unobstructed at all times

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

POWER / ELECTRICAL

Electrical power is available from Town Square. The applicant shall coordinate all power needs with the Parks & Recreation Department's Park Manager (307-733-5057) at least three (3) business days prior to the event.

All power and sound cords that cross walkways shall be taped and secured to avoid a tripping hazard.

All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).

ADDITIONAL PERMIT & LICENSE FEES

The applicant shall apply and pay for all licenses and/or permits prior to the events.

Initials: Rzm

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TOWN EQUIPMENT

The use of the Parks & Recreation Department bleachers shall be coordinated through that department (307) 732-5753.

Barricade, road sign, cone and recycle bin use shall be coordinated through the Public Works Department. The applicants shall be responsible for pick up, setup, placement and disassembly and return. All equipment use require a \$500 damage deposit that must be submitted at the time of pick up at the Public Works Department to protect against any loss or damage.

All barricades, cones, bins and road signs must be removed immediately following the event. These items must be returned the same location as they were picked up.

PORTABLE RESTROOMS

If applicable, the applicant shall provide an adequate number of port-a-potties at the event site and shall arrange for their removal immediately at the conclusion of the event.

The applicant shall ensure all port-a-potties are placed on paved areas.

INSURANCE

The applicant and all participating organizations are required to maintain liability insurance in the amount of \$1,000,000.00. Prior to the event, each organization shall provide a certificate of insurance naming the Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers and must also state that coverage is primary and non-contributory. The Town Attorney shall approve all certificates of insurance.

FOOD / VENDING

The applicant shall obtain the necessary food service permits from Teton County Environmental Health.

The applicant shall provide additional trash receptacles in the food service areas.

Per Section 5.20 of the Municipal Code: The applicant shall be responsible for ensuring that all sales tax receipts are remitted to the Wyoming Department of Revenue and in no event later than the thirtieth day of the month following the exposition [and] acquire and keep on file names, addresses and phone numbers of all participants.

In addition to providing a list of all participating vendors, artists, and merchants, along with their social security numbers and addresses, to the Wyoming Department of Revenue, pursuant to Jackson Municipal Code Section 5.20.020 A.1.b., the applicant shall also provide that same list to the Town of Jackson Finance Department.

Vendors shall not dump hot water or other liquids on the turf.

Initials: Rzm

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

ALCOHOL

The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises. All ID's must be checked and ID bracelet system may be required.

Only 16oz or small plastic cups are used for beer and alcohol sales.

No alcohol shall be served in bottles or glass containers.

The applicant shall be responsible to be alert to and report any instances of underage drinking to the Jackson Police Department.

It is recommended that servers be TIPS trained prior to serving alcohol. No "over serving" shall be allowed to occur or serving to obviously intoxicated persons.

Participants shall not be permitted to leave the event with open containers.

No more than two beers shall be sold to any person at any one time.

TOWN PARKS

The applicant shall coordinate the use of any public park (including the Town Square), including reservations, paperwork and applicable fees, with the Parks and Recreation Department.

The applicant shall coordinate park reservation and the payment of Parks & Recreation fees at least 30 days prior to the event.

The applicant is required to provide turf protection in front of and behind any table or other exhibit where crowds will stand. The applicant shall abide by all Parks & Recreation Department recommendations with regards to turf protection.

Vehicles are prohibited on all turf areas of any park or anywhere within the Town Square.

No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits, signs, banners or booths may be secured to any live forestry.

Use of Town Square shall be subject to the submission to and approval of staff of a detailed site plan, indicating set-up, safety procedures and turf protection, and the imposition of such other conditions or restrictions deemed necessary.

Irrigation locates are required if stakes are placed in the ground. Applicant may forfeit damage deposit if an irrigation locate is not conducted and irrigation equipment is damaged.

Per Municipal Code, dogs are not allowed in Town Parks.

Initials: Rzm

Special Event Application

STANDARD CONDITIONS FOR ALL EVENTS (continued)

TENTS

Irrigation locates are required before any tents may be erected or stakes or any other items are placed in any public park, including the Town Square. The applicant shall coordinate all water locates with the Parks & Recreation Department's Park Manager (307-732-5793) at least three (3) business days prior to the event.

All tents having an area in excess of 200 square feet shall require advance permitting through the Fire Department unless open on all sides (IFC 105.6.43).

Tents which can hold over 50 or more occupants must provide the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC 3103.6).

Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2).

Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).

Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).

Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).

All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7)

Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).

Any cooking performed within tents shall require advance approval by the Fire Department (IFC 3104.15.3 – 3104.15.7).

Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).

FAIR GROUNDS / RODEO GROUNDS

All use of the Rodeo Grounds shall be coordinated through and subject to the approval of the Fair Manager under the authority of the Parks and Recreation Department.

Anyone camping at the Rodeo Grounds shall indicate that they are affiliated with the group by placing a card in the windshield of their vehicle. Campers are reminded that fires are not permitted.

Initials: Rzm

Special Event Application

STANDARD CONDITONS FOR ALL EVENTS (continued)

ROAD CLOSURES / PUBLIC PARKING CLOSURES

The applicant shall notify all business, residences, churches, etc. affected by the street closures and public parking closures prior to the public hearing.

The applicant shall notify, in advance, all business, residences, churches, etc. affected by the street closures and public parking closures and shall provide advance community radio and/or newspaper announcements regarding the event and the closures.

The applicant shall coordinate all road closures with the Police Department and shall provide an adequate number of volunteers to assist with traffic control and barricade setup/removal during each event.

The applicant shall coordinate all road closures with START, Fire/EMS, Public Works and the Police Department. Volunteer placement and assignments shall be reviewed and approved in advance with the Police Department.

The applicant shall be responsible for producing, posting and removing the temporary No Parking signs. No Parking signs must be posted two days prior to the parking closures. The applicant should meet with the Police Department two weeks prior to the event to discuss the procurement, posting and removal of the signs.

Emergency vehicle access lanes shall be maintained during the event.

FIREWORKS

All fireworks displays must be approved by the Fire Chief prior to the event.

The Fire Department will monitor the firing area potential for wildfire. The Department will make recommendations directly to the applicant for mitigation and will give final approval the day of the event.

The application shall be subject to the review and approval of the Fire Department and any additional conditions or restrictions placed by such Department.

Please note, that the conditions and restrictions listed above are standard for special events held in Town, additional conditions or restrictions may be required by the Town Council and/or staff upon further review of the application.

I have read and understand the standard conditions for events. I have answered all of the questions in this application truthfully and to the best of my knowledge.

APPLICANT: _____

signed via SeamlessDocs.com

Key: d000b9c098795dc6be92b86b94d9294

APPLICANT: _____

Rabbi Zalman
Mendelsohn

Printed Name

DATE: _____

10-19-2022

TITLE: _____

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular - Consent
Submitting Department:	Public Works	Presenter:	Johnny Ziem
Agenda Item:	Sewer Pipe Master Plan Contract Approval	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is consideration for Council approval for a professional services contract with Nelson Engineering who will perform a Sewer Pipe Master Plan design.

Requested Action.

To approve a professional services contract with Nelson Engineering.

Recommendations.

Staff recommends approval of the professional services contract with Nelson Engineering.

Background.

The 2022 Sewer Master Plan design includes roughly 13,000 linear feet of sewer pipe design that will include the following corridors:

1. Flat Creek Avenue
2. Snow King Avenue
3. Maple Way
4. Scott Lane
5. Powderhorn Lane
6. Crabtree Lane
7. Gregory Lane
8. High School Road

The goal of this design project is to fully design a sewer main line (trunk) system in one overall project, which will allow for a fully designed system that can be constructed in phases. Public Works has identified the sewer pipes in the above corridors as needing replacement due to age (lifecycle) and capacity (size) limitations. Since this project is considered professional services, no bid was required as per state statute.

Analysis.

Historically, Public Works has designed segments of sewer pipe and replaced each segment as an independently designed capital project. Designing and constructing each segment does not offer a wholistically designed system that takes into account an overall capacity (size) plan. By designing the entire sewer system as one complete master plan project, efficiencies are gained in determining the best pipe size and material for the entire corridor. Once the entire corridor is designed from a capacity perspective, the entire corridor will be phased based on building each segment during a construction season. A construction phasing strategy will be developed and implemented in the sewer capital improvements plan.

Possible Alternatives.

Possible alternatives include:

1. Not approving the Sewer Master Plan design at this time.
2. Approving only a portion of the Sewer Master Plan design.
3. Other.

Comprehensive Plan & Priority Alignment.

- Chapter 8 – Quality Community Service Provision
 - Principle 8.1 – Maintain current, coordinated service delivery
 - Principle 8.2 – Coordinate the provision of infrastructure and facilities needed for service delivery

Fiscal Impact.

Fiscal impact for the master plan design is \$47,500. The approved FY23 Budget appropriated \$100,000 for the completion of the master plan.

Staff Impact.

Staff impact for this item included roughly two hours creating the scope of work for the master plan Agreement and roughly two hours reviewing the contract agreement with the Legal department.

Attachments or Links.

- Sewer Master Plan Agreement

Suggested Motion.

I move to approve the Sewer Master Plan Agreement between the Town of Jackson and Nelson Engineering in the amount of \$47,500 and authorize the Mayor to execute all necessary contract documents, subject to minor changes by staff.

September 26, 2022

MB/22-278

Town of Jackson
P.O. Box 1687
Jackson, WY 83001

ATTN: Brian Lenz, Town of Jackson Engineer

RE: Proposal/Letter Agreement for Engineering Services for Town of Jackson Sewer Masterplan

Brian:

Based on our conversation we are pleased to submit this proposal for civil engineering services for the master planning of various improvements to the Town of Jackson (TOJ) sewer collection system.

PROJECT DESCRIPTION

It is our understanding that the project will consist of preparation of a sewer masterplan and project phasing for several of the sewer collection lines in the TOJ from West Karns through to High School Road.

SCOPE OF SERVICES

Our scope of services includes the following:

Existing Model Review:

1. Nelson Engineering (NE) review the existing TOJ sewer model and determine what pipe invert and pipe size information is missing or inaccurate. A list will be compiled of the data to be collected in the field.
2. NE will then perform a site survey to acquire the missing data and incorporate into the model.
3. The existing and future flows in the TOJ sewer model will be reviewed, this was compiled in the capacity study completed by NE. This data will be utilized for the master planning effort.

Project Master Planning:

1. The master planning phase of the project will include determining project phasing, pricing, schedule, and coordination with other TOJ public works projects.
2. The master planning effort will include preliminary designs to remove sewer from Karns Meadow and eliminate locations where 2 collection lines exist in a single road corridor within the system from Karns Meadow to High School Road.
3. Project coordination will work to address sewer upgrades in combination with future projects in Snow King, Scott Lane, Maple Way, Gregory Lane, and Snow King Avenue.

Project Deliverables:

1. Deliverable for the project will include the following:
 - a. Existing Facility Information Gathered and Delivered to the TOJ for inclusion in the GIS.

- b. Sewer Model Update
- c. Preliminary Designs with Overview Drawings
- d. Preliminary Cost Estimates
- e. Phasing and Scheduling of the Improvements.

EXCLUSIONS TO SCOPE OF SERVICES

Our scope of services **does not** include the following:

- 1. Services not specifically listed above
- 2. Construction Document Preparation
- 3. Site Survey Other than Identified Sewer Manhole Locations
- 4. Easement Negotiation and Easement Preparation

FEE AND PAYMENT TERMS

Nelson Engineering will perform the proposed scope of services described above on a time and materials basis for a total amount not to exceed **\$47,500**. You will receive monthly billings for work in progress based upon actual labor and reimbursable costs incurred. Nelson Engineering's Rate Schedule is attached for reference as Exhibit A.

This financial arrangement is based upon the prompt payment of our bills and orderly, continuous progress of the project. NE reserves the right to stop work if invoices remain unpaid 60 days past the date of the invoice. Past due invoices will be charged finance charges in accordance with the terms set forth in the General Provisions to Agreement attached as Exhibit B.

ADDITIONAL SERVICES

If services in addition to the proposed scope of services become necessary, Nelson Engineering will perform such services on a time and materials basis or for an agreed upon lump sum fee. If additional services become necessary, we will discuss the services with you, and require your written approval before proceeding. Please note that revisions requested to completed work will be considered additional services.

PERFORMANCE SCHEDULE

Nelson Engineering will begin the scope of services promptly after receipt of your acceptance of this proposal and after you have provided us with the most currently available project information. NE will complete the field survey work by November 1, 2022. The masterplan study will be completed by February 1, 2023.

If there are protracted delays for reasons beyond our control, we would expect to negotiate with you an equitable adjustment of the completion dates and of our compensation, taking into consideration the impact of such a delay including, but not limited to, reallocation of staff and changes in price indices and pay scales applicable to the period when services are in fact being rendered. Additional services, if requested, can be considered just cause for Nelson Engineering to renegotiate the date for completion of the services.

CLIENT RESPONSIBILITIES

As the Client, TOJ agrees to provide NE with all pertinent and available project information and to promptly inform NE of any changes in the work that pertain to our scope of services. Additional Client Responsibilities are set forth in the attached General Provisions.

AGREEMENT

This proposal serves as an agreement for services. This proposal, Exhibit A, and Exhibit B represent the entire Agreement between TOJ and NE with respect to the project and may only be modified in writing signed by both parties.

We appreciate the opportunity to submit this proposal and to be of service to you. Please call us if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Matt Bowers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Matt Bowers, PE
Project Manager
mbowers@nelsonengineering.net

Encl.

Agreement Accepted by:

(Client - Printed Name)

(Signature)

(Date)

STAFF CHARGE RATES AND REIMBURSABLE EXPENSES

<u>EMPLOYEE</u>	<u>TITLE</u>	<u>RATE</u>
Robert Norton	Senior Project Manager	\$200.00/hr.
Dave Dufault	Senior Project Manager	\$195.00/hr.
Phil Gyr	Senior Geotechnical Engineer	\$185.00/hr.
Matt Bowers	Senior Project Manager	\$175.00/hr.
Ty Ross	Senior Project Manager	\$175.00/hr.
Carla Hansen	Senior Structural Engineer	\$165.00/hr.
Josh Kilpatrick	Project Manager	\$155.00/hr.
Ryan Simmons	Construction Engineer/Materials Manager	\$135.00/hr.
Ansel Lee	Project Manager	\$125.00/hr.
Braden Olson	Project Engineer IV	\$120.00/hr.
Abigail King	Project Engineer III	\$105.00/hr.
Lane Butler	Staff Engineer/CAD Designer	\$100.00/hr.
Canyon Huber	Staff Engineer	\$95.00/hr.
Tucker Mead	Staff Engineer	\$95.00/hr.
Mike Campbell	Project Structural Engineer	\$110.00/hr.
Amanda Bronson	Structural Engineer	\$95.00/hr.
Suzanne Lagerman	Project Engineer/Project Coordinator	\$120.00/hr.
Morgan Barry	Project Manager/Environmental Services	\$125.00/hr.
Susan Karichner	Senior Project Coordinator/CAD Technician	\$130.00/hr.
Brian Green	Senior CAD Technician	\$130.00/hr.
Andy Pruett	Senior Geologist/Materials Technician	\$125.00/hr.
James Molloy	Geologist/Materials Technician	\$90.00/hr.
Luke Rudolph	Survey Manager	\$175.00/hr.
Dustin Schmaltz	Surveyor V	\$150.00/hr.
Wes Van Duser	Survey Technician	\$115.00/hr.
Dillon Karichner	Survey Technician	\$100.00/hr.
David Stephens	IT Administrator	\$145.00/hr.
Taylor Cook	Land Use Planner	\$110.00/hr.
Angela Rudolph	Land Use Technician	\$105.00/hr.
Christopher Jolovich	Engineering Technician I	\$70.00/hr.
Christie Pape	Administrative Assistant	\$65.00/hr.
Levi Adams	Finance Manager	\$150.00/hr.
Josephine Griffin	Office Manager	\$110.00/hr.



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NELSONENGINEERING.NET

EQUIPMENT & VEHICLES

Technical Software	\$10.00/hr.
GPS Equipment	\$50.00/hr.
Robotic Total Station	\$50.00/hr.
Survey Scanner	\$80.00/hr.
Utility Locator	\$35.00/Hr.
Rebar Locator	\$35.00/hr.
Vehicles	95¢/mile + \$4.00/hr. off road

TESTING

Nuclear Density Gauge	\$25.00/hr. or \$125.00/day
Concrete Cylinder Breaks	\$35.00 each

Water Analysis	At Cost
Asbestos Lab Sampling Agreement	See Letter

OTHER

Meals/Lodging	At Cost
Supplies	At Cost
Shipping	At Cost
Subcontractor Services	At Cost

GENERAL PROVISIONS TO AGREEMENT BETWEEN NELSON ENGINEERING AND CLIENT

1. **Authorization to Proceed:** The signing of the Agreement by the Client named thereon (hereinafter referred to as CLIENT) and Nelson Engineering (hereinafter referred to as NE) will serve as written authorization for NE to perform the scope of services called for in this Agreement. However, charges to the project by NE may precede the date of the signing of this Agreement.
2. **Extent of Agreement:** This Exhibit, together with the attached Proposal and Exhibit A, represents the entire and integrated Agreement between CLIENT and NE. This Agreement may be altered only by written instrument signed by both CLIENT and NE. Work beyond the scope of services or redoing of any part of the project through no fault of NE, shall constitute extra work and shall be paid for on a time-and-materials basis in addition to any other payment provided for in this Agreement. In the event NE is prevented from performing its scope of services in whole or in part under this Agreement through no fault of NE, or in the event CLIENT requests NE to temporarily suspend the rendering of its services, the fee of NE for extra services rendered as a result of such delay shall be those set forth in the Staff Charge Rates and Reimbursable Expenses of NE in effect at the time the services, as resumed, are rendered. Any fixed price amounts shall be renegotiated to take into consideration mobilization and demobilization and any changes applicable to the period when services, as resumed, are in fact being rendered.
3. **Payment:** In the event the compensation of NE is not elsewhere herein provided, NE shall be compensated for its service hereunder according to NE's Staff Charge Rates and Reimbursable Expenses in effect at the time the services are rendered. Invoices/statements will be issued monthly. Each billing shall be due and payable upon receipt. In the event CLIENT fails to make any payment due NE within forty-five (45) days after NE's billing date, the unpaid amount due NE shall bear a late charge at the rate of 1-1/2 percent per month (18% Per Annum) from date of billing until paid and, in addition, NE may suspend or terminate its services under this Agreement until it has been paid in full all amounts due for its services and expenses. Any known disagreement, dispute, or dissatisfaction of NE services shall be resolved at the time they arise rather than waiting until the final payment. The progress billings, when paid, represent acceptances by CLIENT of the invoiced services performed by NE insofar as CLIENT has knowledge of the services provided.
4. **Disputes:** In the event that a dispute should arise relating to the performance of the services to be provided under this Agreement, and should that dispute result in litigation, it is agreed that the prevailing party shall be entitled to recover all reasonable costs incurred, including statutory court costs and reasonable and necessary attorneys' fees. Any litigation resulting from a dispute covered by this Agreement shall be heard in a court of competent Jurisdiction in Teton County, Wyoming. NE shall carry on NE's work, maintain its progress, and fulfill its Agreement, in spite of the existence of, and during, any dispute and/or legal proceedings with respect to this Agreement, provided that payment for these services is provided by CLIENT to NE in accordance with this Agreement. All claims between the parties shall be deemed relinquished unless filed within one (1) year after substantial completion of the services.

5. **Warranty and Liability:** Services performed by NE within the limits prescribed by this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. Unless otherwise expressly stated or agreed in writing between the parties, no other warranty or representation, either expressed or implied, is included or intended under this Agreement.

It is assumed that the work site is free of hazardous materials. When hazardous materials are known, assumed or suspected to exist at a site, NE is required to take appropriate precautions to protect the health and safety of its personnel, to comply with applicable laws and regulations, and to follow procedures that NE deems prudent to minimize physical risks to its employees and the public. By joining in this Agreement, CLIENT warrants that NE will be notified of any known or suspected occurrences of hazardous materials at the project site. CLIENT will notify NE of any known or suspected occurrences of hazardous materials at the project site.

By entering into this Agreement, CLIENT recognizes that subsurface conditions may vary from those encountered at the location where borings, surveys, or explorations are made by others, for the project underway. Data, interpretations and recommendations of NE are based solely on the information available. NE will be responsible for those data, interpretations, and recommendations, but shall not be responsible for the interpretation by others of the information developed. Where NE is provided (for the purposes of consultation or design) with data developed by others, NE will not be responsible for the accuracy of said data, only for the conclusions made in good faith of that data by NE. Should subsequent information indicate that such data provided to NE is incorrect, NE is not responsible for any design or consultation conclusions which were made based upon such incorrect information.

6. **Insurance:** NE represents and warrants that it and its staff are protected by workers compensation insurance and that NE has public liability and property damage insurance policies. Certificates for all such policies of insurance shall be provided to CLIENT, upon request in writing. Within the limits and conditions of such insurance, NE agrees to indemnify and save CLIENT harmless from and against any loss, damage, or liability arising from any negligent act or omission by NE in the performance of NE's professional services. NE shall not be responsible for any loss, damage, or liability arising from any act, omission, or fault of CLIENT, or other third parties.
7. **Limitation of Liability:** Notwithstanding any other provision of this Agreement, due to the relative risks and benefits involved with the Project and the disproportionate nature of the risks compared to the amount to be paid under this Agreement, CLIENT agrees to limit NE's liability, including the liability of NE's officers, employees, agents, subconsultants, and others for whom NE is legally liable, due to professional negligence and to any liability arising out of or relating to this Agreement, to a maximum of NE's engineering services fee. Under no circumstance shall either party be liable to the other for consequential, incidental or indirect damages, including, but not limited to, loss of use or loss of profit.

8. **Fiduciary Service:** CLIENT confirms that neither NE nor any of NE's subconsultants or subcontractors has offered any fiduciary service to the CLIENT and no fiduciary responsibility shall be owed to the CLIENT by the NE or any of NE's subconsultants or subcontractors as a consequence of NE's entering into this Agreement with the CLIENT.
9. **Responsibility:** NE shall not be responsible for acts of any party or parties involved in the services covered by this Agreement other than its own. NE is not and shall not be responsible for CLIENT's or any of its subcontractor's safety precautions, means, methods, techniques, sequences, materials, workmanship, or procedures. NE makes no warranties, express or implied, regarding the professional advice or services furnished by others. Nothing contained in this Agreement shall create a contractual relationship with, a duty toward, or a cause of action in favor of a third party against either NE or CLIENT. This Agreement is not intended to confer a separate and distinct benefit upon any third party.
10. **Ownership and Maintenance of Documents:** All materials resulting from NE's efforts on this project, including documents, calculations, maps, photographs, drawings, computer printouts, notes, and any other pertinent data are instruments of NE's service, but unless otherwise specified in the scope of services shall be owned by CLIENT. In any event, NE shall have the right to retain copies of all said instruments of service.

NE shall maintain for CLIENT all such materials and data in kind or on disc, for a period of not less than two years after completion of the project. CLIENT shall specify in advance and be charged for all arrangements for special or extended period maintenance of such materials by NE.

11. **Re-Use Prohibited:** All reports, design, and other materials resulting from NE's efforts on this project are not intended or represented to be suitable for reuse by CLIENT, or others on extensions or modifications of this project or any other project, other than as required for capital improvement planning, grant funding, or other administration related to this project, and as they may relate to the intended future additions considered at this project location and to the analyses included in this project. Reuse of said reports, designs or other materials by CLIENT on such extensions, modifications or other project without written permission or adaptation by NE for the specific purpose intended shall be at the user's sole risk, without liability on NE's part, and CLIENT agrees to indemnify and hold harmless NE from all claims, damages, and expenses including attorney's fees arising out of such reuse.
12. **Termination:** This Agreement may be terminated by either party by not less than ten (10) days written notice to the other party specifying a substantial failure to perform in accordance with the terms of this Agreement through no fault of the notifying party. Such termination shall not be effective if that substantial failure is capable of and has been remedied before expiration of the time specified in the written notice. If this Agreement is terminated, NE shall be paid for services performed to the termination notice date.

In the event of termination or suspension for more than three (3) months prior to completion of all designs or reports contemplated by this Agreement, NE may perform such analyses and prepare records as are necessary to complete appropriate files and may

also prepare a report on the services performed to the date of notice of termination or suspension. The expenses of termination or suspension shall include all direct costs of NE in completing such analyses, records, and reports, as approved by ToJ in advance of completing.

13. **Assignments and Subcontracts:** Unless identified in the scope of services, neither party to this Agreement shall assign, subcontract, or otherwise transfer its rights or obligations hereunder without prior written consent of the other party.
14. **Severability:** Any provisions of this Agreement held in violation of any law or ordinance shall be deemed stricken, and all remaining provisions shall continue valid and binding upon the parties. CLIENT and NE shall attempt in good faith to replace any invalid or unenforceable provisions of this Agreement with provisions which are valid and enforceable and which come as close as possible to expressing the intention of the original provisions.
15. **Independent Contractor Status:** Nothing in this Agreement shall construe NE or any of its employees or agents to be CLIENT employees, agents or representatives. NE shall be an independent contractor and shall have responsibility for and control over the details and means for performing its services. NE shall be subject to the directions of CLIENT only with respect to the scope of services and the general results required.
16. **Confidentiality:** NE shall hold confidential all business or technical information obtained from CLIENT or its affiliates or generated in the performance of services under this Agreement. NE shall not disclose such information without CLIENT's consent except to the extent required for: 1) performance of services under this Agreement; 2) compliance with professional standards of conduct for preservation of the public safety, health, and welfare; 3) compliance with any court order or other governmental directive; and/or 4) protection of NE against claims or liabilities arising from performance or services under this Agreement. NE's obligations hereunder shall not apply to information in the public domain or lawfully acquired on a non-confidential basis from others.
17. **Governmental Immunity.** The Town does not waive its governmental immunity by entering into this Agreement and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.
18. **Governing Law, Jurisdiction, Construction.** This Agreement shall be construed, performed, and enforced in accordance with, and governed by, the laws of the State of Wyoming, without giving effect to the principles of conflict of laws thereof. The parties hereto irrevocably elect as the sole judicial forum for the adjudication of any matters arising under or in connection with this Agreement, and consent to the jurisdiction of, the courts of the County of Teton, State of Wyoming, or the United States of America for the District of Wyoming. This Agreement was negotiated by both parties hereto. As such, it shall not be construed against or in favor of any party by virtue of which party drafted it or any portion thereof.
19. **Counterparts; Electronic Signatures.** This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which, when taken together, constitute one and the same document. The signature of any party

to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart. Counterparts may be delivered via electronic mail (including pdf or any electronic signature complying with the federal ESIGN Act of 2000, e.g., www.docusign.com) or other transmission method, and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes. At the request of either party, each party agrees to execute an original of this Agreement as well as any facsimile or other reproduction hereof.

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Council Meeting
Submitting Department:	Joint Affordable Housing	Presenter:	April Norton
Agenda Item:	First Amendment to Ground Lease for S4 Flats (910 Smith Lane & 915 Simon Lane)	Public Comment:	Yes

Purpose & Policy Considerations.

Town Council ("Council") will consider three items:

1. an amendment to the Ground Lease for S4 Flats (910 Smith Lane and 915 Simon Lane) that will allow the Town to lease the three residential units located on the property through April 15, 2023;
2. a residential lease assignment from the previous owner of 910 Smith Lane to the Town of Jackson; and
3. the first amendment to the residential lease for 910 Smith Lane.

Requested Action.

Council is asked to consider and approve the First Amendment to the Ground Lease for S4 Flats, the residential Lease Assignment for 910 Smith Lane, and the First Amendment to the Residential Lease for 910 Smith Lane.

Recommendations.

Staff recommends approving all three documents. This will allow Town to lease the rental units through the winter and until demolition is scheduled to occur this spring.

Background.

On July 5, 2022, Council approved a Purchase Agreement to buy a 0.12-acre lot adjacent to a lot of the same size currently owned by the Town of Jackson. The purchase was coupled with a ground lease to S4 Flats LLC for construction of 12 condo dwelling units with Affordable (eight units) or Workforce (four units) restrictions. Additionally, a guarantee of eight revolving rights of first purchase were secured by the Town of Jackson.

S4 Flats initially believed they would demolish the existing structures on the property in late 2022. However, they are now scheduled for demolition in spring 2023. This change in the schedule means that the three residential units are available to rent. Staff has negotiated an amendment to the Ground Lease that will allow Town to control these units through April 15, 2023.

Analysis.

The three documents staff requests Council review and consider, and included in this staff report, work together:

- The First Amendment to the Ground Lease for S4 Flats allows Town to execute residential lease agreements that burden buildings that currently exist on both 910 Smith Lane and 915 Simon Lane through April 15, 2023 and requires Town to insure the property through April 30, 2023. This amendment will provide Town with two additional employee rental units for an additional five and a half (5½) months.
- The Lease Assignment Agreement legally transfers the existing lease (currently between RD Rentals LLC and their tenant at 910 Smith Lane) to the Town of Jackson.
- Assuming the Assignment is approved, the First Amendment to the Residential Ground Lease amends the lease between the Town of Jackson and the tenant of 910 Smith Lane.

Possible Alternatives.

Council could choose not to approve the Ground Lease and then the lessees (S4 Flats LLC) would have control of the three residential units and could lease them to tenants of their choosing. In this scenario, Town would not be responsible for insurance.

Fiscal Impact.

Three residential units exist on the property:

1. 2-bed, 1-bath unit in a duplex that is currently leased to a local working family for \$2,000 per month.
2. 3-bed, 2-bath unit in a duplex that is currently unoccupied. This unit would be leased to a Town employee and Town would keep the rental revenues.
3. 2-bed, 2-bath single-family home that is currently unoccupied. This unit would be leased to a Town employee and Town would keep the rental revenues.

In exchange for leasing the residential units, the Town agrees to insure the properties. The cost to insure the properties is approximately \$1,200 per year per property.

Staff Impact.

Housing staff has spent approximately 2 hours writing this staff report and coordinating with the former owner, S4 Flats LLC, and the current residential lessees.

The Town Attorney spent time creating and reviewing the lease amendments.

Attachments or Links.

- First Amendment to the Ground Lease for 910 Smith Lane and 915 Simon Lane
- Residential Lease Assignment for 910 Smith Lane
- First Amendment to the Residential Lease for 910 Smith Lane

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the First Amendment to the Ground Lease for 910 Smith Lane and 915 Simon Lane, the Residential Lease Assignment for 910 Smith Lane, and the First Amendment to the Residential Lease for 910 Smith Lane and authorize the mayor to execute all three documents, subject to minor changes by staff.

FIRST AMENDMENT TO GROUND LEASE

THIS FIRST AMENDMENT TO GROUND LEASE ("First Amendment") is by and between the Town of Jackson, a municipal corporation of the State of Wyoming, ("Lessor") and S4 FLATS LLC, a Wyoming limited liability company ("Lessee").

RECITALS

WHEREAS, Lessor and Lessee executed a Ground Lease on July 6, 2022 ("Lease").

WHEREAS, since execution of the Lease, the construction contemplated on the Property (as that term is defined in the Lease) has been delayed, thus allowing for the rental of the existing buildings the Property by Lessor through April 2023.

WHEREAS, the parties desire to allow for the rental of the buildings on the Property by Lessor, and account for insurance thereon, through April 2023 on the terms and conditions contained herein.

Now therefore, in consideration of the foregoing recitals, which incorporated herein by reference, the mutual covenants and understandings contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Lessor and Lessee agree as follows:

1. **Amendment to Section 2.2 of the Lease.** Section 2.2 of the Lease shall be rewritten as follows:

2.2 Retained Lessor Interest. Lessee acknowledges and affirms that there is an existing Residential Lease Agreement between Lessor and Kyle Foster and that said Residential Lease Agreement does not terminate until November 30, 2023. Lessee agrees that, unless voluntarily terminated sooner by Lessor and/or Kyle Foster, said Residential Lease Agreement will remain in place, burden the Property, and that Lessor shall retain the interest in the Residential Lease Agreement. Lessee further agrees that Lessor may execute additional residential rental agreements that burden the Property until and including April 15, 2023.

2. **Amendment to Article 5 of the Lease.** Section 5.0 shall hereby be added to the Lease as follows:

5.0 **Lessor Insurance Obligation.** It is hereby agreed that Lessor shall keep and maintain adequate and customary property insurance on the Property until and including April 30, 2023. On May 1, 2023, Sections 5.1 through 5.3 of this Article 5 take full effect and Lessee is obligated to insure the Property consistent therewith.

3. **Terms of the Lease.** Any term of the Lease not otherwise modified herein shall remain as is and unaffected by this First Amendment.

In witness whereof, the Parties have executed this First Amendment as of the last date written below.

Lessee,

S4 FLATS LLC, a Wyoming limited liability company

By: _____

Joseph Saunders, Manager

By: _____

David Velasquez, Manager

STATE OF WYOMING

)

) ss

COUNTY OF TETON

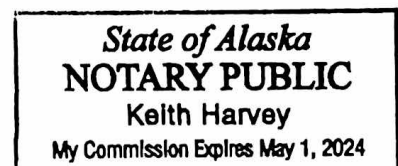
)

The foregoing instrument was acknowledged before me by Joseph Saunders and David Velasquez, as Officers of the S4 FLATS LLC, a Wyoming limited liability corporation, this 15th day of November, 2022.

WITNESS my hand and official seal.

Notary Public

My commission expires: 15th May 2024



Lessor

Town of Jackson, a municipal corporation of the State of Wyoming

ATTEST:

STATE OF _____)

On this _____ day of _____, 2021, before me, the undersigned Notary Public, personally appeared Hailey Morton Levinson, as Mayor for the Town of Jackson, Wyoming, and Riley Taylor, as Town Clerk for the Town of Jackson, Wyoming, who are each personally known to me or have each established their identity and authority to me by reasonable proof.

Witness my hand and official seal.

LEASE ASSIGNMENT AGREEMENT

This Lease Assignment Agreement ("**Agreement**") is by and between **Holly D. Dennis and Tobin S. Dennis** ("**Assignor**"), and the Town of Jackson, Wyoming ("**Assignee**").

Recitals

WHEREAS, Assignor entered a Residential Lease Agreement on January 1, 2021 ("**Lease**"), pursuant to which a tenant lessee's 910 Smith Lane Jackson, Wyoming, 83001.

WHEREAS, Assignor desires to assign its rights, duties, and obligations as Assignor under the Lease to Assignee under the terms and conditions listed below.

AGREEMENT

IT IS AGREED, in consideration of the bargained for and exchanged mutually binding terms, covenants, and conditions set forth herein, the parties agree as follows:

1. **Assignment.** Subject to and concurrently with the consummation of that certain Purchase and Sale Agreement dated September 13, 2022 Assignor hereby assigns to Assignee all of its right, title, and interest in and to the Lease, subject to all of the terms, covenants, conditions and provisions of the Lease.
2. **Assignor's Representations and Warranties.** Assignor represents and warrants to Assignee that:
 - a. the Lease is in full force and effect, unmodified except as provided in this Agreement.
 - b. Assignor's interest in the Lease is free and clear of any liens, encumbrances or adverse interests of third parties.
 - c. Assignor possesses the requisite legal authority to assign its interest in the Lease as provided herein.
 - d. There are no sums due and owing by Assignor under the Lease as of the effective date hereof, and there exists no condition of default thereunder.
3. **Indemnification.** Assignor agrees to indemnify, defend, and hold harmless Assignee from any and all claims, demands and debts due under the Lease prior to the Effective Date Assignee agree to indemnify, defend, and hold harmless Assignor from any and all claims, demands and debts which may become due under the Lease on or after the Effective Date.
4. **Entire Agreement.** This Agreement embodies the entire understanding of the parties hereto and there are no other agreements or understandings written or oral in effect between the parties relating to the subject matter hereof unless expressly referred to by reference herein.

This Agreement may be amended or modified only by an instrument of equal formality signed by the parties or their duly authorized agents.

5. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Wyoming and each of the parties hereto submits to the non-exclusive jurisdiction of the courts of the State of Wyoming in connection with any disputes arising out of this Agreement.
6. **Successors and Assigns.** This Agreement and the provisions hereof shall be binding upon and shall inure to the benefit of the successors and assigns of the parties.
7. **Governmental Immunity.** The Town does not waive its governmental immunity by entering into this Agreement and fully retain all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.
8. **Counterparts; Electronic Signatures.** This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which, when taken together, constitute one and the same document. The signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart. Counterparts may be delivered via electronic mail (including pdf or any electronic signature complying with the federal ESIGN Act of 2000, e.g., www.docusign.com) or other transmission method, and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes. At the request of either party, each party agrees to execute an original of this Agreement as well as any facsimile or other reproduction hereof.

In witness whereof, the Parties have executed this Agreement as of the last date written below.

Holly D. Dennis and Tobin S. Dennis

Town of Jackson, Wyoming

By: _____

Title: _____

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

Acknowledged and accepted by:

HOLLY D. DENNIS AND TOBIN S. DENNIS

By: _____

Date: _____

Title: _____

TOWN OF JACKSON

**A municipal corporation
of the State of Wyoming**

By: _____

Hailey Morton Levinson, Mayor

Date: _____

ATTEST:

Riley Taylor, Town Clerk

FIRST AMENDMENT TO RESIDENTIAL GROUND LEASE

THIS FIRST AMENDMENT TO RESIDENTIAL LEASE ("**First Amendment**") is by and between the Town of Jackson, Wyoming, ("**Landlord**") and Diego Armando Palacios Aguilar ("**Tenant**").

RECITALS

WHEREAS, Tenant entered a Residential Lease Agreement on January 1, 2021 ("**Lease**") with Holly D. Dennis and Tobin S. Dennis, which Lease was assigned to the Town of Jackson on September 13, 2022.

WHEREAS, Tenant and Landlord desire to amend specific terms and conditions of the Lease and do so herein

Now therefore, in consideration of the foregoing recitals, which incorporated herein by reference, the mutual covenants and understandings contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Tenant and Landlord agree as follows:

1. **Amendment to Section 3 of the Lease.** Section 3 of the Lease shall be rewritten as follows:

Term. The term of this Agreement will start on November 1, 2022 the "Start Date") and continue thereafter until midnight local time on April 15, 2023 (the "End Date"), unless sooner terminated or otherwise extended or renewed in accordance with this Agreement.

2. **Amendment to Section 10 of the Lease.** Section 10 shall be rewritten as follows:

Property Taxes. Tenant shall not be responsible for property taxes.

3. **Amendment to Section 11 of the Lease.** Section 11 shall be rewritten as follows:

Payment. In accordance with the terms of this Agreement, Tenant shall remit all payments due to Landlord under this Agreement by:

Personal Delivery to 150 East Pearl Avenue Jackson WY, 83001

OR

Check to Town of Jackson P.O. Box 1687 Jackson, WY 83001

4. **Amendment to Section 25 of the Lease.** Section 11 shall be rewritten as follows:

Notice. Any notice required or permitted to be given in writing under this Agreement shall be delivered by personal delivery or by email with read receipt required or United States via certified mail, postage prepaid and return receipt requested to the physical address or mailing address, respectively, listed below for Tenant and Landlord. Landlord and Tenant shall notify the other in writing of any change to the below listed information.

Tenant: Diego Armando Palacios Aguilar
P.O. Box 12565

Jackson, WY 83002
801-244-0815

Landlord: Town of Jackson
150 East Pearl Avenue
P.O. Box 1687
Jackson, WY 83001

5. **Addition of Section 36 of the Lease.** Section 36 shall be added as follows:

Governmental Immunity. The Town does not waive its governmental immunity by entering into this Agreement and fully retain all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.

6. **Terms of the Lease.** Any term of the Lease not otherwise modified herein shall remain as is and unaffected by this First Amendment.

In witness whereof, the Parties have executed this First Amendment as of the last date written below.

Tenant,

Diego Armando Palacios Aguilar

Landlord

Town of Jackson, a municipal corporation of the State of Wyoming

By: Hailey Morton Levinson. Mayor

ATTEST:

By: Riley Taylor, Town Clerk

STAFF REPORT



Meeting Date:	7 November 2022	Meeting Title:	Town Council Regular - Consent
Submitting Department:	Public Works	Presenter:	Floren Poliseo
Agenda Item:	Temporary Encroachment Agreement – Crane: 165 N Glenwood St	Public Comment:	yes

Purpose & Policy Considerations.

This item presents for Council consideration a Temporary Encroachment Agreement for Placement of Crane on Town Property (Agreement) to allow a construction crane to encroach on the public right-of-way (PROW).

Requested Action.

Staff requests Council review and consider the Agreement.

Recommendations.

Staff recommends Council approve the Agreement.

Background.

The Town Attorney worked with the Administration, Public Works, and Planning Departments to develop standard agreements for development projects that involve construction cranes that encroach the PROW either physically on the ground or overhead.

This Agreement is for construction occurring at 165 N Glenwood St.

Analysis.

The attached Agreement addresses various issues involved with a crane encroaching within/over the PROW, including term, financial security, conditions of the use of the PROW, indemnification, insurance, emergencies involving the crane, and damage to Town property.

Possible Alternatives.

Council may choose to:

1. Not approve the Agreement.
2. Direct staff to draft modifications to the Agreement.
3. Continue the item and direct staff to provide further information.

Comprehensive Plan & Priority Alignment.

While there are no goals or initiatives related specifically to private development construction activities, the Comp Plan vision is meant to protect the health, safety, and welfare of our community. Standard practices and policies to address activities that may impact public safety is a critical function of government.

Fiscal Impact.

None.

Staff Impact.

Staff from the Legal, Public Works, and Administration Departments, contributed approximately 6 hours total preparing this report and finalizing this Agreement.

Attachments or Links.

Temporary Encroachment Agreement for Placement of Crane on Town Property.

Suggested Motion.

I move to approve the Temporary Encroachment Agreement for Placement of Crane on Town Property between the Town and Glenwood JH, Inc. as presented, and authorize the mayor to execute the Agreement, subject to minor changes by staff.

TEMPORARY ENCROACHMENT AGREEMENT FOR PLACEMENT OF CRANE ON TOWN PROPERTY

This Temporary Encroachment Agreement for Placement of Crane on Town Property ("**Agreement**") is made and entered this ____ day of November, 2022, by and between Glenwood JH, Inc., ("**Owner**"), and the Town of Jackson ("**Town**"), a municipal corporation of the State of Wyoming.

RECITALS

WHEREAS the Owner is the owner of the property addressed as 165 North Glenwood Street, Jackson, Wyoming 83001 and specifically described as LOTS 5-6, BLK. 6, JACKSON, ("**Building Site**");

WHEREAS the Town is the owner of the property addressed as North Glenwood Street and specifically described as North Glenwood Street public right-of-way, ("**Town Property**");

WHEREAS the Owner is developing condominiums, underground parking on the Building Site ("**Project**");

WHEREAS the Owner means Glenwood JH, Inc. and any employee, contractor, subcontractor, assign, licensor, or other person having a direct or indirect contract with Glenwood JH, Inc., or with any other contractor or subcontractor of Shaw Construction, who has been hired to assist with the Building Site or Project;

WHEREAS as part of the Project construction process, the Owner wishes to place a crane on a portion of the Town Property;

WHEREAS the Town is willing to allow the placement of a crane on the Town Property, while reserving the Town's right to request the subject crane be removed from the property; and

NOW THEREFORE, in consideration of the mutual covenants herein contained, and the Recitals above, which are true and correct and are incorporated herein as if repeated in their entirety below, and as further consideration for the Town's approval, the sufficiency of which is hereby acknowledged by the parties hereto, the parties agree as follows:

1. **Grant of Temporary Crane Placement.** The Town hereby grants Owner permission for the temporary placement of the crane on the portion of Town Property depicted in the plan(s) set forth in Exhibit A, made a part hereof by this reference.
2. **Term.** The term of this Agreement ("**Term**") shall commence on the date of execution of this Agreement ("**Commencement Date**") and shall expire upon acceptance, evidenced by signature, by the Town Engineer of the Owner's written notification stating that the crane has been removed, that all of the Owner's obligations under this Agreement have been satisfied, and the Owner is not in default under the terms of this Agreement.
3. **Fees; Security.**
 - a) As consideration for the Owner's use of the Town Property, the Owner shall pay to the Town an annual fee in the amount of FIVE HUNDRED DOLLARS (\$500.00). Such annual fee is due, without pro rating, upon execution of this Agreement and on each anniversary of the Commencement Date thereafter. The Owner shall, simultaneously upon executing this Agreement, deliver to the Town a one-time administrative fee in the amount of SIX HUNDRED DOLLARS (\$600.00). The Owner thus agrees to pay the Town the following:
 - i. Administration fee (one time) \$ 600.00
 - ii. Annual fee (each year throughout Term) \$ 500.00
 - b) Owner shall, simultaneously upon executing this Agreement, deliver to the Town a letter of credit in the amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) ("**Letter of Credit**") as security for the

Owner's obligations under this Agreement. Said Letter of Credit must be valid throughout the term of this Agreement and allow the Town to draw on the Letter of Credit in the event:

- i. The Town acts pursuant to Section 12 (Emergency Conditions);
 - ii. The Town acts pursuant to Section 13 (Damage to Town Property);
 - iii. The Town acts pursuant to Section 14 (Remedies Available to Town); and
 - iv. Owner defaults under this Agreement.
- c) If the Owner is not in default under this Agreement the Town shall release the Letter of Credit to the Owner upon the expiration of the Term.

4. **Party Representatives.**

- a) Town hereby designates the Public Works Director, Floren Poliseo, to act as its representative for the performance of this Agreement. The Town's representative shall have the power to act on behalf of the Town for all purposes under this Agreement. If for any reason the Town's representative is unavailable to execute performance under this Agreement, the Town further agrees to provide written notice, in accordance with Section 15(c) (Notice), of an alternate representative authorized to act on behalf of the Town.
- b) Owner hereby designates the Shaw Construction Project Manager, Chase Beninga, to act as its representative for the performance of this Agreement. The Owner's representative shall have the power to act on behalf of the Owner for all purposes under this Agreement. If for any reason the Owner's representative is unavailable to execute performance under this Agreement, the Owner further agrees to provide written notice, in accordance with Section 15(c) (Notice), of an alternate representative authorized to act on behalf of the Owner.
- c) Representative contact information is as follows:

Town:

Public Works Director
Floren Poliseo
P.O. Box 1687
Jackson, Wyoming 83001
fpoliseo@jacksonwy.gov
307 733 3932 x1401

Owner:

Shaw Construction
Chase Beninga
P.O. Box 6542
Jackson, WY 83002
chasebeninga@shawwyoming.com
307-413-8401

5. **Conditions.** The Owner covenants, acknowledges, and agrees that this Agreement and the Owner's exercise of the rights granted in this Agreement are subject to the following terms and conditions:

- a) In no event shall the Owner operate the crane, at any time to swing, load, unload, or hoist any objects, materials or other live loads over any portion of the Town Property that is occupied by persons.
- b) Prior to the installation and operation of the crane, the Owner shall have an approved construction management plan.
- c) The Owner covenants and agrees that prior to the installation and operation of the crane it shall obtain all necessary approvals and permits for the crane from any and all applicable government authorities and agencies.
- d) The Owner covenants and agrees to ensure that it erects, operates, dismantles, and removes the crane and performs all work permitted by this Agreement and completes all engineering and other inspections in accordance with all codes, laws, rules, and regulations prescribed by all governmental or other authorities having jurisdiction with respect to such matters and in accordance with prudent construction operating procedures.
- e) The Owner agrees to cooperate with the Town to accommodate any Town requirements with respect to the Town's use of the Town Property provided such does not unreasonably interfere with the use of the

Town Property by the Owner as provided herein. This includes temporarily ceasing operation of the crane or limiting its use if required by the Town acting reasonably.

- f) The issuance of this Agreement does not supersede any approvals required by the Town of Jackson or any department thereof associated with the development and/or construction processes.
- g) When not in use, the crane shall be secured in accordance with the written procedures of the crane's manufacturer subject to compliance with the requirements of any and all laws applicable thereto.
- h) The Owner must contact the electricity provider to make any arrangements the provider may reasonably require to have overhead electrical lines de-energized or relocated, at no cost of the Town, prior to commencing work.
- i) The Owner shall not release, deposit, discharge, place, or dispose of any toxic materials, substances, pollutants, contaminants, or wastes into the environment or at, on, or near the Town Property in contravention of any applicable laws whether into the air, land, surface water or groundwater, at any time. If any discharge, leakage, spillage, emission, or pollution of any type occurs, Owner shall provide immediate notice to the Town and, at its sole cost and expense, undertake all appropriate actions to remediate the affected property.
- j) The crane shall be operated in a way as to minimize interference with the reasonable use or enjoyment of the Town Property.
- k) The Owner agrees and covenants to secure the crane at all times so as to prevent unauthorized access to it and use of it.
- l) The Owner agrees and covenants that it will only permit personnel who are trained, qualified, and certified according to all applicable laws, regulations, and standards to erect, operate, supervise, signal, dismantle, and remove the crane.
- m) The Owner shall cease all use of the Town Property and shall dismantle and remove the crane as soon as it is commercially feasible to do so after its use is no longer needed for completion of the Project.

6. **No Representation or Warranty.** The Town makes no representation or warranty with respect to the condition or suitability of the Town's Property or the associated airspace for the Owner's intended use.

7. **No Interest by Owner.** The Owner acknowledges and agrees that the permission hereby granted cannot and does not create or grant the Owner any interest or easement in, over, or upon the Town Property.

8. **Indemnity.**

- a) The Owner hereby agrees to defend, indemnify, and hold harmless the Town, its elected officials, employees, agents, and contractors from and against any and all liability, claims, damages, losses, expenses, and costs (including without limitation costs and fees of litigation, arbitration, mediation, and professional services) of every nature arising out of or in connection with the presence (in whole or in part), installation, use, operation, and/or dismantlement of the crane. The Owner also hereby agrees to defend, indemnify, and hold harmless the Town for any claims or causes of actions alleged to have been caused by the Town's acts and/or omissions. The indemnification obligation under this paragraph shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or under workers' compensation acts, disability benefit acts, or other employee benefit acts.
- b) The obligation of the Owner to hold harmless, defend, and indemnify the Town, its elected officials, employees, agents and contractors, under this Agreement, shall not and does not confer upon the Owner any right or authority to settle or take any steps, proceedings or do anything in the name of the Town, in respect of any claim, demand, action or proceeding which may be brought against the Town and in respect of which the Owner is obligated to indemnify the Town.
- c) The Owner covenants and agrees that it shall take all steps necessary to avoid construction liens being registered against title to the Town Property as a result of the activities of the Owner in connection with the Crane. The Owner shall indemnify and save harmless the Town from and against all actions, causes

of action, claims, demands and expenses whatsoever which the Town may incur as a result of the registration of any such construction liens. In the event of the registration of any such construction liens, the Owner covenants and agrees that within ten (10) days of receiving notice of a lien it will either take reasonable steps to discharge and vacate the same from title, or, in the alternative, commence the appropriate application seeking relief to vacate and discharge the same.

- d) Nothing in this provision shall be considered to increase or otherwise waive any limits of liability, or to waive any immunity, established by Wyoming Statutes, case law, or any other source of law.
- e) The parties hereby expressly declare that it is neither their intention nor their agreement that any arrangements between them shall constitute or be deemed to constitute the Owner and the Town as partners, joint venturers, or agents of each other

9. **Release and Waiver.** The Owner hereby releases and forever discharges the Town, its elected officials, employees, agents and contractors, of and from any and all claims, actions, causes of action and other proceedings and any liability for damages, costs and expenses for or relating to any loss which the Owner may suffer arising out of or occasioned by the presence of the Crane (in whole or in part), the installation, use, operation and/or dismantlement of the Crane, including any work undertaken by the Owner or the Town, its contractors or agents as permitted by this Agreement.

10. **Insurance.**

- a) The Owner covenants to take out and keep in full force and effect throughout the Term of this Agreement and until the crane is removed from the Town Property, the following insurance which shall specifically include the risks and potential liability resulting from the use and/or operation (including the erection and dismantlement) of the crane which will present on the Town Property as described in this Agreement:
 - i. Commercial General Liability insurance applying to all operations of the Owner which shall include coverage for bodily injury liability, property damage liability, completed operations liability, contractor's protective liability, contractual liability, and non-owned vehicle liability.
 - ii. Such policy shall be written with limits of not less than TEN MILLION DOLLARS (\$10,000,000) exclusive of interest or costs, per occurrence and shall include the Town as an additional insured; and
- b) Such policies shall not be terminated, cancelled, or materially altered unless written notice, by registered mail, of such termination, cancellation, or material alteration is given by the insurer(s) to the Town at least thirty (30) days before the effective date thereof.
- c) All policies of insurance stipulated herein shall be with insurers that have a *Best Rating Guide* A Class Rating.
- d) The Owner shall deposit with the Town, simultaneously with its execution of this Agreement, a certificate of insurance, satisfactory to the Town, acting reasonably.
- e) The Owner shall file a renewal certificate with the Town not later than one (1) month before the expiration date of any policy provided pursuant to this Agreement, until the expiration of the Term. In the event that such renewal certificate is not received, the Town shall be entitled to terminate this Agreement.
- f) The issuance of such a policy of insurance shall not be construed as relieving the Owner from the responsibility for other or later claims, if any, for which it may be held responsible.

11. **Agreement to Enter.** For the purposes of permitting the Town to carry out any of its rights and remedies under this Agreement or at law, the Owner hereby grants to the Town an irrevocable right to enter upon and access the Building Site, upon twenty-four (24) hours' written notice given by the Town, unless the Town is acting in accordance with Section 12 (Emergency Conditions), in which case no notice is required to be given by the Town.

12. **Emergency Conditions.** If the Town Engineer deems in their reasonable opinion that an emergency exists or may exist as a result of the crane being or possibly becoming a hazard or a source of danger to the health and safety of the public, the Town Engineer shall immediately notify the Owner of the hazard and/or danger. The Town Engineer may require the Owner via written or oral notice, within a time specified by the Town Engineer, to take certain measures that they deem necessary, which shall be set forth in the notice, to remove the hazard, danger, or potential danger created by the Crane. Notwithstanding anything contrary herein, the Owner acknowledges that such measures may include the Town requiring the Owner to: 1) limit the use of the crane; 2) cease operation of the crane; and 3) remove the crane. Owner agrees that it will comply immediately with such requirements. If the Owner fails to comply as requested and within the time specified by the Town Engineer, then the Town Engineer may take the necessary measures on behalf of the Owner, without further notice to the Owner. Where the Town Engineer takes any action under this Section, the expenses incurred by the Town in so doing shall be promptly repaid by the Owner to the Town within thirty (30) days of the Town providing written notice to the Owner of the expenses owing. If the expenses are not paid within thirty (30) days of the Town providing notice of how much is owing, such expenses may be drawn from the Letter of Credit with no further notice to the Owner. If the Letter of Credit is insufficient to pay the outstanding amount, it will become a debt due to the Town and may be collected from the Owner in any manner permitted by law.
13. **Damage to Town Property.** The Owner agrees that in the installation, operation, placement, dismantlement, and removal of the crane, the Owner shall ensure that no damage is caused by the Owner to any part of the Town Property. In the event there is damage to the Town Property, the Town Engineer may require the Owner via written notice, within a time specified by the Town Engineer, to take certain measures that they deem necessary and that shall be specified in the notice to repair the damage. If the Owner fails to comply as requested and within the time specified by the Town Engineer, then the Town Engineer may take the necessary measures to repair the damage on behalf of the Owner, without further notice to the Owner. Where the Town Engineer takes any action under this Section, the expenses incurred by the Town in so doing shall be promptly repaid by the Owner to the Town within thirty (30) days of the Town providing written notice to the Owner of the expenses owing. If the expenses are not paid within thirty (30) days of the Town providing notice of how much is owing, such expenses may be drawn from the Letter of Credit with no further notice to the Owner. If the Letter of Credit is insufficient to pay the outstanding amount, it will become a debt due to the Town and may be collected from the Owner in any manner permitted by law.
14. **Remedies Available to Town.**
- a) In the event that the Owner is in default of any of the terms in this Agreement the Town may deliver to the Owner written notice of such default which written notice shall specify the default. The Owner agrees to either cure such default within five (5) business days after receipt of written notice from the Town or where such default cannot be cured within five (5) business days, to give written notice to the Town within such five (5) business day period of a methodology acceptable to the Town acting reasonably and based upon best practices (including a proposed timetable for implementation or completion of same, as the case may be, certified by the Owner's consultants where necessary), to remedy such default. In the event that the default is not cured within the five (5) business day period or the methodology is not acceptable to the Town acting reasonably, without further notice to the Owner, the Town may, in its discretion, make any payment, carry out any work, cause such work to be carried out or do any other thing which is the obligation of the Owner to do under this Agreement and the Owner shall within thirty (30) days of receiving written notice (notifying the Owner of the amount owing), reimburse the Town in full for all sums so paid, including any and all costs and expenses incurred by the Town in carrying out any such work or doing such things. If the costs and expenses are not paid to the Town within thirty (30) days of receiving written notice, such amount may be drawn from the Letter of Credit with no further notice to the Owner. If the Letter of Credit is insufficient to pay the outstanding amount, it will become a debt

due to the Town and may be collected from the Owner in any manner permitted by law.

- b) The costs and expenses incurred by the Town and referred to in clause a) hereof and Section 12 (Emergency Conditions) may include, but are not limited to, the wages and benefits paid to or in respect of any employees or contractors of the Town in respect of the time during which such employees were employed with the Town, supervising or administering the carrying out of such work or things and the replacement cost of any materials owned by the Town and used in connection with the same and any amount equivalent to the amount that would have been the reasonable rental cost of any Town owned equipment used in that connection if the same were not owned by the Town, as well as any other costs or expenses incurred by the Town.
- c) In the event that:
 - i. a default is not cured within five (5) business days after receipt of written notice from the Town of such default and such methodology is not provided to the Town within the five (5) business day period; or
 - ii. the Owner fails to diligently pursue the remedy to such default as proposed in the methodology; or
 - iii. the Owner fails to make payment to the Town within thirty (30) days after receipt of written notice from the Town indicating the costs and expenses owing to the Townthe Town may terminate this Agreement and/or all rights granted hereunder by written notice of termination given to the Owner. Upon notice of termination, the Owner shall remove the crane from the Town Property within forty-eight (48) hours. If the crane is not removed within the forty-eight (48) hours, then the Town Engineer may remove the crane from the Town property and all expenses incurred by the Town in so doing shall be promptly repaid by the Owner to the Town within thirty (30) days of the Town providing written notice to the Owner of the expenses owing. If the expenses are not paid within thirty (30) days of the Town providing notice of how much is owing, such expenses may be drawn from the Letter of Credit with no further notice to the Owner.
- d) The Owner covenants and agrees to pay to the Town its reasonable legal fees incurred as a result of exercising its rights and remedies under this Agreement.

15. Miscellaneous Provisions.

- a) Authority to Execute. It is acknowledged that the parties hereto have the authority to enter into this Agreement, that none are bound by any previous agreement that adversely affects this Agreement, and that they are not subject to any restriction or limitation that would prevent them from performing their duties and obligations hereunder.
- b) Entire Agreement and Amendment. The parties agree that this Agreement reflects the entire agreement between the parties as to the subject matter hereof, and no prior or separate understandings or agreements between the parties are merged into this Agreement. No amendment of this Agreement shall be effective unless in writing and signed by both parties.
- c) Notice. Any notice required or authorized to be given hereunder shall be deemed to have been given when either personally delivered or three (3) business days after deposit in the United States mail, certified, postage pre-paid, and addressed as follows:

Town:

Town of Jackson
Attn: Town Clerk
P.O. Box 1687
Jackson, Wyoming 83001
clerk@jacksonwy.gov

Owner:

Glenwood JH Inc
Nick Orthmann
4011 80th Street
Kenosha, WI 53142
northmann@beardevelopment.com

All notices hereunder shall include a courtesy copy sent via email to the email address provided above. Either party may, at any time by notice given in writing to the other party, change the address for service of notice.

- d) Waiver. A waiver by the either party regarding the breach of any of the provisions of this Agreement shall not bar the right of the other party to enforce the terms of this Agreement.
- e) Assignment. This Agreement shall not be assigned or transferred by the Owner without the express written consent of the Town, not to be unreasonably withheld or delayed.
- f) Recitals Part of Agreement. The representations, covenants and recitations set forth in the Recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth herein.
- g) Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, legal representatives, successors, and permitted assigns unless voluntarily terminated upon written agreement by the parties, or their heirs, legal representatives, successors, and permitted assigns.
- h) Severability. If a Court finds any provision of this Agreement to be invalid or unenforceable, such finding shall not render the entire agreement void or unenforceable. If feasible, the offending provision shall be deemed modified within the limits of enforceability or validity. If the offending provision cannot be modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.
- i) Additional Documents and Acts. Each party agrees to execute and deliver such additional documents and instruments and to perform such additional acts as may be necessary or appropriate to effectuate, carry out and perform all of the terms, provisions, and conditions of this Agreement and the transactions contemplated hereby.
- j) Counterparts; Electronic Signatures. This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which, when taken together, constitute one and the same document. The signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart. Counterparts may be delivered via electronic mail (including pdf or any electronic signature complying with the federal ESign Act of 2000, e.g., www.docusign.com) or other transmission method, and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes. At the request of either party, each party agrees to execute an original of this Agreement as well as any facsimile or other reproduction hereof.
- k) Governing Law, Jurisdiction, Construction. This Agreement shall be construed, performed, and enforced in accordance with, and governed by, the laws of the State of Wyoming, without giving effect to the principles of conflict of laws thereof. The parties hereto irrevocably elect as the sole judicial forum for the adjudication of any matters arising under or in connection with this Agreement, and consent to the jurisdiction of, the courts of the County of Teton, State of Wyoming, or the United States of America for the District of Wyoming. This Agreement was negotiated by both parties hereto. As such, it shall not be construed against or in favor of any party by virtue of which party drafted it or any portion thereof.
- l) Governmental Immunity. The Town does not waive its governmental immunity by entering into this Agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.
- m) Section Headings. The headings to the sections of this Agreement are solely for convenience and reference, and are not intended to, and shall not govern, limit, or aid in the construction of any terms or provisions contained herein.

IN WITNESS WHEREOF, the parties have hereunto set their hands to be effective as of the last date signed below.

GLENWOOD JH INC.,

A corporation
of the State of Wisconsin

By: S.R. Mills
Title: President

TOWN OF JACKSON,

A municipal corporation
of the State of Wyoming

BY: Hailey Morton Levinson, Mayor

ATTEST: Riley Taylor, Town Clerk

EXHIBIT A

GLENWOOD GILL STAGING AND LOGISTICS PLAN
CONCRETE & VERTICAL CONSTRUCTION

To Off-Site Laydown @ 175 N
Willow St

Intermittent Fence for Crane
Picks

Worker's Entrance Gate and
Scaffold Ladder

Sidewalk Closure
Ahead Signage @
Glenwood & Gill

Temporary Site
Fence

Egress to Alley from
Interior Courtyard of
Phase 1

Temporary Site
Fence of Jersey
Barriers

Permanent Parking
Encroachment

Sidewalk Closure
Ahead Signage @
Glenwood & Deloney

Permanent Parking
Encroachment

Self-Erect Crane
Igo T85A
148' Reach

Sidewalk Closure With
Signage

Intermittent Alley
Encroachment

160 NORTH MILLWARD

MILLER PARK LOFTS

WHITE BUFFALO CLUB

ALLEY IMPROVEMENTS
PER C23

FOUR WINDS MOTEL

PHASE 1
GLENWOOD GILL PHASE 2
165 AND 185 GLENWOOD ST.
JACKSON, WY 83001

C 1.0

DATE: 11/11/2024
DRAWN BY: J. JORGENSEN
CHECKED BY: J. JORGENSEN
SCALE: 1" = 10' - 0" HORIZ.
1" = 10' - 0" VERT.
SHEET NO. 1 OF 1
PROJECT NO. 24-001

NORTHWORKS
ARCHITECTURAL & ENGINEERING
1325 E. 10TH STREET, SUITE 100, JACKSON, WY 83001
P: 337-480-8888 F: 337-480-8887 WWW.NORTHWORKS.COM

JORGENSEN
ARCHITECTURAL & ENGINEERING
1325 E. 10TH STREET, SUITE 100, JACKSON, WY 83001
P: 337-480-8888 F: 337-480-8887 WWW.NORTHWORKS.COM

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	11/11/2024
2	ISSUED FOR PERMIT	11/11/2024
3	ISSUED FOR PERMIT	11/11/2024
4	ISSUED FOR PERMIT	11/11/2024

PROJECT NUMBER: 24-001

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Council Meeting
Submitting Department:	Town Clerk	Presenter:	Lynsey Lenamond
Agenda Item:	CONTINUATION Application for Transfer of Retail Liquor License DG JH LLC	Public Comment:	No

Purpose & Policy Considerations.

Consideration of an application to transfer a retail liquor license. The Town Council is the local licensing authority for the issuance, renewal, and transfer of all liquor licenses within the Town of Jackson.

It is a statutory requirement for the Vice Mayor to OPEN A PUBLIC HEARING on the issuance of liquor licenses. In accordance with our notice, and per Wyoming Statute, protests will be heard against the issuance during this hearing. Additionally, staff presentation, public comment, and Council discussion will take place during this hearing. The procedure is as follows:

1. Vice Mayor Jorgensen opens the public hearing.
2. Council moves to continue the public hearing to the December 5, 2022 Regular Council Meeting.

Requested Action.

To consider statutory findings for approving the transfer of the retail liquor license.

The applicant is requesting that this item be continued to the December 5, 2022 Regular Council Meeting.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to continue the application and public hearing for the transfer of a retail liquor license from DG JH LLC to the December 5, 2022 Regular Council Meeting.

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Town Council
Submitting Department:	Community Development	Presenter:	Katelyn Page
Agenda Item:	P22-249: Request for approval of expenditures related to the 2022-2023 Public Art Task Force Annual Plan	Public Comment:	Yes

Purpose & Policy Considerations.

All expenditures related to the Town of Jackson's Public Art Task Force Annual Plan require review and approval by the Town Council.

Requested Action.

As part of the Public Art Task Force 2022-2023 Annual Plan, the Council appointed Public Art Task Force (PAT) requests approval for expenditures related to the following three projects:

- Lighting, landscaping, and irrigation maintenance of existing work at Willow Grove
- Replacement art for utility box wraps
- Bronze cleaning of multiple works by regional experts

Additionally, Staff requests the approval for expenditures related to the creation of a Town Hall rotating art installation project which if approved by Council would be included in the 2022-2023 Annual Plan.

Recommendations: The Community Development Director recommends **approval** to Council for the proposed expenditures related to the Public Art Task Force Annual Plan.

Background.

The Public Art Task Force (PAT) is appointed by the Mayor and Town Council. The PAT references the following criteria from Resolution 12-14 (Public Art Guidelines) when prior the Public Art Task Force Annual Plan:

- Public benefit as determined by access to the artwork, whereby the public has the opportunity to view/interact with the artwork to the greatest extent possible.
- Greatest opportunity for artist involvement early in the process.
- Encourage an emphasis on placemaking (i.e., the creation of squares, plazas, parks, streets, and that will attract people), where appropriate, recognize that there will be a need to expand the scope of a project to accomplish a broader goal.
- Emphasis on public art projects that advance economic development opportunities. Contributes to Town as Heart.
- Builds civic pride.
- Adds functionality to the project.
- Enhances pedestrian experience in parks, gateways and public transit.
- Adds character to complete neighborhoods and complete streets.
- Gives identity to unique districts like the Center for the Arts, the School District and Resort Districts.
- Supports sustainability and education about our environment.

The Public Art Guidelines direct the Task Force to annually bring forth an Annual Art in Public Places Plan (AAPP) to the elected officials for review including projects and annual recommendation(s) for maintenance of the public art collection. The expenditure requests presented in this report are in response to these guideline directives.

Analysis.

The utility box wraps were installed for the Town's 100 anniversary in 2014. They are anticipated to last 5-7 years, so it is time to start replacing some, and some have been hit by vehicles and removed by WYDOT. This project showcases community's artists, provides memorable wayfinding, beautifies otherwise mundane and ugly aspects of the streetscape, is highly accessible, and contributes to a sense of place.

The Willow Grove lighting, landscaping, and irrigation proposed maintenance is regular upkeep and repair of a Town asset.

The proposed bronze cleaning is typical upkeep and repair of a Town asset.

The staff proposed Town Hall rotating art installation project would create an area in the Town Hall entry where artists work could be displayed on a rotating basis in a public setting.

Staff finds the proposed expenditures are in accordance with Resolution 12-14 (Public Art Guidelines) and in alignment with the Jackson/Teton County Comprehensive Plan.

Per the PAT, their group proposes projects that directly support the community vision outlined in the Comprehensive, Transportation, and Housing Plans adopted by the community and reference criteria listed in the Town of Jackson Public Art Guidelines. They describe that public art creates community character, and directly supports the quality design of public spaces. Public art programs like murals help revitalize spaces and bring pedestrian vitality to the Downtown area. Public art can enhance housing developments, add interest to pathways, and contribute to the creation of beautiful gateways -- all strategies called out in the Comprehensive Plan. Public art also follows a robust community engagement process, which increases community engagement in all capital projects where public art is included. Public art directly supports or is called for in the highlighted policies listed here.

Specific policies that address public art in the Comprehensive Plan are listed below:

Policy 3.2.e Promote quality public spaces in Complete Neighborhoods)

Public spaces are the building blocks of vital Complete Neighborhoods. The Town and County will promote public spaces and civic facilities that are interesting, memorable, and reinforce the desired sense of community within Complete Neighborhoods. Integrating fine arts professionals in the design of projects will be encouraged in order to create unique and visually engaging public spaces—including sidewalks and walkways, parks, outdoor squares, landscaped areas and public art.

Policy 4.2.c Create vibrant walkable mixed-use Subareas

Complete streets that focus on alternative modes of transportation will be important to the enhancement of Town mixed use subareas. The primary objective in downtown Jackson will be to enhance pedestrian amenities and connectivity to support a vibrant and walkable downtown core. To achieve this goal, Town will encourage public gathering places in both public and private developments in the downtown area. Building design should

complement the pedestrian experience with uses that engage people along sidewalks and streets. Public spaces within these subareas may take the form of parks, streetscape amenities and/or public/semi-public spaces provided by private property owners.

Policy 4.2.d Protect the image and function of Town Square

Town Square is Jackson's major tourism draw and can be described as the "heart of the heart". As such, it is the area that evokes the greatest amount of sentiment and concern regarding architecture, scale and character. This area will be subject to the highest level of design standards, particularly for block faces on the Town Square. A variety of tools will be used to encourage and enhance pedestrian amenities to ensure this district remains the hub of the visitor experience and center of community life into the future.

Policy 4.4.a Maintain and improve public spaces

Public spaces are the building blocks of a thriving community. Jackson's public spaces and civic facilities should be interesting and memorable and should reinforce our sense of community. Town will continue to promote high quality design of public spaces, including creating attractive gateways, preserving views, and providing appealing public right-of-way amenities. The integration of fine arts professionals in the design of public spaces will be encouraged to create unique and visually engaging projects. New developments in Town should contribute to quality public spaces—including, but not limited to, pedestrian amenities, parks, outdoor squares, landscaped areas and public art.

Policy 4.4.b Enhance Jackson gateways

The Town gateways play a special role in setting the community tone and atmosphere for the millions of guests that visit Jackson every year. Town will create a common vision for these areas, with an emphasis on bridges and waterway features. Town will work to improve visual appeal in the public realm and encourage aesthetic improvements on private property in gateway areas. Public art projects that reflect the community, environment and character of Jackson will be encouraged in order to provide unique and interesting gateway enhancements.

Possible alternatives.

Reserve all funding in a restricted account for a future public art projects and/or maintenance.

Fiscal Impact.

The FY2023 Town approved budget allocates \$45,000 to the Annual Public Art Plan.

Expenditures requested by the PAT totaling \$36,330 are summarized below:

Utility Box Wraps \$27,330

- \$14,400 (9 utility boxes at \$1,600 per box)
- \$3,300 (\$800 per day for crew plus lodging for 2-3 days)
- \$4,500 (9 utility boxes at \$500 per box artist fee)
- \$5,130 (6 hrs. per box - JH Public Art time to coordinate artist call, contract with installer, work with WYDOT, oversee installation, related marketing)

Willow Grove \$2,500 – \$8,500 (depending on Town of hired contractors doing work)

- \$2,500 (Approximate cost for replacement parts)

- TBD (Town staff time and equipment to replace bulbs or contract labor)

Annual Bronze Cleaning \$500

- \$500 (Approximate cost for bronze cleaning by regional experts)

Additionally, expenditures requested by Town Staff include use of **\$8,670** to be utilized for a Town Hall rotating art project.

Alternatively, if Council chooses not to deploy these funds, the total will be kept in a reserve account for a future art project or maintenance.

Staff Impact.

Staff has spent approximately 8 hours to complete staff reports associated with this project.

Attachments or Links.

Resolution 12-14 (Public Art Guidelines)

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to **approve** P22-249 for expenditures related to the 2022-2023 Public Art Task Force Annual Plan, totaling \$45,000, as presented in this staff report dated November 7, 2022.

RESOLUTION 12-14**A RESOLUTION ADOPTING PUBLIC ART GUIDELINES**

WHEREAS, the Town of Jackson Mayor and Town Council adopted the Jackson/Teton Comprehensive Plan on 8 of May 2012; and

WHEREAS, the Jackson/Teton Comprehensive Plan includes strategy 3.2.S.7, "to Coordinate with a public art task force to write a public art plan for the community"; and

WHEREAS, Jackson Hole Public Art is an organization to support the Town of Jackson established as a 501(c)(3) organization with its own Board of Directors to:

1. Enhance public space by integrating art that celebrates our unique environment and cultural heritage,
2. Facilitate "creative placemaking" partnerships for the development of engaging public space,
3. Provide opportunities for youth, emerging and professional artists,
4. Increase access, understanding and investment in public art; and

WHEREAS, the Director of Jackson Hole Public Art facilitated a volunteer task force to write Public Art Guidelines for the Town of Jackson; and

WHEREAS, the Public Art Guidelines set forth the procedures for creating an annual public art plan to be approved in a public hearing by the Mayor and Town Council; and

WHEREAS, the Public Art Guidelines call for the creation of a separate public art account to be overseen by the Town Manager; and

WHEREAS, the Public Art Guidelines set forth guidelines for commissioning, funding, maintaining, donating and de-commissioning artworks in the Town of Jackson; and

WHEREAS, the Public Art Guidelines set forth in Attachment 1 hereto will enrich the lives of all residents and visitors to the Town of Jackson by providing a system of procedures and guidelines for the funding, installation and maintenance of public art; and

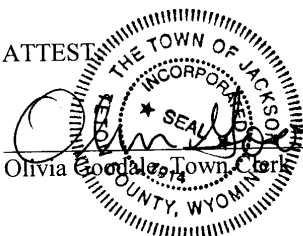
NOW, THEREFORE, BE IT RESOLVED by the Town of Jackson Mayor and Town Council that the Public Art Guidelines set forth in Attachment 1 to this Resolution is approved and adopted.

PRESENTED, READ, AND ADOPTED ON THIS 19th DAY OF NOVEMBER, 2012.

TOWN OF JACKSON

By: 
Mark Barron, Mayor

ATTEST: 
Olivia Goodale, Town Clerk



RESOLUTION 12-14

ATTACHMENT 1



The Town of Jackson

Public Art Guidelines – Final Draft 11/19/12

Prepared by: Jackson Hole Public Art Director, Carrie Geraci

Original percent for art guidelines were written by: Bland Hoke, Carrie Geraci, Ben Reed, Paul Dunker, Don Kushner, Emy DiGrappa, Dimmie Zeigler, Amy Larkin, Marylee White, Katy Niner. Reviewed by Karen Bubb.

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- 4. Funding**
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- 9. De-Accession**
- 10. Implementation of the Public Art Plan**

Appendix

Appendix A- Public Art Overlay Map
Appendix D - Sample Artist Contract
Appendix C - About Jackson Hole Public Art
Appendix D - Sample Gift of Art Disclosure Form
Appendix E - Glossary

1) Overview

What is Public Art?

Public art is art for everyone because it exists in public space. It is sculpture, installations, murals; manhole covers, paving patterns, and creative lighting. Public art is woven into a community's fabric providing vitality and creativity in all aspects of life. Street furniture, building facades, bus stops, way finding signage, gates, fountains, play equipment, engravings, carvings, bas-reliefs, public performances, creative interventions and many more constitute public art.

Why Public Art?

Art in public spaces is free and reaches a broad audience. It is intended to connect deeply and meaningfully with the public. When public art is seamlessly integrated into gateways, parks and municipal buildings it enhances how a place looks and feels. Public art at its best is compelling, beautifully crafted, transformational and accessible. All of these benefits afforded by public art elevate the visibility of art in our community.

History of Public Art in Jackson

Public art is present in Jackson, and can be seen in many public and private locations. It is diverse and represents a wide variety of styles and approaches. The Town Square is exemplary of the power of public art, with the iconic Elk Antler Arches. The removal of these icons would cause disruption to the identity of Jackson. It is their integration within the larger urban scheme that provides the community space with character and charm.

Over the years, as different artist types have settled in Jackson Hole they have initiated a variety of approaches to creating art in public places. From John Simm's austere buffalo sculpture on the Village Road, to Ben Roth's polished stingrays flying above the Rec Center pool, artists have taken it upon themselves to create art for the public to enjoy.

Cultural Infrastructure

Jackson is home to over 60 art galleries, the National Museum of Wildlife Art, the Center for the Arts, the Jackson Hole Music Festival, the annual Fall Arts Festival and Art Association Art Fairs, the Western Design Conference and numerous Art Auctions. The vast majority of these fine establishments and events showcase high quality artwork inside buildings and cultural spaces, while a small number exhibit artwork outside. There is clearly a missing piece to Jackson's cultural infrastructure: Public art.

Comprehensive Plan

The Teton County/Town of Jackson Comprehensive Plan includes the following language in support of public art to promote Jackson as a cultural destination and enhance pedestrian space:

Managed Growth

Policy 3.2.e: Promote quality public spaces in Complete Neighborhoods Public spaces are the building blocks of vital Complete Neighborhoods. The Town will promote public spaces and civic facilities that are interesting, memorable, and reinforce the desired sense of community within Complete Neighborhoods. Integrating fine arts professionals in the design of projects will be encouraged in order to create unique and visually engaging public spaces—including sidewalks and walkways, parks, outdoor squares, landscaped areas and public art.

The Comprehensive Plan includes a strategy write a public art plan for the community.

Strategy 3.2.S.7: *Coordinate with a public art task force to write a public art plan for the community.*

2) Impact: Enrich our community through public exposure to the arts.

These Public Art Guidelines have been prepared to assist the Town in the creation of inspiring public space designed to enhance the quality of the pedestrian experience. These Guidelines will increase public access to the art of our time and enhance the meaning of public space by encouraging projects that demonstrate a connection to our cultural and environmental heritage.

Public art animates public and private spaces, rejuvenates structures and streetscapes, improves local business viability and public safety, and brings diverse people together to celebrate our unique environment and cultural heritage.

The Town supports Creative Placemaking efforts to involve partners from public, private, nonprofit, and community sectors to strategically shape the physical and social character of our community around arts and cultural activities.

Principles

- Art may be integral to all Town construction projects, as either stand-alone art works or integrated into the fabric of the built environment in building facades and lobbies, gateways and parks, streets and sidewalks, and all visible public utilities.
- Public art should be expected to integrate into the overall design of the larger civic context in which it is placed. It should be inextricable and never an afterthought.
- The permanent public art found in the Town of Jackson should be diverse, illuminating the character, community, geography, history and environment found in the region. The goal is to connect deeply and meaningfully with the public audience.
- The Town of Jackson is committed to energy efficiency, environmental sensitivity, and sustainability. These values will be integral in Calls for Artists, and the resulting artwork.
- Encourage new private development to support the development of the Town of Jackson as cultural destinations.
- Partner with artists, galleries, and arts organizations to leverage their knowledge and resources when opportunities exist.
- Provide opportunities for local artists.
- Support performing arts and public art events.
- Commission public art that celebrates our unique environment and cultural heritage.
- Increase everyday access to the arts.
- Support artist-driven public art installations, events and performances.
- Enhance pedestrian spaces with the addition of public art.
- Offer public art education for creative professionals, emerging artists and youth.
- Increase resident and visitor knowledge of the art of our time.
- Increase the visibility of and opportunities for our creative workforce.

3) Administration of Public Art

This section outlines the various aspects of administering the Public Art Plan as it relates exclusively to Town and private-developer projects. Jackson Hole Public Art (JHPA) is a 501(c)(3) organization that will also undertake privately funded projects that further the mission of the Public Art Program.

Currently the Director of JHPA has administered projects as a paid consultant for the Town. Under these Public Art Guidelines, the Town of Jackson may appoint a Public Art Coordinator (the Coordinator) to administer Town of Jackson public art projects. JHPA has played a special role with regard to public art in the community and its current director led the creation of these Guidelines. As such, special consideration may be given to the Director of JHPA in the Town Council's appointment of the Public Art Coordinator.

Administrative Costs

The Town intends to cover administrative costs on a project-by project basis based on the funding mechanisms described in these guidelines. This is broken down into: 1% committed to the artwork, while the remaining .5% is to be split between program administration, education and maintenance of the collection, and will be retained in a separate account.

To maintain a program of the highest quality, the Town may consider a permanent funding source in order to support the role of the Public Art Coordinator.

The Public Art Coordinator will operate under contract with the Town of Jackson under the powers and duties provided in this chapter, and/or in such contract. The duties of the Public Art Coordinator under these Guidelines are to:

Duties of the Town of Jackson Public Art Coordinator

The Public Art Coordinator will operate under contract with the Town of Jackson under the powers and duties provided in this chapter, and/or in such contract. The duties of the Public Art Coordinator under these Guidelines are to:

- Organize and chair all Public Art Task Force meetings.
- Review all municipal government projects under consideration by the Town of Jackson with the Public Art Task Force (PAT).
- On behalf of the PAT, the Public Art Coordinator submits recommendations for projects to include in the Annual Art in Public Places Plan (AAPP) to the elected officials for review/approval.
- Work with the Client Agency and the PAT to develop project guidelines, criteria and budget for each project, and facilitate inter-agency communication and interaction throughout the life of the project.
- Identify and secure possible funding partners where appropriate.
- Draft Calls for Artists for projects, to be revised and approved by the Selection Panel, Client Agency, and PAT.
- Disseminate the Call for Artists through media outlets, local galleries, online public opportunity lists and various social media sites and outlets.
- Respond to questions and inquiries from artists as they pertain to the Call for Artists.
- Review and order applicant materials for projects and prepare materials for Selection Panel presentation.
- Schedule Selection Panel meeting dates.
- Chair Selection Panel meetings; record Selection Panel votes and Panelist comments and maintain Selection Panel score sheets.
- Assist Client Agency (staff) in preparation of staff reports for public meetings.
- Solicit reviews, comments and/or approvals for proposed works of art from the Client Agency, Town departments and the PAT as necessary regarding safety, feasibility and maintenance issues.
- Review and act on Selection Panel recommendations and submit the decision to the Public Art Task Force, for ultimate approval by the Mayor and Town Council..
- Work with the Client Agency and project team to coordinate the roles and responsibilities of design professionals, artist, and general contractor relative to each public art project.
- Work with the Town Attorney on proposed terms of artist contracts for each public art project.
- Negotiate and administer contracts for artists upon review and approval by Town Attorney.
- Provide project management services as necessary throughout all phases of each public art project and provide periodic reports to the Public Art Task Force.
- Encourage community involvement by convening and facilitating public meetings relative to each public art project.
- Conduct strategic planning for public art projects, locations, and serve as the administrator of the Public Art Guidelines.
- Serve as a liaison between the the PAT and local, state, and federal government departments.
- Maintain the Public Art Collection in collaboration with appropriate Town departments.
- Identify annual maintenance schedule and funding sources for maintenance as part of annual Public Art Plan.
- Develop public education of the Public Art Collection.
- Prepare annual report of projects completed under the previous fiscal year.

Public Art Task Force (PAT): The PAT shall have the powers and duties provided in this chapter.

Members and Terms: The PAT may be comprised of up to (seven) 7 volunteer members appointed by the Mayor, who may seek advice and consent of the Town Council. The PAT shall include at least one (1) senior level Town staff, one (1) one board member of Jackson Hole Public Art, and (1) arts curator. Although no specific experience requirements shall be necessary as a prerequisite for other members, special consideration shall be given to culture representatives, artists, planners, architects and/or business owners. Members will serve three-year terms, which will be staggered as set forth below. Membership shall strive to represent a diverse cross section of the visual arts field and the general community. Citizens interested in becoming a PAT member may submit a letter of interest to the Mayor. The Public Art Coordinator will chair the PAT meetings.

The original appointees shall be appointed: Two for one year, two for two years and three for three years; thereafter all terms will be for three years. Any member who is absent from four (4) or more meetings in a one-year period without being excused, shall be considered no longer active and the position vacant. A new member shall be appointed to fill any vacancy.

Duties of the Public Art Task Force (PAT):

- Establish and approve parameters for each new public art project including artist selection process and selection criteria, project budget and a list of prospective Selection Panel members.
- Appoint a member of the PAT to serve as a member on selection panel appointed by the Committee.
- As needed, request that the Town Design Review Committee review proposals for artwork that may have architectural or urban design implications and make recommendations and comments to the PAT.
- Review all capital improvement projects under consideration by the Town of Jackson with the Public Art Coordinator and identify which projects are suitable for inclusion in the Annual Public Art Plan based on the guidelines listed in Section 4. These recommendations will be presented to the Town Council in a public workshop.
- Make an annual recommendation for maintenance of the Public Art Collection.
- Advise new Federal and State building projects outside the jurisdiction of the Town on the Public Art Program and how to work with the program.
- Reference its guide and policies for commissioning artwork.
- Participate in an annual review of the Public Art Coordinator.
- Review annual report prepared by the Public Art Coordinator.

Client Agency

- As required by the Annual Public Art Plan, allocate a suggested 1.5% of the gross estimated construction cost for eligible capital improvement projects per Section 4 or allocate project funds to be pooled into a fund for public art to support a public art project that better meets the goals of these Public Art Guidelines.
- Meet with the Public Art Coordinator to discuss the appropriate public art process as soon as the project architect is selected.
- Provide the following information regarding eligible capital construction projects:
 - Verify to the Public Art Coordinator the total project budget allocated for public art;
 - Facility location and function;
 - Amount of construction appropriation, supported by a line item budget
 - Agency representative;
 - Project designer/architect/engineer;
 - Project timeline; and
 - Funding source.
- Include the allocation for public art in the gross estimated construction budget.
- Include the cost of design services related to the coordination and implementation of the Public Art Program in the total construction budget.
- Incorporate language into the project designer's contract scope of services that describe the designer's responsibilities in relation to public art in the project.
- Direct the project designer to work with the vision of the program as described in these Guidelines.
- Assign a representative of the Client Agency to attend all meetings relative to the public art project.
- Provide the Public Art Coordinator with complete and accurate schedule information to allow the artwork design to be planned for and integrated into project documents.
- Ensure that any work relative to the public art project that is to be performed by the General Contractor is integrated into the contract bid documents; and provide the Public

Art Coordinator with a copy of a draft bid documents pertaining to the artwork for review, comment and approval prior to their being issued.

- Credit the Town of Jackson and the artist in all media releases, announcements or any public document or release concerning the project.
- Include and acknowledge the PAT and project artist in project dedication.

Duties of Town of Jackson Departments:

Town Administrator: Deliver information on the Capital Improvements Plan, funding available in pool, attend quarterly meetings or assign a designee.

Mayor and Town Council: Review, reject and/or approve the recommendations made by the Public Art Coordinator and Public Art Task Force for projects to be included in the Annual Public Art Plan.

Planning Department: Notify the Public Art Coordinator of development taking place within the Public Art overlay map, specifically, gateways, parks, town as heart, resort district, school district, private developments with significant public space.

Public Works/Parks and Recreation: Maintenance is overseen by the Public Art Coordinator and performed by a qualified arts conservator or, when directed by the Town Council, maintenance will be implemented by the Public Works Department and/or the Parks and Recreation Department. The Annual Art In Public Places Plan will include a recommended maintenance schedule and budget to be approved by the Town Council such that every approved public art project has adequate funds for future maintenance. Maintenance funds not used in one year will roll over to the next fiscal year.

Town Building Official and/or Town Engineer: Review public art construction documents and installation details to verify and ensure public safety.

Town Attorney: Prepare and reviews all public art contracts supplied in draft form by the Public Art Coordinator.

Finance Director: Oversee funds used for public art.

4) Funding for Public Art

Public Funding Overview

Public Funding for Public Art will come from voluntary allocations of up to, but not to exceed 1.5% of the Capital Improvement Budget for projects identified during the creation of the Annual Art in Public Places Plan (AAPP). However, the Town Council may approve allocations exceeding 1.5% on a case-by-base basis. Capital Improvement Projects that do not meet the guidelines for the inclusion of public art and voluntary allocations from private developers can be pooled together. Enterprise funds associated with CIP projects may not be used for public art funding.

Establishing long-term funding mechanisms for the public art program should be addressed.

Annual Art in Public Places Plan (the AAPP)

Annually, the Coordinator of the Public Art program and the Public Art Task Force will develop and bring to the elected officials for review a Public Art Plan, which will include a list of recommended public art projects, a suggested budget and schedule to perform maintenance on the existing collection and any updates needed to the online collection.

During the first quarter of the fiscal year, the Town Council will review the public art projects identified in the Annual Art in Public Spaces Plan (the AAPP). **The Town Council is not required to approve all or any of the public art projects recommended in the Annual Art in Public Places Plan (the AAPP).** The Town Council may modify a public art project prior to approving it, may ask the Public Art Coordinator to develop modifications for consideration, or may ask the Public Art Coordinator to review and comment on possible modifications.

The Public Art Coordinator and the PAT may recommend projects for the Town Council to consider supporting with pooled funds such as public art projects not tied to Capital Improvement projects, curatorial programs like updating the website; special events and community arts infrastructure support.

The Public Art Coordinator will receive, at least one annual and at the most quarterly, financial statements from the Town regarding availability of pooled funds and will meet at least once annually and at the most quarterly, with the Town Manager or his/her designee to collect information necessary for the creation of the AAPP. The Public Art Coordinator may meet semi-annually with Town Departments that may have interest in public art who are not represented on the Public Art Task Force.

Annual Art in Public Places Plan Review Guidelines

Projects with significant public space will take priority such as: gathering spaces; parks; trails; bus stops and gateway locations. In addition, projects that meet these criteria will likely be recommended to include public art:

- Public benefit as determined by access to the artwork, whereby the public has the opportunity to view/interact with the artwork to the greatest extent possible.
- Greatest opportunity for artist involvement early in the process.
- Emphasis on public art projects that advance economic development opportunities.
- Encourage an emphasis on place making (i.e. the creation of squares, plazas, parks, streets, and that will attract people), where appropriate, recognize that there will be a need to expand the scope of a project to accomplish a broader goal.
- Contributes to Town as Heart.
- Builds civic pride.
- Adds functionality to the project.
- Enhances pedestrian experience in parks, gateways and public transit.
- Adds character to complete neighborhoods and complete streets.
- Gives identity to unique districts like the Center for the Arts, the School District and Resort Districts.
- Supports sustainability and education about our environment.

In determining the AAPP the Coordinator and the PAT are responsible for the following:

- Review the Capital Improvements Plan with the Town Manager or his/her designee and the Town Finance Director.
- Assess possible and/or proposed municipal capital projects that would benefit from the inclusion of an artist in their design.
- Be responsible for the broad inclusion of multiple constituencies in the definition of all public art projects.
- Solicit ideas and opinions from the broader community regarding possible project sites, project budgets, and project definition.
- Identify funds to supplement the public art budget to achieve maximum effect.
- For capital projects: determine whether the artist(s) should join a larger design team, create an independent work of art, provide design-only services, or provide any other recommended contribution.
- Determine if an existing work of art may be restored or conserved for a proposed site (see Section 9 De-Accession).
- Identify supplemental sources of funding that could contribute to the public art projects recommended in the AAPP, including grants, private donations and in-kind services.

Identify Capital Improvement Projects

All Capital Improvement Projects will be evaluated on a case-by-case basis during the development of the **AAPP** to determine if the arts budget will have sufficient impact for the given project. If certain Capital Improvement Projects do not meet the guidelines for the inclusion of public art, 1% of their budget may be contributed to support future projects with larger impact or conduct maintenance on existing or future projects.

A voluntary 1.5% of eligible Capital Improvement Projects

It is suggested that up to but not exceeding 1.5% of Capital Improvement projects will be allocated for the commission and installation of public art. The full 1% will be allocated for procurement of the Art and the remaining .5% divided between Administration, Maintenance, temporary installations, events and community infrastructure for the arts.

Eligible Capital Improvement Projects: Any local government project, whether new construction or renovation, that will be accessed by, or be highly visible to the public, including:

- Construction or remodeling of buildings and structures such as Town offices, administration buildings, fire and police stations, airport terminals, and the recreation center.
- Construction, renovations or expansions to parks, playgrounds, swimming pools, pathways, trails and playing fields.
- Construction or expansion of utilities such as electric substations, water plants and above ground reservoirs, and wastewater treatment plants.
- Construction or renovations to bus shelters, parking structures and lots, and road intersections.
- Construction or renovations to maintenance facilities for public works and utilities, recycling centers and transfer stations.

Eligible Capital Improvement Project Costs Include:

- Cost of architectural design and/or engineering of construction project.
- New construction of a building or of additional space or renovation.
- Any reconstruction or renovation of a building or part of a building equal to or exceeding in cost of \$50,000.

Ineligible costs include:

- Administration, fees and permits, building demolition, relocation of tenants, contingency funds, land or building acquisition, off-site costs, environmental testing or indirect costs (such as interest during construction), advertising and legal fees.
- Any projects or project cost components specifically excluded by Town Council.

Ineligible Capital Improvement Projects:

Projects not visible to the public are not subject to voluntary percent for art consideration. Such projects include below grade construction, rehabilitation of equipment, ordinary maintenance, and sewers.

Where a Capital Improvement Project has a scope of work that includes eligible and ineligible items, for example, remodeling and ordinary maintenance, the art budget amount shall be calculated on the eligible portion of the project.

Projects Not tied to Capital Improvement Projects

As part of the AAPP the PAT and Public Art Coordinator will make recommendations to the Town to consider projects beneficial to the community that are not part of a Capital Improvement Project budget. (Examples may include: enhancements to the parking garages, existing pedestrian spaces or historical markers). These projects will be considered only if the pooled funds are available to provide sufficient resources.

Pooling of Funds (POF)

It should be noted that every public art project both large and small takes significant staff resources to accomplish and maintain. Therefore, the flexibility to pool public art funds will ultimately reduce administrative costs, while creating higher impact projects.

Public Art Funds may be used to:

- Commission Public Art.
- Improve the aesthetic quality of public spaces and structures.
- Contribute to local heritage.
- Stimulate arts-related economic activity.
- Commission permanent artwork as identified by the AAPP.

- Commission temporary and performance art in public places.
- Maintain the existing public art collection.
- Support nonprofit arts groups and facilities that offer public benefits and increase cultural tourism (Center for the Arts).
- Support business incubators and economic development for the arts.
- Support the administration costs of the Public Art Coordinator.

Private Funding Overview

Throughout the country, private developers are discovering that including artwork can enhance the overall quality of a project and give it a unique character, not achievable in other ways. Public art can stimulate private developments that are unique and contribute in a positive way to establishing a regional sense of place. Public art and cultural facilities in private development can heighten the image and the value of a project and its income producing potential. Tenants like artwork and the identity it gives a building.

In the Town of Jackson, the Public Art Coordinator will serve as a source of information for private developers to utilize public art in new development projects.

Public art in private developments, especially in the Town, meets the goals of the Comprehensive plan by "promoting public spaces and civic facilities that are interesting, memorable, and reinforce the desired sense of community."

Public Art in Lieu of Landscaping – Land Development Regulation Amendment

Amount: Value of landscaping traded for Public art.

Eligible Projects: This offers private development projects required to meet a landscaping requirement an option to pay for public art enhancements in lieu of landscaping requirements.

Insurance and Maintenance of public art is the responsibility of the property owner.

Exemptions: Reproductions of original works of art; decorative, ornamental or functional elements designed by the architect or consultants engaged by the architect; elements generally considered to be components of a landscape architectural design except where designed by an artist; art objects which are mass-produced of standard design, such as playground equipment or fountains; directional or other functional elements such as super graphics, signs, color coding, maps, unless designed by an artist.

Donations and Supplemental Sources of Funding

If supplemental sources of funding are used for public art projects, including grants, private donations, land, and in-kind services, Jackson Hole Public Art will identify the private interests or other restrictions associated with such funding and review the development of the public art projects for which the funding is used to ensure compliance with donor intent and other restrictions.

5) Commissioning

Selection Process and Criteria

This section is meant to serve as a guideline for the commission of artwork for eligible projects. It is a fluid document and is subject to change. It is not legally binding.

Selection Process

Call for Artists

Upon the identification of a specific project, criteria for the artwork and the location of such art shall be determined by the Public Art Coordinator in collaboration with the client agency to create the Call to Artists. Consideration of the appropriate media (sculpture, landscape design, painting, etc.) should be developed along with recommended criteria (environmental, historical, western, contemporary, etc.) for the artwork (*criteria is further defined in 2.6.2*). This might be very specific or left open for the artist to develop ideas. In some cases it may prove helpful to define a number of sites to specifically integrate artwork within the scope of a

project. Once this phase is completed, a Call for Artists is drafted by the Public Art Coordinator and approved by the Public Art Task Force. Revisions may be proposed by the selection panel (see below) in the case that the Call for Artists does not represent the project in its entirety.

Selection Panel

The selection panel will consist of arts professionals and enthusiasts, neighborhood residents of the proposed site, general community members, Town administrator, project stakeholders (e.g., Public Works Department members, Parks and Recreation Department members), etc. The makeup of the panel will strive to include individuals with a background or interest in visual art, design and the built environment. The panel will be assembled by the Public Art Task Force and shall seek to create a diverse representation of the project. The findings of the selection panel will be reviewed by the Public Art Task Force before they are brought to the elected bodies.

RFP/RFQ/Invitational

Three different methods may be used in a Call for Artists: Requests for Proposals (RFP's), Request for Qualifications (RFQ's) and Invitational process (submit proposal or be interviewed). The best practice in the field of public art favors RFQ's due to the time and effort involved in developing a RFP without compensation for the artists' efforts. An RFQ allows for a real interaction between the commissioned artist and the client agency, wherein concepts can be presented in sketch form and can go through a normal and productive design development cycle. This approach yields artwork far more integrated and sensitive to the site, context and goals of the public art project.

Request for Proposal (RFP) – A RFP will specify the information and format the artist must follow to submit his or her proposal. Generally, background information (resume, slides of prior work, newspaper articles, etc.) is requested along with concept sketches and a written description of the project. In addition to artist's fees, material costs, construction and installation costs, insurance and documentation costs may need to be accounted for. If artists are selected nationally there may be airfare and hotel costs. Three to five finalists are selected, and are expected to further develop the idea presented initially. An honorarium for finalist proposals is required, ranging from \$500-\$2,000.

Request for Qualifications (RFQ) – A RFQ is issued to select a short list of (3-5) artists to develop proposals. Typical requirements of a RFQ include; a resume, letter of interest, slides of previous work and references. Artists are not asked to develop any specific concept or sketch in their initial response to the RFQ. A short list of artists is selected and an honorarium is paid (\$500- \$2000) to cover the research and concept development for finalist proposals. Artists have the chance to ask question of the selection panel, project architects and associated individuals or agencies to further enhance their knowledge of the particular project. Open communication during the finalist proposal development phase is paramount to provide finalist artists the maximum amount of information for their proposal.

Invitational – In some cases, rather than reviewing a large number of proposals as a result of issuing a RFP or RFQ, a smaller number of artists can be invited to submit proposals. These artists can be located through a variety of means including review websites, contacting local arts organizations, speaking with local arts professionals and/or contacting national organizations with existing artist registries. This approach reduces the office work and time needed to review, organize and select finalist artists from large pools of applicants.

Advertising the Call for Artists

Once a Call for Artists has been finalized by the Public Art Task Force, it will be advertised in a variety of online, print, and social media sites. The scale of the project and the Public Art Task Force's recommendations will determine the breadth of advertising. Some projects will seek to involve local artists, while others may be more appropriate for nationally recognized public artists.

Local media outlets to disseminate a Call for Artists:

- The Gallery Association
- Art Association - Splash Publication

- Non-Profit and Chamber of Commerce ListServ's
- Jackson Hole News and Guide
- Jackson Hole Weekly
- www.JHUnderground.com
- www.thesnaz.com
- Teton Artlab
- Cultural Non-profit email lists
- Any others deemed necessary by the Public Art Coordinator

Public Art Lists to post Calls for Artists:

- CAFÉ (WESTAF)
- www.4culture.org/publicart/calls/default.asp
- <http://phoenix.gov/maillist/milestone/subscribe.html>
- <http://www.lvartscommission.com/contact/>
- www.callforentry.org
- www.urbanartsinstitute.org
- www.publicartreview.org
- www.sculpture.org
- www.artopportunitiesmonthly.com
- <http://artdeadline.com>
- www.artsopportunities.org
- www.theartlist.com
- Any others deemed necessary by the Public Art Coordinator

Artwork/Artist Selection Criteria

These criteria are the minimum standards on which the selection panel shall base its selection of artists or artwork in response to the Call for Artists. Additional criteria may be established by the Public Art Committee in response to a project's particular requirements and context.

Artwork Criteria

1. Aesthetics- The selection panel shall seek artwork of the highest quality in terms of timelessness of its vision, design and integrity. Commissioned and acquired artwork will strive for the highest quality to complement Jackson's built and natural environment.
2. Context- The selection panel shall, in its deliberations, give due consideration to the appropriateness of the proposed project in terms of scale, materials, content and design with respect to its immediate and general, social and physical context.
3. Public Safety- Artwork shall be evaluated to ensure that it does not present a hazard to public safety.
4. Maintenance- Due consideration shall be given to structural and surface soundness, and to inherent resistance to theft, vandalism, weathering, and excessive maintenance or repair costs.
5. Electrical and Mechanical Considerations- All electrical, mechanical and engineering components must be stamped by a licensed engineer. Upon completion, a sealed as-built drawing may be required from the Building Official.
6. Public access- Will the public have free access to the artwork? The selection panel should consider the visibility and accessibility of artwork for people with disabilities, and ensure the artwork accessible to everyone.
7. Diversity- The Public Art Selection Panel shall actively seek diversity in style, scale, media and numbers of artists represented. A wide range of expressions from metaphorical, allegorical and narrative work will be encouraged in addition to artwork which is stunning in material, form, color, pattern and context.
8. Reproductions- The following non-artistic items do not qualify in the selection of artwork: Reproductions of original works of art; decorative, ornamental, or functional elements which are designed by the architect or consultants engaged by the architect as opposed to an artist commissioned for this purpose; those elements generally considered to be components of a landscape architectural design except when elements are designed by the selected project

artist and are an integral part of the project artwork; "art objects" which are mass-produced of standard design; directional or other functional elements such as super-graphics, signs, color coding, or maps.

Public art should avoid:

- Sharp edges, points, projections, or pinch-points which may cut, puncture or cause injury by impact, catch passing pedestrian clothing or entrapment of limbs.
- Overhead parts which present a hazard to pedestrian traffic. Artwork should follow minimum sign height requirements in areas where pedestrian traffic is likely.
- Trip hazards and slippery surfaces if set into sidewalks or flooring.
- Unsafe climbing opportunities for children/adults.
- Obstruction of any traffic control device.
- Cynical, pornographic, and otherwise obscene artwork that is not appropriate for public display.

Artist Selection Criteria

1. Eligibility- Public art projects are open to any professional artist whose residency meets the guidelines set forth in the RFP/RFQ. Members of the project consultant's firm or anyone employed thereby, members of the selection panel, or employees of the Town of Jackson shall be excluded from consideration.

2. CV/Resume- Artists will be selected on the basis of their qualifications as demonstrated by their past work. Preference will be given to artists that have demonstrated the ability to respond to a project's parameters including; site, context, materials, fabrication, and installation of completed work.

3. Context- Artists shall be selected on the basis of the appropriateness of their proposal to the particular project and its probability of successful completion, as indicated by the merit of their past work. Artists commissioned for site-specific projects must be able to clearly articulate their given approach to creating work within the context of a project.

4. Design Team- In the case of the design team approach, whereby an artist is commissioned in the conceptual design of a construction project, an artist's willingness to fully participate in a collaborative process will be considered criteria for selection. Additional criteria for selecting artists for design teams shall include but not be limited to the following:

- Proven ability to work effectively in collaborative situations
- Experience in architectural or landscape-based projects
- Experience working with design professionals and integrating artistic concepts into construction documents

5. Equal Opportunity- Selection of an artist will be made without regard to race, gender, religion, sexual orientation, and people with disabilities.

6) Maintenance

The Public Art Coordinator will make recommendations for investment in maintenance of the public art collection based on professional evaluation of the state of the artworks.

The Town will own all works of art created or acquired with Public Art Funds. Every public art project funded with public art funds will reserve a sufficient amount for long-term maintenance and conservation of the work(s) of art as determined by the artist's maintenance plan. All artists selected in the commissioning process will be required to submit a detailed maintenance plan.

Artists selected to create and provide permanent and temporary works of art will specify the maintenance that will be required for the work of art and submit a maintenance schedule as part of their contract with the Town.

The contract should provide that the artist(s) will be responsible for the first full year of project (after installation of the artwork), including all corrections and/or repairs of the work(s) of art.

If the work of art is a gift of a pre-existing work of art, the donor will include a documentation of all maintenance work done to date and a schedule of future maintenance. The Town may request maintenance funding with the donation of the artwork.

The Public Art Coordinator will advise the Town in the AAPP:

- When the services of a professional conservator are required to evaluate the status of the public collection.
- The Town will, in consultation with PAT and the Public Art Coordinator, decide any and all remedies necessary to restore the works to their desired condition.

Should maintenance or conservation be necessary, the Town will:

- Follow the recommendations and instructions of the professional conservator.
- Inform the Public Art Coordinator of these recommendations in writing.
- Consult the artist(s) or the estate of the artist prior to executing these recommendations of allocating any monies accrued to the Public Arts for this purpose.

7) Education & Community Outreach

Public education is a cornerstone of any successful public art program. Jackson Hole Public Art will act as the Town's partner in providing education about the permanent Public Art Collection and any temporary displays of art.

No funds for education shall come from the 1.5% of Capital Improvement Projects. Jackson Hole Public Art will support education with private funding and grant writing when necessary.

Jackson Hole Public Art is developing:

- Website with images and information on all publicly and privately owned art located on or adjacent to public space (pending Town of Jackson approval).
- Self guided tours using digital imaging technology (Philadelphia's Museum without walls).
- "Art Adds Value" brochure for private developers.

In the future Jackson Hole Public Art seeks to develop:

- Database of artists and fabricators working in the region (Town, County and Local Communities).
- Conduct professional development programs for local artists.
- Invite experienced artists and creative professionals with significant public art experience to provide education, offer technical assistance and creative solutions to the problems and challenges most frequently encountered in commissioning public art.

The Public Art Coordinator is available to make presentations for professional groups such as the American Institute of Architects (AIA), Downtown Business Association and the Rotary Club.

8) Public Art Donations

Parties interested in making donations of art to the Town of Jackson are to contact the office of the Mayor and/or the Public Art Coordinator, who will facilitate the consideration of the requested donation. Works are accepted based on a review by a specifically convened selection panel and/or the Design Review Committee and/or Public Art Task Force who will consider the quality, condition, content, future maintenance requirements, site appropriateness, public safety and relevance of the work to the collection. Any public artwork proposed for donation to the Town of Jackson or for installation on public property must meet the standards for public art established in these Public Art Guidelines. The Town (may) require(s) a maintenance endowment. Donations are considered a tax-write off and are subject to review by the Town Attorney.

No work of art may be accepted as part of the public art collection if the donation violates any statutes, or regulations of Town policy on the acceptance of gifts.

Procedures for Donating Works of Art

For each proposed gift of art, the donor must contact the Jackson Hole Public Art and/or the Town and provide a Gift of Art Disclosure Form see Appendix D. This Form must be accompanied by photos, slides, video(s) or other viable representations of the work, documentation of ownership (provenance through bill of sale, title, deed, etc.) and declared value. The Form must also be accompanied by information concerning the care and maintenance of the work of art.

Upon receipt of a Gift of Art Disclosure Form, the Coordinator will review the gift with a specially appointed selection panel, the PAT and/or the Design Review Committee. The panel will consist of: the Public Art Coordinator to act as chair, an appropriate community representative, an appropriate Town representative, and appropriate artist(s) dependent upon the scope of the proposed gift.

The panel will review the Gift of Art Disclosure Form and may further request to see and inspect the actual artwork and/or documents pertaining to the work of art. Upon finalizing its review and based on the review criteria below, the panel will make a recommendation to Town regarding acceptance or rejection of the work of art.

Selection Panel Criteria for Gifts

The following criteria will be used by the selection panel when considering a proposed gift of a work of art.

1. Originality of artwork. The work of art must be one-of-a-kind or part of any original series. Reproductions of original works of art are not considered eligible for acceptance.

2. Restrictions from the donor. Any restrictions that will have to be honored by the Town must be clearly identified.

3. Appropriateness of a proposed or chosen site for the artwork. Materials, theme and scale of the work of art will be evaluated relative to any site identified by the donor or relative to a site identified by the Town.

4. Artistic Excellence. The proposed gift of art must contribute an aesthetic benefit to the Town's art collection.

5. Technical feasibility. The practical ability for the proposed works of art to be sited, and/or installed. Careful consideration will be made concerning the current condition of any artwork whereby works of art requiring considerable and/or immediate maintenance or conservation will only be accepted in rare cases. The installation detail must be provided by the donor and approved by a structural engineer. The costs associated with engineering review will be borne by the donor.

6. Relationship to the collection as a whole. The commission is committed to developing a diverse art collection. The proposed gift will be evaluated based upon its enhancement and its diversity with that of the overall art collection of the Town.

7. Vandalism and safety. The artwork cannot be prone to pose a safety hazard to the general public and will not be prone to vandalism. Requirements placed upon the donor, to rectify such, may be made by the Panel.

8. Maintenance and preservation. The Donor shall include, as part of the Panel overview, a technical and maintenance record including a plan for routine expense estimates. Further, the Donor must indicate if there is any unusual maintenance costs associated with the artwork.

9. Timeline. The commission will determine if the proposed timeline is acceptable.

10. Shipping: The donor shall pay for shipping and handling and the hiring of a professional installer. Public Works and/or Parks and Recreation may provide in-kind support if directed by the Town Council.

11. Naming: The Town will approve with donor as part of the agreement any donor recognition on the title plaque.

9) De-Accession

Deaccessioning is a procedure for the withdrawal of an artwork from public collection. Deaccessioning may be addressed by referring to the de-accessioning policy or by specifically addressing the issue directly in the contract. De-accessioning public art must consider the federal regulations set forth in the Visual Artists Rights Act of 1990.

Overview:

Works of art are being accepted by and for the Town of Jackson through donations, gifts and Jackson Hole Public Art.

Policy:

Permanent works of art commissioned and/or acquired as a consequence of the Public Art Guidelines should not be deaccessioned before the tenth anniversary of installation or

acquisition, except in the case of portable works of art or special circumstances whereby an art piece has been damaged beyond reasonable repair. In determining whether a work of art should be deaccessioned, the Public Art Coordinator will ascertain public sentiment. Further, a Subcommittee will consider deaccessioning of an artwork only after a careful and impartial evaluation of the artwork has been completed. All findings of the Subcommittee shall be presented to the Town along with a recommendation for implementation. The Public Art Coordinator will, in addition, contact the artist, if possible, or the estate of the artist prior to making a formal recommendation to the Town.

Eligible Artworks:

All Artwork owned by the Town of Jackson are eligible. All legal documents relating to a donated art work will be consulted prior to commencing the deaccessioning process.

Deaccessioning Procedure:

A Deaccessioning Subcommittee of the Public Art Task Force will be formed, which will include no more than five (5) professional/experts including three (3) members of the Task Force, an art conservator or curator, and a Town representative. The Public Art Task Force will periodically review the entire public art collection, or when circumstances necessitate a subcommittee will be convened to review a specific artwork. The Public Art Task Force will be responsible for recommending artwork for deaccessioning consideration.

Criteria for Deaccessioning:

The Public Art Program may consider the deaccessioning of artwork based upon one or more of the following:

- The artwork is damaged or has deteriorated beyond practical repair or repairs exceed the value of the work.
- The artwork is not, or is only rarely on display due to lack of a suitable site.
- The artwork cannot be relocated or would not be appropriate for relocation.
- The artwork cannot be reasonably secured.
- The artwork has received sustained and overwhelming public objection over a five-year period.
- The artwork required repeated and excessive maintenance.
- The artwork has identified substantial faults of design or workmanship.
- The artwork site would warrant a more significant artwork by the same artist.
- The artwork has been deemed to be substantially incompatible or inferior to the Town collection.
- The artwork endangers public safety.
- The artwork is impacted negatively from site/location alterations.
- The artwork is destroyed.
- The artwork is found to be inauthentic.

Sequence of Action:

A Subcommittee appointed by Public Art Task Force and approved by elected officials determines that an artwork meets one of the above criteria. The Subcommittee may request additional information from the artist, curators, appraisers, or other professionals prior to making a recommendation to the Town.

The Public Art Coordinator will prepare a report that includes:

- A legal review of all documentation related to the artwork, by the Town Attorney.
- Any recommendation(s) from the appropriate Town staff in ownership of the artwork.
- Completion of all deaccessioning worksheets.
- The Public Art Task Force deaccessioning documentation, including, method of removal.
- The PAT will review the staff report at one of its regularly scheduled meetings.
- The PAT recommendation will be sent to the Town for consideration at a regularly scheduled meeting.

**Upon the Town confirmation of the recommendation,
The public art coordinator shall determine:**

- If the artwork may be sold or exchanged.
- If the sale of artwork is within the compliance of all State and Local.
- The all relevant Laws and policies governing personal property are upheld.
- An Artist, or the estate of the Artist, shall be given first option to purchase or exchange the artwork(s).
- That the method of sale may be through auction, direct bidding by individuals (open or closed bids), or gallery consignment resale.
- That an artwork exchange may be executed through a public or private museum, institution, artist, or gallery, provided that such exchange is of comparable value.
- No artwork shall be sold or traded to members or Town staff or the Public Art Program consistent with the Public Art Program conflict of interest policy.

- Net proceeds from artwork sold shall be placed in the account of the Public Art Fund for future art work projects. Any preexisting contractual agreement regarding resale, between the Artist, and the Artist's estate, shall be honored. Further, any proceeds from artwork sold, which were originally created or purchased with funds that carried restrictions (i.e., bond funds for street, sewer, or public building) shall be utilized in any future artwork by the Town of Jackson in the same manner and consideration as when the funds were initially utilized.

Destruction of artwork deteriorated or damaged beyond reasonable repair and/or deemed to be of negligible value.

If the PAT is unable to dispose of the artwork in a manner outlined above, the PAT may recommend to the Town another method of disposition or donation to a non-profit organization.

10) Implementation of the Public Art Guidelines

For this plan to be successfully implemented, there needs to be a clear and accountable strategy in the immediate two years. These years are critical to seizing the energy and funding generated by Jackson Hole Public Art and building the foundation for this plan to integrate into the Town offices and the community it serves. Indicators are listed below as a checklist of tasks needed to make the plan work.

Implementation Strategy

The goal of the implementation strategy is to plan ahead, identifying measurable goals and milestones to put the public art plan into effect.

2012 Strategy

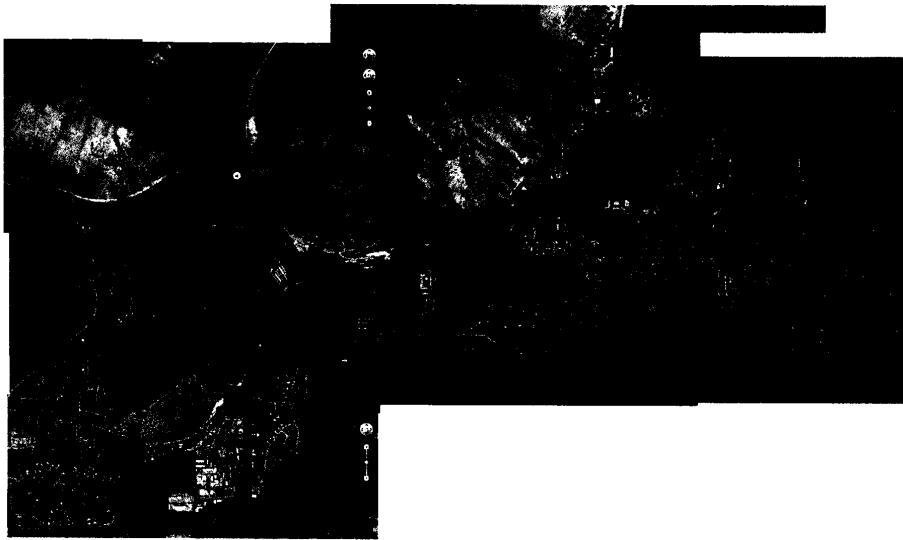
Town Duties:

- Adopt "Strategy 3.2.S.7: Coordinate with a public art task force to write a public art plan for the community", from the Comprehensive Plan as **a year one work program priority**, because the Jackson Hole Public Art program exists and is currently funded to provide this service.
- Approve and implement the process of the 2012 Annual Art in Public Places Plan (the AAPP).
- Approve the Pooling of Funds as a strategy to develop a responsible and sustainable program.
- Town establish and appoint members to the Public Art Task Force.
- Adopt the Public Art Policies and Guidelines of this Plan in a Town of Jackson or Joint Resolution.

The Director of Jackson Hole Public Art continues work on the following:

- Revise and release the Public Art Guidelines with input from the Town planning departments, senior staff and elected officials.
- Offer a workshop on arts and culture planning, economic impact and recent innovations in Public Art Programs.
- Administer pilot projects.
- Identify and advocate for public art in upcoming private development projects.
- Provide education for the public, elected officials, and stakeholder groups about public art and the public art plan.
- Focus on potential projects with the strongest impact.
- Administer the public art process for projects adopted through the Annual Art in Public Places plan.
- Design and print a Public Art Brochure for the planning departments to give to private developers.

Appendix A- Public Art Overlay Map



Public Art Overlay Map

Summary: This concept is similar to the Historic District overlay (if a building is slated for demolition, this triggers a review mechanism for the Historical Society to assess the historical significance of the building. The review process lasts for 60 days.) In a similar manner, a public art overlay map will provide a mechanism that will alert the PAC of new private developments proposed within the overlay map. The project can then be reviewed by the PAT to determine if advocacy for public art will be appropriate given the location, size of the project, and developer.

Policy: A public art overlay map will provide an internal review mechanism to alert the PAT of new developments. It will be the duty of the Public Art Coordinator to make an initial review of the project to determine if advocacy will be necessary for the new development to consider public art. The review mechanism will be triggered during the 'Sufficiency Review by Town Departments' in the final development review process.

Appendix B - Sample Artist Contract

- A. Contract Terms**
- B. Title and Ownership**
- C. Reproduction Rights/Copyright**
- D. Warranties/Risk of Loss**
- E. Fabrication and Installation**
- F. Maintenance**
- G. Risk Management**
- H. Documentation**
- I. De-accession**
- J. Signage**
- K. Contract Enforcement**
- L. Termination or Cancellation of Contract**
- M. Project Delays**
- N. Contingency Fees**

A contract is the formal agreement between the Town of Jackson and the artist that outlines what is required and expected of each party. Contracts include all the information necessary for a clear understanding between the artist and the Town of Jackson. The contract will detail the commission amount, the artist's expected payment date, the party responsible for payment, and the procedure by which the artist's designs and maquettes will be reviewed and approved. Schedules for fabrication, transportation, and installation of the artwork and the responsibility of the Town of Jackson in maintaining the completed work will also be detailed. Although there will be a standard contract, flexibility within its structure will address the particulars of each project.

In cases where artists are not familiar with contracts or binding agreements, the Public Art Coordinator will take time to walk the artist through the process ensuring that the requirements and expectations are clear, especially with regard to budgets and timetables. Any questions on contract issues will be clarified with Town administrator.

A. Contract Terms

The following items will detail the necessary structure of an artist contract with the Town of Jackson.

B. Title and Ownership

The artist retains all rights and interest in the artwork except for rights of ownership and possession, which are passed to the Town of Jackson upon final acceptance. The artist warrants that the artwork is his/her sole and original creation, and does not infringe upon any copyright or trademark. If the commissioned artwork is one of a multiple edition, the warranty will be modified to state this fact.

C. Reproduction Rights/Copyright

The artist retains all rights under the Copyright Act of 1976. However, the artist agrees not to make an exact duplicate or permit others to do so, except by written permission of the Town of Jackson; the artist also grants the Town of Jackson the irrevocable license to make two-dimensional reproductions for promotional purposes. In turn, the Town of Jackson agrees to give the artist the appropriate credit on all such promotional pieces. The credit will include the copyright symbol, the name of the artist, the title of the piece, and the date of completion.

D. Warranties/Risk of Loss

The artist warrants that:

1. The artwork is made of quality materials;
2. The artwork is free of defects; and
3. The artwork will remain in good condition for 10 years under normal conditions with routine maintenance.

Additionally, the artist will remedy at his/her own expense any defect that occurs during the first year after installation. Finally the artist warrants that the artwork will not contain any physical characteristics, which would pose a hazard to public safety.

E. Fabrication and Installation

Because no two public art projects are exactly the same, the fabrication and installation stipulations required of artists in their contracts will be fairly general in nature. In terms of fabrication, the contract will stipulate reasonable durability and protection of materials. The Town of Jackson Call for Artists may outline material preferences for maintenance. Artists will supervise fabrication to assure quality-control warranties of the contract. Fabrication requirements will include, at minimum, that:

1. Artworks are free from defect;
2. Artworks be made of high-quality materials;
3. Craftsmanship be of high quality; and
4. The artist, the Town of Jackson and members of the selection panel will review the fabrication of the work while in progress.

Installation responsibilities between the artist, the Town of Jackson and the specific commissioning agency will be detailed in contracts. For installation, the artist's methods will be approved by the commissioning agency and, if necessary, a state-licensed

engineer (particularly when artists are responsible for paying for the installation). The permanence of the installation will be the issue of that approval, and specific requirements will be imposed, such as the use of safety hardware for hanging a suspended artwork. In addition, the following points will be considered:

1. The artist will approve site preparation before installation begins;
2. Artwork is to be installed when it is in no danger of being damaged by on-site construction work;
3. Standards and requirements set forth by the commissioning agency for installation should be adhered to; and
4. The artist is responsible for loss or damage to artwork prior to its installation on Town property.

F. Maintenance

The artist will submit maintenance requirements, guidelines, and costs for the artwork to the Town of Jackson, developed in conjunction and cooperation with the commissioning agency. In turn, the Town of Jackson will maintain the artwork and make decisions regarding repairs and restoration based on the maintenance guidelines submitted, and in consultation with the artist when necessary (as per the Visual Artists Rights Act of 1990). The Town of Jackson agrees that it will not intentionally destroy, damage, alter or modify the artwork, and that the artist will be informed, and will consent to any alteration of the artwork prior to repair work commences.

G. Risk management

The artist shall provide and maintain policies of comprehensive general liability insurance in specified amounts to be determined by the Town of Jackson, covering the period from which the art is being installed until the final acceptance by the Town of Jackson. The Town of Jackson and the architect will be named as the insured on all insurance policies.

Assignment of the insurance responsibility prior to, during, and after installation is clarified in contracts.

The following points should be considered:

1. To reduce the Town of Jackson's liability, fabrication will be done off-site whenever possible;
2. The engineer who signs off on the artist's drawing must verify that the final artwork has been built to specifications, by inspecting the artwork after installation;
3. The artist is responsible for providing general liability insurance when the artwork is in transit, being delivered, and being installed; and
4. The artist is responsible for any damage to the artwork until installation on Town of Jackson property.

H. Documentation

The artist must submit a detailed description of the project with approved designs and drawing to the Town of Jackson upon completion of the work. The artist is responsible for providing photo documentation, and should include these costs in the budget for the project.

I. De-Accession

De-accessioning may be addressed by referring to the de-accessioning policy or by specifically addressing the issue directly in the contract. De-accessioning public art must consider the federal regulations set forth in the Visual Artists Rights Act of 1990.

J. Signage

The Town of Jackson will prepare and install a plaque at the site that identifies the artist, the title of artwork, copyright symbol, date of completion, size of the work, and medium.

K. Contract Enforcement

Performance requirements identify whether or not artists are in compliance with the stipulation of the contract. There must be set guidelines if an artist is late, over budget, or completes the project ahead of schedule. These requirements may be tied to budget allocations. When the artist is under contract with the architect, the architect is responsible for the enforcement of that contract.

L. Termination or Cancellation of Contract

The agreement terminates if the underlying construction project is canceled. The Town of Jackson may also terminate the agreement if the artist willfully or negligently fails to fulfill any of the covenants, agreements, or stipulations of the agreement in a timely manner. If the artist is not able to produce an acceptable design in a timely manner, the body with which the artist has contracted (the architect or the Town of Jackson) has the right to terminate the contract by giving written notice to the artist of its intent. The artist shall have thirty (30) days to cure the default by producing an acceptable design. If the artist defaults, all finished and unfinished drawings, sketches, photographs, models, and maquettes of the work shall become the property of the Town of Jackson in payment for damages caused to the Town of Jackson by the default on the part of the artist.

The Town of Jackson must pay the artist for any work completed up to the point of termination as stipulated by the payment schedule. The remaining monies revert back to the Town of Jackson to finance the completion of the artwork when feasible. The Town of Jackson may withhold a reasonable amount of payment to the artist until the exact amount of any damages is determined.

Should an artist's contract be terminated by the Town of Jackson due to negligence or noncompliance on the part of the artist, the Town of Jackson has the right to consider that artist ineligible for any future art projects funded by the Town of Jackson.

M. Project Delays

If the artwork is ready on time, but the construction project is late, the commissioning agency should pay all maintenance and storage costs for the artwork until it can be safely installed. When an artist completes a work before the completion date agreed upon in the contract, the artist will be responsible for storage charges. Should the construction project be completed on schedule, but, due to conditions beyond reasonable control, the artist is late producing the finished artwork, it will not be considered a breach of contract, and the Town of Jackson will grant a reasonable extension of time to the artist. If the Town of Jackson incurs costs associated with such a delay, the contingency fee (see below) will be used to cover these charges.

N. Contingency Fee

Ten percent of the total art project budget will be set aside as a contingency fee to cover unforeseen and unavoidable expenses associated with the artist's completion of the project. If the contingency fee is not adequate to cover such costs, a renegotiation of the budget terms of the contract and/or an option to terminate the contract can be considered. If the contingency fee is not used, it can be either added to the artist's

design fee, or set aside for emergency conservation of the artwork, or split between the two.

Appendix C - About Jackson Hole Public Art

Jackson Hole Public Art, a 501(c)(3) organization, aims to become Jackson Hole's leading presenter of public artist driven projects, new commissions, exhibitions and events in public spaces. We are committed to working with community developers, both private and public to ensure the integration of art into Capital Improvement Projects. We are dedicated to supporting our creative community by ensuring arts and culture is an integral part of our community's long-term vision and planning. By placing artworks outside the traditional context of museums and galleries the Public Art Initiative provides a unique experience and access for the public to discover the art of our time.

MISSION

The Jackson Hole Public Art facilitates partnerships and provides education for the integration of art into any environment.

GOALS

- Build infrastructure to support integration of public art in public and private capital improvement projects.
- Administer public art in capital improvement projects.
- Host museum-quality exhibition of art in public space.
- Provide opportunities for youth and emerging artists.
- Provide education about and maintenance for the public art collection.
- Cultivate creative vitality and economic development through creative placemaking.

Public Art Board Members

Gibson – PMB 316 Box 30000, Jackson, Wyoming 83002, 503-780-3256
Former Board Member Portland Regional Arts Council, Professional Artist
pamelagibson2@mac.com

Eric Logan – P.O. Box 97, Kelly, Wyoming 83011, 307-733-4000
Carney Logan Burke Architects
Town of Jackson Design Review Committee
elogan@clbarchitects.com

Susan Thulin – P.O. Box 3217, Jackson, Wyoming, 83001, 307-690-6266
Campus Director Central Wyoming College, Professional Artist
sthulin@cwcc.edu

Phillip A. Coosaia, Market President, Private Bank Director, US Bank
Jackson, Wyoming
Office: 307-732-9891
Cell: 307-690-7165

Cathryn L. Brodie, P.C., Levy Coleman Brodie LLP, Attorneys at Law
PO Box 7372, 1110 Maple Way, 2nd Floor, Jackson, Wyoming 83002
Phone: 307.733.7057
Fax: 307.733.7142
Cell: 307.690.2070

Katy Niner – Freelance arts writer, former arts editor Jackson Hole News and Guide
415-710-7329
katyniner@gmail.com

Christian Burch – Teacher at Jackson Hole Community School, Author, Artist
christianb28@hotmail.com
307-690-3132

Current Task Force Volunteers

Darin Martins, Bronwyn Minton, Meg Whitmer, Meg Daly, Alissa Davies.

OBJECTIVES

- Infuse public spaces with art that celebrates our unique environment and cultural heritage.
- Increase cultural tourism by providing artist-driven public art installations, events and performances.
- Increase economic impact of the arts by developing programs that support our creative professionals, emerging artists and youth.
- Increase resident and visitor knowledge of the art of our time
- Increase the visibility of and opportunities for our creative workforce.

PROJECTS AND PROGRAMS

Jackson Hole Public Art's ongoing programs encompass three categories: (1) Building Public Art Program Infrastructure, including working with elected officials to develop voluntary funding sources and policies to support the voluntary integration of public art in CIPs (2) administration support for new developments wishing to include public art (3) assist in the development of community-based public art projects with social and educational messages (4) facilitate the public art component of major events and installations that increase cultural tourism by providing a unique artistic experience in a public setting.

Appendix D – Sample Gift of Art Disclosure Form

A Gift of Art Disclosure Form, signed by the donor, the Director of the Public Art Program, and the Town Administrator, will be required. A copy should be given to all interested parties, and the original should be retained by the Town Clerk.

GIFT OF ART DISCLOSURE FORM

TOWN OF JACKSON

1. Please describe the work of art being proposed for donation. Attach photographic and other documentation relevant to its value or merit. If available, please also attach any biographical information relating to the artist, or any published material relevant to the artwork.

Artist:

Title:

Medium:

Dimensions: (height x width x depth, weight):

Year Created:

Overall description:

History of object (provenance, certificate of authenticity, bill of receipt):

How did you/your organization acquire the artwork?

Estimated value:

Source:

Condition: Excellent _____ Good _____ Fair _____ Poor _____

GIFT OF ART DISCLOSURE FORM page 2

2. Installation requirements (method of attachment, lighting, estimated cost, etc.):
3. Maintenance requirements:
4. Maintenance history, include names of conservators and copies of information about the work performed on this piece:
5. Are you/your organization willing/able to provide the funding necessary to install, light, and identify the artwork? (Please describe the work and estimate costs involved)
6. If you are proposing that the work of art be installed in a specific location, please describe why you feel that site is appropriate for the proposed donation.
7. Does the artwork acknowledge a person(s), place, or event that warrants broad and enduring public recognition?

8. Describe specifically any restrictions or stipulations you wish to place on this gift:
9. Would you be willing to include with your donation funding for maintenance?
(Donations would be used for general maintenance of the public art collection).
10. Is there an existing plaque that accompanies the artwork? If not, suggested wording for identification plaque:

Other information

Name of individual or organization donating proposed artwork (if an organization, please also state the contact person's name):

Address:

Phone:

Fax:

Email:

Description of group/organization:

Reason for donating artwork:

Tax Implications, if any:

Person completing this form:

Telephone:

Date form completed:

List of documented materials:

Signature of Donor

Date

Printed name of Donor

Received by:

Signature of Town of Jackson Administrator

Date

Printed name of Town of Jackson Administrator

GIFT OF ART DISCLOSURE FORM page 4
APPRAISAL REQUIRED
ATTACHE HERE

Appendix E - Glossary

Annual Art in Public Places Plan (AAPP): An annual plan prepared by the Public Art Taskforce (PAT) and the Public Art Coordinator identifying public art installations to be implemented for the upcoming year.

Call for Artists: A request for artist proposals for a specific public art projects identified in the AAPP, typically issued through an RFQ, RFP, or an artist invitational.

Capital Improvements Plan: An annual plan adopted by the Town of Jackson in conjunction with the Town's annual budget. The Capital Improvement Plan contains a list of individual Capital Improvement Projects to implemented within a given fiscal year.

Capital Improvement Project: An individual project contained within the Town of Jackson's Capital Improvements Plan, which may or may not include a public art component as described in these Public Art Guidelines.

Client Agency: The Town Department designated by the Town Council as the lead agency for the implementation of a certain public art project.

Creative Placemaking: Involves partners from public, private, nonprofit, and community sectors to strategically shape the physical and social character of our community around arts and cultural activities.

Public Art Task Force (PAT): A group of individuals appointed by Town to work with the Public Art Coordinator to create the annual art in public places plan.

Public Art Coordinator: An individual appointed by the Town Council to oversee the implementation of these Public Art Guidelines and the implementation of the AAPP. The Public Art Coordinator may be the Director of Jackson Hole Public Art, a 501(c)(3) nonprofit organization, or any person deemed qualified by the Town Council.

Selection Panel: A group of individuals appointed for the purpose of reviewing bids in response to a Call for Artists. The Town Council may appoint the Selection Panel or delegate appointment to the Public Art Taskforce.

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Town Council
Submitting Department:	Community Development	Presenter:	Katelyn Page
Agenda Item:	P22-239: Request for Adoption of an Art Enrichment Allocation Ordinance to the Town of Jackson's Municipal Code	Public Comment:	Yes

Purpose & Policy Considerations.

All new or amended Municipal Code Ordinances in the Town of Jackson require review and approval by the Town Council.

Requested Action.

The Community Development Department requests Council consider adoption of an Art Enrichment Allocation Ordinance to the Town of Jackson's Municipal Code, commonly called a "Percent for Art" ordinance. The Art Enrichment Allocation applies to municipal capital improvement projects with 1.5% of the total project cost set aside for public art.

Recommendation.

The Community Development Director recommends **approval** of an Art Enrichment Allocation Ordinance to Town Council as presented by staff.

Background.

The Town Public Art Task Force and associated Town Public Art Guidelines were established by Town Resolution 12-14 in 2012. The Guidelines call for, among other items, the creation of a consistent policy and funding source for Public Art in the Town. The Town has worked closely with Ms. Geraci, via her role as the Town of Jackson Public Art Coordinator along with the Town's Public Art Task Force, to establish the Town Public Art program.

Staff presented a proposal for a "Percent for Art" ordinance to Council at the November 15, 2021 workshop. As a result of that meeting, Council directed staff to prepare an ordinance for Council consideration including maintenance funds, a requirement for private organizations to incorporate public art in their buildings, and options to provide for the suspension of the ordinance in the event of unavailable funding. In response to that directive, staff now presents an "Art Enrichment Allocation" Ordinance, covering municipal capital improvement projects, for Council consideration. Staff has bifurcated Council's request into municipal capital improvement projects and private developments. The accompanying Ordinance addresses municipal capital improvement projects and does not apply to development on private property. Staff feels additional legal research and discussion is needed for establishing a similar Art Enrichment Allocation requirement for development on private property.

As a point of reference, the LDRs currently provide an option for integrating public art on private property within General Landscape Standards. Public art integrated as a functional architectural feature or as a stand-alone installation may be substituted as an alternative to plant units. Any public art generated pursuant to this LDR shall be accessible to the public (Section 5.4.4.E.4.d). Inclusion of this art supportive policy in the LDRs was originally requested as a text amendment (P11-041) by the Jackson Hole Public Art Initiative and Carrie Geraci. Staff provides a separate motion below related to this issue should Council choose. Staff recommends

continuing to provide incentives for the inclusion of public art in private development but not making it a requirement.

Proposed Ordinance & Staff Analysis

As directed by Town Council, Staff drafted a proposed ordinance, Ordinance C, addressing Art Enrichment for review. The draft accompanies this staff report. A summary of the proposed ordinance is bulleted below.

- Eligible capital improvement projects include the construction or alteration of buildings, aboveground structures, public parks, and transportation improvements.
- Town Department Directors shall include funding for art enrichment in the amount of 1.5% of gross construction costs for eligible capital improvement projects in their funding requests.
- Exemptions may apply to certain projects – for example, mechanical system upgrades and costs, as limited by law or by funding agency rules.
- Town Council would review and approve art projects generated with art enrichment funds.
- The Town Manager may set aside a maximum of 15% of the art enrichment funds for administration fees and must set aside 10% of art enrichment funds from each project for maintenance and conservation purposes.
- Funds from multiple projects may be aggregated for use on an alternative Town property or for an alternative project in the civic art collection, or, with appropriate agreements in place, on private property.
- The ordinance exempts certain capital projects from the funding requirement, including street paving, tennis court resurfacing, lighting or fence replacement at parks, erosion control, and health and safety upgrades.
- For eligible projects, the Town Manager may suggest a recommended adjusted art budget if they determine the percentage of construction cost would yield an art enrichment amount inappropriate for the specific project.

Possible Alternatives.

Council has the option to approve, modify, or deny the proposed ordinance.

Comprehensive Plan & Priority Alignment.

The Teton County/Town of Jackson Comprehensive Plan includes the following language in support of public art to promote Jackson as a cultural destination and enhance pedestrian space:

Managed Growth

Policy 3.2.e: Promote quality public spaces in Complete Neighborhoods

Public spaces are the building blocks of vital Complete Neighborhoods. The Town will promote public spaces and civic facilities that are interesting, memorable, and reinforce the desired sense of community within Complete Neighborhoods. Integrating fine arts professionals in the design of projects will be encouraged in order to create unique and visually engaging public spaces—including sidewalks and walkways, parks, outdoor squares, landscaped areas and public art.

In addition, the Comprehensive Plan includes a strategy to write a public art plan for the community.

Strategy 3.2.S.7:

Coordinate with a public art task force to write a public art plan for the community.

Fiscal Impact.

1.5% of a project's cost would be added to each eligible capital construction project and set aside for public art.

Staff Impact.

Staff has spent approximately 25 hours to complete research on this topic and prepare this staff report.

Attachments.

Ordinance C

November 15, 2021 TC Workshop Staff Report

Suggested Motion.

Item 1:

I move to **approve** Ordinance C, as presented in this staff report dated November 7, 2022, on first reading

Item 2:

I move to direct staff to complete additional legal research and analysis as needed for establishing an Art Enrichment Allocation requirement for development on private property for future consideration by Council.

ORDINANCE C

AN ORDINANCE ADDING CHAPTER 15.34 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING FUNDING FOR PUBLIC ART AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

There is hereby added Chapter 15.34 of Title 15 Art Enrichment Allocation of the Municipal Code of the Town of Jackson as follows:

Chapter 15.34

Art Enrichment Allocation

15.34.010	Art enrichment allocation
15.34.020	Definitions
15.34.030	Eligible capital improvement projects
15.34.040	Exemptions
15.34.050	Aggregation of funds
15.34.060	Allocation of funds -- administrative fees; maintenance and conservation.
15.34.070	Miscellaneous provisions

15.34.010 Art Enrichment allocation.

- A. Before requesting an appropriation for the construction of any project set forth in 15.34.030, the department director concerned shall add thereto for the art enrichment of the proposed construction, 1.5% of the gross construction cost, exclusive of the items proposed for such art enrichment.
- B. If the ability to allocate funding to art enrichment is limited by law or funding agency rules, the art enrichment allocation shall be based upon 1.5% of eligible construction costs.
- C. If the Town Manager, or their designee, determines that 1.5% of the gross construction cost of a project is inappropriate for art enrichment, they shall submit a recommendation regarding the art enrichment budget for the project to the Town Council to resolve the matter.

15.34.020 Definitions.

- A. "*Alteration*" of a building, aboveground structure, or transportation improvement project shall include substantial changes to elements such as walls, partitions, or ceilings on 2/3 or more of the total floor space, excluding basements. "Substantial changes" shall include additions to, removal of, and modification of such elements.

- B. "*Art enrichment*" shall mean the acquisition and installation of original works of art (including limited editions), or temporary installation, display, or presentation of the same, on Town (and in limited circumstances private) property for aesthetic and cultural enhancement of public buildings and public spaces and engagement of the public with the creative work of artists, as approved by the Town Council.
- C. "*Art enrichment funds*" shall mean the funds generated from art enrichment allocations.
- D. "*Civic art collection*" shall mean the various artworks owned by the Town that are accessioned in accordance with the Public Art Guidelines.
- E. "*Gross construction cost*" shall mean the total estimated construction contract award amount, including the costs of all built-in fixtures, unless otherwise agreed to by the Town Manager. Gross construction Cost shall not include movable or personal property or construction cost contingency.
- F. "*Transportation improvement project*" refers to projects which include aboveground transportation-related projects; new transit stops; new transportation systems with their attendant passenger amenities, such as shelters, seating, lighting, landscaping, and signage; new transportation-related facilities such as for maintenance and operations; and street/highway-related transit improvements.

15.34.030 Eligible capital improvement projects.

- A. This chapter shall apply to the construction or alteration of the following:
 - 1. Buildings.
 - 2. Aboveground structures.
 - 3. Public parks.
 - 4. Transportation improvement projects.

15.34.040 Exemptions.

The following shall be exempt from the requirements of this chapter:

- A. Transportation improvement projects limited to sidewalk (including curb and gutter) repair or improvements; street paving; or transit vehicle purchases.
- B. All mechanical, plumbing, and electrical system upgrades, structural or seismic upgrades, and modifications for access for people with disabilities, unless occurring in conjunction with alteration of a building, an aboveground structure, or transportation improvement project.

- C. Park and landscape renovation projects limited to court resurfacing; replanting; sewer and water lines; drainage and irrigation systems; wells; erosion control; paving/repaving; modifications for access for people with disabilities; signage; lighting; fence replacement or repair; replacement or repair of existing play structures.
- D. Annual Capital Improvement Plan projects for security/life/health safety and sewer and water infrastructure, when not occurring in conjunction with alteration of existing public buildings, aboveground structures, parks, and transportation improvement projects.
- E. Airport projects.

15.34.050 Aggregation of funds.

- A. An art enrichment allocation is not required to be used for art enrichment at the location connected to its associated capital improvement project. Art enrichment funds may be aggregated for use on an alternative Town property or for an alternative project in the civic art collection, or, with appropriate agreements in place, on private property.

15.34.060 Allocation of funds -- administrative fees; maintenance and conservation.

- A. The Town Council shall review and approve projects funded with art enrichment funds.
- B. The Town Manager shall set aside and expend up to a maximum of 15% of art enrichment funds from each project for necessary and reasonable administrative costs incurred in connection therewith, unless such administrative fee is limited or prohibited by the funding source.
- C. The Town Manager shall set aside and expend 10% of art enrichment funds from each project for maintenance and conservation of artworks in the civic art collection.

15.34.070 Miscellaneous provisions.

- A. Construction and installation of art enrichment shall comply with the requirements of all applicable building codes, laws, ordinances, rules, and regulations.
- B. Nothing in this Chapter shall be construed to limit or abridge the jurisdiction of the department director of the participating Town department to supervise and control the expenditure of project funds other than the art enrichment allocation of the project.
- C. This Chapter shall not be applied retroactively to projects for which an art enrichment allocation previously would not have been required, nor to those projects for which project funding has been approved either by prior voter action, but not yet appropriated or expended. Nor shall this Chapter

be construed to allow for an increase in the total art enrichment allocation for a project that is already underway or for which an allocation for funding for art has already been established.

(Ord. _____ §_____, 2022)

SECTION II

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE _____ DAY OF _____, 2022.

PASSED 2ND READING THE _____ DAY OF _____, 2022.

PASSED AND APPROVED THE _____ DAY OF _____ 2022.

TOWN OF JACKSON

BY: _____
Hailey Morton Levinson

ATTEST:

BY: _____
Riley Taylor, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. _____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the _____ day of _____, 2022.

I further certify that the foregoing Ordinance was duly recorded on page ____ of Book ____ of Ordinances of the Town of Jackson, Wyoming.

Riley Taylor, Town Clerk

STAFF REPORT



Meeting Date:	November 15, 2021	Meeting Title:	Workshop
Submitting Department:	Community Development	Presenter:	Tyler Sinclair
Agenda Item:	Consideration of a Percent for Art Ordinance	Public Comment:	Yes

Purpose & Policy Considerations.

To consider establishing a Percent for Art Ordinance for the Town of Jackson.

Requested Action.

To direct staff to prepare a Percent for Art Ordinance for future Council consideration.

Recommendations.

The Town appointed Public Art Taskforce recommends adoption of a Percent for Art Ordinance.

Background.

The Town Public Art Taskforce and associated Town Public Art Guidelines was established by Town Resolution 12-14 in 2012. Said guidelines call for among other items, the creation of an annual art plan to be considered by Council annually. In addition, the Guidelines and Resolution 12-14 call for the consideration of creation of a separate public art account to support Public Art. In support of Public Art, specifically the establishment of consistent policy and funding for Public Art in the Town, the Taskforce is requesting Council consider adoption of a Percent for Art ordinance. Below with the assistance of the Carrie Geraci, Director of Jackson Hole Public Art staff have provided an overview of what a Percent for Art ordinance may include for Council consideration.

What is a Percent for Art ordinance?

Percent for Art ordinances generally apply to any municipal capital improvement projects where a pre-determined percentage of the total project budget is set aside for public art.

How is it funded?

1.5% of approved and eligible Capital Improvement Project budget is set aside to include public art.

What Capital Improvement Projects qualify for public art and which ones don't qualify?

Eligible projects include: construction, major expansions and major renovations of the following: buildings; aboveground structures; new parks; or transportation improvement projects. Projects not visible to the public are not subject to voluntary percent for art consideration. Such projects include below grade construction, rehabilitation of equipment, ordinary maintenance, and sewers. Where a Capital Improvement Project has a scope of work that includes eligible and ineligible items, for example, remodeling and ordinary maintenance, the art budget amount shall be calculated on the eligible portion of the project.

Does the Percent for Art Ordinance apply to the Town's entire budget? What part of the Town's budget does this apply to?

A Percent for Art ordinance would only apply to local government funded capital improvement project budgets for buildings and above-ground structures, major renovations, parks, and transportation projects that will be accessed by, or be highly visible to the public.

The Percent for Art Ordinance would not apply to major portions of the Town's budget including the following: the general fund, enterprise funds, special revenue funds, internal service funds, and capital equipment.

1.5% of a capital improvement budget sounds like a lot of money for public art?

A million-dollar project would include \$15,000 for public art. All art allocation budgets are proposed to be capped at \$200,000 no matter the size of the CIP budget.

How would the percent for Art allocation be distributed for each art project?

A million-dollar project would include \$15,000 for public art. \$11,250 would be to support the artist commission. Up to fifteen percent (15%) could be spent on administrative costs (\$2250). \$1,500 or 10% would be set aside for maintenance.

What is pooled funding and why should it be considered part of an ordinance?

Pooled funding is when funds from multiple projects to create one project is done when the budgets are not sufficient to commission a new work of art. Each public art project requires significant time and resources to produce, so pooling funds allows for the Town to optimize their resources and consider fewer projects that have the potential to be more impactful.

Who owns the public art?

The Town of Jackson would become the owner of the public art and insure and maintain the public art.

How is it maintained?

With each new project 10% of the project's funds are set for maintenance.

How is an artist selected?

Typically, a Request for Qualifications is advertised that outlines the project parameters, including the qualifications required of the prospective artist(s), budget, timeline, desired outcomes, and other pertinent information. Artists submit their response, and the selection panel picks the 3 most qualified artists who are then paid a small stipend to develop a site-specific proposal. The selection panel then picks the proposal that best fits the goals of the project.

Should the Town limit opportunities to only consider local artists?

If the budget is under \$30,000, then the call for artist opportunity may be limited to local artists only. However, if the budget is over \$30,000 then the call will be issued nationally to ensure the most qualified artists are reviewed. Notably, local artists interested in public art projects have the ability to apply for national commissions. By opening the opportunity to a large pool of artists we expand the diversity of the art and artists displayed in public spaces.

What is a selection panel?

The Public Art Task Force appoints a selection panel that is unique to each project. The makeup of the panel includes citizens with a background or interest in visual art, design, and the built environment. Ideally panels create a diverse representation of the project and also consist of neighborhood residents of the proposed site, general community members, Town administrator, and project stakeholders (e.g., Public Works Department members, Parks and Recreation Department members).

Analysis.

What are the Community Benefits of public art?

- The placement of public art projects enhances the image of a city – its landscape and architecture.
- Artists and designers working together offers opportunities to respond creatively to design challenges and enhances the design and development process for all parties.

- The growing interest in public art is affecting the fundamentals of city development and revitalization and is having an impact on national urban design and planning trends.
- Public art boosts local economies. Businesses supply materials and labor; restaurants, hotels and transportation companies benefit from a site that attracts visitors.
- Public art can raise public awareness about important community issues, such as environmental stewardship and respect for diversity.
- Whatever the form, public art instills meaning – a greater sense of identity and understandings of where we live, work, and visit – creating memorable experiences for all.
- Public art learning empowers young people to make and care for their own places, and invest in their communities with pride and a sense of identity
- Public art plays a crucial role in shaping our culturally vibrant and sustainable communities. Artists of all disciplines are treating public space as a venue for creative experimentation. Public art offers opportunities for community collaboration, for ideas to shape our environment, and to influence change.

Why do communities spend public funding on public art? Who benefits from public art?

- Residents benefit by having well-designed public space that reflect community character and invite social interactions, generate community pride, and help us learn about the world around us.
- Businesses benefit by having revitalized public spaces that attract customers and generate tourism, increase property values, and decrease vacancies.
- Artists, and creative professionals whose services support the creation of public art (landscape architects, engineers, electricians, architects).
- Families benefit by having access to free art in public spaces.
- Town staff benefit by having the opportunity to work with innovative artists who bring fresh perspectives to community issues, civic design, and community engagement.
- Today's public art is tomorrow's history – future generations benefit by having public art that documents and preserves today's community values for future generations.

Possible Alternatives.

- Direct staff to prepare a Percent for Art ordinance based upon direction provided by Council
- Choose to take no further action on this item
- Other

Comprehensive Plan & Priority Alignment.

The Teton County/Town of Jackson Comprehensive Plan includes the following language in support of public art to promote Jackson as a cultural destination and enhance pedestrian space:

Managed Growth

Policy 3.2.e: Promote quality public spaces in Complete Neighborhoods

Public spaces are the building blocks of vital Complete Neighborhoods. The Town will promote public spaces and civic facilities that are interesting, memorable, and reinforce the desired sense of community within Complete Neighborhoods. Integrating fine arts professionals in the design of projects will be encouraged in order to create unique and visually engaging public spaces—including sidewalks and walkways, parks, outdoor squares, landscaped areas and public art.

In addition, the Comprehensive Plan includes a strategy write a public art plan for the community.

Strategy 3.2.S.7: Coordinate with a public art task force to write a public art plan for the community.

Fiscal Impact.

1.5% of approved and eligible Capital Improvement Project budget is set aside to include public art.

Staff Impact.

Staff time from Community Development and Legal Department would be required to prepare a draft ordinance for consideration. The Town Attorney and Community Development director have spent approximately 16 hours on this item so far with an additional 16 hours anticipated to draft and present an Ordinance to Council, should Council choose to move forward with this item.

Attachments

Town Public Art Guidelines

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to direct staff to prepare a Percent for Art ordinance as described in this November 15, 2021, staff report for Council consideration at a future date with the following modifications:

-

RESOLUTION 12-14

A RESOLUTION ADOPTING PUBLIC ART GUIDELINES

WHEREAS, the Town of Jackson Mayor and Town Council adopted the Jackson/Teton Comprehensive Plan on 8 of May 2012; and

WHEREAS, the Jackson/Teton Comprehensive Plan includes strategy 3.2.S.7, "to Coordinate with a public art task force to write a public art plan for the community"; and

WHEREAS, Jackson Hole Public Art is an organization to support the Town of Jackson established as a 501(c)(3) organization with its own Board of Directors to:

1. Enhance public space by integrating art that celebrates our unique environment and cultural heritage,
2. Facilitate "creative placemaking" partnerships for the development of engaging public space,
3. Provide opportunities for youth, emerging and professional artists,
4. Increase access, understanding and investment in public art; and

WHEREAS, the Director of Jackson Hole Public Art facilitated a volunteer task force to write Public Art Guidelines for the Town of Jackson; and

WHEREAS, the Public Art Guidelines set forth the procedures for creating an annual public art plan to be approved in a public hearing by the Mayor and Town Council; and

WHEREAS, the Public Art Guidelines call for the creation of a separate public art account to be overseen by the Town Manager; and

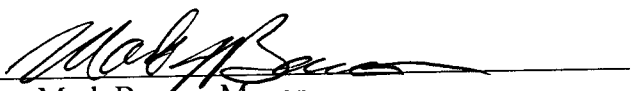
WHEREAS, the Public Art Guidelines set forth guidelines for commissioning, funding, maintaining, donating and de-commissioning artworks in the Town of Jackson; and

WHEREAS, the Public Art Guidelines set forth in Attachment 1 hereto will enrich the lives of all residents and visitors to the Town of Jackson by providing a system of procedures and guidelines for the funding, installation and maintenance of public art; and

NOW, THEREFORE, BE IT RESOLVED by the Town of Jackson Mayor and Town Council that the Public Art Guidelines set forth in Attachment 1 to this Resolution is approved and adopted.

PRESENTED, READ, AND ADOPTED ON THIS 19th DAY OF NOVEMBER, 2012.

TOWN OF JACKSON

By: 
Mark Barton, Mayor

ATTEST




Olivia Goodale, Town Clerk

RESOLUTION 12-14

ATTACHMENT 1



The Town of Jackson

Public Art Guidelines – Final Draft 11/19/12

Prepared by: Jackson Hole Public Art Director, Carrie Geraci

Original percent for art guidelines were written by: Bland Hoke, Carrie Geraci, Ben Reed, Paul Dunker, Don Kushner, Emy DiGrappa, Dimmie Zeigler, Amy Larkin, Marylee White, Katy Niner. Reviewed by Karen Bubb.

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Appendix

- Appendix A- Public Art Overlay Map
- Appendix D - Sample Artist Contract
- Appendix C - About Jackson Hole Public Art
- Appendix D – Sample Gift of Art Disclosure Form
- Appendix E – Glossary

1) Overview

What is Public Art?

Public art is art for everyone because it exists in public space. It is sculpture, installations, murals; manhole covers, paving patterns, and creative lighting. Public art is woven into a community's fabric providing vitality and creativity in all aspects of life. Street furniture, building facades, bus stops, way finding signage, gates, fountains, play equipment, engravings, carvings, bas-reliefs, public performances, creative interventions and many more constitute public art.

Why Public Art?

Art in public spaces is free and reaches a broad audience. It is intended to connect deeply and meaningfully with the public. When public art is seamlessly integrated into gateways, parks and municipal buildings it enhances how a place looks and feels. Public art at its best is compelling, beautifully crafted, transformational and accessible. All of these benefits afforded by public art elevate the visibility of art in our community.

History of Public Art in Jackson

Public art is present in Jackson, and can be seen in many public and private locations. It is diverse and represents a wide variety of styles and approaches. The Town Square is exemplary of the power of public art, with the iconic Elk Antler Arches. The removal of these icons would cause disruption to the identity of Jackson. It is their integration within the larger urban scheme that provides the community space with character and charm.

Over the years, as different artist types have settled in Jackson Hole they have initiated a variety of approaches to creating art in public places. From John Simm's austere buffalo sculpture on the Village Road, to Ben Roth's polished stingrays flying above the Rec Center pool, artists have taken it upon themselves to create art for the public to enjoy.

Cultural Infrastructure

Jackson is home to over 60 art galleries, the National Museum of Wildlife Art, the Center for the Arts, the Jackson Hole Music Festival, the annual Fall Arts Festival and Art Association Art Fairs, the Western Design Conference and numerous Art Auctions. The vast majority of these fine establishments and events showcase high quality artwork inside buildings and cultural spaces, while a small number exhibit artwork outside. There is clearly a missing piece to Jackson's cultural infrastructure: Public art.

Comprehensive Plan

The Teton County/Town of Jackson Comprehensive Plan includes the following language in support of public art to promote Jackson as a cultural destination and enhance pedestrian space:

Managed Growth

Policy 3.2.e: Promote quality public spaces in Complete Neighborhoods Public spaces are the building blocks of vital Complete Neighborhoods. The Town will promote public spaces and civic facilities that are interesting, memorable, and reinforce the desired sense of community within Complete Neighborhoods. Integrating fine arts professionals in the design of projects will be encouraged in order to create unique and visually engaging public spaces—including sidewalks and walkways, parks, outdoor squares, landscaped areas and public art.

The Comprehensive Plan includes a strategy write a public art plan for the community.

Strategy 3.2.S.7: *Coordinate with a public art task force to write a public art plan for the community.*

2) Impact: Enrich our community through public exposure to the arts.

These Public Art Guidelines have been prepared to assist the Town in the creation of inspiring public space designed to enhance the quality of the pedestrian experience. These Guidelines will increase public access to the art of our time and enhance the meaning of public space by encouraging projects that demonstrate a connection to our cultural and environmental heritage.

Public art animates public and private spaces, rejuvenates structures and streetscapes, improves local business viability and public safety, and brings diverse people together to celebrate our unique environment and cultural heritage.

The Town supports Creative Placemaking efforts to involve partners from public, private, nonprofit, and community sectors to strategically shape the physical and social character of our community around arts and cultural activities.

Principles

- Art may be integral to all Town construction projects, as either stand-alone art works or integrated into the fabric of the built environment in building facades and lobbies, gateways and parks, streets and sidewalks, and all visible public utilities.
- Public art should be expected to integrate into the overall design of the larger civic context in which it is placed. It should be inextricable and never an afterthought.
- The permanent public art found in the Town of Jackson should be diverse, illuminating the character, community, geography, history and environment found in the region. The goal is to connect deeply and meaningfully with the public audience.
- The Town of Jackson is committed to energy efficiency, environmental sensitivity, and sustainability. These values will be integral in Calls for Artists, and the resulting artwork.
- Encourage new private development to support the development of the Town of Jackson as cultural destinations.
- Partner with artists, galleries, and arts organizations to leverage their knowledge and resources when opportunities exist.
- Provide opportunities for local artists.
- Support performing arts and public art events.
- Commission public art that celebrates our unique environment and cultural heritage.
- Increase everyday access to the arts.
- Support artist-driven public art installations, events and performances.
- Enhance pedestrian spaces with the addition of public art.
- Offer public art education for creative professionals, emerging artists and youth.
- Increase resident and visitor knowledge of the art of our time.
- Increase the visibility of and opportunities for our creative workforce.

3) Administration of Public Art

This section outlines the various aspects of administering the Public Art Plan as it relates exclusively to Town and private-developer projects. Jackson Hole Public Art (JHPA) is a 501(c)(3) organization that will also undertake privately funded projects that further the mission of the Public Art Program.

Currently the Director of JHPA has administered projects as a paid consultant for the Town. Under these Public Art Guidelines, the Town of Jackson may appoint a Public Art Coordinator (the Coordinator) to administer Town of Jackson public art projects. JHPA has played a special role with regard to public art in the community and its current director led the creation of these Guidelines. As such, special consideration may be given to the Director of JHPA in the Town Council's appointment of the Public Art Coordinator.

Administrative Costs

The Town is intends to cover administrative costs on a project-by project basis based on the funding mechanisms described in these guidelines. This is broken down into: 1% committed to the artwork, while the remaining .5% is to be split between program administration, education and maintenance of the collection, and will be retained in a separate account.

To maintain a program of the highest quality, the Town may consider a permanent funding source in order to support the role of the Public Art Coordinator.

The Public Art Coordinator will operate under contract with the Town of Jackson under the powers and duties provided in this chapter, and/or in such contract. The duties of the Public Art Coordinator under these Guidelines are to:

Duties of the Town of Jackson Public Art Coordinator

The Public Art Coordinator will operate under contract with the Town of Jackson under the powers and duties provided in this chapter, and/or in such contract. The duties of the Public Art Coordinator under these Guidelines are to:

- Organize and chair all Public Art Task Force meetings.
- Review all municipal government projects under consideration by the Town of Jackson with the Public Art Task Force (PAT).
- On behalf of the PAT, the Public Art Coordinator submits recommendations for projects to include in the Annual Art in Public Places Plan (AAPP) to the elected officials for review/approval.
- Work with the Client Agency and the PAT to develop project guidelines, criteria and budget for each project, and facilitate inter-agency communication and interaction throughout the life of the project.
- Identify and secure possible funding partners where appropriate.
- Draft Calls for Artists for projects, to be revised and approved by the Selection Panel, Client Agency, and PAT.
- Disseminate the Call for Artists through media outlets, local galleries, online public opportunity lists and various social media sites and outlets.
- Respond to questions and inquiries from artists as they pertain to the Call for Artists.
- Review and order applicant materials for projects and prepare materials for Selection Panel presentation.
- Schedule Selection Panel meeting dates.
- Chair Selection Panel meetings; record Selection Panel votes and Panelist comments and maintain Selection Panel score sheets.
- Assist Client Agency (staff) in preparation of staff reports for public meetings.
- Solicit reviews, comments and/or approvals for proposed works of art from the Client Agency, Town departments and the PAT as necessary regarding safety, feasibility and maintenance issues.
- Review and act on Selection Panel recommendations and submit the decision to the Public Art Task Force, for ultimate approval by the Mayor and Town Council..
- Work with the Client Agency and project team to coordinate the roles and responsibilities of design professionals, artist, and general contractor relative to each public art project.
- Work with the Town Attorney on proposed terms of artist contracts for each public art project.
- Negotiate and administer contracts for artists upon review and approval by Town Attorney.
- Provide project management services as necessary throughout all phases of each public art project and provide periodic reports to the Public Art Task Force.
- Encourage community involvement by convening and facilitating public meetings relative to each public art project.
- Conduct strategic planning for public art projects, locations, and serve as the administrator of the Public Art Guidelines.
- Serve as a liaison between the the PAT and local, state, and federal government departments.
- Maintain the Public Art Collection in collaboration with appropriate Town departments.
- Identify annual maintenance schedule and funding sources for maintenance as part of annual Public Art Plan.
- Develop public education of the Public Art Collection.
- Prepare annual report of projects completed under the previous fiscal year.

Public Art Task Force (PAT): The PAT shall have the powers and duties provided in this chapter.

Members and Terms: The PAT may be comprised of up to (seven) 7 volunteer members appointed by the Mayor, who may seek advice and consent of the Town Council. The PAT shall include at least one (1) senior level Town staff, one (1) one board member of Jackson Hole Public Art, and (1) arts curator. Although no specific experience requirements shall be necessary as a prerequisite for other members, special consideration shall be given to culture representatives, artists, planners, architects and/or business owners. Members will serve three-year terms, which will be staggered as set forth below. Membership shall strive to represent a diverse cross section of the visual arts field and the general community. Citizens interested in becoming a PAT member may submit a letter of interest to the Mayor. The Public Art Coordinator will chair the PAT meetings.

The original appointees shall be appointed: Two for one year, two for two years and three for three years; thereafter all terms will be for three years. Any member who is absent from four (4) or more meetings in a one-year period without being excused, shall be considered no longer active and the position vacant. A new member shall be appointed to fill any vacancy.

Duties of the Public Art Task Force (PAT):

- Establish and approve parameters for each new public art project including artist selection process and selection criteria, project budget and a list of prospective Selection Panel members.
- Appoint a member of the PAT to serve as a member on selection panel appointed by the Committee.
- As needed, request that the Town Design Review Committee review proposals for artwork that may have architectural or urban design implications and make recommendations and comments to the PAT.
- Review all capital improvement projects under consideration by the Town of Jackson with the Public Art Coordinator and identify which projects are suitable for inclusion in the Annual Public Art Plan based on the guidelines listed in Section 4. These recommendations will be presented to the Town Council in a public workshop.
- Make an annual recommendation for maintenance of the Public Art Collection.
- Advise new Federal and State building projects outside the jurisdiction of the Town on the Public Art Program and how to work with the program.
- Reference its guide and policies for commissioning artwork.
- Participate in an annual review of the Public Art Coordinator.
- Review annual report prepared by the Public Art Coordinator.

Client Agency

- As required by the Annual Public Art Plan, allocate a suggested 1.5% of the gross estimated construction cost for eligible capital improvement projects per Section 4 **or** allocate project funds to be pooled into a fund for public art to support a public art project that better meets the goals of these Public Art Guidelines.
- Meet with the Public Art Coordinator to discuss the appropriate public art process as soon as the project architect is selected.
- Provide the following information regarding eligible capital construction projects:
 - Verify to the Public Art Coordinator the total project budget allocated for public art;
 - Facility location and function;
 - Amount of construction appropriation, supported by a line item budget
 - Agency representative;
 - Project designer/architect/engineer;
 - Project timeline; and
 - Funding source.
- Include the allocation for public art in the gross estimated construction budget.
- Include the cost of design services related to the coordination and implementation of the Public Art Program in the total construction budget.
- Incorporate language into the project designer's contract scope of services that describe the designer's responsibilities in relation to public art in the project.
- Direct the project designer to work with the vision of the program as described in these Guidelines.
- Assign a representative of the Client Agency to attend all meetings relative to the public art project.
- Provide the Public Art Coordinator with complete and accurate schedule information to allow the artwork design to be planned for and integrated into project documents.
- Ensure that any work relative to the public art project that is to be performed by the General Contractor is integrated into the contract bid documents; and provide the Public

Art Coordinator with a copy of a draft bid documents pertaining to the artwork for review, comment and approval prior to their being issued.

- Credit the Town of Jackson and the artist in all media releases, announcements or any public document or release concerning the project.
- Include and acknowledge the PAT and project artist in project dedication.

Duties of Town of Jackson Departments:

Town Administrator: Deliver information on the Capital Improvements Plan, funding available in pool, attend quarterly meetings or assign a designee.

Mayor and Town Council: Review, reject and/or approve the recommendations made by the Public Art Coordinator and Public Art Task Force for projects to be included in the Annual Public Art Plan.

Planning Department: Notify the Public Art Coordinator of development taking place within the Public Art overlay map, specifically, gateways, parks, town as heart, resort district, school district, private developments with significant public space.

Public Works/Parks and Recreation: Maintenance is overseen by the Public Art Coordinator and performed by a qualified arts conservator or, when directed by the Town Council, maintenance will be implemented by the Public Works Department and/or the Parks and Recreation Department. The Annual Art In Public Places Plan will include a recommended maintenance schedule and budget to be approved by the Town Council such that every approved public art project has adequate funds for future maintenance. Maintenance funds not used in one year will roll over to the next fiscal year.

Town Building Official and/or Town Engineer: Review public art construction documents and installation details to verify and ensure public safety.

Town Attorney: Prepare and reviews all public art contracts supplied in draft form by the Public Art Coordinator.

Finance Director: Oversee funds used for public art.

4) Funding for Public Art

Public Funding Overview

Public Funding for Public Art will come from voluntary allocations of up to, but not to exceed 1.5% of the Capital Improvement Budget for projects identified during the creation of the Annual Art in Public Places Plan (AAPP). However, the Town Council may approve allocations exceeding 1.5% on a case-by-base basis. Capital Improvement Projects that do not meet the guidelines for the inclusion of public art and voluntary allocations from private developers can be pooled together. Enterprise funds associated with CIP projects may not be used for public art funding.

Establishing long-term funding mechanisms for the public art program should be addressed.

Annual Art in Public Places Plan (the AAPP)

Annually, the Coordinator of the Public Art program and the Public Art Task Force will develop and bring to the elected officials for review a Public Art Plan, which will include a list of recommended public art projects, a suggested budget and schedule to perform maintenance on the existing collection and any updates needed to the online collection.

During the first quarter of the fiscal year, the Town Council will review the public art projects identified in the Annual Art in Public Spaces Plan (the AAPP). **The Town Council is not required to approve all or any of the public art projects recommended in the Annual Art in Public Places Plan (the AAPP).** The Town Council may modify a public art project prior to approving it, may ask the Public Art Coordinator to develop modifications for consideration, or may ask the Public Art Coordinator to review and comment on possible modifications.

The Public Art Coordinator and the PAT may recommend projects for the Town Council to consider supporting with pooled funds such as public art projects not tied to Capital Improvement projects, curatorial programs like updating the website; special events and community arts infrastructure support.

The Public Art Coordinator will receive, at least one annual and at the most quarterly, financial statements from the Town regarding availability of pooled funds and will meet at least once annually and at the most quarterly, with the Town Manager or his/her designee to collect information necessary for the creation of the AAPP. The Public Art Coordinator may meet semi-annually with Town Departments that may have interest in public art who are not represented on the Public Art Task Force.

Annual Art in Public Places Plan Review Guidelines

Projects with significant public space will take priority such as: gathering spaces; parks; trails; bus stops and gateway locations. In addition, projects that meet these criteria will likely be recommended to include public art:

- Public benefit as determined by access to the artwork, whereby the public has the opportunity to view/interact with the artwork to the greatest extent possible.
- Greatest opportunity for artist involvement early in the process.
- Emphasis on public art projects that advance economic development opportunities.
- Encourage an emphasis on place making (i.e. the creation of squares, plazas, parks, streets, and that will attract people), where appropriate, recognize that there will be a need to expand the scope of a project to accomplish a broader goal.
- Contributes to Town as Heart.
- Builds civic pride.
- Adds functionality to the project.
- Enhances pedestrian experience in parks, gateways and public transit.
- Adds character to complete neighborhoods and complete streets.
- Gives identity to unique districts like the Center for the Arts, the School District and Resort Districts.
- Supports sustainability and education about our environment.

In determining the AAPP the Coordinator and the PAT are responsible for the following:

- Review the Capital Improvements Plan with the Town Manager or his/her designee and the Town Finance Director.
- Assess possible and/or proposed municipal capital projects that would benefit from the inclusion of an artist in their design.
- Be responsible for the broad inclusion of multiple constituencies in the definition of all public art projects.
- Solicit ideas and opinions from the broader community regarding possible project sites, project budgets, and project definition.
- Identify funds to supplement the public art budget to achieve maximum effect.
- For capital projects: determine whether the artist(s) should join a larger design team, create an independent work of art, provide design-only services, or provide any other recommended contribution.
- Determine if an existing work of art may be restored or conserved for a proposed site (see Section 9 De-Accession).
- Identify supplemental sources of funding that could contribute to the public art projects recommended in the AAPP, including grants, private donations and in-kind services.

Identify Capital Improvement Projects

All Capital Improvement Projects will be evaluated on a case-by-case basis during the development of the **AAPP** to determine if the arts budget will have sufficient impact for the given project. If certain Capital Improvement Projects do not meet the guidelines for the inclusion of public art, 1% of their budget may be contributed to support future projects with larger impact or conduct maintenance on existing or future projects.

A voluntary 1.5% of eligible Capital Improvement Projects

It is suggested that up to but not exceeding 1.5% of Capital Improvement projects will be allocated for the commission and installation of public art. The full 1% will be allocated for procurement of the Art and the remaining .5% divided between Administration, Maintenance, temporary installations, events and community infrastructure for the arts.

Eligible Capital Improvement Projects: Any local government project, whether new construction or renovation, that will be accessed by, or be highly visible to the public, including:

- Construction or remodeling of buildings and structures such as Town offices, administration buildings, fire and police stations, airport terminals, and the recreation center.
- Construction, renovations or expansions to parks, playgrounds, swimming pools, pathways, trails and playing fields.
- Construction or expansion of utilities such as electric substations, water plants and above ground reservoirs, and wastewater treatment plants.
- Construction or renovations to bus shelters, parking structures and lots, and road intersections.
- Construction or renovations to maintenance facilities for public works and utilities, recycling centers and transfer stations.

Eligible Capital Improvement Project Costs Include:

- Cost of architectural design and/or engineering of construction project.
- New construction of a building or of additional space or renovation.
- Any reconstruction or renovation of a building or part of a building equal to or exceeding in cost of \$50,000.

Ineligible costs include:

- Administration, fees and permits, building demolition, relocation of tenants, contingency funds, land or building acquisition, off-site costs, environmental testing or indirect costs (such as interest during construction), advertising and legal fees.
- Any projects or project cost components specifically excluded by Town Council.

Ineligible Capital Improvement Projects:

Projects not visible to the public are not subject to voluntary percent for art consideration. Such projects include below grade construction, rehabilitation of equipment, ordinary maintenance, and sewers.

Where a Capital Improvement Project has a scope of work that includes eligible and ineligible items, for example, remodeling and ordinary maintenance, the art budget amount shall be calculated on the eligible portion of the project.

Projects Not tied to Capital Improvement Projects

As part of the AAPP the PAT and Public Art Coordinator will make recommendations to the Town to consider projects beneficial to the community that are not part of a Capital Improvement Project budget. (Examples may include: enhancements to the parking garages, existing pedestrian spaces or historical markers). These projects will be considered only if the pooled funds are available to provide sufficient resources.

Pooling of Funds (POF)

It should be noted that every public art project both large and small takes significant staff resources to accomplish and maintain. Therefore, the flexibility to pool public art funds will ultimately reduce administrative costs, while creating higher impact projects.

Public Art Funds may be used to:

- Commission Public Art.
- Improve the aesthetic quality of public spaces and structures.
- Contribute to local heritage.
- Stimulate arts-related economic activity.
- Commission permanent artwork as identified by the AAPP.

- Commission temporary and performance art in public places.
- Maintain the existing public art collection.
- Support nonprofit arts groups and facilities that offer public benefits and increase cultural tourism (Center for the Arts).
- Support business incubators and economic development for the arts.
- Support the administration costs of the Public Art Coordinator.

Private Funding Overview

Throughout the country, private developers are discovering that including artwork can enhance the overall quality of a project and give it a unique character, not achievable in other ways. Public art can stimulate private developments that are unique and contribute in a positive way to establishing a regional sense of place. Public art and cultural facilities in private development can heighten the image and the value of a project and its income producing potential. Tenants like artwork and the identity it gives a building.

In the Town of Jackson, the Public Art Coordinator will serve as a source of information for private developers to utilize public art in new development projects.

Public art in private developments, especially in the Town, meets the goals of the Comprehensive plan by "promoting public spaces and civic facilities that are interesting, memorable, and reinforce the desired sense of community."

Public Art in Lieu of Landscaping – Land Development Regulation Amendment

Amount: Value of landscaping traded for Public art.

Eligible Projects: This offers private development projects required to meet a landscaping requirement an option to pay for public art enhancements in lieu of landscaping requirements.

Insurance and Maintenance of public art is the responsibility of the property owner.

Exemptions: Reproductions of original works of art; decorative, ornamental or functional elements designed by the architect or consultants engaged by the architect; elements generally considered to be components of a landscape architectural design except where designed by an artist; art objects which are mass-produced of standard design, such as playground equipment or fountains; directional or other functional elements such as super graphics, signs, color coding, maps, unless designed by an artist.

Donations and Supplemental Sources of Funding

If supplemental sources of funding are used for public art projects, including grants, private donations, land, and in-kind services, Jackson Hole Public Art will identify the private interests or other restrictions associated with such funding and review the development of the public art projects for which the funding is used to ensure compliance with donor intent and other restrictions.

5) Commissioning

Selection Process and Criteria

This section is meant to serve as a guideline for the commission of artwork for eligible projects. It is a fluid document and is subject to change. It is not legally binding.

Selection Process

Call for Artists

Upon the identification of a specific project, criteria for the artwork and the location of such art shall be determined by the Public Art Coordinator in collaboration with the client agency to create the Call to Artists. Consideration of the appropriate media (sculpture, landscape design, painting, etc.) should be developed along with recommended criteria (environmental, historical, western, contemporary, etc.) for the artwork (*criteria is further defined in 2.6.2*). This might be very specific or left open for the artist to develop ideas. In some cases it may prove helpful to define a number of sites to specifically integrate artwork within the scope of a

project. Once this phase is completed, a Call for Artists is drafted by the Public Art Coordinator and approved by the Public Art Task Force. Revisions may be proposed by the selection panel (see below) in the case that the Call for Artists does not represent the project in its entirety.

Selection Panel

The selection panel will consist of arts professionals and enthusiasts, neighborhood residents of the proposed site, general community members, Town administrator, project stakeholders (e.g., Public Works Department members, Parks and Recreation Department members), etc. The makeup of the panel will strive to include individuals with a background or interest in visual art, design and the built environment. The panel will be assembled by the Public Art Task Force and shall seek to create a diverse representation of the project. The findings of the selection panel will be reviewed by the Public Art Task Force before they are brought to the elected bodies.

RFP/RFQ/Invitational

Three different methods may be used in a Call for Artists: Requests for Proposals (RFP's), Request for Qualifications (RFQ's) and Invitational process (submit proposal or be interviewed). The best practice in the field of public art favors RFQ's due to the time and effort involved in developing a RFP without compensation for the artists' efforts. An RFQ allows for a real interaction between the commissioned artist and the client agency, wherein concepts can be presented in sketch form and can go through a normal and productive design development cycle. This approach yields artwork far more integrated and sensitive to the site, context and goals of the public art project.

Request for Proposal (RFP) – A RFP will specify the information and format the artist must follow to submit his or her proposal. Generally, background information (resume, slides of prior work, newspaper articles, etc.) is requested along with concept sketches and a written description of the project. In addition to artist's fees, material costs, construction and installation costs, insurance and documentation costs may need to be accounted for. If artists are selected nationally there may be airfare and hotel costs. Three to five finalists are selected, and are expected to further develop the idea presented initially. An honorarium for finalist proposals is required, ranging from \$500-\$2,000.

Request for Qualifications (RFQ) – A RFQ is issued to select a short list of (3-5) artists to develop proposals. Typical requirements of a RFQ include; a resume, letter of interest, slides of previous work and references. Artists are not asked to develop any specific concept or sketch in their initial response to the RFQ. A short list of artists is selected and an honorarium is paid (\$500- \$2000) to cover the research and concept development for finalist proposals. Artists have the chance to ask question of the selection panel, project architects and associated individuals or agencies to further enhance their knowledge of the particular project. Open communication during the finalist proposal development phase is paramount to provide finalist artists the maximum amount of information for their proposal.

Invitational – In some cases, rather than reviewing a large number of proposals as a result of issuing a RFP or RFQ, a smaller number of artists can be invited to submit proposals. These artists can be located through a variety of means including review websites, contacting local arts organizations, speaking with local arts professionals and/or contacting national organizations with existing artist registries. This approach reduces the office work and time needed to review, organize and select finalist artists from large pools of applicants.

Advertising the Call for Artists

Once a Call for Artists has been finalized by the Public Art Task Force, it will be advertised in a variety of online, print, and social media sites. The scale of the project and the Public Art Task Force's recommendations will determine the breadth of advertising. Some projects will seek to involve local artists, while others may be more appropriate for nationally recognized public artists.

Local media outlets to disseminate a Call for Artists:

- The Gallery Association
- Art Association - Splash Publication

- Non-Profit and Chamber of Commerce ListServ's
- Jackson Hole News and Guide
- Jackson Hole Weekly
- www.JHUnderground.com
- www.thesnaz.com
- Teton Artlab
- Cultural Non-profit email lists
- Any others deemed necessary by the Public Art Coordinator

Public Art Lists to post Calls for Artists:

- CAFÉ (WESTAF)
- www.4culture.org/publicart/calls/default.asp
- <http://phoenix.gov/maillist/milestone/subscribe.html>
- <http://www.lvartscommission.com/contact/>
- www.callforentry.org
- www.urbanartsinstitute.org
- www.publicartreview.org
- www.sculpture.org
- www.artopportunitiesmonthly.com
- <http://artdeadline.com>
- www.artsopportunities.org
- www.theartlist.com
- Any others deemed necessary by the Public Art Coordinator

Artwork/Artist Selection Criteria

These criteria are the minimum standards on which the selection panel shall base its selection of artists or artwork in response to the Call for Artists. Additional criteria may be established by the Public Art Committee in response to a project's particular requirements and context.

Artwork Criteria

1. Aesthetics- The selection panel shall seek artwork of the highest quality in terms of timelessness of its vision, design and integrity. Commissioned and acquired artwork will strive for the highest quality to complement Jackson's built and natural environment.
2. Context- The selection panel shall, in its deliberations, give due consideration to the appropriateness of the proposed project in terms of scale, materials, content and design with respect to its immediate and general, social and physical context.
3. Public Safety- Artwork shall be evaluated to ensure that it does not present a hazard to public safety.
4. Maintenance- Due consideration shall be given to structural and surface soundness, and to inherent resistance to theft, vandalism, weathering, and excessive maintenance or repair costs.
5. Electrical and Mechanical Considerations- All electrical, mechanical and engineering components must be stamped by a licensed engineer. Upon completion, a sealed as-built drawing may be required from the Building Official.
6. Public access- Will the public have free access to the artwork? The selection panel should consider the visibility and accessibility of artwork for people with disabilities, and ensure the artwork accessible to everyone.
7. Diversity- The Public Art Selection Panel shall actively seek diversity in style, scale, media and numbers of artists represented. A wide range of expressions from metaphorical, allegorical and narrative work will be encouraged in addition to artwork which is stunning in material, form, color, pattern and context.
8. Reproductions- The following non-artistic items do not qualify in the selection of artwork: Reproductions of original works of art; decorative, ornamental, or functional elements which are designed by the architect or consultants engaged by the architect as opposed to an artist commissioned for this purpose; those elements generally considered to be components of a landscape architectural design except when elements are designed by the selected project

artist and are an integral part of the project artwork; "art objects" which are mass-produced of standard design; directional or other functional elements such as super-graphics, signs, color coding, or maps.

Public art should avoid:

- Sharp edges, points, projections, or pinch-points which may cut, puncture or cause injury by impact, catch passing pedestrian clothing or entrapment of limbs.
- Overhead parts which present a hazard to pedestrian traffic. Artwork should follow minimum sign height requirements in areas where pedestrian traffic is likely.
- Trip hazards and slippery surfaces if set into sidewalks or flooring.
- Unsafe climbing opportunities for children/adults.
- Obstruction of any traffic control device.
- Cynical, pornographic, and otherwise obscene artwork that is not appropriate for public display.

Artist Selection Criteria

1. Eligibility- Public art projects are open to any professional artist whose residency meets the guidelines set forth in the RFP/RFQ. Members of the project consultant's firm or anyone employed thereby, members of the selection panel, or employees of the Town of Jackson shall be excluded from consideration.

2. CV/Resume- Artists will be selected on the basis of their qualifications as demonstrated by their past work. Preference will be given to artists that have demonstrated the ability to respond to a project's parameters including; site, context, materials, fabrication, and installation of completed work.

3. Context- Artists shall be selected on the basis of the appropriateness of their proposal to the particular project and its probability of successful completion, as indicated by the merit of their past work. Artists commissioned for site-specific projects must be able to clearly articulate their given approach to creating work within the context of a project.

4. Design Team- In the case of the design team approach, whereby an artist is commissioned in the conceptual design of a construction project, an artist's willingness to fully participate in a collaborative process will be considered criteria for selection. Additional criteria for selecting artists for design teams shall include but not be limited to the following:

- Proven ability to work effectively in collaborative situations
- Experience in architectural or landscape-based projects
- Experience working with design professionals and integrating artistic concepts into construction documents

5. Equal Opportunity- Selection of an artist will be made without regard to race, gender, religion, sexual orientation, and people with disabilities.

6) Maintenance

The Public Art Coordinator will make recommendations for investment in maintenance of the public art collection based on professional evaluation of the state of the artworks.

The Town will own all works of art created or acquired with Public Art Funds. Every public art project funded with public art funds will reserve a sufficient amount for long-term maintenance and conservation of the work(s) of art as determined by the artist's maintenance plan. All artists selected in the commissioning process will be required to submit a detailed maintenance plan.

Artists selected to create and provide permanent and temporary works of art will specify the maintenance that will be required for the work of art and submit a maintenance schedule as part of their contract with the Town.

The contract should provide that the artist(s) will be responsible for the first full year of project (after installation of the artwork), including all corrections and/or repairs of the work(s) of art.

If the work of art is a gift of a pre-existing work of art, the donor will include a documentation of all maintenance work done to date and a schedule of future maintenance. The Town may request maintenance funding with the donation of the artwork.

The Public Art Coordinator will advise the Town in the AAPP:

- When the services of a professional conservator are required to evaluate the status of the public collection.
- The Town will, in consultation with PAT and the Public Art Coordinator, decide any and all remedies necessary to restore the works to their desired condition.

Should maintenance or conservation be necessary, the Town will:

- Follow the recommendations and instructions of the professional conservator.
- Inform the Public Art Coordinator of these recommendations in writing.
- Consult the artist(s) or the estate of the artist prior to executing these recommendations of allocating any monies accrued to the Public Arts for this purpose.

7) Education & Community Outreach

Public education is a cornerstone of any successful public art program. Jackson Hole Public Art will act as the Town's partner in providing education about the permanent Public Art Collection and any temporary displays of art.

No funds for education shall come from the 1.5% of Capital Improvement Projects. Jackson Hole Public Art will support education with private funding and grant writing when necessary.

Jackson Hole Public Art is developing:

- Website with images and information on all publicly and privately owned art located on or adjacent to public space (pending Town of Jackson approval).
- Self guided tours using digital imaging technology (Philadelphia's Museum without walls).
- "Art Adds Value" brochure for private developers.

In the future Jackson Hole Public Art seeks to develop:

- Database of artists and fabricators working in the region (Town, County and Local Communities).
- Conduct professional development programs for local artists.
- Invite experienced artists and creative professionals with significant public art experience to provide education, offer technical assistance and creative solutions to the problems and challenges most frequently encountered in commissioning public art.

The Public Art Coordinator is available to make presentations for professional groups such as the American Institute of Architects (AIA), Downtown Business Association and the Rotary Club.

8) Public Art Donations

Parties interested in making donations of art to the Town of Jackson are to contact the office of the Mayor and/or the Public Art Coordinator, who will facilitate the consideration of the requested donation. Works are accepted based on a review by a specifically convened selection panel and/or the Design Review Committee and/or Public Art Task Force who will consider the quality, condition, content, future maintenance requirements, site appropriateness, public safety and relevance of the work to the collection. Any public artwork proposed for donation to the Town of Jackson or for installation on public property must meet the standards for public art established in these Public Art Guidelines. The Town (may) require(s) a maintenance endowment. Donations are considered a tax-write off and are subject to review by the Town Attorney.

No work of art may be accepted as part of the public art collection if the donation violates any statutes, or regulations of Town policy on the acceptance of gifts.

Procedures for Donating Works of Art

For each proposed gift of art, the donor must contact the Jackson Hole Public Art and/or the Town and provide a Gift of Art Disclosure Form see Appendix D. This Form must be accompanied by photos, slides, video(s) or other viable representations of the work, documentation of ownership (provenance through bill of sale, title, deed, etc.) and declared value. The Form must also be accompanied by information concerning the care and maintenance of the work of art.

Upon receipt of a Gift of Art Disclosure Form, the Coordinator will review the gift with a specially appointed selection panel, the PAT and/or the Design Review Committee. The panel will consist of: the Public Art Coordinator to act as chair, an appropriate community representative, an appropriate Town representative, and appropriate artist(s) dependent upon the scope of the proposed gift.

The panel will review the Gift of Art Disclosure Form and may further request to see and inspect the actual artwork and/or documents pertaining to the work of art. Upon finalizing its review and based on the review criteria below, the panel will make a recommendation to Town regarding acceptance or rejection of the work of art.

Selection Panel Criteria for Gifts

The following criteria will be used by the selection panel when considering a proposed gift of a work of art.

- 1. Originality of artwork.** The work of art must be one-of-a-kind or part of any original series. Reproductions of original works of art are not considered eligible for acceptance.
- 2. Restrictions from the donor.** Any restrictions that will have to be honored by the Town must be clearly identified.
- 3. Appropriateness of a proposed or chosen site for the artwork.** Materials, theme and scale of the work of art will be evaluated relative to any site identified by the donor or relative to a site identified by the Town.
- 4. Artistic Excellence.** The proposed gift of art must contribute an aesthetic benefit to the Town's art collection.
- 5. Technical feasibility.** The practical ability for the proposed works of art to be sited, and/or installed. Careful consideration will be made concerning the current condition of any artwork whereby works of art requiring considerable and/or immediate maintenance or conservation will only be accepted in rare cases. The installation detail must be provided by the donor and approved by a structural engineer. The costs associated with engineering review will be borne by the donor.
- 6. Relationship to the collection as a whole.** The commission is committed to developing a diverse art collection. The proposed gift will be evaluated based upon its enhancement and its diversity with that of the overall art collection of the Town.
- 7. Vandalism and safety.** The artwork cannot be prone to pose a safety hazard to the general public and will not be prone to vandalism. Requirements placed upon the donor, to rectify such, may be made by the Panel.
- 8. Maintenance and preservation.** The Donor shall include, as part of the Panel overview, a technical and maintenance record including a plan for routine expense estimates. Further, the Donor must indicate if there is any unusual maintenance costs associated with the artwork.
- 9. Timeline.** The commission will determine if the proposed timeline is acceptable.
- 10. Shipping:** The donor shall pay for shipping and handling and the hiring of a professional installer. Public Works and/or Parks and Recreation may provide in-kind support if directed by the Town Council.
- 11. Naming:** The Town will approve with donor as part of the agreement any donor recognition on the title plaque.

9) De-Accession

Deaccessioning is a procedure for the withdrawal of an artwork from public collection. De-accessioning may be addressed by referring to the de-accessioning policy or by specifically addressing the issue directly in the contract. De-accessioning public art must consider the federal regulations set forth in the Visual Artists Rights Act of 1990.

Overview:

Works of art are being accepted by and for the Town of Jackson through donations, gifts and Jackson Hole Public Art.

Policy:

Permanent works of art commissioned and/or acquired as a consequence of the Public Art Guidelines should not be deaccessioned before the tenth anniversary of installation or

acquisition, except in the case of portable works of art or special circumstances whereby an art piece has been damaged beyond reasonable repair. In determining whether a work of art should be deaccessioned, the Public Art Coordinator will ascertain public sentiment. Further, a Subcommittee will consider deaccessioning of an artwork only after a careful and impartial evaluation of the artwork has been completed. All findings of the Subcommittee shall be presented to the Town along with a recommendation for implementation. The Public Art Coordinator will, in addition, contact the artist, if possible, or the estate of the artist prior to making a formal recommendation to the Town.

Eligible Artworks:

All Artwork owned by the Town of Jackson are eligible. All legal documents relating to a donated art work will be consulted prior to commencing the deaccessioning process.

Deaccessioning Procedure:

A Deaccessioning Subcommittee of the Public Art Task Force will be formed, which will include no more than five (5) professional/experts including three (3) members of the Task Force, an art conservator or curator, and a Town representative. The Public Art Task Force will periodically review the entire public art collection, or when circumstances necessitate a subcommittee will be convened to review a specific artwork. The Public Art Task Force will be responsible for recommending artwork for deaccessioning consideration.

Criteria for Deaccessioning:

The Public Art Program may consider the deaccessioning of artwork based upon one or more of the following:

- The artwork is damaged or has deteriorated beyond practical repair or repairs exceed the value of the work.
- The artwork is not, or is only rarely on display due to lack of a suitable site.
- The artwork cannot be relocated or would not be appropriate for relocation.
- The artwork cannot be reasonably secured.
- The artwork has received sustained and overwhelming public objection over a five-year period.
- The artwork required repeated and excessive maintenance.
- The artwork has identified substantial faults of design or workmanship.
- The artwork site would warrant a more significant artwork by the same artist.
- The artwork has been deemed to be substantially incompatible or inferior to the Town collection.
- The artwork endangers public safety.
- The artwork is impacted negatively from site/location alterations.
- The artwork is destroyed.
- The artwork is found to be inauthentic.

Sequence of Action:

A Subcommittee appointed by Public Art Task Force and approved by elected officials determines that an artwork meets one of the above criteria. The Subcommittee may request additional information from the artist, curators, appraisers, or other professionals prior to making a recommendation to the Town.

The Public Art Coordinator will prepare a report that includes:

- A legal review of all documentation related to the artwork, by the Town Attorney.
- Any recommendation(s) from the appropriate Town staff in ownership of the artwork.
- Completion of all deaccessioning worksheets.
- The Public Art Task Force deaccessioning documentation, including, method of removal.
- The PAT will review the staff report at one of its regularly scheduled meetings.
- The PAT recommendation will be sent to the Town for consideration at a regularly scheduled meeting.

**Upon the Town confirmation of the recommendation,
The public art coordinator shall determine:**

- If the artwork may be sold or exchanged.
- If the sale of artwork is within the compliance of all State and Local.
- The all relevant Laws and policies governing personal property are upheld.
- An Artist, or the estate of the Artist, shall be given first option to purchase or exchange the artwork(s).
- That the method of sale may be through auction, direct bidding by individuals (open or closed bids), or gallery consignment resale.
- That an artwork exchange may be executed through a public or private museum, institution, artist, or gallery, provided that such exchange is of comparable value.
- No artwork shall be sold or traded to members or Town staff or the Public Art Program consistent with the Public Art Program conflict of interest policy.

- Net proceeds from artwork sold shall be placed in the account of the Public Art Fund for future art work projects. Any preexisting contractual agreement regarding resale, between the Artist, and the Artist's estate, shall be honored. Further, any proceeds from artwork sold, which were originally created or purchased with funds that carried restrictions (i.e., bond funds for street, sewer, or public building) shall be utilized in any future artwork by the Town of Jackson in the same manner and consideration as when the funds were initially utilized.

Destruction of artwork deteriorated or damaged beyond reasonable repair and/or deemed to be of negligible value.

If the PAT is unable to dispose of the artwork in a manner outlined above, the PAT may recommend to the Town another method of disposition or donation to a non-profit organization.

10) *Implementation of the Public Art Guidelines*

For this plan to be successfully implemented, there needs to be a clear and accountable strategy in the immediate two years. These years are critical to seizing the energy and funding generated by Jackson Hole Public Art and building the foundation for this plan to integrate into the Town offices and the community it serves. Indicators are listed below as a checklist of tasks needed to make the plan work.

Implementation Strategy

The goal of the implementation strategy is to plan ahead, identifying measurable goals and milestones to put the public art plan into effect.

2012 Strategy

Town Duties:

- Adopt "Strategy 3.2.S.7: Coordinate with a public art task force to write a public art plan for the community", from the Comprehensive Plan as **a year one work program priority**, because the Jackson Hole Public Art program exists and is currently funded to provide this service.
- Approve and implement the process of the 2012 Annual Art in Public Places Plan (the AAPP).
- Approve the Pooling of Funds as a strategy to develop a responsible and sustainable program.
- Town establish and appoint members to the Public Art Task Force.
- Adopt the Public Art Policies and Guidelines of this Plan in a Town of Jackson or Joint Resolution.

The Director of Jackson Hole Public Art continues work on the following:

- Revise and release the Public Art Guidelines with input from the Town planning departments, senior staff and elected officials.
- Offer a workshop on arts and culture planning, economic impact and recent innovations in Public Art Programs.
- Administer pilot projects.
- Identify and advocate for public art in upcoming private development projects.
- Provide education for the public, elected officials, and stakeholder groups about public art and the public art plan.
- Focus on potential projects with the strongest impact.
- Administer the public art process for projects adopted through the Annual Art in Public Places plan.
- Design and print a Public Art Brochure for the planning departments to give to private developers.

Appendix A- Public Art Overlay Map



Public Art Overlay Map

Summary: This concept is similar to the Historic District overlay (if a building is slated for demolition, this triggers a review mechanism for the Historical Society to assess the historical significance of the building. The review process lasts for 60 days.) In a similar manner, a public art overlay map will provide a mechanism that will alert the PAC of new private developments proposed within the overlay map. The project can then be reviewed by the PAT to determine if advocacy for public art will be appropriate given the location, size of the project, and developer.

Policy: A public art overlay map will provide an internal review mechanism to alert the PAT of new developments. It will be the duty of the Public Art Coordinator to make an initial review of the project to determine if advocacy will be necessary for the new development to consider public art. The review mechanism will be triggered during the 'Sufficiency Review by Town Departments' in the final development review process.

Appendix B - Sample Artist Contract

- A. Contract Terms**
- B. Title and Ownership**
- C. Reproduction Rights/Copyright**
- D. Warranties/Risk of Loss**
- E. Fabrication and Installation**
- F. Maintenance**
- G. Risk Management**
- H. Documentation**
- I. De-accession**
- J. Signage**
- K. Contract Enforcement**
- L. Termination or Cancellation of Contract**
- M. Project Delays**
- N. Contingency Fees**

A contract is the formal agreement between the Town of Jackson and the artist that outlines what is required and expected of each party. Contracts include all the information necessary for a clear understanding between the artist and the Town of Jackson. The contract will detail the commission amount, the artist's expected payment date, the party responsible for payment, and the procedure by which the artist's designs and maquettes will be reviewed and approved. Schedules for fabrication, transportation, and installation of the artwork and the responsibility of the Town of Jackson in maintaining the completed work will also be detailed. Although there will be a standard contract, flexibility within its structure will address the particulars of each project.

In cases where artists are not familiar with contracts or binding agreements, the Public Art Coordinator will take time to walk the artist through the process ensuring that the requirements and expectations are clear, especially with regard to budgets and timetables. Any questions on contract issues will be clarified with Town administrator.

A. Contract Terms

The following items will detail the necessary structure of an artist contract with the Town of Jackson.

B. Title and Ownership

The artist retains all rights and interest in the artwork except for rights of ownership and possession, which are passed to the Town of Jackson upon final acceptance. The artist warrants that the artwork is his/her sole and original creation, and does not infringe upon any copyright or trademark. If the commissioned artwork is one of a multiple edition, the warranty will be modified to state this fact.

C. Reproduction Rights/Copyright

The artist retains all rights under the Copyright Act of 1976. However, the artist agrees not to make an exact duplicate or permit others to do so, except by written permission of the Town of Jackson; the artist also grants the Town of Jackson the irrevocable license to make two-dimensional reproductions for promotional purposes. In turn, the Town of Jackson agrees to give the artist the appropriate credit on all such promotional pieces. The credit will include the copyright symbol, the name of the artist, the title of the piece, and the date of completion.

D. Warranties/Risk of Loss

The artist warrants that:

1. The artwork is made of quality materials;
2. The artwork is free of defects; and
3. The artwork will remain in good condition for 10 years under normal conditions with routine maintenance.

Additionally, the artist will remedy at his/her own expense any defect that occurs during the first year after installation. Finally the artist warrants that the artwork will not contain any physical characteristics, which would pose a hazard to public safety.

E. Fabrication and Installation

Because no two public art projects are exactly the same, the fabrication and installation stipulations required of artists in their contracts will be fairly general in nature. In terms of fabrication, the contract will stipulate reasonable durability and protection of materials. The Town of Jackson Call for Artists may outline material preferences for maintenance. Artists will supervise fabrication to assure quality-control warranties of the contract. Fabrication requirements will include, at minimum, that:

1. Artworks are free from defect;
2. Artworks be made of high-quality materials;
3. Craftsmanship be of high quality; and
4. The artist, the Town of Jackson and members of the selection panel will review the fabrication of the work while in progress.

Installation responsibilities between the artist, the Town of Jackson and the specific commissioning agency will be detailed in contracts. For installation, the artist's methods will be approved by the commissioning agency and, if necessary, a state-licensed

engineer (particularly when artists are responsible for paying for the installation). The permanence of the installation will be the issue of that approval, and specific requirements will be imposed, such as the use of safety hardware for hanging a suspended artwork. In addition, the following points will be considered:

1. The artist will approve site preparation before installation begins;
2. Artwork is to be installed when it is in no danger of being damaged by on-site construction work;
3. Standards and requirements set forth by the commissioning agency for installation should be adhered to; and
4. The artist is responsible for loss or damage to artwork prior to its installation on Town property.

F. Maintenance

The artist will submit maintenance requirements, guidelines, and costs for the artwork to the Town of Jackson, developed in conjunction and cooperation with the commissioning agency. In turn, the Town of Jackson will maintain the artwork and make decisions regarding repairs and restoration based on the maintenance guidelines submitted, and in consultation with the artist when necessary (as per the Visual Artists Rights Act of 1990). The Town of Jackson agrees that it will not intentionally destroy, damage, alter or modify the artwork, and that the artist will be informed, and will consent to any alteration of the artwork prior to repair work commences.

G. Risk management

The artist shall provide and maintain policies of comprehensive general liability insurance in specified amounts to be determined by the Town of Jackson, covering the period from which the art is being installed until the final acceptance by the Town of Jackson. The Town of Jackson and the architect will be named as the insured on all insurance policies.

Assignment of the insurance responsibility prior to, during, and after installation is clarified in contracts.

The following points should be considered:

1. To reduce the Town of Jackson's liability, fabrication will be done off-site whenever possible;
2. The engineer who signs off on the artist's drawing must verify that the final artwork has been built to specifications, by inspecting the artwork after installation;
3. The artist is responsible for providing general liability insurance when the artwork is in transit, being delivered, and being installed; and
4. The artist is responsible for any damage to the artwork until installation on Town of Jackson property.

H. Documentation

The artist must submit a detailed description of the project with approved designs and drawing to the Town of Jackson upon completion of the work. The artist is responsible for providing photo documentation, and should include these costs in the budget for the project.

I. De-Accession

De-accessioning may be addressed by referring to the de-accessioning policy or by specifically addressing the issue directly in the contract. De-accessioning public art must consider the federal regulations set forth in the Visual Artists Rights Act of 1990.

J. Signage

The Town of Jackson will prepare and install a plaque at the site that identifies the artist, the title of artwork, copyright symbol, date of completion, size of the work, and medium.

K. Contract Enforcement

Performance requirements identify whether or not artists are in compliance with the stipulation of the contract. There must be set guidelines if an artist is late, over budget, or completes the project ahead of schedule. These requirements may be tied to budget allocations. When the artist is under contract with the architect, the architect is responsible for the enforcement of that contract.

L. Termination or Cancellation of Contract

The agreement terminates if the underlying construction project is canceled. The Town of Jackson may also terminate the agreement if the artist willfully or negligently fails to fulfill any of the covenants, agreements, or stipulations of the agreement in a timely manner. If the artist is not able to produce an acceptable design in a timely manner, the body with which the artist has contracted (the architect or the Town of Jackson) has the right to terminate the contract by giving written notice to the artist of its intent. The artist shall have thirty (30) days to cure the default by producing an acceptable design. If the artist defaults, all finished and unfinished drawings, sketches, photographs, models, and maquettes of the work shall become the property of the Town of Jackson in payment for damages caused to the Town of Jackson by the default on the part of the artist.

The Town of Jackson must pay the artist for any work completed up to the point of termination as stipulated by the payment schedule. The remaining monies revert back to the Town of Jackson to finance the completion of the artwork when feasible. The Town of Jackson may withhold a reasonable amount of payment to the artist until the exact amount of any damages is determined.

Should an artist's contract be terminated by the Town of Jackson due to negligence or noncompliance on the part of the artist, the Town of Jackson has the right to consider that artist ineligible for any future art projects funded by the Town of Jackson.

M. Project Delays

If the artwork is ready on time, but the construction project is late, the commissioning agency should pay all maintenance and storage costs for the artwork until it can be safely installed. When an artist completes a work before the completion date agreed upon in the contract, the artist will be responsible for storage charges. Should the construction project be completed on schedule, but, due to conditions beyond reasonable control, the artist is late producing the finished artwork, it will not be considered a breach of contract, and the Town of Jackson will grant a reasonable extension of time to the artist. If the Town of Jackson incurs costs associated with such a delay, the contingency fee (see below) will be used to cover these charges.

N. Contingency Fee

Ten percent of the total art project budget will be set aside as a contingency fee to cover unforeseen and unavoidable expenses associated with the artist's completion of the project. If the contingency fee is not adequate to cover such costs, a renegotiation of the budget terms of the contract and/or an option to terminate the contract can be considered. If the contingency fee is not used, it can be either added to the artist's

design fee, or set aside for emergency conservation of the artwork, or split between the two.

Appendix C - About Jackson Hole Public Art

Jackson Hole Public Art, a 501(c)(3) organization, aims to become Jackson Hole's leading presenter of public artist driven projects, new commissions, exhibitions and events in public spaces. We are committed to working with community developers, both private and public to ensure the integration of art into Capital Improvement Projects. We are dedicated to supporting our creative community by ensuring arts and culture is an integral part of our community's long-term vision and planning. By placing artworks outside the traditional context of museums and galleries the Public Art Initiative provides a unique experience and access for the public to discover the art of our time.

MISSION

The Jackson Hole Public Art facilitates partnerships and provides education for the integration of art into any environment.

GOALS

- Build infrastructure to support integration of public art in public and private capital improvement projects.
- Administer public art in capital improvement projects.
- Host museum-quality exhibition of art in public space.
- Provide opportunities for youth and emerging artists.
- Provide education about and maintenance for the public art collection.
- Cultivate creative vitality and economic development through creative placemaking.

Public Art Board Members

Gibson – PMB 316 Box 30000, Jackson, Wyoming 83002, 503-780-3256
Former Board Member Portland Regional Arts Council, Professional Artist
pamelagibson2@mac.com

Eric Logan – P.O. Box 97, Kelly, Wyoming 83011, 307-733-4000
Carney Logan Burke Architects
Town of Jackson Design Review Committee
elogan@clbarchitects.com

Susan Thulin – P.O. Box 3217, Jackson, Wyoming, 83001, 307-690-6266
Campus Director Central Wyoming College, Professional Artist
sthulin@cwcc.edu

Phillip A. Coosaia, Market President, Private Bank Director, US Bank
Jackson, Wyoming
Office: 307-732-9891
Cell: 307-690-7165

Cathryn L. Brodie, P.C., Levy Coleman Brodie LLP, Attorneys at Law
PO Box 7372, 1110 Maple Way, 2nd Floor, Jackson, Wyoming 83002
Phone: 307.733.7057
Fax: 307.733.7142
Cell: 307.690.2070

Katy Niner – Freelance arts writer, former arts editor Jackson Hole News and Guide
415-710-7329
katyniner@gmail.com

Christian Burch – Teacher at Jackson Hole Community School, Author, Artist
christianb28@hotmail.com
307-690-3132

Current Task Force Volunteers

Darin Martins, Bronwyn Minton, Meg Whitmer, Meg Daly, Alissa Davies.

OBJECTIVES

- Infuse public spaces with art that celebrates our unique environment and cultural heritage.
- Increase cultural tourism by providing artist-driven public art installations, events and performances.
- Increase economic impact of the arts by developing programs that support our creative professionals, emerging artists and youth.
- Increase resident and visitor knowledge of the art of our time
- Increase the visibility of and opportunities for our creative workforce.

PROJECTS AND PROGRAMS

Jackson Hole Public Art’s ongoing programs encompass three categories: (1) Building Public Art Program Infrastructure, including working with elected officials to develop voluntary funding sources and policies to support the voluntary integration of public art in CIPs (2) administration support for new developments wishing to include public art (3) assist in the development of community-based public art projects with social and educational messages (4) facilitate the public art component of major events and installations that increase cultural tourism by providing a unique artistic experience in a public setting.

Appendix D – Sample Gift of Art Disclosure Form

A Gift of Art Disclosure Form, signed by the donor, the Director of the Public Art Program, and the Town Administrator, will be required. A copy should be given to all interested parties, and the original should be retained by the Town Clerk.

GIFT OF ART DISCLOSURE FORM

TOWN OF JACKSON

1. Please describe the work of art being proposed for donation. Attach photographic and other documentation relevant to its value or merit. If available, please also attach any biographical information relating to the artist, or any published material relevant to the artwork.

Artist:

Title:

Medium:

Dimensions: (height x width x depth, weight):

Year Created:

Overall description:

History of object (provenance, certificate of authenticity, bill of receipt):

How did you/your organization acquire the artwork?

Estimated value:

Source:

Condition: Excellent _____ Good _____ Fair _____ Poor _____

GIFT OF ART DISCLOSURE FORM page 2

2. Installation requirements (method of attachment, lighting, estimated cost, etc.):
3. Maintenance requirements:
4. Maintenance history, include names of conservators and copies of information about the work performed on this piece:
5. Are you/your organization willing/able to provide the funding necessary to install, light, and identify the artwork? (Please describe the work and estimate costs involved)
6. If you are proposing that the work of art be installed in a specific location, please describe why you feel that site is appropriate for the proposed donation.
7. Does the artwork acknowledge a person(s), place, or event that warrants broad and enduring public recognition?

8. Describe specifically any restrictions or stipulations you wish to place on this gift:
9. Would you be willing to include with your donation funding for maintenance?
(Donations would be used for general maintenance of the public art collection).
10. Is there an existing plaque that accompanies the artwork? If not, suggested wording for identification plaque:

Other information

Name of individual or organization donating proposed artwork (if an organization, please also state the contact person’s name):

Address:
Phone:
Fax:
Email:

Description of group/organization:

Reason for donating artwork:

Tax Implications, if any:

Person completing this form:
Telephone:
Date form completed:
List of documented materials:

Signature of Donor Date

Printed name of Donor

Received by:

Signature of Town of Jackson Administrator Date

Printed name of Town of Jackson Administrator

GIFT OF ART DISCLOSURE FORM page 4
APPRAISAL REQUIRED
ATTACHE HERE

Appendix E - Glossary

Annual Art in Public Places Plan (AAPP): An annual plan prepared by the Public Art Taskforce (PAT) and the Public Art Coordinator identifying public art installations to be implemented for the upcoming year.

Call for Artists: A request for artist proposals for a specific public art projects identified in the AAPP, typically issued through an RFQ, RFP, or an artist invitational.

Capital Improvements Plan: An annual plan adopted by the Town of Jackson in conjunction with the Town's annual budget. The Capital Improvement Plan contains a list of individual Capital Improvement Projects to implemented within a given fiscal year.

Capital Improvement Project: An individual project contained within the Town of Jackson's Capital Improvements Plan, which may or may not include a public art component as described in these Public Art Guidelines.

Client Agency: The Town Department designated by the Town Council as the lead agency for the implementation of a certain public art project.

Creative Placemaking: Involves partners from public, private, nonprofit, and community sectors to strategically shape the physical and social character of our community around arts and cultural activities.

Public Art Task Force (PAT): A group of individuals appointed by Town to work with the Public Art Coordinator to create the annual art in public places plan.

Public Art Coordinator: An individual appointed by the Town Council to oversee the implementation of these Public Art Guidelines and the implementation of the AAPP. The Public Art Coordinator may be the Director of Jackson Hole Public Art, a 501(c)(3) nonprofit organization, or any person deemed qualified by the Town Council.

Selection Panel: A group of individuals appointed for the purpose of reviewing bids in response to a Call for Artists. The Town Council may appoint the Selection Panel or delegate appointment to the Public Art Taskforce.

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Consent
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Professional Services: Public Defender Contract	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to consider entering a contract for professional services with Elisabeth Trefonas to serve as the Public Defender on a contract basis.

Requested Action.

Staff requests Council review and consider the professional services contract attached to this staff report.

Recommendations.

Staff recommends entering the professional services contract as presented in the draft contract attached to this staff report.

Background.

The Town of Jackson Municipal Code includes offenses for which jail time may be imposed and therefore has previously contracted with Elisabeth Trefonas to serve as the Public Defender when such services are needed. The Public Defender is appointed on a case-by-case basis by the Municipal Judge in accordance with state and federal law.

Analysis.

The Town has contracted with Elisabeth Trefonas since 2014, however, the contract has lapsed and thus the attached draft contract is crafted as a new agreement. The only substantive changes to the contract are:

- Increasing the rate from \$60.00/hr. to \$100.00/hr.
- Entering a term of 3 years (concluding November 15, 2025 unless otherwise extended). le

Possible Alternatives.

Council could elect to issue a request for qualifications and solicit bids for this service.

Comprehensive Plan & Priority Alignment.

This item aligns with policy 8.1, the delivery of quality services to the community.

Fiscal Impact.

The fiscal impact of this item is minimal. The Public Defender would be paid at a rate of \$100.00 per hour, but is not appointed to every defendant. Additionally, if at the close of a case the Municipal Judge determines a defendant has the financial ability to pay the costs of the Public Defender, they may order that the Town be reimbursed. Historically, the Town has paid the following amounts (when the rate was \$50/hr or \$60/hr):

- 2014: 7 New defendants appointed; \$1534.50 total invoiced
- 2015: 2 New defendants appointed; \$305.90 total invoiced
- 2016: 7 New defendants appointed; \$1241.10 total invoiced
- 2017: 7 New defendants appointed; \$1566.50 total invoiced
- 2018: 7 New defendants appointed; \$1410.60 total invoiced
- 2019: 7 New defendants appointed; \$1105.20 total invoiced
- 2020: 10 New defendants appointed; \$2916.04 total invoiced
- 2021: 10 New defendants appointed; \$1674.52 total invoiced

- 2022: 7 New defendants appointed (to date); \$3177 invoiced (to date)

Staff Impact.

The staff impact of this item is minimal. Whether a public defender is appointed is controlled and mandated by state and federal law and the Municipal Judge is constitutionally obligated to ensure each defendant has access to a lawyer when legally mandated. Other than the Municipal Judge's duty to appoint counsel as required by law, the additional impacts include processing bills from the Public Defender and paying those bills per disbursements through the Finance Department.

Attachments or Links.

- Draft Public Defender Contract

Suggested Motion.

I move to approve the professional services contract with Elisabeth Trefonas for public defender services as presented in the attachment to this staff report, subject to minor changes required by the Town Attorney, and authorize the mayor to execute all necessary documents.

INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICES

THIS AGREEMENT made and entered into on the date last written below, by and between Town of Jackson, Wyoming ("Town"), and Elisabeth M. W. Trefonas, an independent contractor ("Attorney");

WHEREAS, the Town desires to retain the services of Attorney, and Attorney desires to render services to the Town, upon the terms and conditions hereinafter stated:

NOW, THEREFORE, the parties hereto, intending to be legally bound, do hereby promise and agree as follows:

SECTION 1 – SCOPE OF DUTIES TO BE PROVIDED

- 1.1 **Term.** Town agrees to hire Attorney, at will, for a term commencing on November 15, 2022 and continuing until terminated in accordance with Section 4 of this Agreement.
- 1.2 **Duties.** Attorney agrees to perform work for the Town on the terms and conditions set forth in this Agreement, and agrees to devote all necessary time and attention (reasonable periods of illness excepted) to the performance of the duties specified in this Agreement. Attorney's duties shall include the following: Representation of clients on a case by case basis assigned to Attorney at Town's discretion, including but not limited to drafting applications, declarations, motions, briefs, client conferences, court appearances when needed, and maintaining open communication with Town concerning the ongoing case status of each assigned case. Attorney further agrees that in all aspects of such work, Attorney shall comply with the policies, standards, regulations of the Town from time to time established, and shall perform the duties assigned faithfully, intelligently, to the best of her ability, and in the best interest of the Town.

SECTION 2 – CONFIDENTIALITY

- 2.1 **Confidentiality.** Attorney acknowledges and agrees that all records, lists and information pertaining to clients and cases and other Town data and information related to its business (collectively "Confidential Information") are valuable assets of the Town. Except for disclosures required to be made to advance the business of the Town and information which is a matter of public record, Attorney shall not, during the term of this Agreement or after the termination of this Agreement, disclose any Confidential Information to any person or use any Confidential Information for the benefit of Attorney or any other person, except with the prior written consent of the Town. Town understands that certain Confidential Information may be required to be disclosed to certain individuals: directors,

officers, employees, agents, or advisors (collectively, Representatives) of Attorney. Attorney shall maintain records of the persons to whom Confidential Information is distributed, will inform all such persons of the confidential nature of the information, will direct them to treat such information in accordance with this Agreement, will exercise such precautions or measures as may be reasonable in the circumstances to prevent improper use of Confidential Information by them, and will be responsible for any breaches by them of the provisions of this Agreement. The term "confidential information" does not include information that is or becomes publicly available (other than through breach of this Agreement) or information that is or becomes available to Attorney on a non-confidential basis, provided that the source of such information was not known by Attorney (after such inquiry as would be reasonable in the circumstances) to be bound by a confidentiality agreement or other legal or contractual obligation of confidentiality with respect to such information. In the event that Attorney or any of Attorney's representatives, assigns, or agents are requested or required by law or legal process to disclose any of the Confidential Information, the party required to disclose such information shall provide Town with prompt oral and written notice before making any disclosure. In addition, Confidential Information may be disclosed to the extent required in the course of inspections or inquiries by federal or state regulatory agencies to whose jurisdiction Attorney is subject and that have the legal right to inspect the files that contain the Confidential Information, and Attorney will advise Town promptly upon such disclosure.

2.2 Return of Documents. Attorney acknowledges and agrees that all originals and copies of records, reports, documents, lists, plans, memoranda, notes and other documentation related to the business of the Town or containing any Confidential Information shall be the sole and exclusive property of the Town, and shall be returned to the Town upon the termination of this Agreement or upon the written request of the Town.

2.3 No Release. Attorney agrees that the termination of this Agreement shall not release Attorney from any obligations under Section 2.1 or 2.2.

SECTION 3 - COMPENSATION

3.1 Compensation. In consideration of all services to be rendered by Attorney to the Town, the Town shall pay, for any case submitted to Attorney the amount of \$ 100.00 per hour. Compensation will be paid within a reasonable time, not to exceed one (1) month, upon Attorney's written submission and documentation of hours spent for each case and/or client.

- 3.2 **Withholding; Other Benefits.** Compensation paid pursuant to this Agreement shall not be subject to the customary withholding of income taxes and other employment taxes. Attorney shall be solely responsible for reporting and paying any such taxes. The Town shall not provide Attorney with any coverage or participation in the Town's accident and health insurance, life insurance, disability income insurance, medical expense reimbursement, wage continuation plans, or other fringe benefits provided to regular employees.

SECTION 4 - TERMINATION

- 4.1 **Termination at Will.** This Agreement may be terminated by the Town immediately, at will, and in the sole discretion of Town. Attorney may terminate this Agreement upon three (3) days written notice to Town. This Agreement also may be terminated at any time upon the mutual written agreement of the Town and Attorney.
- 4.2 **Contract Duration.** Notwithstanding Section 4.1 of this Agreement, the duration of this contract shall be until November 15, 2025 unless further written agreement or written modification signed by both parties is made, except as noted below in Section 7 for the use of facilities and sublet agreement.

SECTION 5 - INDEPENDENT CONTRACTOR STATUS

- 5.1 **Status.** Attorney acknowledges that they are an independent contractor and is not an agent, partner, joint venturer nor employee of Town. Attorney shall have no authority to bind or otherwise obligate Town in any manner nor shall Attorney represent to anyone that it has a right to do so. Attorney further agrees that in the event that the Town suffers any loss or damage as a result of a violation of this provision Attorney shall indemnify and hold harmless the Town from any such loss or damage.
- 5.2 **Assignment.** The Attorney shall not assign any of their rights under this Agreement, or delegate the performance of any of their duties hereunder, without the prior written consent of the Town.

SECTION 6 - REPRESENTATIONS AND WARRANTIES OF ATTORNEY

- 6.1 Attorney represents and warrants to the Town that there is no employment contract or other contractual obligation to which Attorney is subject, which prevents Attorney from entering into this Agreement or from performing fully Attorney's duties under this Agreement.
- 6.2 Attorney represents that they are licensed by the appropriate licensing agency for the legal profession and that they are in good standing with such agency. Should said standing be altered, or should

Attorney be suspended, disciplined, or reprimanded by any state agency, Attorney shall notify Town within eight (8) days or as soon as practicable.

SECTION 7 – INSURANCE AND USE OF FACILITIES

- 7.1 Attorney shall obtain and maintain in force, at their own expense, throughout the performance of Attorney's obligations under this Agreement, insurance coverage against claims, regardless of when asserted, that may arise out of, or result from, Attorney's operations in connection with the services or duties described above only in such case that Attorney hires or maintains additional employees separate and apart from Town. Attorney agrees, if necessary, to provide worker's compensation insurance for Attorney's employees and agents and agrees to hold harmless and indemnify Town for any and all claims arising out of any injury, disability, or death of any of Attorney's employees or agents.
- 7.2. Town shall obtain and maintain in force, at their own expense, throughout the performance of Attorney's obligations under this Agreement, insurance coverage against claims, regardless of when asserted, that may arise out of, or result from, Attorney's operations in connection with the services or duties described above. This insurance shall include the following coverages that below:
- 7.2.1. Workers Compensation and Town's Liability (if required by state law). Attorney agrees to provide worker's compensation insurance for Attorney's employees and agents and agrees to hold harmless and indemnify Town for any and all claims arising out of any injury, disability, or death of any of Attorney's employees or agents.
- 7.2.2. General Malpractice Liability or General Errors and Omissions coverage in the minimum amount of \$500,000.00 for losses incurred as a result of professional malpractice or professional errors and omissions made in the performance of this Agreement.

SECTION 8 - MISCELLANEOUS PROVISIONS

- 8.1 The provisions of this Agreement shall be binding upon and inure to the benefit of the heirs, personal representatives, successors and assigns of the parties. Any provision hereof which imposes upon Attorney or Town an obligation after termination or expiration of this Agreement shall survive termination or expiration hereof and be binding upon Attorney or Town.
- 8.2 No waiver of any provision of this Agreement shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

- 8.3 This Agreement shall be governed by and shall be construed in accordance with the laws of the State of Wyoming.
- 8.4 This Agreement constitutes the entire agreement between the parties pertaining to its subject matter and supersedes all prior contemporaneous agreements, representations and understandings of the parties. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all parties.
- 8.5 If any provision of these policies and regulations or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of these policies and regulations which can be given effect without the invalid provision or application, and to this end the provisions of these policies and regulations are severable. In lieu thereof there shall be added a provision as similar in terms to such illegal, invalid and unenforceable provision as may be possible and be legal, valid and enforceable.
- 8.6 The Town does not waive its governmental immunity by entering into this Agreement, and retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.

WITNESS OUR SIGNATURES, this the _____ day of _____, 2022.

ATTORNEY:

TOWN OF JACKSON:

BY: Elisabeth M. W. Trefonas
BY: Hailey Morton Levinson

Attest: _____
Riley Taylor Town Clerk

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Town Council
Submitting Department:	Administration	Presenter:	Paul Anthony Tyler Sinclair
Agenda Item:	P22-115 Petition to Vacate alley located on block addressed 325 N. Cache Street et al.	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to consider a request to vacate a public alley owned by the Town of Jackson. The vacation would enable the alley to become part of a new hotel and short-term rental project in the North Cache Street gateway area. If Council grants the request, staff will need to:

1. Obtain an appraisal to establish the Fair Market Value of the alley; and
2. Draft the terms of the sale or transfer of the alley property; and
3. Finalize all other relevant documents and agreements necessary to complete the vacation.

[NOTE: At the request of the applicant this item was continued from the Council's meeting on October 3, 2022.]

Requested Action.

The applicant, Mogul Hospitality Partners – Jackson LLC, is requesting approval of a Petition to Vacate the entire 10,000 square foot alley (20' x 500') located on the North 300 block bounded by North Cache Street, Mercill Avenue, North Glenwood Avenue, and Perry Street, as more particularly described in the legal description and map below.

Recommendations.

Staff does not recommend approval of the alley vacation request based on insufficient apparent public benefit to the Town.

Project Location.

The alley serves the entire block bounded by North Cache Street, Mercill Avenue, North Glenwood Avenue, and Perry Street.



Background.

Mogul Hospitality Partners – Jackson LLC owns approximately 2.9 acres (the 12 lots highlighted above) that constitutes a full Town block, except for the .15-acre property on the southeastern corner of the block. The site is served by a north/south alley connecting Mercill Avenue to Perry Street, zoned Commercial Residential – 2 (CR-2), and located in the Lodging Overlay.

The applicant's intent is to redevelop the entire site by removing all existing buildings and constructing a new 120 room hotel and 51 market rate residential condominiums. Included in the review packet are conceptual plans (see plans marked as "updated" in the review packet) that shows three potential project designs; one that assumes the alley is vacated and becomes part of the project site (applicant's preferred design) and two that assume the alley is not vacated. The preferred design shows a total habitable floor area of approximately

290,000 sf, including about 127,000 sf of habitable hotel space and 172,00 sf of market residential condominiums. The market residential would be built using the Town's 2:1 Workforce Housing Bonus tool, so approx. 85,000 sf deed restricted housing would need to be provided. The applicant has indicated that the deed restricted units would be located off-site at South Park Loop Road in another project the applicant plans to develop). Also shown is another approx. 109,000 sf for underground parking with approximately 200 parking spaces. This conceptual design would need to be modified significantly if the requested alley vacation is not approved.

A portion of the site has been impacted by contamination from an underground benzene "plume" from a previous gas station on the corner of North Cache and Perry Street. The state Department of Environmental Quality (DEQ) has been monitoring the contaminated soils for a number of years that are impacted by groundwater flow. At this time, much of the benzene has been remediated or dissipated, however, any remaining contaminated soil would need to be disposed of properly during redevelopment of the site.

Two-Step Review Process:

This alley vacation is being presented as a two-step process. **First**, at this initial meeting Council considers whether it generally supports the requested vacation or not. If Council does not support the vacation, then the matter would be resolved without any further action on Council's part. If Council supports the vacation, then the process moves to the **second** step, wherein Council directs staff to prepare the necessary planning, engineering, and legal documents to finalize the vacation (including obtaining appraisal(s) to determine the Fair Market Value of the easement property, finalizing agreements for the relocation of all affected utilities, agreeing to final terms for the vacation with the applicant, and preparing a warranty deed to sell and transfer ownership of the alley property to the applicant). It is due to the extensive amount of work required to complete this vacation that staff is first presenting this preliminary request to Council.

Council's decision regarding alley vacation plays a key role in the final design and review of the applicant's project. The proposed project requires approval of both a Sketch Plan and Development Plan because it exceeds the Sketch Plan project threshold 13,800 square feet. The applicant will not likely submit for Sketch Plan, however, until the Council provides its initial support for (or against) the alley vacation, which will determine the configuration and size of the project site. A pre-application meeting (P22-114) was held with staff on June 25, 2022, wherein staff provided comments on the proposed grading plan, how the number of stories and basement definitions were being applied, whether vehicular access to the site could be provided on North Cache, and loading/delivery access without an alley.

It is not the purpose of this alley vacation request to review the details of the potential future development, however, the applicant provided the conceptual designs to provide context for Council and to explain how the vacated property *might* be used in the future.

Analysis.

The decision to vacate an alley is at the discretion of the Council. There are no required findings or standards that must be met. Rather, Council must make its decision based on whatever factors it finds most relevant to the public interest and provide due process. Council has considered (and approved) three previous alley vacation requests in the last, roughly, 10 years, all related to hotel or lodging uses (e.g., The Cloudveil, Hotel Jackson, and Rustic Inn). In each of those cases, the alleys were short, dead-end alleys that did not connect to any other properties. The Cloudveil hotel was unique in that it *replaced* a vacated substandard 10'-wide alley with a full

20'-wide public alley. The current applicant is requesting the vacation of an entire 20'-wide alley that serves a full Town block and connects two streets.

In providing support for their request, the applicant states, among other things, that the benefit of the alley vacation would be to facilitate a more "holistic design approach to the entire development," will create a "higher-quality asset and architectural gateway to the Town of Jackson," and that they "will incur all cost to relocate the utilities out of the alley." The applicant also states that they are willing to deed restrict a certain number of housing units for Town employees.

From the Planning Department's perspective, the Planning Director has the following general comments:

- If approved, this would be the first time the Town has vacated an entire alley (in recent memory).
- Based on preliminary analysis from the Town Engineer, all Town utilities (e.g., water, sewer, Cache Creek Tube, etc.) should be able to be safely relocated from the alley to the surrounding public ROW.
- The Fire Department stated that it has no formal objection to the alley being vacated.
- If the vacation is not approved, there are other ways for the applicant to accomplish some of their development goals, such as requesting an Encroachment / Easement Agreement(s) to allow an underground garage under the Town's alley and/or to allow elevated walkways over the alley to connect detached buildings. (Of course, Council is not required nor guaranteed to approve such agreements.)
- The proposed hotel development would be located in a highly visible site on the Town's northern gateway entrance. This northern gateway area has been identified for significant visual enhancement in the Comprehensive Plan and is currently subject to an ongoing streetscape enhancement project by Public Works.

In addition, staff has identified some potential benefits and concerns related to the requested alley vacation:

- Potential benefits of the alley vacation
 - Cost saving to the Town of no longer having to maintain the alley (e.g., snow plowing, surface maintenance, etc.)
 - Given that the applicant currently owns all property adjacent to the alley, loss of the alley primarily impacts the applicant.
- Potential concerns with the alley vacation
 - Once vacated and sold, the Town permanently loses all future benefits of the use of the alley, which could be a problem or constraint if the property redevelops in the future and no internal access to the site exists.
 - Approval could create precedent or expectation from other large developers that alleys or other parts of the public ROW should be vacated to accommodate new development.
 - The existing alley bisects the block into at least two distinct building sites or buildings. Loss of the alley would potentially enable the development of one massive building which would arguably be contrary to the Design Guidelines and community character goals of the Town.
 - Vacating the alley would increase development potential of the site by approximately 8,000 sf of lodging use, although the applicant has indicated that this is not their goal and that their preferred option does not include additional floor area. Regardless, the vacation would result in additional floor area unless the Council specifically conditions approval that additional floor area is not included with the vacation. In staff's opinion, considering that the existing site is approximately 2.9 acres, which is large enough already to accommodate a very large hotel/condominium project, the additional floor area does not appear to be necessary. The

additional floor area could also make it harder to meet the LDRs and Design Guidelines in terms of community character and breaking up the mass of larger buildings.

- Vacating the alley would eliminate internal vehicular circulation, potentially hindering safe and efficient off-street deliveries by large trucks to the site. This is especially true in this congested location where significant traffic delays and backups are common in the summer months on North Cache and where heavy truck traffic is present along the busy “truck route” on Mercill Avenue.
- If WDOT prohibits vehicular access to the site from North Cache Street, as they have indicated they will do, then the alley would become much more important as a circulation route to and from the site and would minimize potential negative impacts to the Town’s roads surrounding the site.

Town staff from the Planning, Public Works, Legal, and Fire Departments have reviewed the vacation request. While no formal objections have been provided by any of these departments, there are still a number of concerns that would need to get resolved. Most of those concerns would be addressed if Council provides support for the vacation at this meeting and directs staff to move forward with all final preparations for the vacation. Staff’s general conclusion is that the public benefits of the vacation, as provided by the applicant, do not outweigh the negative impacts of losing the alley.

Key Questions:

1. Is Council willing to further consider vacating this alley?
2. If so, are there any special terms or conditions the Council wants the applicant to meet or staff to address as part of finalizing the necessary documents to vacate the alley?
3. Does the Council need additional information to make a decision today?

Possible Alternatives.

If Council denies the alley vacation request, there are other ways for applicant to accomplish some of their development goals, such as requesting Easement / Encroachment Agreement(s) to allow, for example, an underground garage under the Town’s alley or elevated walkways over the alley to connect detached buildings.

Comprehensive Plan.

The Comprehensive Plan does not say much about the desired use of the public ROW or public property in general, but the following policies may be relevant to the Council’s alley vacation request.

Policy 7.1.d: Maximize interconnection, redundancy, and hierarchy in the transportation network. The development of an interconnected and redundant network is critical to the assurance of a safe, efficient, and complete transportation system. In the event of a closure due to a hazard, redundancy will ensure access between locations in the community. Single occupancy vehicle capacity should only be added for health and safety. The Town and County will consider the need for interconnection, redundancy, and hierarchy when planning for our transportation network.

Policy 4.4.b: Enhance Jackson gateways. The Town gateways play a special role in setting the community tone and atmosphere for the millions of guests that visit Jackson every year. Town will create a common Vision for these areas, with an emphasis on bridges and waterway features. Town will work to improve visual appeal in the public realm and encourage aesthetic improvements on private property in gateway areas. Public art

projects that reflect the community, environment and character of Jackson will be encouraged to provide unique and interesting gateway enhancements.

Fiscal Impact.

Should the Council choose to vacate this alley as proposed, the Town would need to await the results of an appraisal before the Fair Market Value of the alley would be determined. The Council should also consider what type of consideration it would prefer in exchange for the sale of the alley. For example, in lieu of a cash payment, the applicant has offered alternatives such as employee housing units that they own or that are in the review process for development. The Town would also be relieved of all future costs related to the maintenance of the alley.

Staff Impact.

The amount of staff time to review, meet with the applicant, research, and write this report including future work to send final letters is roughly 25 hours.

Attachments or Links.

Department Reviews
Applicant Submittal
Petition to Vacate Alley

Suggested Motion.

I move to direct staff to:

1. Order an appraisal of the alley located in the block bounded by North Cache Street, Mercill Avenue, North Glenwood Avenue, and Perry Street (P22-115), and
2. Prepare all necessary documentation associated with potentially vacating said alley, and
3. Include the following terms and conditions in the documents
 - a. _____,
 - b. _____
 - c. Etc.
4. Place the vacation of said alley as an item on a future Council agenda for Council's review and consideration

All of which shall be subject to the departmental reviews and this staff report dated November 7, 2022.



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: Jackson- North Cache Hotel/Multi- Use Development
Physical Address: _____
Lot, Subdivision: _____ PIDN: _____

PROPERTY OWNER.

Name: Mogul Hospitality Partners - Jackson, LLC Phone: 435-709-1004
Mailing Address: PO Box 998, Midway, UT ZIP: 84049-0998
E-mail: bradw@mogulcapital.com

APPLICANT/AGENT.

Name: Mogul Hospitality Partners - Jackson, LLC Phone: 602-885-2342
Mailing Address: PO Box 998, Midway, UT ZIP: 84049-0998
E-mail: rachell@mogulcapital.com

DESIGNATED PRIMARY CONTACT.

____ Property Owner ☒ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit	Physical Development	Interpretations
____ Basic Use	____ Sketch Plan	____ Formal Interpretation
____ Conditional Use	____ Development Plan	____ Zoning Compliance Verification
____ Special Use	____ Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	____ LDR Text Amendment
____ Administrative Adjustment	____ Subdivision Plat	____ Map Amendment
____ Variance	____ Boundary Adjustment (replat)	Miscellaneous
____ Beneficial Use Determination	____ Boundary Adjustment (no plat)	☒ Other: <u>Alley Vacation</u>
____ Appeal of an Admin. Decision	____ Development Option Plan	____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

☒ **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

☒ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

☐ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Rachel Lambert
Signature of Property Owner or Authorized Applicant/Agent
Rachel Lambert
Name Printed

05/02/2022
Date
VP of Construction
Title

N. Cache Hotel and Residences

04/12/22

Project Narrative

Lot Info:

Address:

- 325, 335, 345, 355, & 375 N Cache Street
- 45, & 65 Mercill Ave
- 330, 350, 360, 370, & 390 N Glenwood Street

PIDN:

- 325 N Cache Street - 22-41-16-28-4-03-009
- 335 N Cache Street - 22-41-16-28-4-03-005
- 345 N Cache Street - 22-41-16-28-4-03-013
- 355 N Cache Street - 22-41-16-28-4-03-004
- 375 N Cache Street - 22-41-16-28-4-03-001
- 45 Mercill Ave. - 22-41-16-28-4-03-011
- 65 Mercill Ave. - 22-41-16-28-4-03-012
- 330 N. Glenwood Street - 22-41-16-28-4-03-008
- 350 N. Glenwood Street - 22-41-16-28-4-03-007
- 360 N. Glenwood Street - 22-41-16-28-4-03-006
- 370 N. Glenwood Street - 22-41-16-28-4-03-003
- 390 N. Glenwood Street - 22-41-16-28-4-03-002

Area:

- 325 N Cache Street - .30 Acres
- 335 N Cache Street - .15 Acres
- 345 N Cache Street - .15 Acres
- 355 N Cache Street - .30 Acres
- 375 N Cache Street - .30 Acres
- 45 Mercill Ave. - .14 Acres
- 65 Mercill Ave. - .19 Acres
- 330 N. Glenwood Street - .45 Acres
- 350 N. Glenwood Street - .16 Acres
- 360 N. Glenwood Street - .16 Acres
- 370 N. Glenwood Street - .17 Acres
- 390 N. Glenwood Street - .48 Acres
-



ATTACHMENT "C" LETTER OF AUTHORIZATION
 DONOVAN RYAN PROPERTIES, LLC/MOGUL HOSPITALITY PARTNERS, LLC
 Town of Jackson 65 MERCILL AVE, JACKSON WY 83001
 150 E Pearl Avenue OCTOBER 23, 2021
 PO Box 1687, Jackson, WY 83001
 P: (307)733-3992 F: (307)739-0919
 www.jacksonwy.gov

Date: November 5, 2021

LETTER OF AUTHORIZATION

NAMING APPLICANT AS OWNER'S AGENT

PRINT full name of property owner as listed on the deed when it is an individual OR print full name and title of President or Principal Officer when the owner listed on the deed is a corporation or an entity other than an individual

Being duly sworn, deposes and says that DONOVAN RYAN PROPERTIES, LLC is the owner in fee of the premises located at:

Address of Premises: 65 MERCILL AVENUE, JACKSON, WY 83001

Legal Description: LOT 11, PT LOT 12, BLK. 3, JONES, PIDN#22-41-16-28-4-03-012

Please attach additional sheet for additional addresses and legal descriptions

And, that the person named as follows: Name of Applicant/agent: Mogul Hospitality Partners - Jackson, LLC

Mailing address of Applicant/agent: Mogul Hospitality Partners - Jackson, LLC, PO Box 998, Midway, UT 84049

Email address of Applicant/agent: rachell@mogulcapital.com

Phone Number of Applicant/agent: Rachell (602) 885-2342

Is authorized to act as property owner's agent and be the applicant for the application(s) checked below for a permit to perform the work specified in this(these) application(s) at the premises listed above:

- ☒ Development/Subdivision Plat Permit Application ☐ Building Permit Application
☐ Public Right of Way Permit ☐ Grading and Erosion Control Permit ☐ Business License Application
☐ Demolition Permit ☐ Other (describe) _____

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing on behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

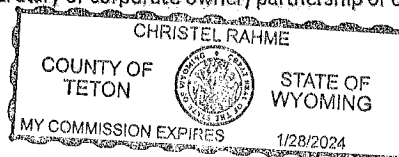
Property Owner Signature

Title if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner

STATE OF WYOMING

COUNTY OF TETON

) SS.



The foregoing instrument was acknowledged before me by Amy RYAN this 15th day of NOVEMBER, WITNESS my hand and official seal.

Christel Rahme

Notary Public

My commission expires:

1/28/24

MR AKROU



Town of Jackson Planning and Building Department

**LETTER OF AUTHORIZATION
NAMING APPLICANT AS OWNER'S AGENT**

PRINT full name of property owner as listed on the deed when it is an individual OR print full name and title of President or Principal Officer when the owner listed on the deed is a corporation or an entity other than an individual

Being duly sworn, deposes and says that Jon E. Cohen, Principal is the owner in fee of the premises located at:
Name of property owner as listed on deed

Address of Premises: 390 N. Glenwood Street Jackson, WY 83001

Legal Description: PT. LOT 18, ALL LOT 19 & 20, BLK 3, JONES, PIDN 22-41-16-28-4-03-002
Please attach additional sheet for additional addresses and legal descriptions

And, that the person named as follows: Name of Applicant/agent: Mogul Hospitality Partners - Jackson

Mailing address of Applicant/agent: PO Box 998 Midway, UT 84049

Email address of Applicant/agent: rachell@mogulcapital.com

Phone Number of Applicant/agent: (602) 885-2342

Is authorized to act as property owner's agent and be the applicant for the application(s) checked below for a permit to perform the work specified in this(these) application(s) at the premises listed above:

☒ Development/Subdivision Plat Permit Application ☐ Building Permit Application

☐ Public Right of Way Permit ☐ Grading and Erosion Control Permit

☐ Demolition Permit ☐ Other (describe) _____

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing on behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

Property Owner Signature: _____

Member

Title if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner

STATE OF MA)

COUNTY OF Norfolk) SS.

The foregoing instrument was acknowledged before me by Jon E. Cohen this 10 day of November, 2021.

WITNESS my hand and official seal.

Notary Public



**MARIA PAULA BAUTISTA
CUELLAR**
Notary Public
Commonwealth of Massachusetts
My Commission Expires April 1, 2027

My commission expires: April, 2027



11/16/21

LETTER OF AUTHORIZATION SIDE LETTER

I, the undersigned, as a company officer of Mogul Hospitality Partners – Jackson, LLC ("Mogul"), do hereby agree that the letter of authorization to be signed by Newport Hotel Group ("Newport") is subject to the following provisions:

1. Mogul will not commit the Cache Creek property to any development project or zoning changes prior to Mogul closing the acquisition of the property from Newport
2. If the proposed transaction between Mogul and Newport is terminated, Mogul will remove the Cache Creek property from the development application

Mogul Hospitality Partners – Jackson, LLC

By: _____

Name: Brad Wagstaff

Title: CEO

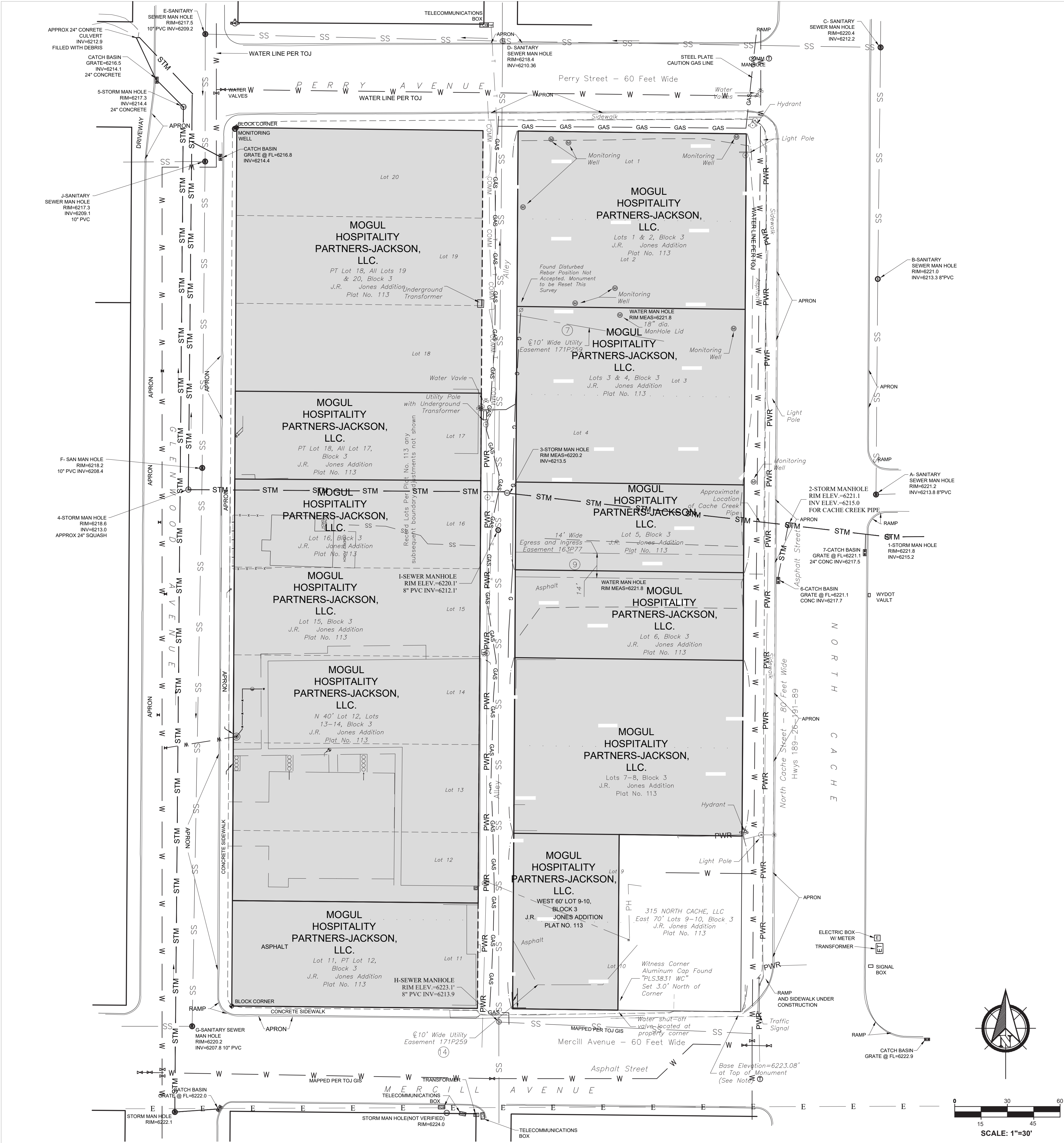
Newport Hotel Group

By: _____

Name: Jon Cohen

Title: MANAGER

A O

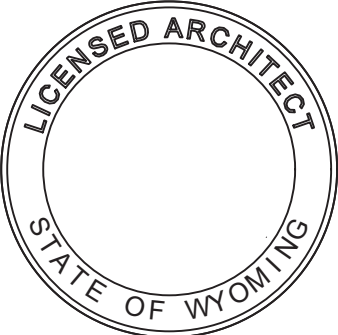


- GENERAL NOTES:**
- THIS SURVEY IS A COMPILATION OF SURVEYS PERFORMED BY PIERSON LAND WORKS LLC IN 2016 AND ONSIGHT LAND SURVEYING IN 2002. BADGER AERIAL MAPPING AND SURVEYING PERFORMED A FIELD SURVEY ON SEPTEMBER 30, 2020 OF THE AREAS BETWEEN BACK OF SIDEWALK ON BLOCK 3 TO THE TOP BACK OF CURBING ACROSS ADJACENT STREETS. SPOT ELEVATIONS WERE ALSO PROVIDED WITHIN BLOCK 3. IMAGERY WAS CAPTURED VIA UAV AND GEO-REFERENCED INTO THE DRAWING VIA GROUND CONTROL POINTS.
- ALL BADGER POINTS ARE IN WYOWEST STATE PLANE GRID NORTH NAD 83 HORIZONTAL.
 - VERTICAL DATUM IS NAVD88 BASED ON THE PLW SURVEY USING THE BENCHMARK AS SHOWN ON THE SOUTHEAST CORNER OF BLOCK 3. OSLS SPOT ELEVATIONS ARE ON AN ASSUMED DATUM. FOR REFERENCE, THE DIFFERENCE BETWEEN THE ELEVATIONS IS APPROX 118.4 FEET. SPOT ELEVATION ON LAYER B_SPOT_ELEV. SITE CONDITIONS IN SOME AREAS MAY MAKE THE OSLS IRRELEVANT.
 - PLEASE REFER TO LAYER B_SPOT_TEXT FOR MOST CURRENT CONDITIONS. ALL FLOWLINE CURB, TOP BACK OF CURB AND CENTERLINE ROADS ARE DRAFTED AS 3D POLYLINES.
 - PLW SURVEY WAS BEST FIT TO BADGER FOUND MONS. THE BEARINGS AS SHOWN DO NOT REREPRESENT THE CORRECT BEARINGS. THEY ARE ROTATED
 - OSLS SURVEY WAS ROTATED INTO DRAWING BASED ON THE SOUTH AND WEST ALLEY CORNER OFFSET FROM THE EAST ALLEY TANGENT FROM THE NORTH FOUND MON ON PERRY TO THE PK WITH SHINER ON THE SOUTH END. BEARING BREAKS WERE IGNORED FROM PLW SURVEY AND LOTS ON THE WEST BLOCK FIT.
 - UNSURVEYED LOT LINES WERE PRORATED INTO THE BLOCK USING BOUNDARY DATA FROM OSLS TOPOGRAPHIC SURVEY. NO BOUNDARY RESOLUTION HAS BEEN COMPLETED ON THE WEST PORTION OF BLOCK 3.
 - BUILDING TIES FOR THE ENCROACHMENT OF STRUCTURE ON LOT 12-14 MATCH WITH THE WEST LINE OF THE ALLEY.
 - THE EXTERIOR OF BLOCK 3 HAS BEEN SURVEYED AND ALL EXTERIOR BLOCK MONUMENTS WERE FOUND AND CHECK REASONABLY WELL WITH RECORD.
 - BADGER AERIAL MAPPING AND SURVEYING DOES NOT ASSUME RESPONSIBILITY FOR UTILITY LOCATIONS, BOUNDARY, EASEMENTS, AND ANY OTHER INFORMATION AS PROVIDED FOR BY PIERSON LAND WORKS OR ONSIGHT LAND SURVEYING. LAYERS PREFIXED BY B_ ARE MAPPED PER THE BADGER SEPTEMBER 30, 2020 SURVEY. SOME FEATURES FROM PREVIOUS SURVEYS HAVE BEEN REMOVED AS THEY WERE CONFIRMED TO NOT EXIST AT THE TIME OF THE BADGER SURVEY.
 - DRAWING UPDATED 2021-01-11 WITH INVERTS AND TOWN OF JACKSON GIS AS-BUILT LINEWORK.

Jackson Hotel Residence
Conceptual
JACKSON, WYOMING

Owner:
MOGUL CAPITAL
210 E MAIN ST.
MIDWAY, UT 84049

NOT FOR CONSTRUCTION



Issued
Conceptual

No.	Description	Date

Sheet Title
EXISTING CONDITIONS
SITE PLAN

Sheet No.

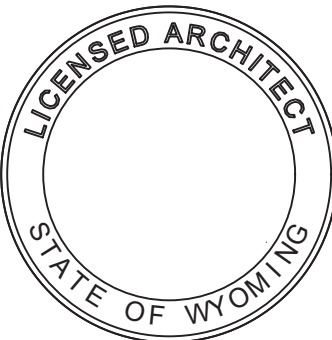


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 - DRAWING UPDATED 2021-01-11 WITH INVERTS AND TOWN OF JACKSON GIS AS-BUILT LINWORK.

Jackson Hotel Residence
Conceptual
JACKSON, WYOMING

Owner
MOGUL CAPITAL
210 E MAIN ST.
MIDWAY, UT 84049

NOT FOR CONSTRUCTION



Issued
Conceptual

No.	Description	Date

Sheet Title

EXISTING CONDITIONS
SITE PLAN
AERIAL

Sheet No.



415 Jackson St, Suite 100
San Francisco, CA 94111
T 415/673-8990

SCG Summit Consulting Group

Jackson Hotel Residence

**Jackson
Conceptual**
JACKSON, WYOMING

Owner
MOGUL CAPITAL
210 E MAIN ST.
MIDWAY, UT 84049

NOT FOR CONSTRUCTION

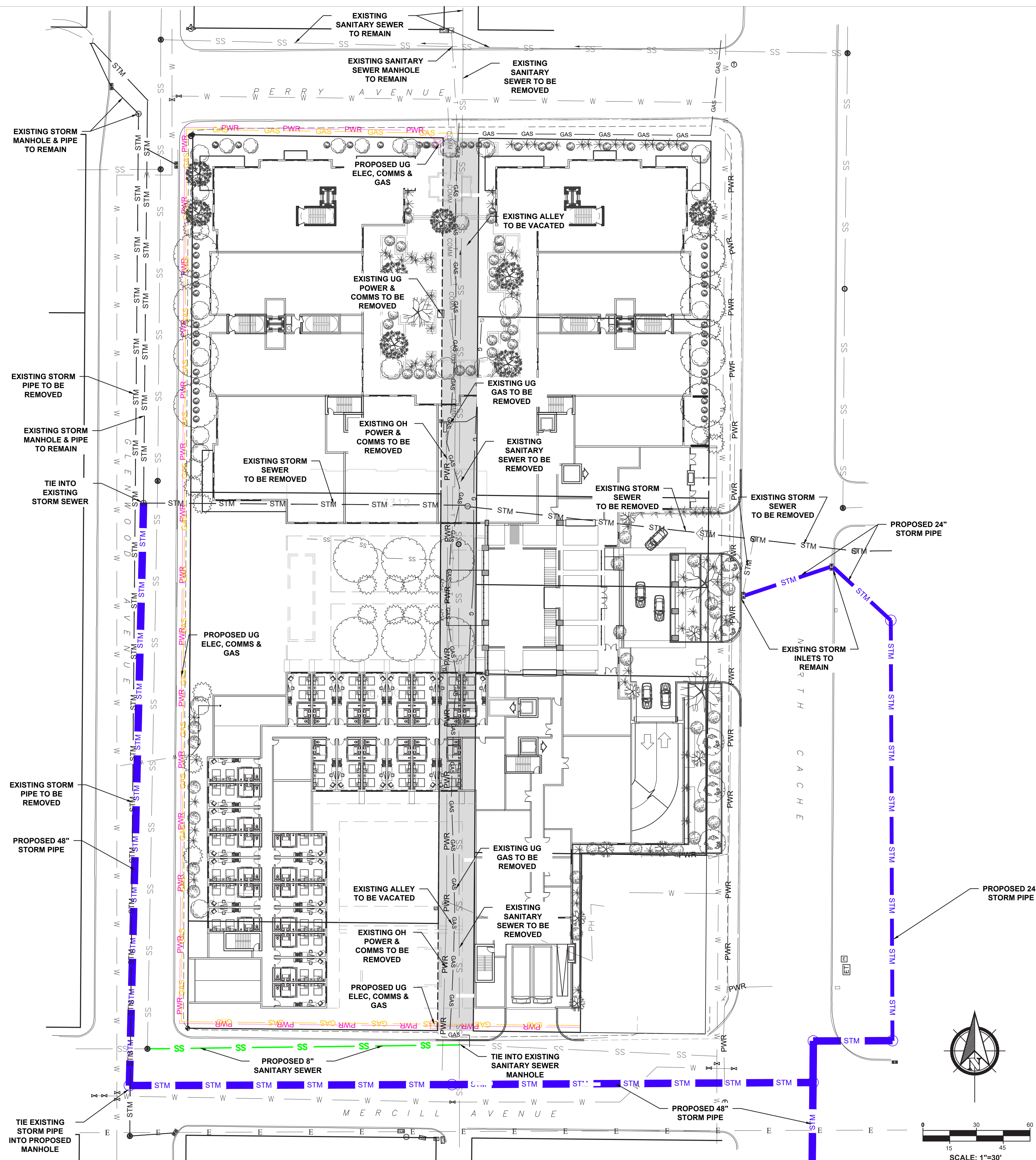
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Sheet Title

PROPOSED UTILITY SITE PLAN

Sheet No.

C 103



Brad Wagstaff and Mogul Capital

Managing Partner & Owner - Brad Wagstaff

- 20+ years experience in development, finance, investment, and acquisitions
- Wharton MBA with emphasis in Finance
- Prior to forming Mogul Capital, Mr. Wagstaff worked for seven years as Investment Analyst and Manager for Intel Capital, Intel Corporation's Venture Capital Group
 - Managed \$300M R&D Budget
 - Executed Over \$100M of equity investments, acquisitions, and partnerships

Mogul Capital

Formed in 2005 as a specialty real estate development fund focused on opportunistic development and investment transactions

- Acquired, developed and invested in over \$610 million of real estate projects
 - \$330M Hotel Portfolio over 5 brands of Hilton and Marriott
 - \$140M Land Assemblage (Jackson, WY; Fremont, CA; Santa Clara, CA)
 - \$60M Single tenant Retail Development Projects
 - \$40M Multi-Family apartment complexes
 - \$20M in Car Wash Portfolio
 - \$20M in Ski/Golf and Single-Family Projects
- Executed over \$285 million in equity, debt and sale-leaseback financings
- Marriott and Hilton approved franchisee



221-Key Courtyard – Hawthorne, CA



133-Key TownePlace Suites – Hawthorne, CA



147-Key Hilton Garden Inn – Redondo, CA



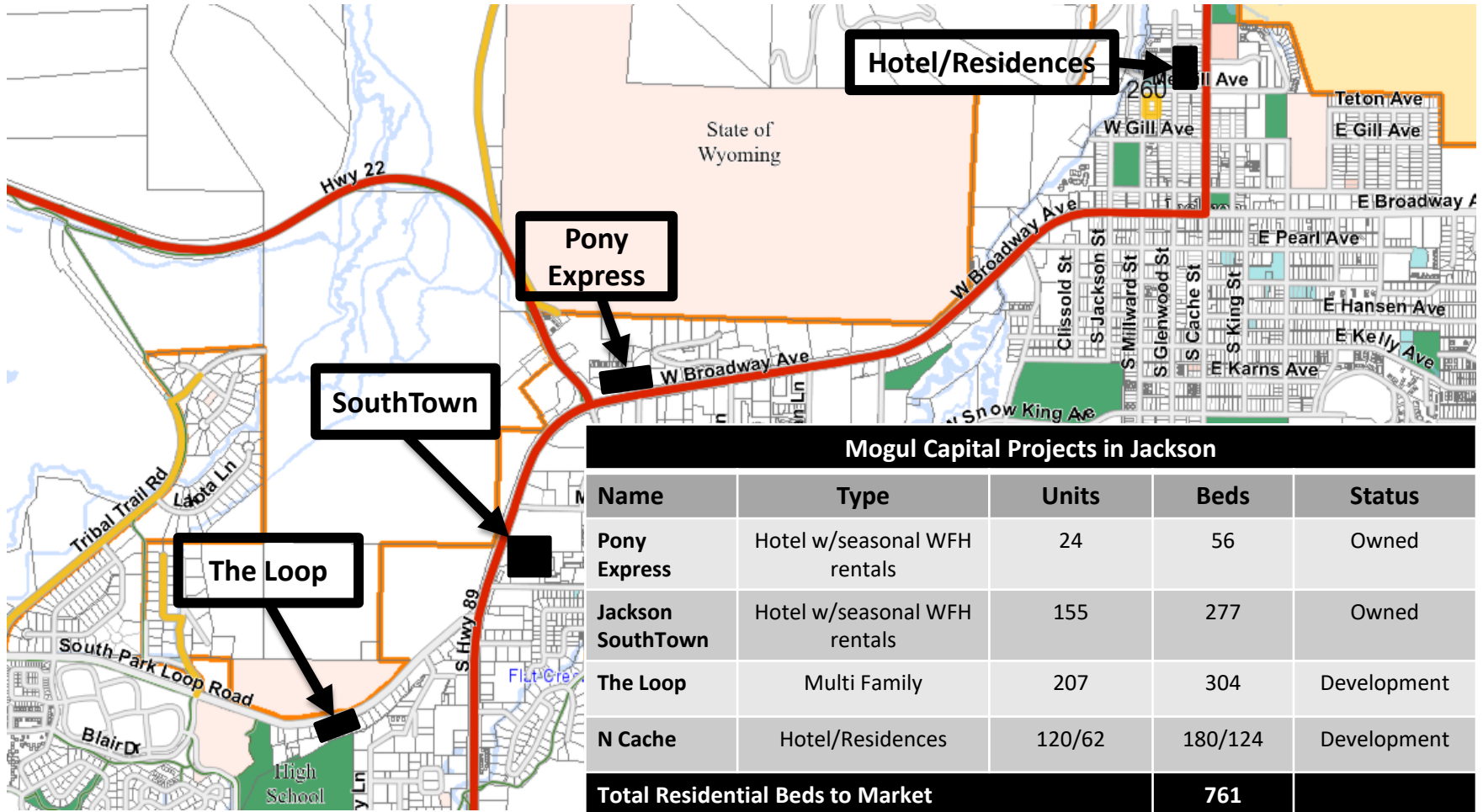
172-Key Residence Inn – Redondo, CA



184-Key Homewood Suites – Redondo, CA



Mogul Capital in Jackson



South Park Loop Road Project Rendering



3

OVERALL FRONT PERSPECTIVE

SCALE:



5

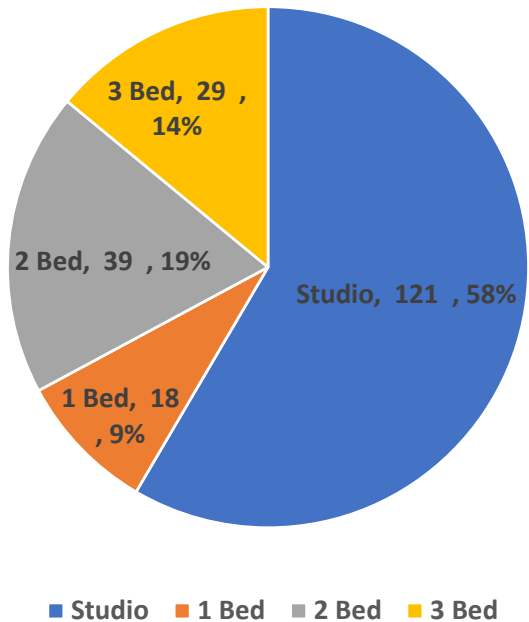
OVERALL REAR PERSPECTIVE

SCALE:

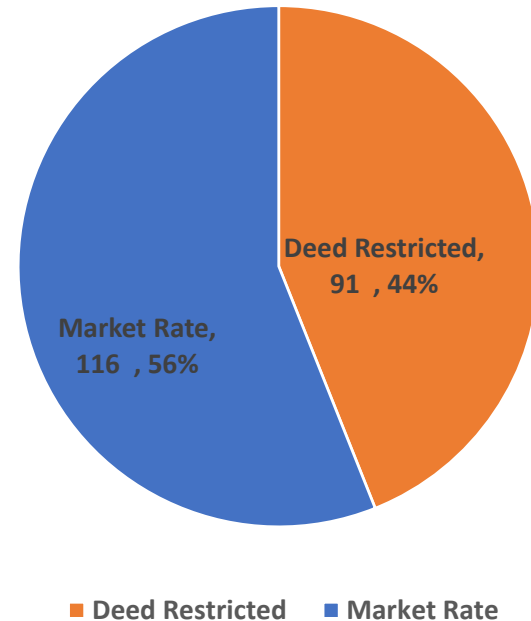
South Park Loop Road Project Summary

- The Loop Apartments will offset workforce housing requirements at N Cache project
- N Cache project housing requirements will be offsite at The Loop

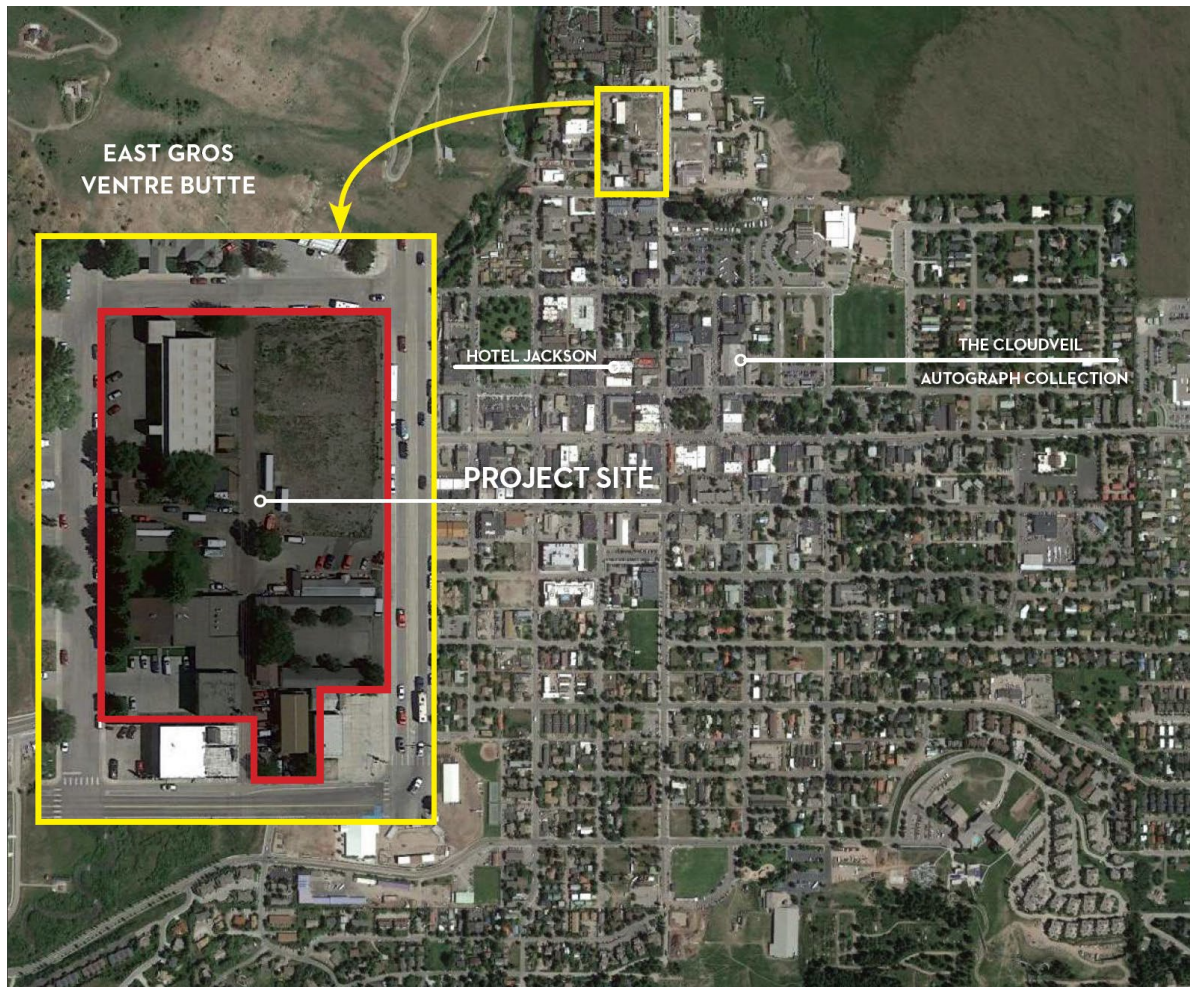
Unit Count by Bed Type



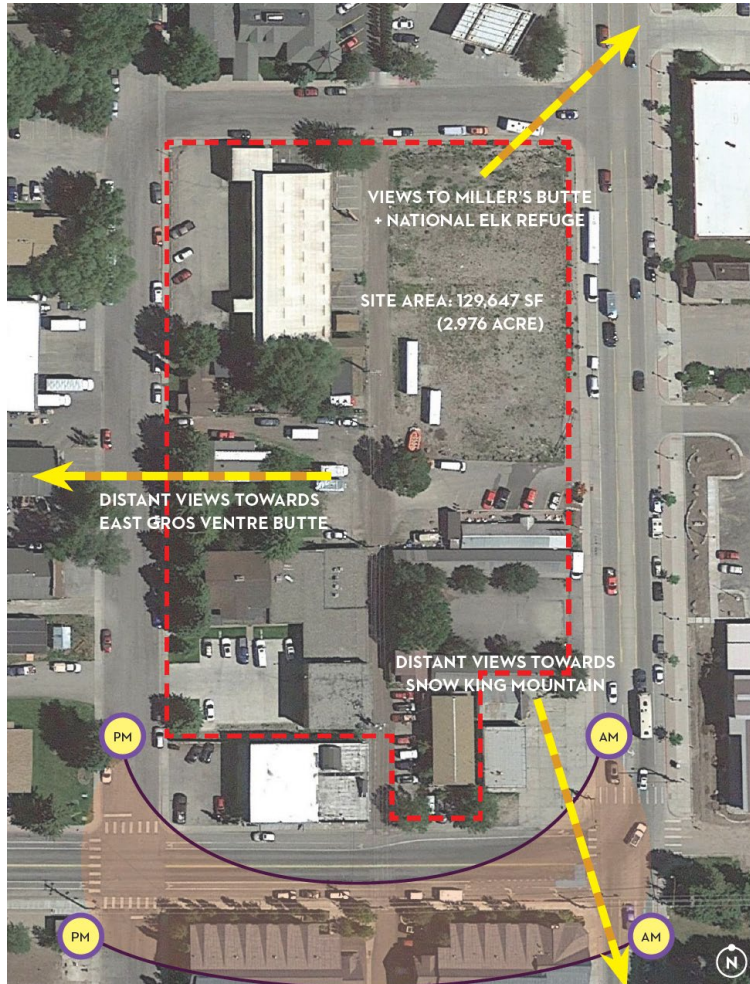
Units by Deed Restricted and Market



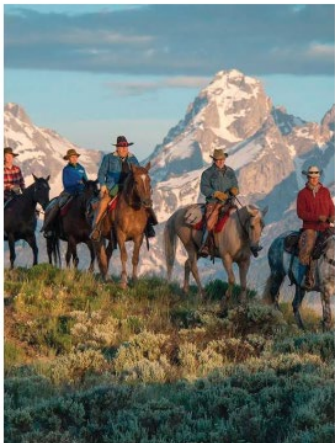
Town of Jackson Map and Project Location



N Cache Project Block



Mood Board



Town of Jackson Benefits for Alley Vacation

- Alley way primary purpose is to provide access to the lots on the block
 - Developer owns/controls all lots adjacent to alley way
 - Developer will incur all cost to relocate utilities out of alley way
- Gateway Project Architectural and Design Benefits
 - Holistic design approach to entire development through articulation, materiality and color palette that deconstructs mass as multiple cohesive buildings that are conversant with the Town character
 - Higher-quality asset and architectural gateway to the Town of Jackson
 - Public realm and space provided through enhanced landscape in North Cache
 - Intentional porte cochere and driveway to alleviate vehicular traffic
 - Compelling pedestrian connectivity to Town Square
- Deed restricted affordable housing units for Town of Jackson employees
 - Mogul Capital will deed restrict an equivalent number of units to the Town of Jackson for employee housing
 - Fair Market Value of Alley Way divided by housing authority value of deed restricted affordable units

JACKSON, WY - N CACHE
CONCEPT SITE PLANS



0 0 0 0 0 FT

SCALE 1/8" = U.N.O.



SITE AREA:
"GROSS SITE AREA"

DEFINITION: "GROSS SITE AREA IS THE AREA OF THE LOT OF RECORD OR SITE AS DETERMINED BY A CERTIFIED BOUNDARY SURVEY"

GROSS SITE AREA = 138,075.44 SF (CONFIRM WITH SURVEY AND PREVIOUSLY SUBMITTED DOCUMENTS)

SITE AREA:
"BASE SITE AREA"

BASE SITE AREA IS USED TO CALCULATE, DENSITY, LANDSCAPE SURFACE RATIO, FLOOR AREA RATIO.

DEDUCTIONS PER DEFINITION:
"1. ALL LAND WITHIN EXISTING ROAD EASEMENTS AND PUBLIC ROAD RIGHTS-OF-WAY

2. ALL LAND BETWEEN LEVEES OR BANKS OF RIVERS & STREAMS

3. ALL LAND WITHIN LAKES OR PONDS, WHEN THE SUM OF THE SURFACE AREA OF THE PONDS AND/OR LAKES EXCEEDS ONE ACRE.

4. ALL LAND WHICH HAS PREVIOUSLY COMMITTED AS PERMANENT OPEN SPACE IN ACCORDANCE WIT HTHE STANDARDS OF THESE OR PRIOR LDRS

5. 50% OF LAND WITH NATURAL SLOPES GREATER THAN 25%

BASE SITE AREA = 128,056.6 SF(CONFIRM WITH SURVEY AND PREVIOUSLY SUBMITTED DOCUMENTS)

FLOOR AREA:

DEFINITION: "FLOOR AREA IS THE AREA OF ALL FLOORS INTERIOR TO AN ENCLOSED BUILDING THAT HAVE AT LEAST 5 FT OF CLEARANCE BETWEEN FLOOR AND CEILING. FLOOR AREA SHALL BE MEASURED TO THE EXTERIOR FACE OF STRUCTURAL MEMBERS OF THE WALL. ROOFED ARCHITECTURAL RECESSES AND OPEN COVERED PORCHES ARE NOT CONSIDERED INTERIOR INTERIOR TO THE BUILDING. A BUILDING WITH AT LEAST 50% OF ITS PERIMETER OPEN TO THE OUTSIDE SHALL NOT BE CONSIDERED ENCLOSED.

C.1 THE MAXIMUM FLOOR AREA ALLOWED ON A SITE SHALL BE THE MAX HABITABLE FLOOR AREA NOT INCLUDING BASEMENT FLOOR AREA DEFINED IN DIV. 9.5"

ALLOWED SITE FLOOR AREA (TO BE VERIFIED FURTHER) ANY STRUCTURE GREATER THAN 13,800 SF MUST HAVE APPROVALS FOR THE FOLLOWING ITEMS:

- SKETCH PLAN APPROVAL
- DEVELOPMENT PLAN APPROVAL
- BUILDING PERMIT
- DRC REVIEW

FLOOR AREA FACTORS =

USE:	FLOOR AREA FACTOR:
E.3 MAX (DETERMINED BY EXISTING)	0.46
ADDITIONAL FAR FOR LODGING USE	0.34
	x 0.8

FACADE:

GROUND STORY HEIGHT = 12'-0" MIN, GROUND FLOOR ELEVATION = 0'-5'
GROUND STORY TRANSPARENCY PRIMARY STREET = 40 % MIN.
GROUND STORY TRANSPARENCY SECONDARY STREET = 20 % MIN.
UPPER STORIES TRANSPARENCY = 20 % MIN. (NO MORE THAN 35' OF BLANK WALL ALLOWED ON PRIMARY STREET FACADES. 50' ON SECONDARY.

STEPBACKS:

STEPBACK FOR ANY 3RD STORY ON STREET FACADE = 10'-0" (40% OF FACADE) 60% MAX ENCROACHMENT OF STEPBAC.

MAXIMUM ZONING
HEIGHT & STORIES:

MAXIMUM HEIGHT IF ROOF PITCH IS GREATER THAN 5/12 = 46'
MAXIMUM HEIGHT IF ROOF PITCH IS LESS THAN 5/12 = 42'
STORIES (MAX). = 3 STORIES

LANDSCAPING:

10 % OF SITE AREA, 1 PER 1000 SF MUST BE PLANTED

DENSITY:

DEFINITION: "ON SITES WITH MULTIPLE USES, THE BASE SITE AREA, OR GROSS SITE AREA IN CHARACTER ZONES SHALL BE PRORATED TO DETERMINE THE ALLOWED DENSITY/INTENSITY FOR EACH USE.

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- DEVELOPMENT PLAN APPROVAL
- BUILDING PERMIT
- DRC REVIEW

DEFINITION:SEE ARTICLE 6 FOR MORE INFORMATION.

USE:	PARKING REQUIRED:
RESIDENTIAL / APARTMENT	1 PER DU IF < 2 BDRMS & <500 SF
	1.5 PER DU OTHERWISE
LODGING (CONVENTIONAL)	.75 PER ROOM + 1 PER 150 SF ASSEMBLY AREA
COMMERCIAL RETAIL	3.37 PER 1000 SF
COMMERCIAL OFFICE (B)	2.47 PER 1000 SF
SERVICE	2.25 PER 1000 SF
RESTAURANT / BAR	1 PER 73 SF DINING AREA +
ASSEMBLY	1 PER 40 SF OF BAR REA
	(INDEPENDANT CALC) - SEE ABOVE

ON-STREET PARKING ALLOWED. REQUIRED PARKING MAY BE PROVIDED ON-STREET PROVIDED STANDARDS ARE MET OR FEE-IN-LIEU CAN BE UTILIZED AS NEEDED.

ROAD /
INFRASTRUCTURE

DEFINITION: ALL MINOR LOCAL ROADS REQUIRE 60' RIGHT-OF-WAY (MIN)
PAVED TRAVEL WAY = 20' (MIN)

LOADING:

MUST BE ADDRESSED IN SKETCH PLAN APPLICATION AND DEVELPMENT PLAN APPROVALS. REQUIREMENTS OF 6.2.2.E ARE NOT APPLICABLE.

DRIVEWAY:

MAXIMUM 24'-0" WIDE

BIKE PARKING:

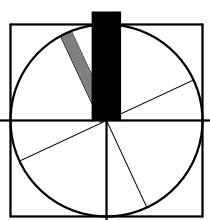
1 BIKE PARKING SPACE PROVIDED FOR EVERY 10 VEHICLE SPACES

SNOW STORAGE:

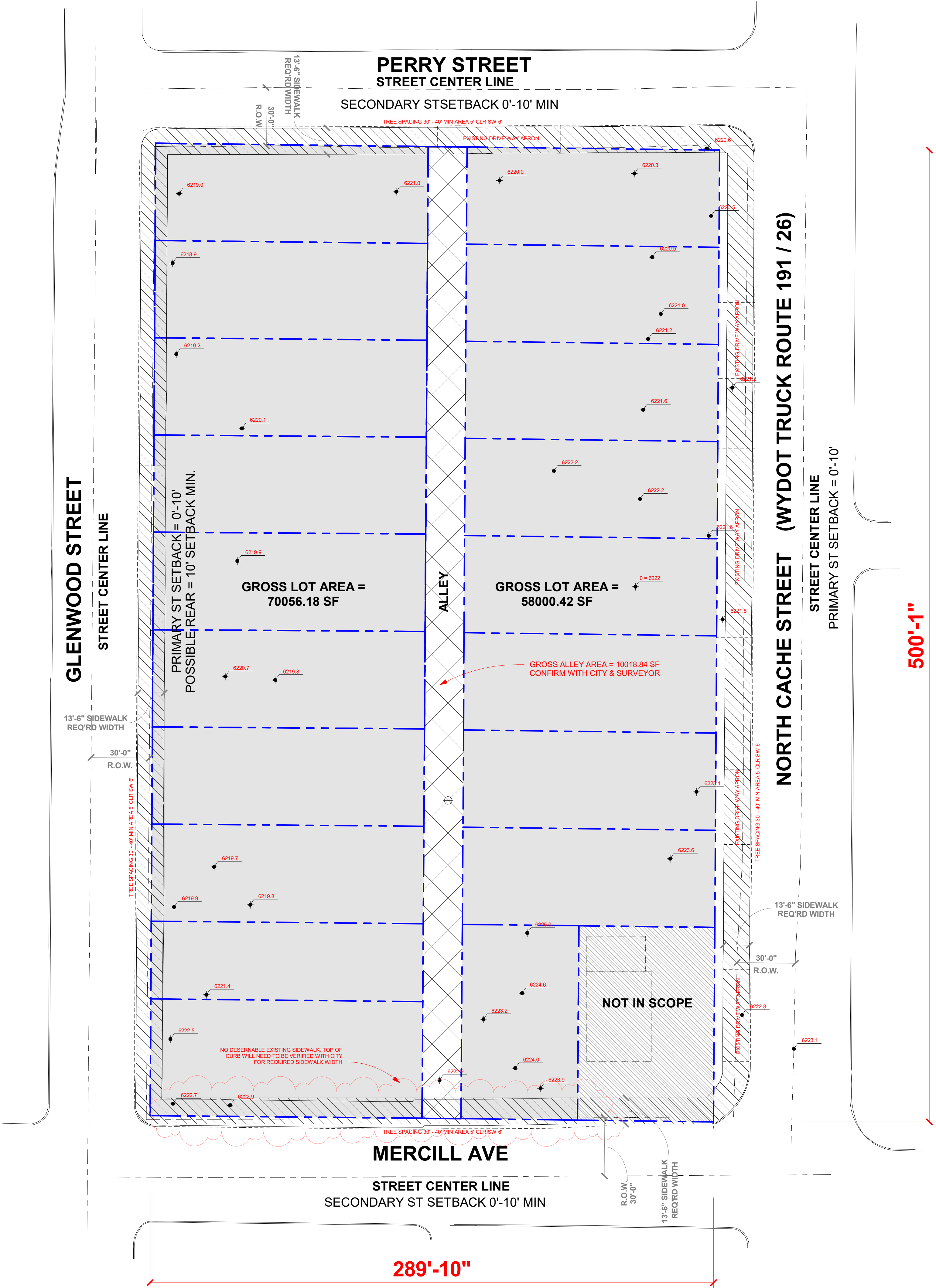
A MINIMUM SITE AREA REPRESENTING 2.5 % OF THE TOTAL REQUIRED OFF-STREET PARKING AND LOADING AREA SHALL BE PROVIDED FOR SNOW STORAGE

SITE PLAN

A0-00



0 0 0 0 0 FT
SCALE 1'-0" 1/8" = U.N.O.



1 SITE PLAN
1" = 30'-0"



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The original size of this drawing is 30"x42"
Copyright © 2016 WATG. All rights reserved.

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The original size of this dra

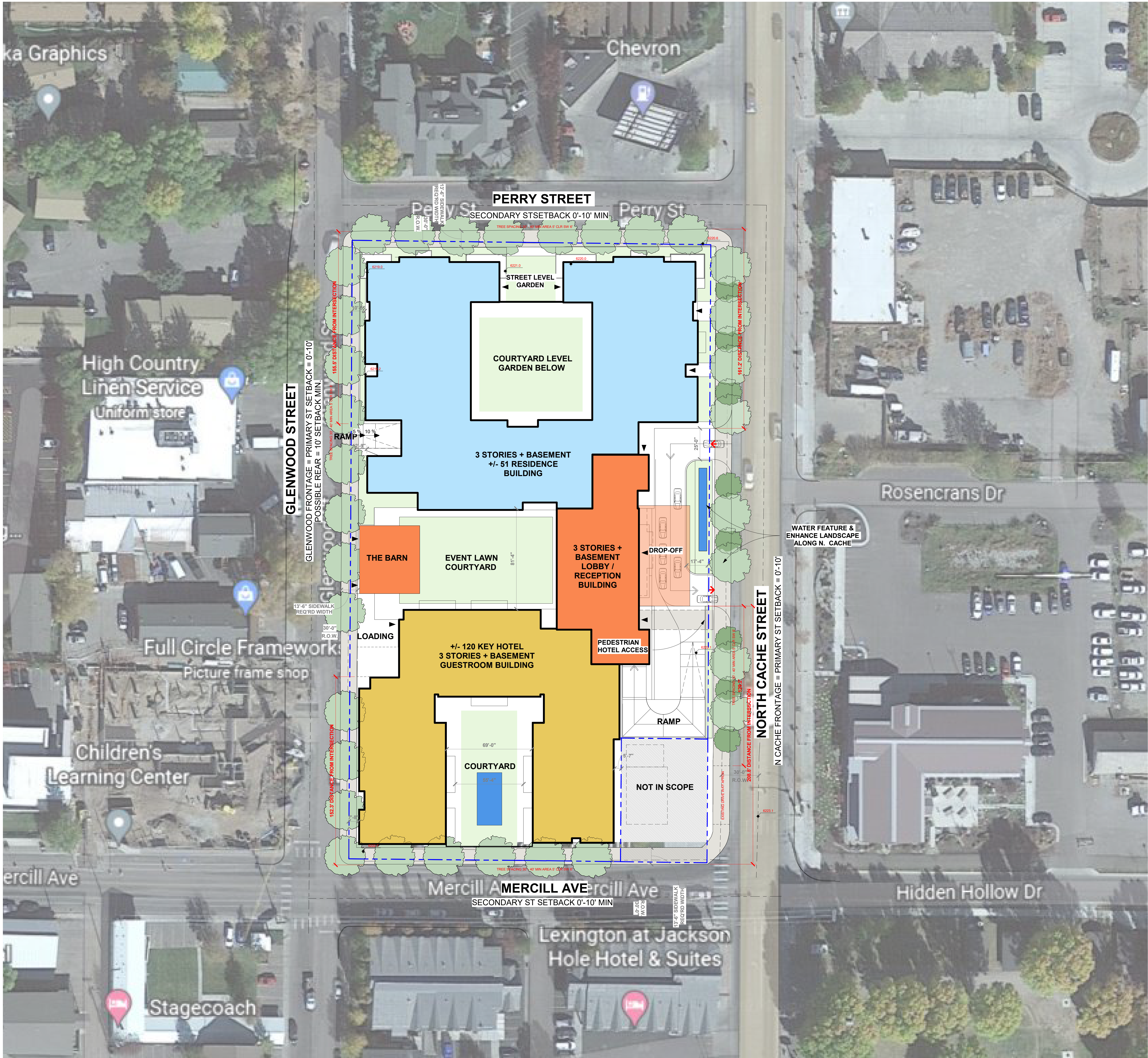


Site Location



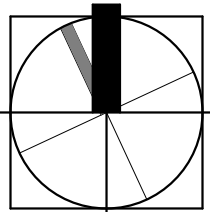
Vehicular
Pedestrian
Solar
Views

A0-00b



OPT 1 - SITE PLAN

A0-01-6



0 5 10 20 40 FT
SCALE 3/64" = 1'-0" U.N.O.

SITE AREA:
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BASE SITE AREA = 128,056.6 SF (CONFIRM WITH SURVEY AND PREVIOUSLY SUBMITTED DOCUMENTS)

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- DEVELOPMENT PLAN APPROVAL
- BUILDING PERMIT
- DRC REVIEW

FLOOR AREA FACTORS =
USE: E.3 MAX (DETERMINED BY EXISTING) FLOOR AREA FACTOR: 0.46
ADDITIONAL FAR FOR LODGING USE 0.34
x 0.8

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STEPBACK FOR ANY 3RD STORY ON STREET FACADE = 10'-0" (40% OF FACADE) 60% MAX ENCROACHMENT OF STEPBAC.

MAXIMUM ZONING
HEIGHT & STORIES:

MAXIMUM HEIGHT IF ROOF PITCH IS GREATER THAN 5/12 = 46'
MAXIMUM HEIGHT IF ROOF PITCH IS LESS THAN 5/12 = 42'
STORIES (MAX). = 3 STORIES

LANDSCAPING:

10 % OF SITE AREA, 1 PER 1000 SF MUST BE PLANTED

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DEFINITION: "ON SITES WITH MULTIPLE USES, THE BASE SITE AREA, OR GROSS SITE AREA IN CHARACTER ZONES SHALL BE PRORATED TO DETERMINE THE ALLOWED DENSITY/INTENSITY FOR EACH USE.

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- BUILDING PERMIT
- DRC REVIEW

DEFINITION:SEE ARTICLE 6 FOR MORE INFORMATION.

USE: RESIDENTIAL / APARTMENT	PARKING REQUIRED: 1 PER DU IF < 2 BDRMS & <500 SF 1.5 PER DU OTHERWISE
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SERVICE	2.25 PER 1000 SF
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INFRASTRUCTURE

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DRIVEWAY:

MAXIMUM 24'-0" WIDE

BIKE PARKING:

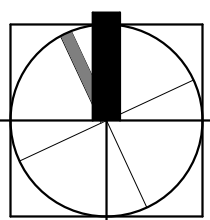
1 BIKE PARKING SPACE PROVIDED FOR EVERY 10 VEHICLE SPACES

SNOW STORAGE:

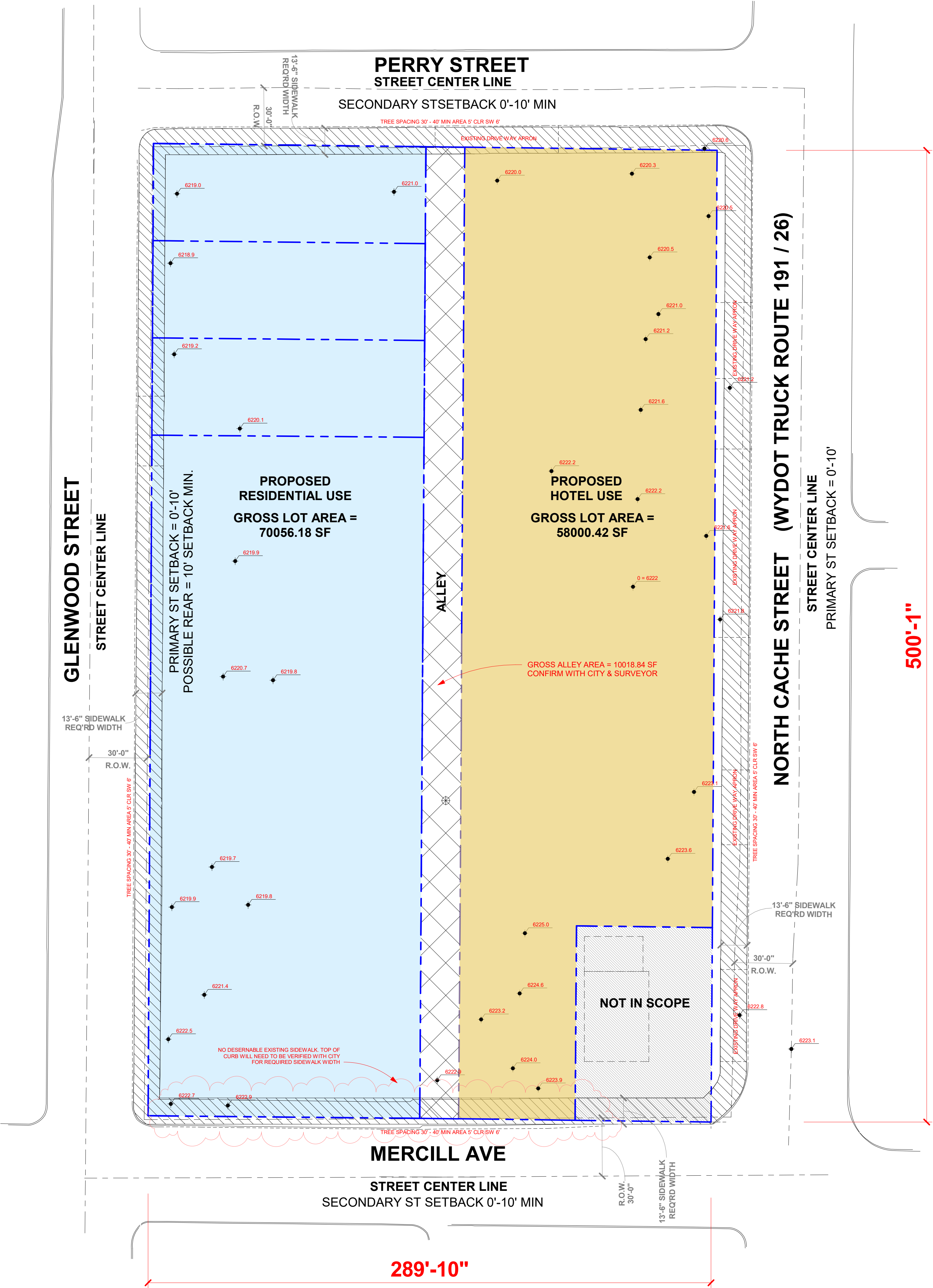
A MINIMUM SITE AREA REPRESENTING 2.5 % OF THE TOTAL REQUIRED OFF-STREET PARKING AND LOADING AREA SHALL BE PROVIDED FOR SNOW STORAGE

SITE PLAN

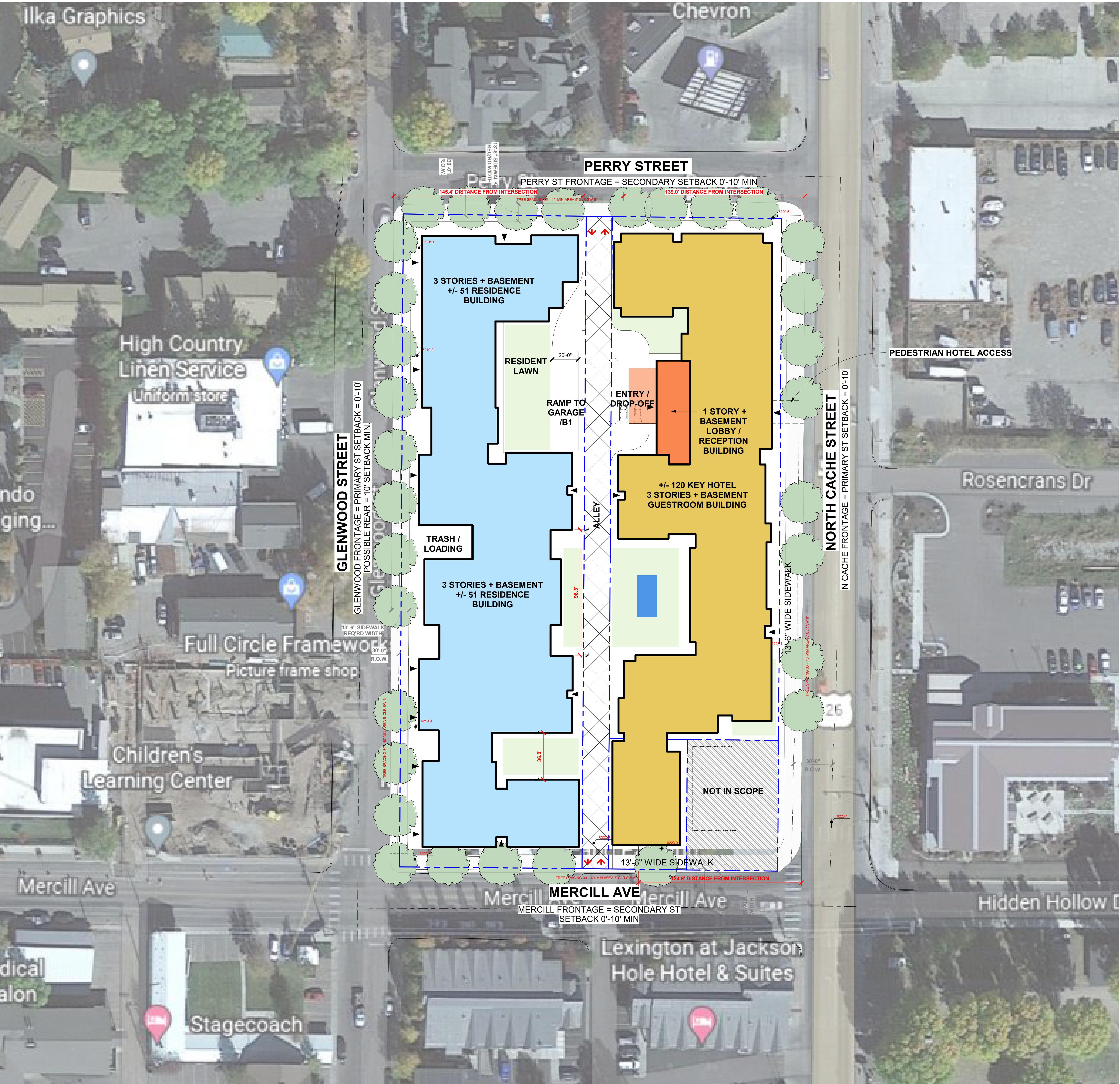
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SCALE 1/32" = 1'-0" U.N.O.

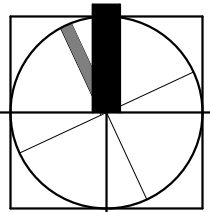


1 SITE PLAN - WITH USE OVERLAYS - MAINTAINING ALLEY OPTION
1" = 30'-0"

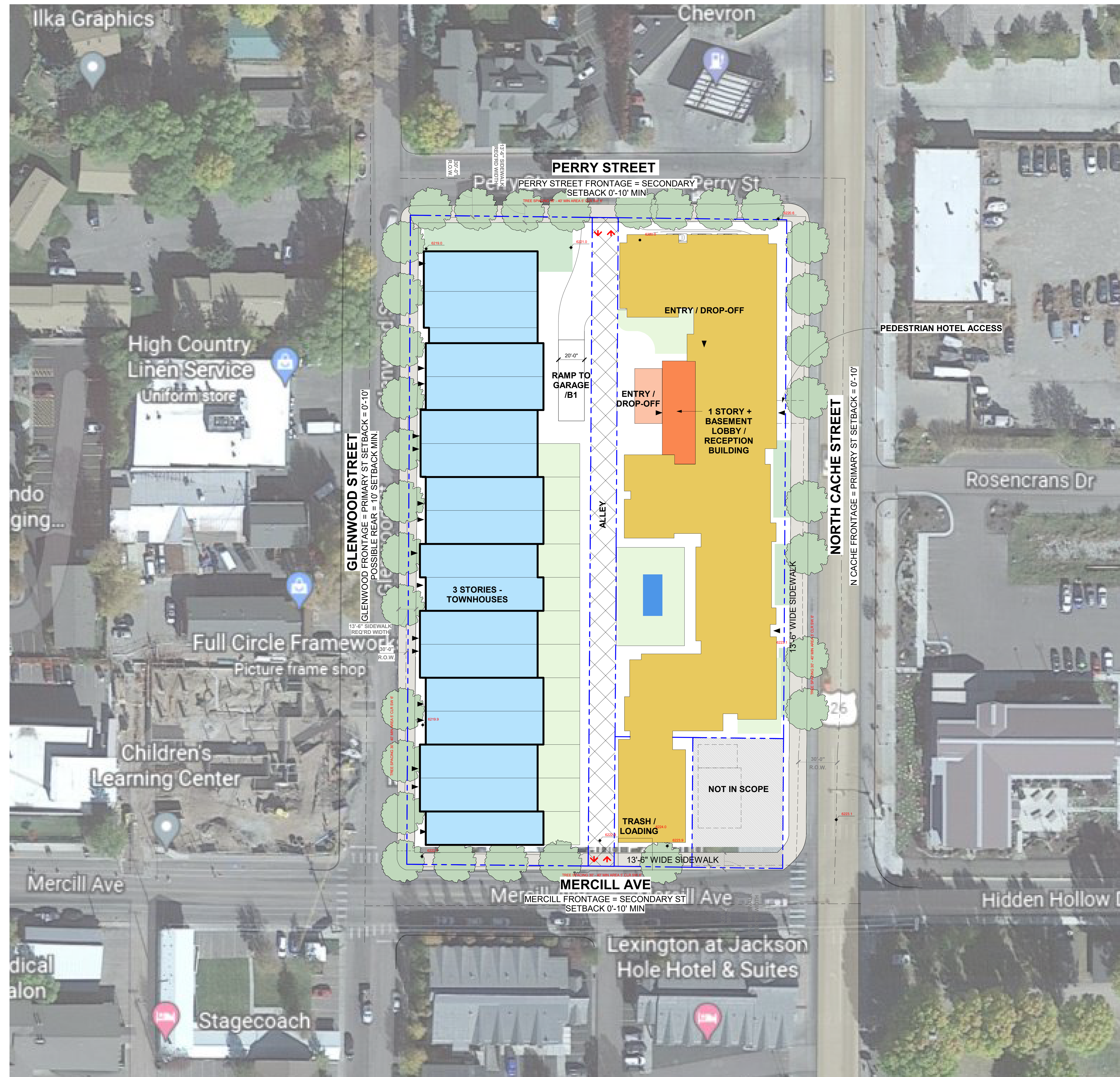


OPT 2 - SITE PLAN

A0-01-7

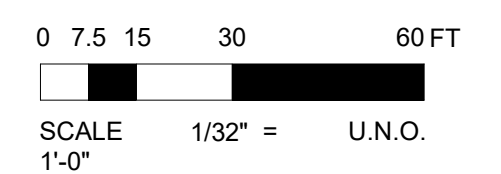
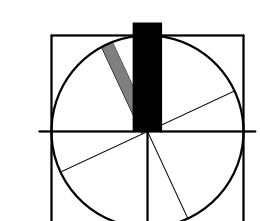


0 7.5 15 30 60 FT
SCALE 1/32" = 1'-0" U.N.O.



OPTION 2B

A0-01-8



JACKSON, WY - N CACHE CONCEPT SITE PLANS

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OPT 1 - SITE PLAN

09/27/2022

sheet no.



SITE AREA:
"GROSS SITE AREA"

SITE AREA:
"BASE SITE AREA"

FLOOR AREA:

STEPBACKS:

**MAXIMUM ZONING
HEIGHT & STORIES:**

LANDSCAPING:

DENSITY:

UNIT COUNT:

**AMENITY &
MEETING AREA:
TOTAL FLOOR
AREA:**

KEYNOTES / LEGENDS

DEFINITION: "GROSS SITE AREA IS THE AREA OF THE LOT OF RECORD OR SITE AS DETERMINED BY A CERTIFIED BOUNDARY SURVEY"
GROSS SITE AREA = 138,075.44 SF OR 3.17 ACRES (CONFIRM WITH SURVEY AND PREVIOUSLY SUBMITTED DOCUMENTS)

BASE SITE AREA = 128,056.6 SF (CONFIRM WITH SURVEY AND PREVIOUSLY SUBMITTED DOCUMENTS)

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• SKETCH PLAN APPROVAL
• DEVELOPMENT PLAN APPROVAL
• BUILDING PERMIT
• DRC REVIEW

FLOOR AREA FACTORS =
USE: E.3 MAX (DETERMINED BY EXISTING) ADDITIONAL FAR FOR LODGING USE
FLOOR AREA FACTOR: 0.46 0.34
x 0.8

STEPBACK FOR ANY 3RD STORY ON STREET FACADE = 10'-0" (40% OF FACADE) 60% MAX ENCROACHMENT OF STEPBACK.

MAXIMUM HEIGHT IF ROOF PITCH IS GREATER THAN 5/12 = 46'
MAXIMUM HEIGHT IF ROOF PITCH IS LESS THAN 5/12 = 42'
STORIES (MAX). = 3 STORIES

10 % OF SITE AREA, 1 PER 1000 SF MUST BE PLANTED

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- SKETCH PLAN APPROVAL
- DEVELOPMENT PLAN APPROVAL
- BUILDING PERMIT
- DRC REVIEW

DEFINITION:SEE ARTICLE 6 FOR MORE INFORMATION.

HOTEL: 134 / 3.17 ACRES = 42 UNITS PER ACRE
CONDO: 51 / 3.17 ACRES = 16 UNITS PER ACRE

TOTAL UNITS PER ACRE = 58 UNITS

HOTEL
LEVEL B1 - 27 HOTEL KEYS
LEVEL 1 - 43 HOTEL KEYS
LEVEL 2 - 64 HOTEL KEYS

CONDO / RESIDENCES
LEVEL B1 - 9 RESIDENCES
LEVEL 1 - 9 RESIDENCES
LEVEL 2 - 10 RESIDENCES
LEVEL 3 - 23 RESIDENCES

TOTAL = 134 HOTEL KEYS
TOTAL UNIT AREA = 62,282 SF

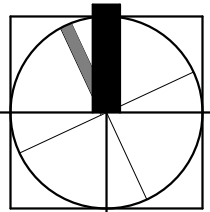
TOTAL = 51 RESIDENCES
TOTAL AREA = 148,000 SF

TOTAL MEETING, LOBBY & INDOOR AMENITY AREA = 18,722 SF

TOTAL AREA L1 - L3 = 201,221 SF

OPT 1 - LEVEL 1

A0-01



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SCALE 1"= 1/8" U.N.O.

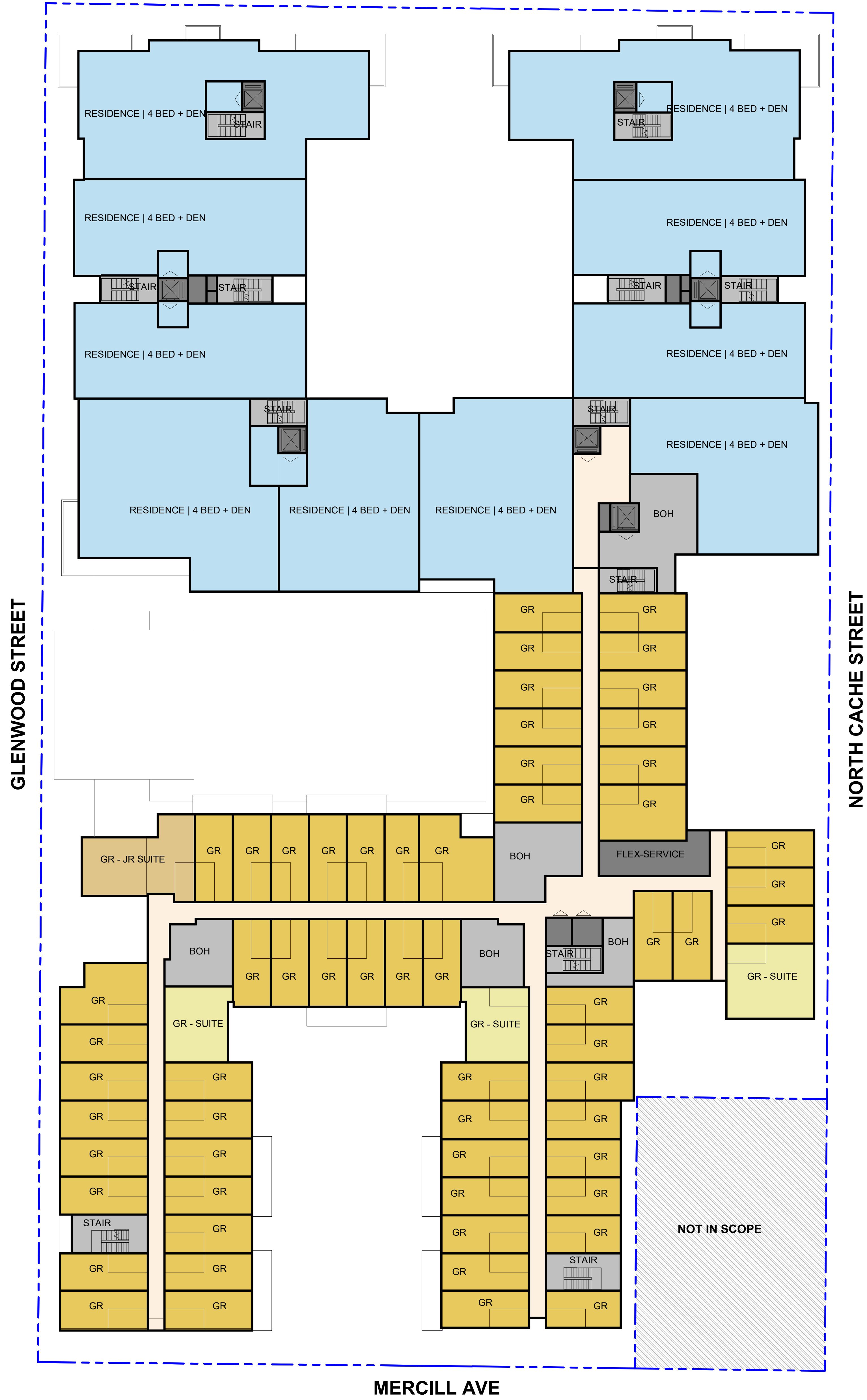
1 OPTION 1 - SITE PLAN - LEVEL 1
1" = 20'-0"

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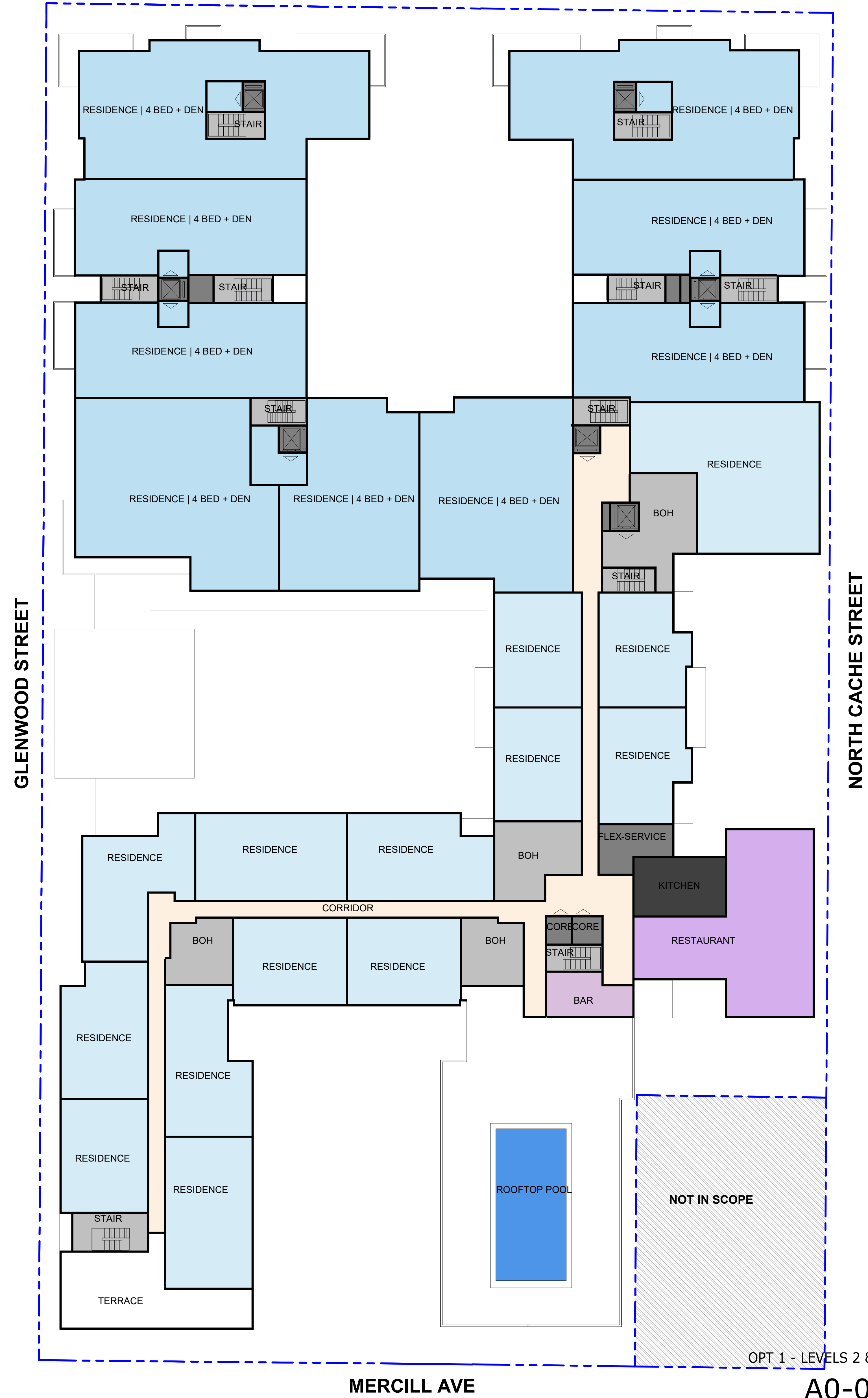
JACKSON, WY - N CACHE
CONCEPT SITE PLANS

PERRY STREET



1 LEVEL 2 (OPT 1)
1" = 20'-0"

PERRY STREET



2 LEVEL 3 (OPT 1)
1" = 20'-0"

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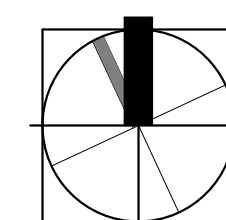
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JACKSON, WY - N CACHE
CONCEPT SITE PLANS

OPT 1 - LEVELS 2 & 3

A0-01-2



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SCALE 1"=0'
1/8" = U.N.O.

sheet no.

9/26/2022 6:42:01 PM
The original size of this drawing is 30"x42"

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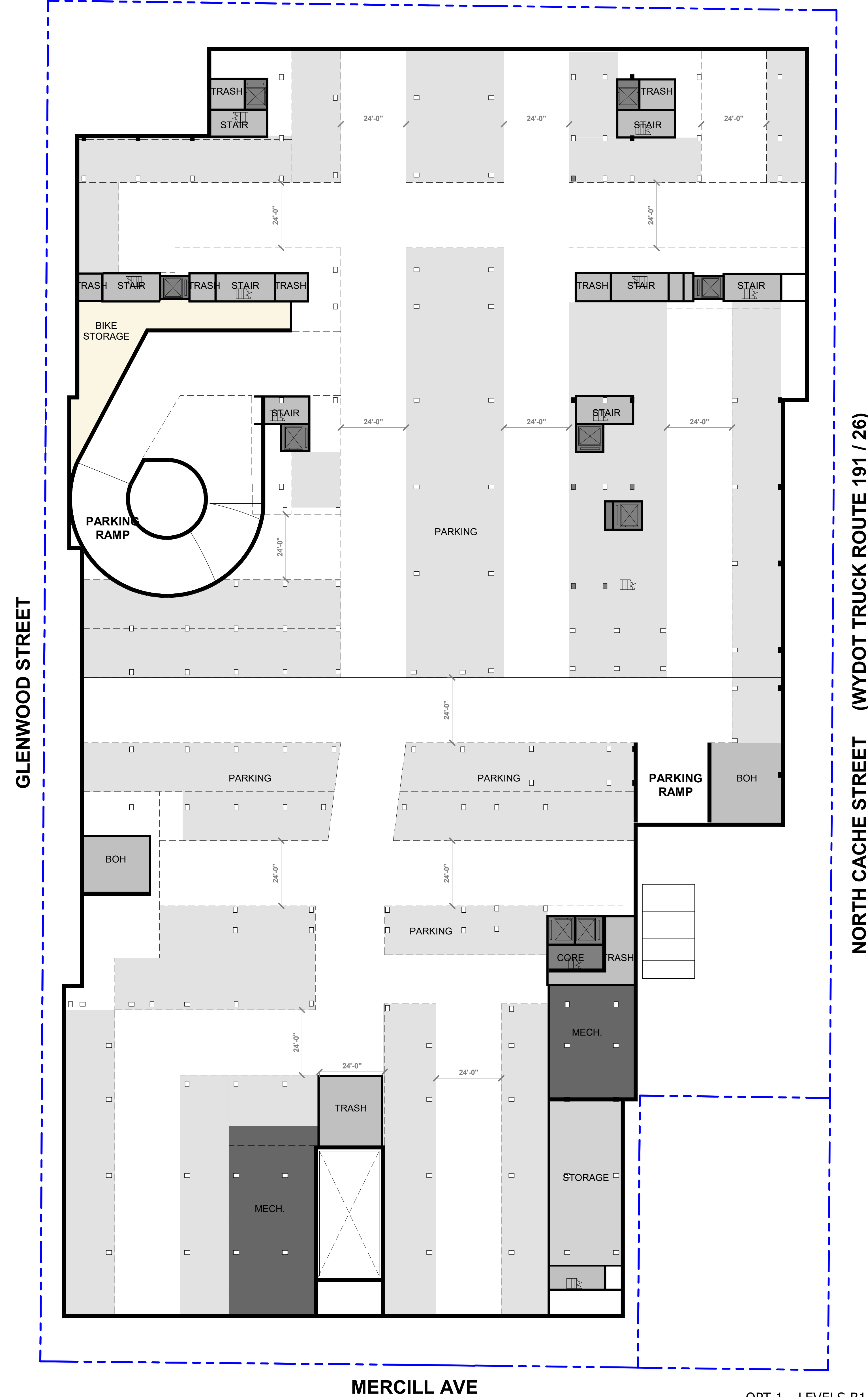
PERRY STREET



NORTH CACHE STREET (WYDOT TRUCK ROUTE 191 / 26)

1 LEVEL B1 - OPT 1
1" = 20'-0"

PERRY STREET



NORTH CACHE STREET (WYDOT TRUCK ROUTE 191 / 26)

2 LEVEL B2 - OPT 1
1" = 20'-0"

WATG

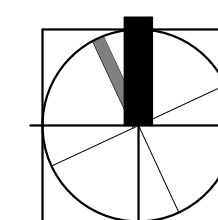
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JACKSON, WY - N CACHE
CONCEPT SITE PLANS

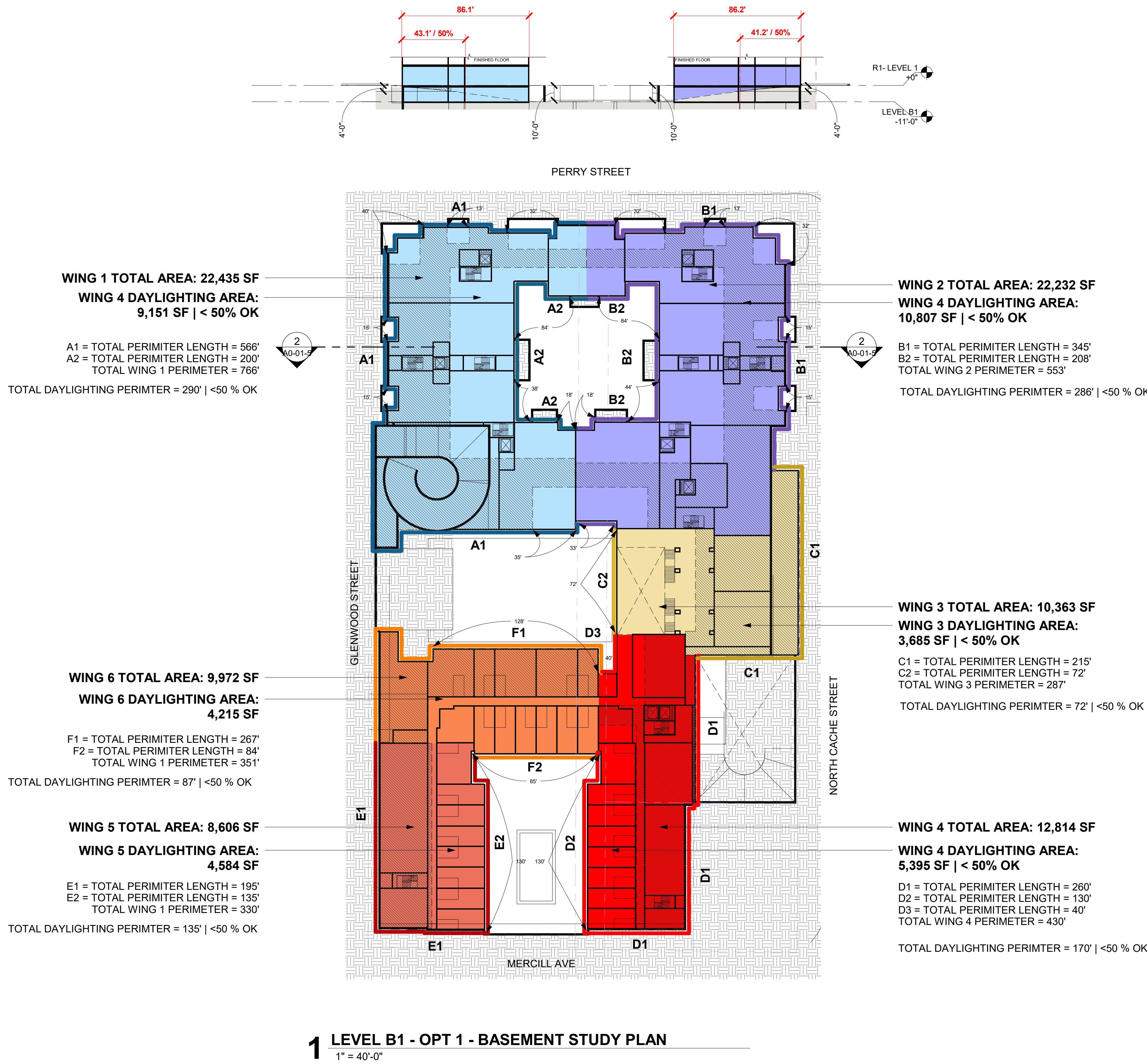
OPT 1 - LEVELS B1 & B2

A0-01-3



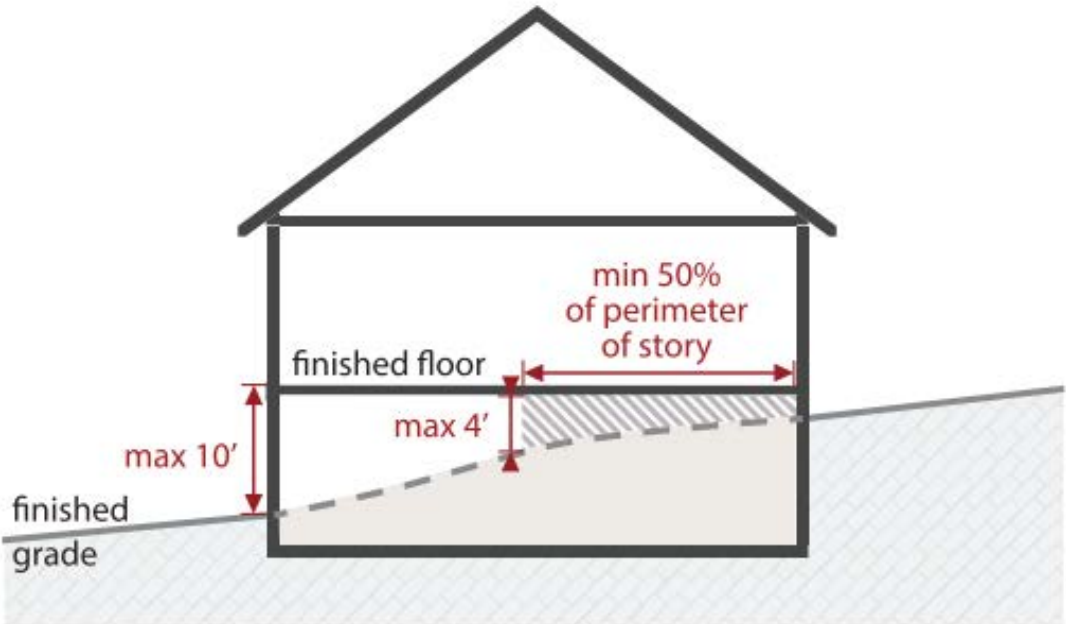
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sheet no.



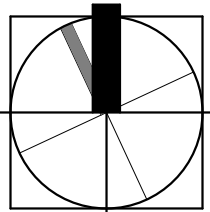
NOTES:

Basement. A basement is any story for which the finish floor of the story above is less than 4 feet above finished grade for at least 50% of the perimeter of the story and at no point greater than 10 feet above finished grade.

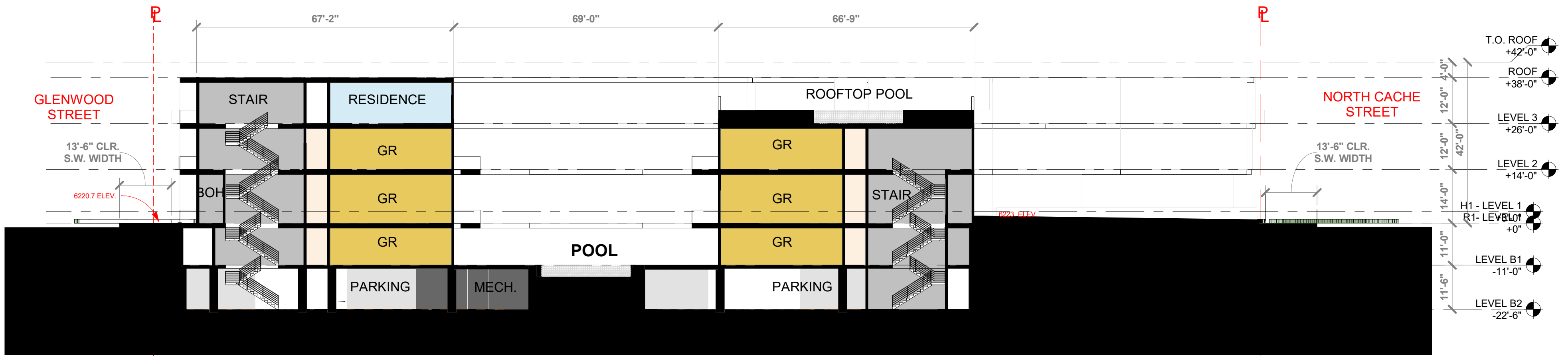


OPTION 1 - BASEMENT
STUDY

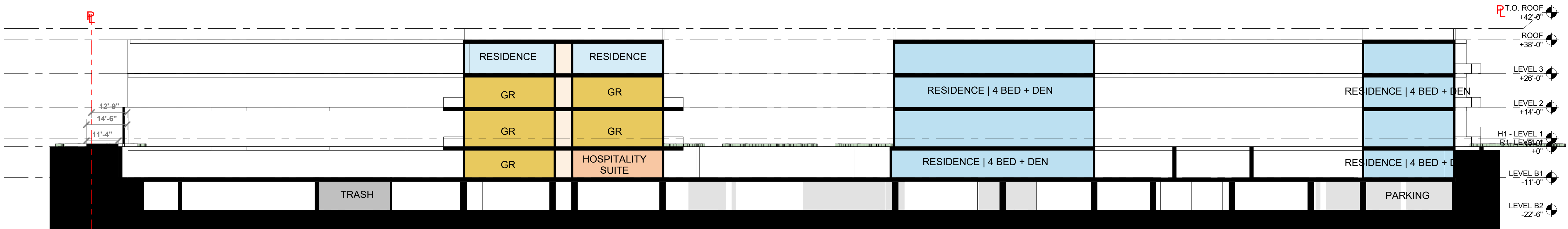
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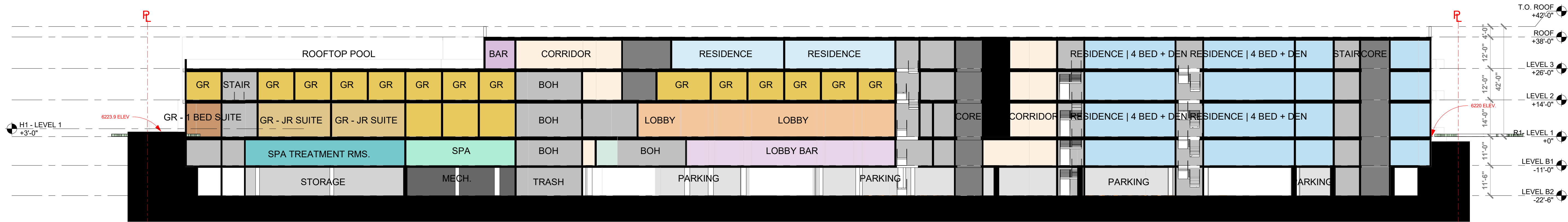
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SCALE 1"=0'
1/8" = U.N.O.



2 CONCEPT SECTION 2
1" = 20'-0"



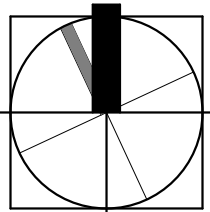
3 CONCEPT SECTION 3
1" = 20'-0"



01 CONCEPT SECTION 1
1" = 20'-0"

OPT 1 SECTION STUDIES

A0-01-4

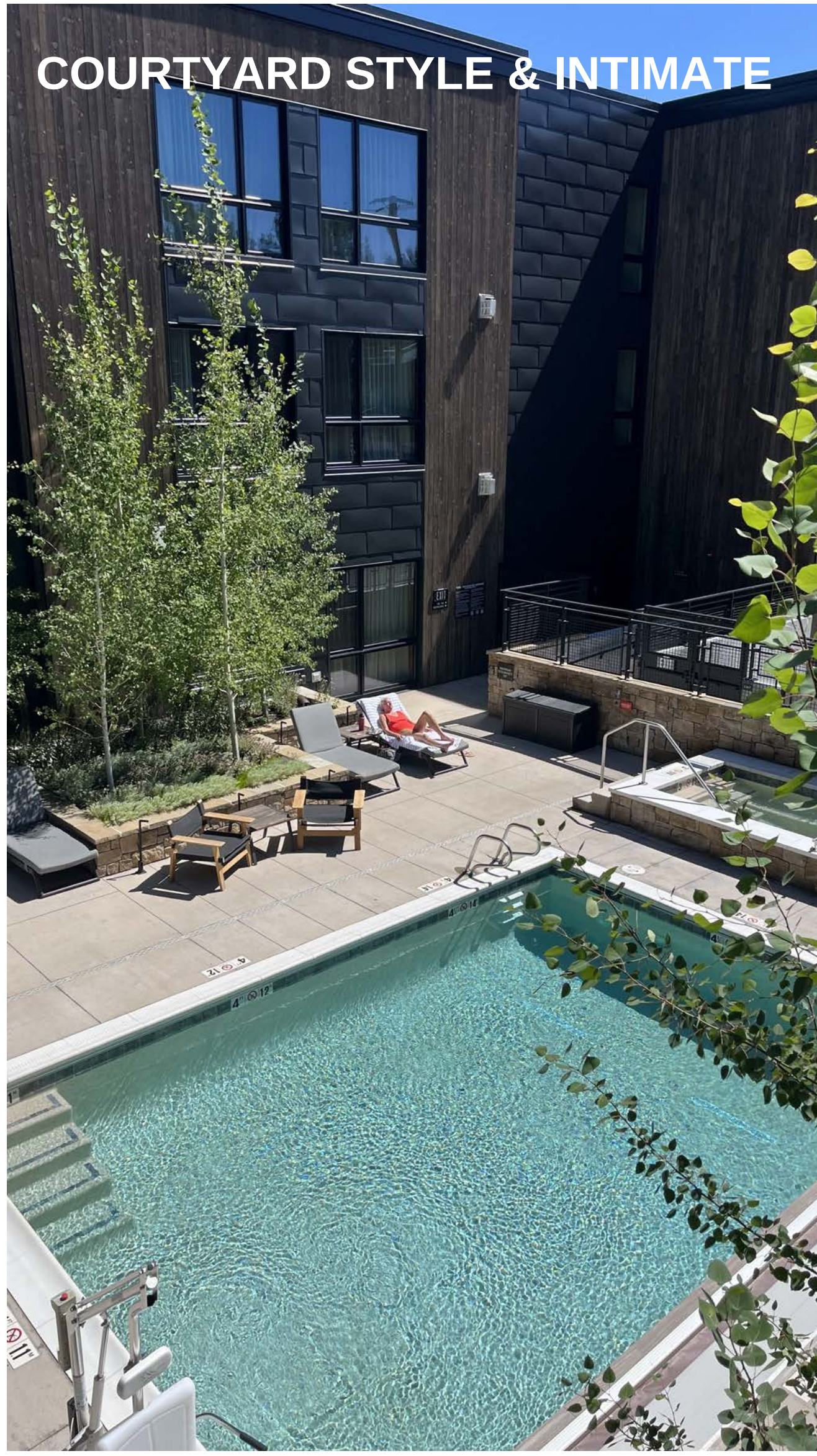
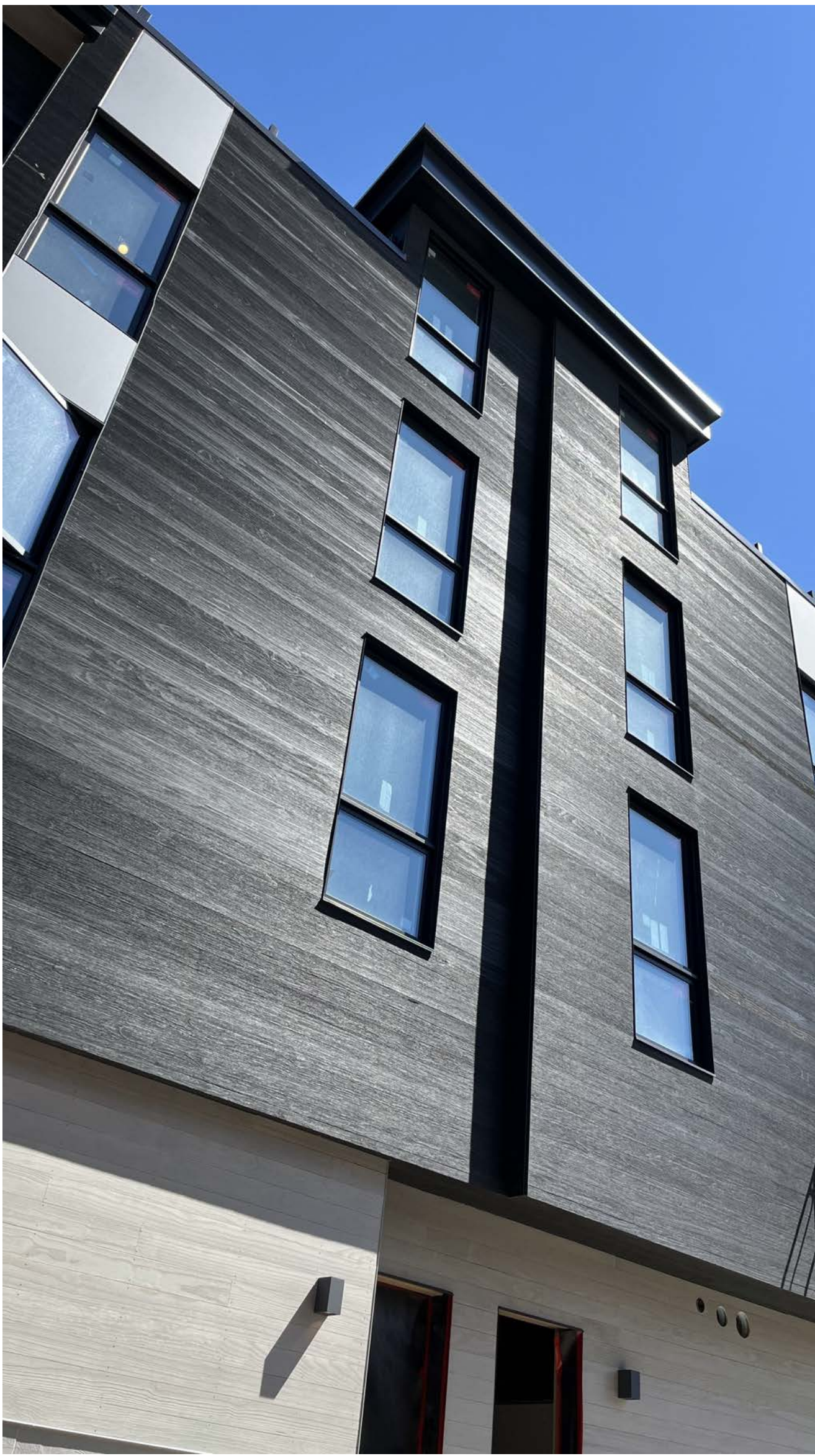


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SCALE 1" = 1/8" = U.N.O.

RUSTIC CONTEMPORARY
ARCHITECTURAL CHARACTER



COURTYARD STYLE & INTIMATE



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JACKSON, WY - N CACHE
CONCEPT SITE PLANS

ENHANCING THE OUTDOORS SPIRIT



INSPIRED NATURAL MATERIAL PALETTE



EARTHY PALETTE



SENSE OF PLACE



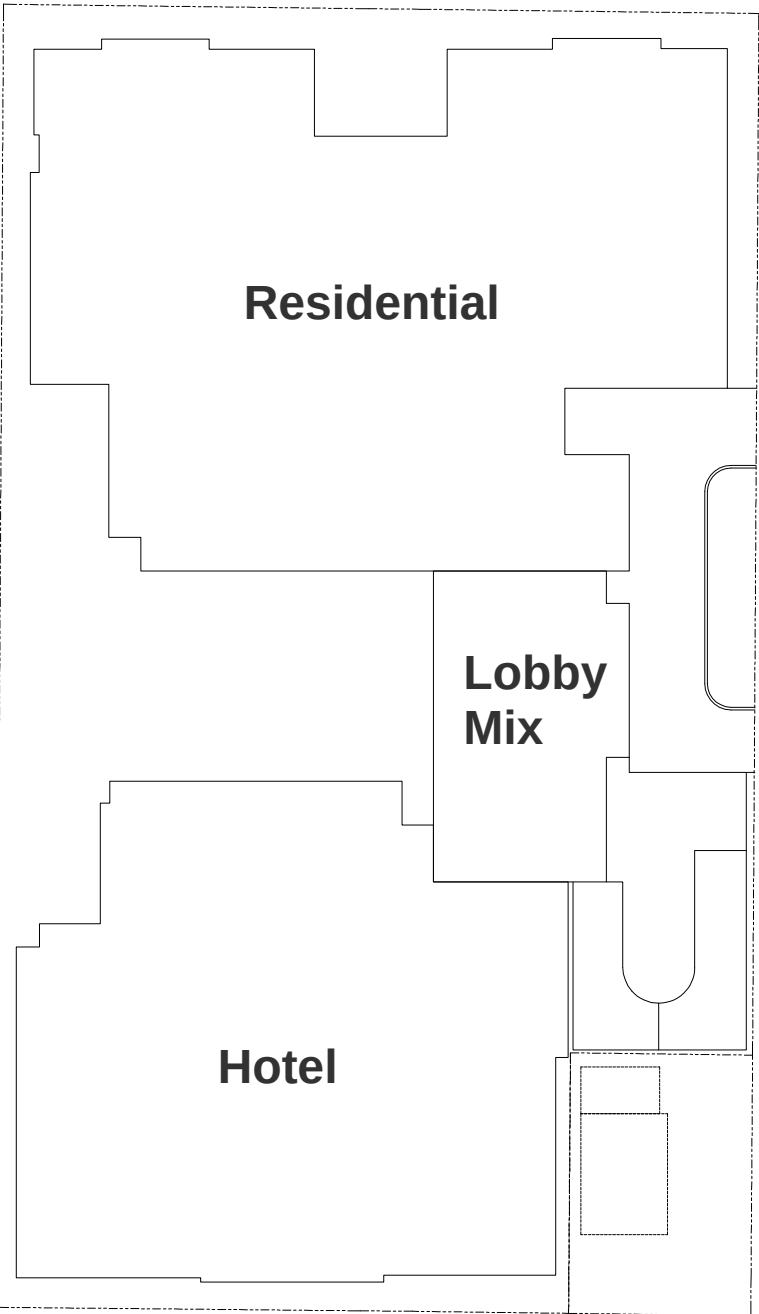
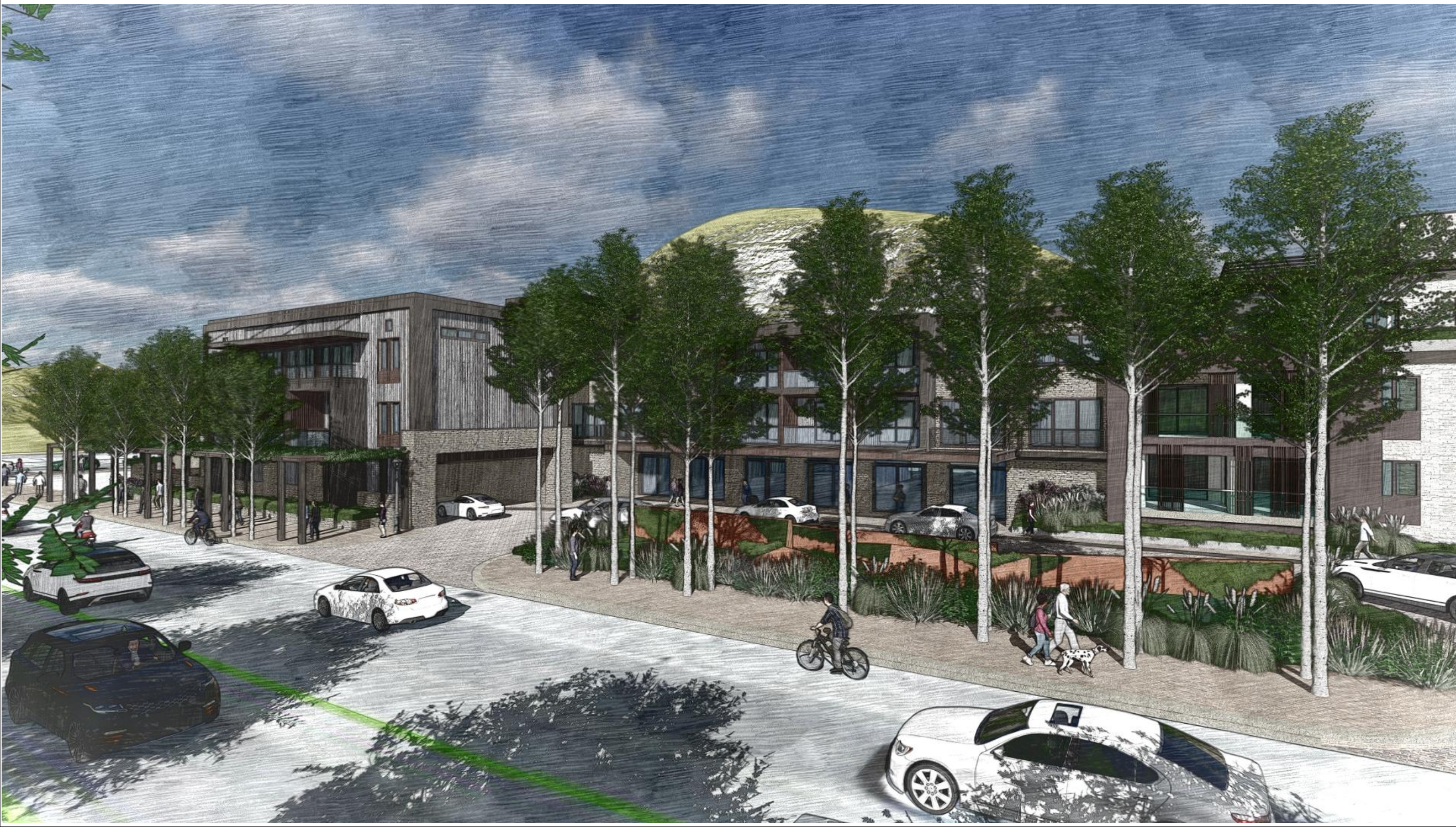
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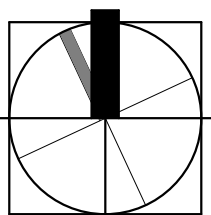


01

CONCEPT MASSING RENDERING AT OPT 1 - LOOKING NW ON N CACHE AT SIDE WALK



▽
01



VIEWS FROM
CACHE STREET

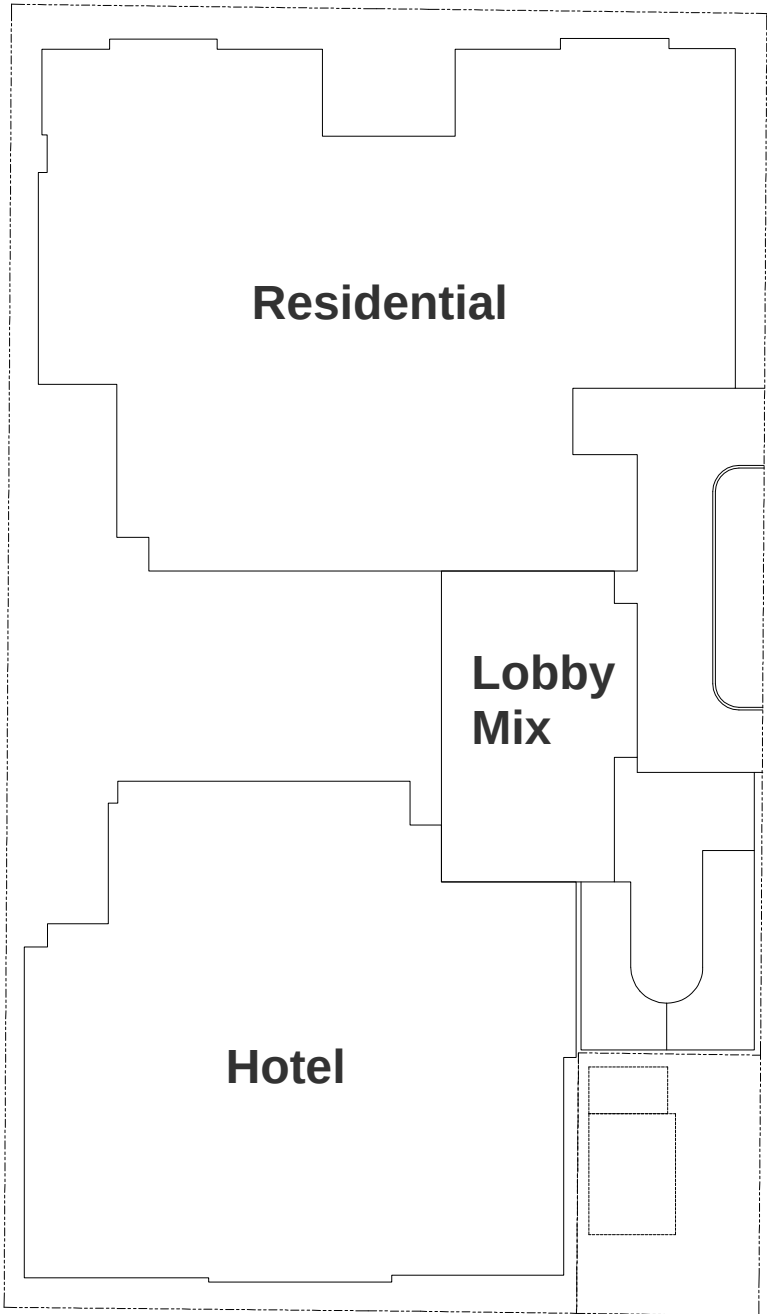
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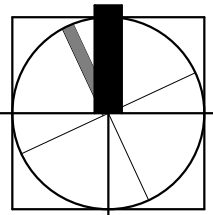
02

CONCEPT MASSING RENDERING AT OPT 1 - DROP-OFF ON N CACHE

VIEWS FROM
CACHE STREET



02





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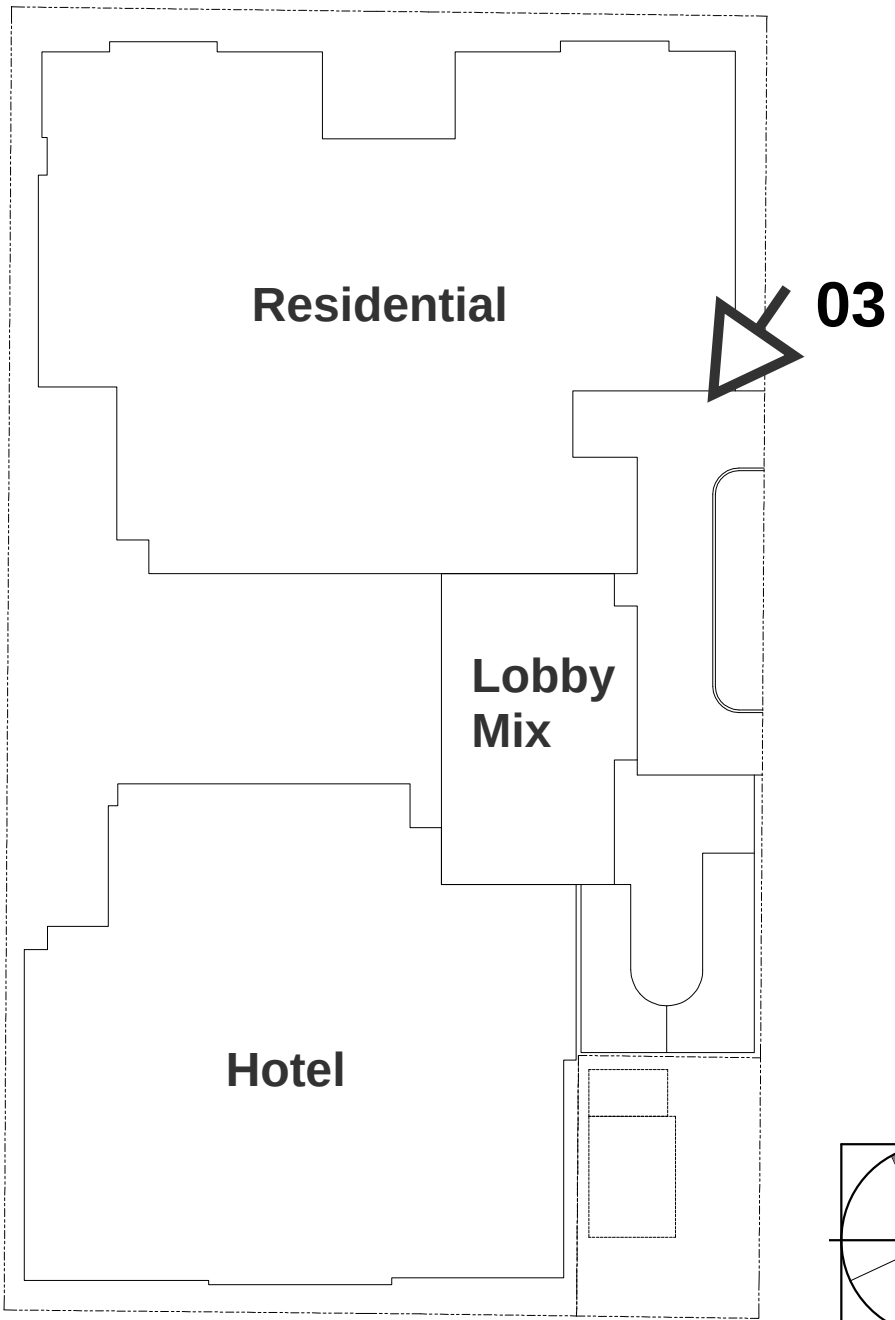
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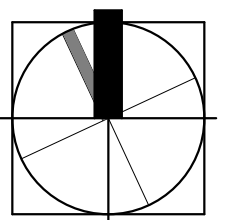
03

CONCEPT MASSING RENDERING AT OPT 1 - DROP-OFF ON N CACHE

VIEWS FROM
CACHE STREET



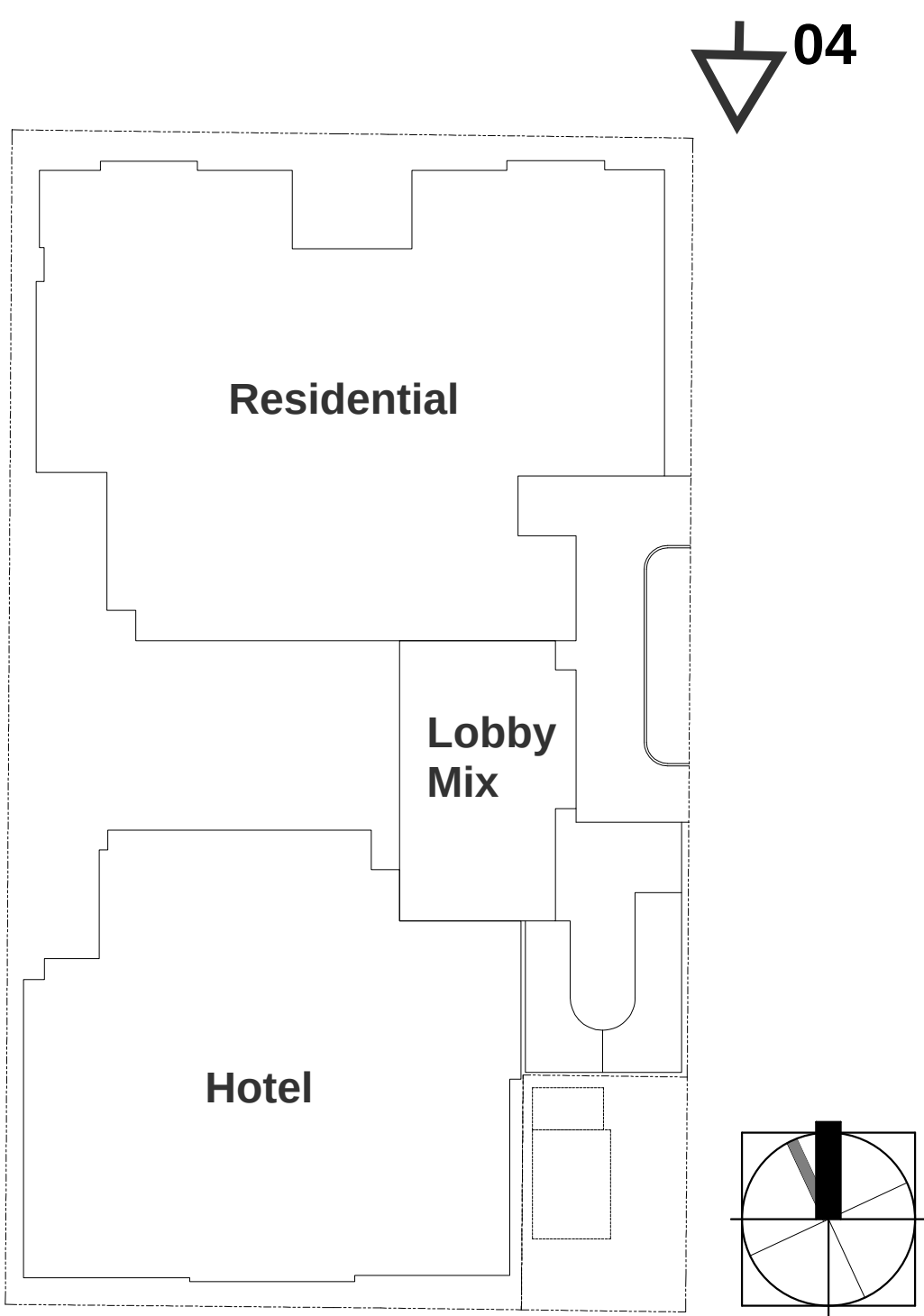
OPTION 1



sheet no.



CONCEPT MASSING RENDERING AT OPT 1 - CORNER OF CACHE AND PERRY

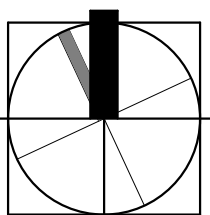
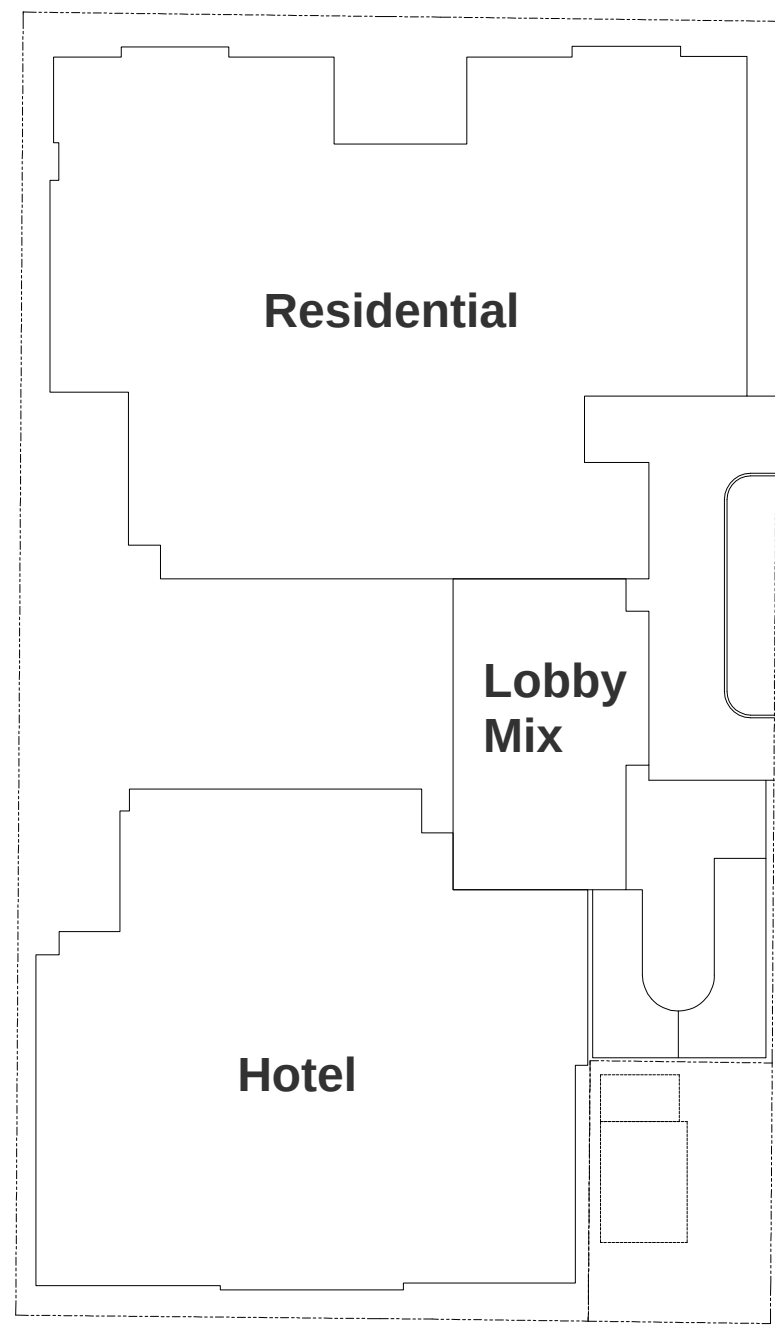


VIEWS FROM
CACHE &
PERRY ST.

OPTION 1



CONCEPT MASSING RENDERING AT OPT 1 - VIEW OF HOTEL COURTYARD FROM MERCILL STREET



Town of Jackson
Project Plan Review History
PLANNING

Project Number	P22-115	Applied	5/6/2022	AL
Project Name	Petition to Vacate Alley -325 N Cache	Approved		
Type	OTHER	Closed		
Subtype		Expired		
Status	STAFF REVIEW	Status		

Applicant	Owner MOGUL HOSPITALITY PARTNERS - J
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Site Address	City	State	Zip
325 N CACHE STREET	JACKSON	WY	83001

Subdivision	Parcel No	General Plan
JOSEPH R JONES ADDITION	22411628403009	

Type of Review	Status	Dates			
Contact		Sent	Due	Received	Remarks
Notes					
Building Kelly Sluder	NO COMMENT	5/6/2022	5/27/2022	5/23/2022	

Fire Kathy Clay	5/6/2022	5/27/2022	
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Fire Kathy Clay (8/1/2022 11:14 AM AL)	7/26/2022	8/9/2022	8/1/2022
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No comments or concerns from JH Fire regarding the proposed vacated alley area under Mogul Hospitality.

Lisa Potzernitz

Legal Lea Colasuonno	5/6/2022	5/27/2022	
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Legal Lea Colasuonno	7/26/2022	8/9/2022	
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Parks and Rec Steve Ashworth (5/24/2022 2:31 PM AL)	APPROVED W/CONDITI	5/6/2022	5/27/2022	5/24/2022
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Applicant would like the Town to vacate the alley, rather than purchasing from the Town of Jackson. The sale of that ¼ acre of land in downtown Jackson could go towards infrastructure improvements around the property.

Pathways Brian Schilling	NO COMMENT	5/6/2022	5/27/2022	5/10/2022
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Type of Review Contact Notes	Status	Dates			Remarks
		Sent	Due	Received	
Planning Paul Anthony		5/6/2022	5/27/2022		
Planning Paul Anthony		7/26/2022	8/9/2022		
Police Michelle Weber	NO COMMENT	5/6/2022	5/27/2022	5/9/2022	
Public Works Brian Lenz (5/27/2022 11:15 AM BTL) PETITION TO VACATE ALLEY	APPROVED W/CONDITI	5/6/2022	5/27/2022	5/27/2022	
P22-115 ADDRESS: 300 N 00 W Block on North Cache, excluding 315 N Cache OWNER: Mogul Hospitality Partners – Jackson, LLC APPLICANT: Same as Owner 5/27/2022 Brian Lenz, 733-3079 DATE OF SUBMITTAL: May 6, 2022 DATE OF MATERIALS: No Date REVISION NO.: 00 The engineering division has reviewed your PETITION TO VACATE submitted on and with application materials as dated above. Prior to recommending approval of the petition the following items should be satisfactorily addressed: A. Provide a brief narrative or description as to why the vacation is desired and how it is mutually beneficial to the parties involved. B. Provide a petition document and exhibits. C. Provide title and ownership information for all properties abutting the and extending 300 feet in either direction from the portion of public way to be vacated. D. Provide letters from all Town franchisees that they consent to the vacation and are not impacted by the vacation or can be relocated. E. Provide maps of the area to be vacated including but not limited to: boundary maps, existing utility maps, proposed utility maps showing the re-route of any existing utilities to be re-routed, final boundary configuration. F. Any appraisals required shall be provided. Given the complexity of public land appraisals, multiple appraisals may be necessary to determine and appropriate price. G. Any proposed access easements essential to maintain access to all properties form public lands shall be provided. H. Any proposed utility easements to maintain or provide for future utility services shall be provided. I. A detailed plan for relocating the Town sewer out of the alley shall be provided. J. A detailed plan for re-aligning the Cache Creek Tube from the vacated property shall be provided. Town of Jackson has conducted preliminary design for this relocation to Mercill. There is currently a major CenturyLink communication duct work across Mercill that is in the middle of the proposed profile of relocation and there are complexities involved in relocating the 16 conduits. K. The water main along Mercill, Cache, and Perry are old and undersized and there is mutual benefit in replacing the lines in conjunction with the proposed project. L. Perry Street is deteriorating and in need of reconstruction and there is a mutual benefit in reconstructing the street in conjunction with this project. M. The alley to be vacated is a known underground spill site for hydrocarbons and a plan to remove and properly dispose of any materials should be provided.					

Type of Review Contact Notes	Status	Dates			Remarks
		Sent	Due	Received	
Public Works Brian Lenz (9/23/2022 4:38 PM BTL) Paul Anthony's Breakdown of Public Works Conditions: Hi Brad et al,	APPROVED W/CONDITI	7/26/2022	8/9/2022	9/23/2022	

I'm not sure who the proper group is for the alley vacation, so please forward as necessary.

In preparation for our upcoming discussion on the 24th, I thought I would share some comments on the alley vacation item. I am awaiting some updated comments from Public Works but they already provided some detailed comments on the initial vacation submission (before formal petition was submitted).

For the sake of clarity and to sync with our review process, I divided the PW comments into those that are recommended/required before the first hearing with Council and those that relate to things that must be completed/finalized after the initial hearing but before final approval of all required vacation-related documents, etc. The reason for this bifurcation, as explained before, is that there is no need to spend all the time and money on finalizing documents until we determine whether the Council is supportive of the vacation in the first place. Also, keep in mind that these PW comments were drafted before the recent petition submittal and so might be a bit dated. We can discuss in more detail on Wednesday.

Need before first Council hearing:

1. Provide a brief narrative or description as to why the vacation is desired and how it is mutually beneficial to the parties involved. [Planning: we can discuss this in more detail]
2. Provide a petition document and exhibits. [petition document received]

Need before final approval:

3. Provide title and ownership information for all properties abutting the and extending 300 feet in either direction from the portion of public way to be vacated.
4. Provide letters from all Town franchisees that they consent to the vacation and are not impacted by the vacation or can be relocated.
5. Provide maps of the area to be vacated including but not limited to: boundary maps, existing utility maps, proposed utility maps showing the re-route of any existing utilities to be re-routed, final boundary configuration.
6. Any appraisals required shall be provided. Given the complexity of public land appraisals, multiple appraisals may be necessary to determine and appropriate price.
7. Any proposed access easements essential to maintain access to all properties form public lands shall be provided.
8. Any proposed utility easements to maintain or provide for future utility services shall be provided.
9. A detailed plan for relocating the Town sewer out of the alley shall be provided.
10. A detailed plan for re-aligning the Cache Creek Tube from the vacated property shall be provided. Town of Jackson has conducted preliminary design for this relocation to Mercill. There is currently a major CenturyLink communication duct work across Mercill that is in the middle of the proposed profile of relocation and there are complexities involved in relocating the 16 conduits.
11. The water main along Mercill, Cache, and Perry are old and undersized and there is mutual benefit in replacing the lines in conjunction with the proposed project.
12. Perry Street is deteriorating and in need of reconstruction and there is a mutual benefit in reconstructing the street in conjunction with this project.
13. The alley to be vacated is a known underground spill site for hydrocarbons and a plan to remove and properly dispose of any materials should be provided.

As you can see, most comments concern matters that can be addressed more fully if the Council gives their initial go-ahead on the vacation. I assume that you have continued to work on many of these items regardless.

From Planning's perspective, we do want to get some sort of assurance before the initial Council meeting that all the utility providers (Silver Star, LVE, etc.) are already on-board with the required utility relocations. The petition is a little vague on what level of assurance you have been able to obtain up this point. And a simple exhibit of the alley would be good as well (as also mentioned by Public Works). And finally for now, while it is not our place to tell you how to advocate for your request, more detail in advance on how this alley vacation would benefit the Town would probably be appreciated by the Council.

I will try to see if there are comments from other departments that we can discuss as well.

Type of Review Contact Notes	Status	Dates			Remarks
		Sent	Due	Received	
Public Works Brian Lenz (9/23/2022 4:40 PM BTL)	APPROVED W/CONDITI	9/23/2022	9/23/2022	9/23/2022	Upon review of the Petition Submitted, Public Works recommends that prior to recommending approval items within the petition be discussed and/or amended.
START Darren Brugmann		5/6/2022	5/27/2022		

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Town Council
Submitting Department:	Planning Department	Presenter:	Katelyn Page
Agenda Item:	P22-176: Request for Land Development Regulation (LDR) Text Amendment to Sec. 6.2.2 and Div 9.5	Public Comment:	Yes

Purpose & Policy Considerations.

All Text Amendments to the Town of Jackson Land Development Regulations (LDRs) require review and approval by the Town Council according to LDR Section 8.7.2.

Requested Action.

The applicant, Yellowstone-Teton Clean Cities (YTCC), is proposing an LDR Text Amendment to the Town of Jackson's Parking and Loading Standards relating to parking requirements. Specifically, to require off-street parking spaces to include minimum requirements for electric vehicle supply equipment (EVSE) infrastructure.

The proposed text amendment would modify the following sections of the LDRs: Section 6.2.2 – Required Parking and Loading and Division 9.5 – Defined Terms.

Recommendations:

The Planning Director recommends **approval** of LDR Text Amendment P22-176 as presented by applicant and as modified by staff and shown in this staff report.

Background.

YTCC is a nonprofit which works to advance alternative fuels, vehicles, infrastructure and sustainable transportation opportunities in Wyoming, Idaho, and Montana. The organization plans to work with multiple communities in the greater Yellowstone-Teton Region to address local text amendments in support of ESVE infrastructure.

The Jackson/Teton County Comprehensive Plan was adopted on April 6, 2012, establishing Common Values, Principles, and Policies to support the Community's overall vision. As part of that Comprehensive Plan, Policy 2.1 was established to "Reduce consumption of non-renewable energy." On April 6, 2020, the Town of Jackson adopted Resolution 20-05 (attached), committing to a goal of achieving carbon neutrality by the year 2030. The proposed text amendment supports reaching that goal through minimum EVSE infrastructure requirements for off street parking spaces to accommodate vehicles which reduce greenhouse gas (GHG) emissions. As referenced by the applicant, ground transportation accounted for about 63% of GHG emissions in 2021 per the 2022 Jackson/Teton County Comprehensive Plan Indicator Report.

Based on recent vehicle registration trends, and by utilizing the Department of Energy's Electric Vehicle Infrastructure Projection Tool (EVI-Pro) Lite, the applicant estimates that infrastructure for 5,500 Electric Vehicles (EVs) will be required to meet the goal of carbon neutrality by 2030 set forth in Resolution 20-05.

Proposed Amendment.

YTCC's aim focuses on preparing parking spaces for electric vehicles upon future development or major reconstruction because retrofitting parking space to support EVSE – thus charging capability – can be more difficult and costly when compared to planning ahead for the technology. To do this, the applicant suggests inclusion of minimum requirements for **EVSE Capable** and **EVSE Installed** parking spaces for new and expanded uses under the LDR standard for Required Parking and Loading (Section 6.2.2). Below are descriptions of industry standards for EVSE Capable and EVSE Installed parking spaces. The descriptions differ slightly from the final adopted LDR language which is more concise:

- **EVSE Capable** means a parking space has the infrastructure needed for the future installment of an EV charging stations. This includes having adequate service, a conduit sized for a 208/240-volt dedicated branch circuit, space for a two-pole circuit breaker, and continuous raceway from the panel to the parking spot so that it can accommodate a 240-volt outlet for use with portable charging equipment or a networked Level 2 charging station or higher.
- **EVSE Installed** means a parking space has an installed Level 2 EV charging station or higher, which includes the infrastructure plus a charging station. An EVSE installed space can charge an electric car without a portable charger.

Below is the red-line version of the text amendment that includes both YTCC's proposed text as well as some modifications made by staff to improve clarity or organization. In addition to the red-line text, blue-line text signifies changes made after Planning Commission review. Blue-line changes were similarly made to improve clarity or organization. YTC has expressed support for all the changes except proposed language for 6.2.2.E.1.c. Please see the attached application for YTCC's original proposal for reference.

Proposed Red-line Text Section 6.2.2 Required Parking and Loading

E. Required Electric Vehicle Supply Equipment

All new and expanded uses that generate off street parking shall provide infrastructure for electric vehicle supply equipment (EVSE) unless otherwise exempt by this subsection.

1. Amount of Off-Street Infrastructure. The table below specifies the minimum additional off-street parking spaces that shall include EVSE. See subsection E.5 for EVSE standards.

EVSE Requirement (per Dwelling Unit (DU) or as % of off-street parking spaces provided for new or expanded use)		
Use	EVSE Capable	EVSE Installed (E.1.b)
Detached Dwelling Unit	1 per DU	NA
Accessory Residential Unit	1 per DU	NA
Other residential	30%	5%
Lodging	30%	5%
Other nonresidential (Office, Commercial, etc.)	10%	5%

- a. An EVSE Installed space may count toward the EVSE Capable space requirement.
 - b. The EVSE Installed requirement only applies to parking lots of 10 or more spaces.
 - c. The EVSE Installed requirement is waived when all spaces are EVSE Capable.
2. **Counts Toward Required Parking.** Those parking spaces required for EVSE by this Subsection shall count toward fulfilling the total parking requirement of this Division.
3. **Posted.** EVSE installed spaces shall be posted with clear signage designating them as intended for electric vehicles.
4. **Location.** Above ground EVSE components taller than 4' in height and less than 8' in height, such as charging stands, shall be subject to the parking setbacks of the applicable zone, unless permanently affixed to a building or structure.
5. **EVSE Standards.**
 - a. **EVSE Capable** – A parking spaces is EVSE Capable if it is provided with conduit sized for a minimum 40-amp, 208/240-volt dedicated branch circuit from an electrical panelboard with sufficient physical space to accommodate a minimum 40-amp, dual-pol circuit breaker.
 - b. **EVSE Installed** – A parking spaces is EVSE Installed equipped with a Level 2 charging station networked with hardware that uses the Open Charge Point Protocol (OCCP) version 1.6 or higher.
6. **Exemptions.**
 - a. The standards of this section shall not apply to Temporary Uses or Accessory Uses other than Accessory Residential Units.
 - b. The Planning Director may exempt or lessen the EVSE requirement if it is determined the requirement is infeasible, burdensome, or unnecessary due to use, geography, or changes in technology.

Proposed Redline Text Division 9.5 Defined Terms

Electric Vehicle Supply Equipment (EVSE). Any equipment or electrical component used in charging electric vehicles at a specific location. EVSE does not include equipment located on the electric vehicles themselves.

The requirements are not additive. For example, if 6 EVSE Capable spaces are required based on the above percentages, then of those 6 required EVSE Capable spaces, 1 would need to meet the EVSE Installed requirements of a higher technology and installation threshold.

The applicant also proposes that the EVSE Installed requirement be waived for residential and lodging uses when all spaces are EVSE Capable (Staff modifies that language to apply to all uses). Using the above example, a project required to provide 1 EVSE Installed space may avoid that requirement provided that all parking spaces are instead EVSE Capable. This is beneficial particularly for multi-unit residential units that require parking space

management. The onus of EVSE parking space management, such as space assignment or allocating charging costs, will be placed on residents or property management. Additionally, a development plan may address any management concerns anticipated by Staff or project teams for a development.

Additional “blue-line” Staff changes after Planning Commission Review include removal EVSE requirements applying to “uses served by a parking lot”. Both Staff and Applicant felt this applied to a small number of uses, was unneeded in the amendment language, and best reflects the applicants’ original intent.

LDR parking requirements round up to the nearest whole number. For example, a project generating 11 parking spaces with an EVSE Capable parking requirement of 30% yields 3.3 (rounded to 4) EVSE Capable spaces.

Analysis.

Below is a summary analysis of the proposed text amendment which shows proposed changes, the applicant’s justification, and staff’s recommendation. Please refer to the applicant’s submittal for the specific language as the summary below is mostly intended to simplify the proposed changes.

Proposed Changes Section 6.2.2 Required Parking and Loading

#	Proposed Change	Applicant’s Justification
1	“All nonresidential uses and residential uses served by a parking lot shall provide infrastructure for electric vehicle supply equipment (EVSE).”	To introduce EVSE requirement to new development.
	Staff Recommendation: Staff supports this change with the following modified language: “All new and expanded uses that generate off street parking shall provide infrastructure for electric vehicle supply equipment (EVSE) unless otherwise exempt by this subsection.” APPLICANT AGREES. Staff Reasoning: It is preferable to apply to all uses then later address specific exemptions or thresholds. Noting “new and expanded” means that existing parking lots are not impacted by this proposal.	
#	Proposed Change	Applicant’s Justification
2	Minimum requirement for EVSE Capable and EVSE Installed based on the number of off-street parking spaces. Corresponding table clarifies requirement.	To set required minimum standards effectively increasing access to EVSE infrastructure.
	Staff Recommendation: Staff supports this change with the following modified language: “the minimum additional off-street parking spaces” and corresponding table to include modified language in header and description on what measurement the proposed requirement (percentage of or per unit) is based. See red-line table above. APPLICANT AGREES. Staff Reasoning: Required parking and total parking provided is not always the same amount. It is Staff’s opinion that if a project wishes to provide more parking spaces than required by the LDRs, it should be required to provide additional EVSE.	

#	Proposed Change	Applicant's Justification
3	Requirement table breakdown – Residential uses and requirements	N/A (Staff recommended)
	Staff Recommendation: Staff <u>supports</u> this change with the following modified breakdown of uses: Breakout Detached Dwelling Unit and Accessory Residential Unit separately from all other residential uses and apply a per dwelling unit versus percentage requirement. APPLICANT AGREES. Staff Reasoning: Staff supports breaking out “residential uses” into subcategories of “Detached Dwelling Unit”, “Accessory Residential Unit” and all “other Residential uses”. Detached Dwelling Units and ARUs are inherently different than all other residential or accessory uses because they are typically served by a driveway rather than a parking lot which may be problematic when measuring the amount of provided parking on a driveway.	
#	Proposed Change	Applicant's Justification
4	Required EVSE spaces count towards fulfilling the overall parking requirement.	This is similar to allowing ADA spaces to count toward fulfillment of overall parking requirement.
	Staff Recommendation: Staff <u>supports</u> this change with the following modified language: “Those parking spaces required for EVSE by this Subsection shall count toward fulfilling the total parking requirement of this Division.” APPLICANT AGREES. Staff Reasoning: Verbiage is more consistent with current LDR language for ADA spaces.	
#	Proposed Change	Applicant's Justification
5	Posted Signage	N/A (Staff recommended)
	Staff Recommendation: Staff <u>supports</u> the inclusion of a posted signage requirement for EVSE Installed spaces as follows: “EVSE installed spaces shall be posted with clear signage designating them as intended for electric vehicles.” APPLICANT AGREES. Staff Reasoning: Verbiage is consistent with LDR requirement for posted signage for parking spaces intended for specific users.	
#	Proposed Change	Applicant's Justification
6	Setbacks for EVSE	N/A (Staff recommended)
	Staff Recommendation: Staff <u>supports</u> the inclusion of a language subjecting EVSE Installed equipment to be subject to parking setbacks as follows: “Above ground EVSE components taller than 4’ in height and less than 8’ in height, such as charging stands, shall be subject to the parking setbacks of the applicable zone, unless permanently affixed to a building or structure.” APPLICANT AGREES. Staff Reasoning: Including EVSE equipment in the parking setback standards ensures the equipment is not subject to structure setbacks which are more conservative.	
#	Proposed Change	Applicant's Justification
7	Guidelines for the technology required for EVSE Capable and EVSE Installed parking spaces.	To define technology sufficient to be considered “EVSE Capable” or “EVSE Installed”
	Staff Recommendation: Staff <u>supports</u> this change with the following modified language and organization within the LDRs: Include in a separate subsection entitled “EVSE Standards”, include “minimum 40-amp”, and “version 1.6 or higher”. APPLICANT AGREES.	

	Staff Reasoning: This organization better aligns with current organization of the LDRs and accommodates for future changes in technology.	
#	Proposed Change	Applicant's Justification
8	An EVSE Installed space may count toward the EVSE Capable space requirement.	EVSE Required Facilities shall have some applicability and exemption guidelines in terms of amount of spaces provided.
	Staff Recommendation: Staff supports this change with the following modified organization within the LDRs: Include in proposed EVSE Section 6.2.2.E.1 (Amount of Off-Street Infrastructure). APPLICANT AGREES. Staff Reasoning: This organization better mirrors current LDRs.	
#	Proposed Change	Applicant's Justification
9	EVSE Installed requirement only applies to parking lots of 10 or more spaces.	EVSE Required Facilities shall have some applicability and exemption guidelines in terms of amount of spaces provided.
	Staff Recommendation: Staff supports this change with the following modified organization within the LDRs: Include in proposed EVSE Section 6.2.2.E.1 (Amount of Off-Street Infrastructure). APPLICANT AGREES. Staff Reasoning: This organization better mirrors current LDRs.	
#	Proposed Change	Applicant's Justification
10	The EVSE Installed requirement is waived in residential and lodging parking lot where all spaces are EVSE Capable.	EVSE Required Facilities shall have some applicability and exemption guidelines in terms of amount of spaces provided.
	Staff Recommendation: Staff supports this change with the following modified language and organization within the LDRs: Remove "residential and lodging" so requirement applies to all applicable uses. Include in proposed EVSE Section 6.2.2.E.1 (Amount of Off-Street Infrastructure). APPLICANT AGREES Staff Reasoning: This organization better mirrors current LDRs and the incentive similarly applies to all applicable uses.	
#	Proposed Change	Applicant's Justification
11	Exemption for Temporary and some Accessory Uses	N/A (staff recommendation)
	Staff Recommendation: Staff supports inclusion of flexibility in the form of an exemption for temporary and Accessory Uses apart from Accessory Residential Units with the following language: "The standards of this section shall not apply to Temporary Uses or Accessory Uses other than Accessory Residential Units." APPLICANT AGREES. Staff Reasoning: Temporary uses do not need permanent parking infrastructure of this type. An accessory use is a use that constitutes a minority of the use or character of the property and is secondary and subordinate to another use of the same property. In this case, Staff feels a site's primary parking impact (thus requirements) are captured by the Primary use and that Accessory Uses, other than ARUs, may be exempt.	

#	Proposed Change	Applicant's Justification
12	General Exemption as determined by Planning Director	N/A (staff recommendation)
	Staff Recommendation: Staff <u>supports</u> inclusion of flexibility in the form of an exemption by the following language: "The Planning Director may exempt or lessen the EVSE requirement if it is determined the requirement is infeasible, burdensome, or unnecessary due to use, geography, or changes in technology." APPLICANT AGREES Staff Reasoning: Offering such flexibility is consistent within the LDRs. This gives staff and applicants a tool to respond to and accommodate unique and sometimes unforeseen aspects which may not necessarily be able to meet this proposed standard.	

Proposed Changes to Division 9.5 Defined Terms

#	Proposed Change	Applicant's Justification
13	Definition – Electric Vehicle Supply Equipment (EVSE)	N/A (staff recommendation)
	Staff Recommendation: Staff <u>supports</u> inclusion of this defined term with the following language: "Any equipment or electrical component used in charging electric vehicles at a specific location. EVSE does not include equipment located on the electric vehicles themselves." APPLICANT AGREES. Staff Reasoning: Communicates LDR intent of what encompasses EVSE infrastructure.	

As previously stated, the proposed changes aim to lower the cost associated with the provision of EVSE infrastructure by preparing buildings for EVSE infrastructure during construction rather than retrofitting. The applicant offers a few cost examples to illustrate the importance of planning ahead for EVSE infrastructure. For a Level 1 EVSE Capable parking space at a detached dwelling unit or ARU, costs can range from \$860-\$920 as part of the initial construction process or around \$1360-\$1520 to retrofit after construction. Similarly, to install 12 Level 1 EVSE Capable parking space at a multi-unit residential complex cost approximately \$11,040 as part of the initial construction process or around \$44,400 to retrofit after construction. Staff notes that cost examples can range widely depending on parking structure type as well as construction and real estate markets.

Fee Waiver Request (P22-212).

In addition to the above text changes, the applicant is requesting a fee reduction for the \$1,803.00 Text Amendment fee. This fee reduction is also an item number on the Town Council agenda for the November 7, 2022 meeting. Pursuant to Ordinance 939 the Town Council may reduce, defer, or waive application fees upon the request of an applicant if the proposed project advances significant community goals, which include, but are not limited to a project that is sponsored by a governmental entity or a project that receives public funding or a project that provides extraordinary charitable, civic, educational, or similar benefits to the community.

Public Comment

Staff did not receive any public comment for the proposed text amendment.

Planning Commission

The Planning Commission reviewed the proposed text amendment at its October 5, 2022, meeting and recommended unanimous approval of the amendment, as modified by staff, to Town Council. The Commission discussed concerns over the management of EVSE parking in multi-unit residential developments including metering, allocating charging costs, and overall space assignment. While it was supportive of the proposed EVSE Capable and Installed ratios, Commission felt higher percentage requirements could be placed on commercial uses to at least meet the proposed residential and lodging standard.

Factors for Consideration.

Pursuant to Section 8.7.2 of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;

Complies. The purposes of the LDRs per Division 1.3 are generally to implement the Comprehensive Plan and to promote the health, safety, and general welfare of the present and future inhabitants of the community. This amendment is consistent with those purposes in that it considers the impacts of GHG emissions on the health of residents and wildlife in the community and considers changing trends in technology and infrastructure available to support that goal.

2. Improves the consistency of the LDRs with other provisions of the LDRs;

Complies. The amendment proposes a new and specific standard for EVSE infrastructure. The current Required Parking and Loading Standards (Section 6.2.2), last amended in 2018, do not specifically address changing trends in EVSE infrastructure. Staff has made additional proposed modifications to the applicant's text to improve consistency with the current format and style of the LDRs.

3. Provides flexibility for landowners within standards that clearly define desired character;

Complies. The amendment defines minimum regulations for EVSE infrastructure while offering the flexibility of allowing the proposed requirement to count toward the overall parking requirement on a property as well as including language to allow for exceptions where, when strictly applied, the proposed EVSE standard is infeasible, burdensome, or unnecessary. Applicants also retain the option for an Administrative Adjustment provided as part of the broader Parking and Loading Standards (Division 6.2.2).

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation;

Complies. The amendment proposes a new and specific standard for EVSE infrastructure. The current Required Parking and Loading Standards (Section 6.2.2), last amended in 2018, do not specifically address changing trends in EVSE infrastructure.

5. Improves implementation of the Comprehensive Plan; and

Complies. The proposed amendment supports implementation of Policy 2.1.a (*Shift community energy consumption behavior*) and Policy 2.1.c (*Increase local use and generation of renewable energy*).

6. Is consistent with other adopted Town Ordinances.

Complies. The proposed amendment does not conflict with any other Town Ordinances.

Alternatives.

Council has the option to approve, modify, or deny the proposed text amendment.

Comprehensive Plan & Priority Alignment.

The text amendment changes will effectively set higher standards for parking facilities in most new development and align with the goals of the following Comprehensive Plan language:

Policy 2.1.a (Shift community energy consumption behavior) states – “The community commits to shifting its behaviors to consume less energy. Reducing energy demand is the simplest way to consume fewer nonrenewable energy resources. Achieving communitywide energy conservation requires reducing individual consumption of energy with every decision. The Town, County, and partnering organizations will educate the community on best available methods for reducing energy demand and facilitate and encourage each community member to reduce personal energy consumption.”

Policy 2.1.c (Increase local use and generation of renewable energy) states – “Using solar, wind, geothermal, and/or hydro energy that has less impact to the climate is the community’s preference. The community will work with local utilities and other agencies, nonprofits, and businesses to identify local renewable energy generation opportunities so that it is not necessary to add non-renewable energy sources to the community’s energy portfolio. Integration of renewable energy into the community’s energy portfolio should be done consistently with the community’s Vision.”

Fiscal Impact.

None.

Staff Impact.

Staff has spent approximately 60 hours to complete research on this topic and prepare this staff report.

Attachments or Links.

Application packet
Departmental reviews

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to **approve** LDR Text Amendment P22-176 as presented by the applicant and as modified by staff as shown in this staff report dated November 7, 2022, and direct Staff to bring back an ordinance for Council consideration.

9/19/2022

**Town of Jackson
Project Reviews**

Project Number P22-176 **Applied** 7/11/2022 **AL**
Project Name LDR Text Amendment - Yellowstone-Teton Clean Cities **Approved**
Type LAND DEV REGS **Closed**
Subtype TEXT AMENDMENT **Expired**
Status STAFF REVIEW **Status**
Applicant Yellowstone Teton Clean cities **Owner**
Site Address **City** **State** **Zip**

Subdivision **Parcel No**

Type of Review Notes	Status	Dates			Remarks
		Sent	Due	Received	
Building	NO COMMENT	7/11/2022	8/2/2022	7/19/2022	
Parks and Rec	NO COMMENT	7/11/2022	8/2/2022	8/4/2022	
Planning	APPROVED W/CONDITI	7/11/2022	8/2/2022	9/19/2022	See Forthcoming Staff Report
Public Works	NO COMMENT	7/11/2022	8/2/2022	8/9/2022	



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: EVSE Text Amendment
Physical Address: Townwide
Lot, Subdivision: _____ PIDN: _____

PROPERTY OWNER.

Name: Alicia Cox, Yellowstone Teton Clean Cities Phone: 810-955-5811
Mailing Address: PO Box 11756, Jackson, WY ZIP: 83002
E-mail: alicia@ytcleancities.org

APPLICANT/AGENT.

Name: Alex Norton, OPS Strategies Phone: 307-690-9892
Mailing Address: PO Box 1349, Jackson, WY ZIP: 83001
E-mail: alex@opsstrategies.com

DESIGNATED PRIMARY CONTACT.

☒ Property Owner ☐ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit

☐ Basic Use
☐ Conditional Use
☐ Special Use

Relief from the LDRs

☐ Administrative Adjustment
☐ Variance
☐ Beneficial Use Determination
☐ Appeal of an Admin. Decision

Physical Development

☐ Sketch Plan
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☐ Subdivision Plat
☐ Boundary Adjustment (replat)
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☐ Development Option Plan

Interpretations

☐ Formal Interpretation
☐ Zoning Compliance Verification

Amendments to the LDRs

☒ LDR Text Amendment
☐ Map Amendment

Miscellaneous

Other: _____
_____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

X **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

n/a **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

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Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Alicia Cox

Signature of Property Owner or Authorized Applicant/Agent

Alicia Cox

Name Printed

7/11/2022

Date

Executive Director

Title



July 9, 2022

Town of Jackson Planning Department
150 E Pearl Ave
P.O. Box 1687
Jackson, WY 83001

Greetings,

Attached please find an application to amend the text of the Land Development Regulations to require electric vehicle infrastructure in parking lots in the Town of Jackson.

Pursuant to the second provision of the Fee Waiver policy that allows for the waiver of fees for projects that “provide extraordinary charitable, civic, educational, or similar benefits to the community,” Yellowstone Teton Clean Cities respectfully requests waiver of the application fee of \$1,803 given the alignment of this project with Council’s strategic priorities. Yellowstone Teton Clean Cities understands if the Town would prefer to find the extraordinary benefit through the application review process and refund the application fee upon approval.

Thank you for your consideration,

Alicia Cox
Executive Director
Clean Cities Coordinator
Yellowstone-Teton Clean Cities

Request

Amend the text of the Land Development Regulations pursuant to Sec. 8.7.1 to:

1. Require that the following spaces in off-street parking lots include electric vehicle supply equipment (EVSE Installed) and conduit and circuit capacity for future installation (EVSE Capable) at the following ratios.

Use	EVSE Capable	EVSE Installed
Residential	30%	5%
Lodging	30%	5%
Other Nonresidential	10%	5%

Project Description

Background

Ground transportation accounted for about 63% of greenhouse gas (GHG) emissions in 2021.¹ Ground transportation emissions are a function of miles driven and the fuel efficiency of the vehicle driving those miles. While the Integrated Transportation Plan and other efforts focus on reducing per capita vehicle miles traveled, this proposal is focused on enabling fuel efficiency by making electric vehicles (EVs) more feasible. Because the electricity we use in Jackson is predominantly low-emission hydropower, an EV emits 97% less GHG than a typical internal combustion engine vehicle. Electrifying our ground transportation is an opportunity to significantly reduce our GHG emissions without asking for significant changes in behavior.

There are currently 146 electric vehicles and 88 plug-in hybrid electric vehicles registered in Teton County. If EV adoption follows recent trends in Teton County and the United States, there will be over 3,500 EVs registered in Teton County by 2030. To fully reduce the greenhouse gas emissions associated with travel on local roads in the Town of Jackson, 5,500 gasoline vehicles need to be replaced by electric vehicles. Utilizing the Department of Energy's Electric Vehicle Infrastructure Projection Tool (EVI-Pro) Lite (calculation attached), the following infrastructure is needed to support 5,500 EVs.

¹ 2022 Jackson/Teton County Comprehensive Plan Indicator Report

Electric Vehicle Infrastructure to Support 5,500 EVs			
	Needed	Existing	Gap
Public DC Fast Charging Plugs	69	10	59
Public Level 2 Charging Plugs	214	21	193
Workplace Level 2 Charging Plugs*	266	0	266

*A workplace level 2 charging plug is only available to fleet vehicles and employees of the workplace.

The parking inventories completed by the Town of Jackson in 2017 and 2019 counted about 5,900 public parking spaces and 6,100 off-street parking spaces in the Town of Jackson. If 4% of these spaces included EV charging plugs we could accommodate 5,500 EVs. However, retrofitting an unprepared, existing parking space with electric vehicle supply equipment (EVSE) is at least 4-times as expensive as if the parking space was built with EVSE in mind.

Home is an EV owner's preferred charging location. After the home, the workplace is considered to be the next most likely location for EV owners to charge, especially those who do not have access to Level 2 Charging Stations at home.² Deployment of charging stations in multi-unit residential structures, lodging structures, and workplaces will make EV ownership viable for a broader set of drivers and decrease range anxiety for those worried about having enough charge. This amendment focuses on preparing parking lots for EVs upon construction or major reconstruction because retrofitting a parking lot to support EV charging can be far more difficult and costly than retrofitting a single-family home. The primary challenge in retrofitting is finding the necessary circuit capacity in the existing building. Finding capacity for one charger in an existing single-family home is far easier than finding capacity for a parking lot full of chargers in an existing multi-unit building and then coordinating the metering to be equitable for all users. If considered in the initial design, the challenges are greatly reduced.

Local governments have a critical role to play in the development of both public and private charging infrastructure due to their authority over zoning, parking and signage, building codes, and permitting and inspection processes. Local ordinances can also present opportunities to support and offer incentives for charging station installations. On April 6, 2020, the Town Council adopted Resolution 20-05, committing to carbon neutrality by 2030. To reach that goal, it is essential to implement strategies like this text amendment.

Installation of EVSE has 4 main components.

1. The first component is the electrical supply. The building has to have enough service (transformer and wire) to provide the needed amperage to accommodate the EVSE. To add service, a developer coordinates with Lower Valley Energy on design and then pays LVE to provide the needed service.

² In 2016, the Department of Energy found that an employee with access to workplace charging was 6-times more likely to drive an EV.

2. Next is the circuit, each EV plug will require electrical panel capacity and a dedicated branch circuit.
3. From the electrical panel, a raceway must be run to the parking space to accommodate the wiring for the eventual plug, or the wiring itself must be run through the wall.
4. The final component is the plug itself where the electricity is conveyed to the vehicle.

There are a variety of plug options for the owner to choose from, and installation of the plug and wiring it to the panel costs about the same whether it is done at initial construction or later. Installing the raceway and dedicated service is relatively inexpensive at construction but costly to retrofit.

Proposed Requirement

1. Require that the following spaces in off-street parking lots include electric vehicle supply equipment (EVSE Installed) and conduit and circuit capacity for future installation (EVSE Capable) at the following ratios.

Use	EVSE Capable	EVSE Installed
Residential	30%	5%
Lodging	30%	5%
Other Nonresidential	10%	5%

EVSE Capable Requirement

The proposed amendment defines that, “a parking space is EV capable if it is provided with conduit sized for a 40-amp, 208/240-volt dedicated branch circuit from an electrical panelboard with sufficient physical space to accommodate a 40-amp, dual-pole circuit breaker.” In other words, it has the service, circuit, panelboard space, and raceway to accommodate the future installation of a charging station. An EVSE-capable space can accommodate a simple 240-volt outlet (typical dryer outlet) to be used with the portable charging equipment that comes with the EV. Alternatively it can accommodate a networked Level 2 charging station that can be shared and managed.

If a minimum of 30% of spaces in a residential parking lot are EVSE Capable, shared charging would allow for 100% of the vehicles in a residential parking lot to be electric without inducing range anxiety in their owners.³ A multi-unit residential or lodging building with dedicated parking

³ The average daily vehicle miles traveled per capita in 2019 was 33. (610,742,864 VMT / 365 days / 50,977 average effective population, Source: Jackson/Teton County Indicator Report) A typical plug-in electric vehicle has a range of about 250 miles. Without allowing any vehicle to drop below half charge, 26.4% of spaces would need EV charging on a given night. (125-mile half-range / 33 miles per day = 3.8 days per charge. 1 charge every 3.8 days = 26.4%)

spaces might consider making all of the spaces EVSE Capable in order to accommodate an outlet for all future vehicles, in which case the EVSE Installed spaces requirement is waived. The 10% requirement for other non-residential spaces is derived from the International Council on Clean Transportation's suggestion that a public or workplace charging station be provided for every 10-15 vehicles on the road.

EVSE Installed Requirement

The LDRs define a parking lot as 4 or more adjacent parking spaces. As a result, this amendment would apply to almost any development more intense than a single-family home. Because the LDRs require that minimum requirements be fulfilled to the next whole number, any residential or lodging parking lot this applies to would have to make at least 2 spaces EVSE capable ($4 * 0.3 = 1.2$, requiring 2 EVSE capable spaces). The definition of minimum requirement would also mean that every parking lot would have to install a level 2 charging station ($4 * 0.05 = 0.2$, requiring 1 EVSE installed space). To limit the impact on small (2, 3, and 4 unit) multifamily, the EVSE Installed space requirement doesn't trigger until a parking lot has 10 spaces.

Not Included: On-street Parking

While on-street parking can serve to meet parking requirements and is a significant part of our current street designs and parking inventory, this amendment purposefully omits a requirement that EVSE infrastructure be added to the street front adjacent to on-street parking. This ensures consistency between the goal of accommodating electric vehicles while also shifting toward active transportation. Additional coordination is needed to understand the best place to provide public charging and whether that is the best use of the curb. Other "active curb" uses such as bike parking, ride-share stops, transit stops, and parkettes may better serve the overall goal of net-zero emissions by supporting a reduction in vehicle miles traveled.

Proposed Amendment

6.2.2. Required Parking and Loading

E. Require Electric Vehicle Charging

All nonresidential uses and residential uses served by a parking lot shall provide infrastructure for electric vehicle supply equipment (EVSE).

1. **Amount of Off-Street Infrastructure.** The table below specifies the minimum percentage of off-street parking spaces that shall include EVSE. See subsection E.3 for infrastructure specifications.

<u>Use</u>	<u>EVSE Capable</u>	<u>EVSE Installed</u>
<u>Residential</u>	<u>30%</u>	<u>5%</u>

<u>Lodging</u>	<u>30%</u>	<u>5%</u>
<u>Other Nonresidential</u>	<u>10%</u>	<u>5%</u>

2. **Counts Toward Required Parking.** EVSE spaces shall count toward fulfilling the total parking requirement of this Division.

3. **Required Facilities**

- a. **EVSE Capable.** A parking space is EV capable if it is provided with conduit sized for a 40-amp, 208/240-volt dedicated branch circuit from an electrical panelboard with sufficient physical space to accommodate a 40-amp, dual-pole circuit breaker.
- b. **EVSE Installed.** A parking space is EVSE installed if it is equipped with a Level 2 charging station, networked with hardware that uses the [Open Charge Point Protocol \(OCPP\)](#) version 1.6 or higher.
 - i. An EVSE Installed space counts toward the EVSE Capable space requirement.
 - ii. The EVSE Installed requirement only applies to parking lots of 10 or more spaces.
 - iii. The EVSE Installed requirement is waived in residential and lodging parking lots where all spaces are EVSE capable.

E-F. Required Loading

Proposed Findings

The advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;

Complies. The purpose of the LDRs is to implement the Jackson/Teton County Comprehensive Plan and promote the health, safety, and general welfare of the present and future inhabitants of the community. The proposed amendment achieves that purpose by implementing Policy 2.1.c of the comprehensive plan within the existing organization of the parking standards in the LDRs. The proposed amendment would add a requirement to the existing parking standards to allow the community to use more renewable energy in its ground transportation.

2. Improves the consistency of the LDRs with other provisions of the LDRs;

Not applicable. The proposed amendment introduces a new provision to address changing conditions. It does not introduce inconsistency but is not intended to improve consistency within the LDRs.

3. Provides flexibility for landowners within standards that clearly define desired character;

Complies. The proposed amendment is primarily focused on ensuring that parking lots are ready for future electric vehicle infrastructure. This creates a clear definition of the desired shift toward electric vehicles while providing landowners with flexibility in when they actually install that infrastructure.

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation;

Complies. Electric vehicles are becoming more and more popular. Vehicle manufacturers are committing to all-electric goals, the federal government is investing in electric vehicle infrastructure, federal NEVI guidance is going to require open, non-proprietary standards, and Teton County vehicle registration records show rapid growth in local electric vehicle adoption. The proposed amendment will ensure that the parking lots and buildings we create today will have the infrastructure necessary for the vehicles of tomorrow. Retrofitting a parking lot for electric vehicle (EV) infrastructure is far more costly than preparing it for EV infrastructure when it is first built.

5. Improves implementation of the Comprehensive Plan; and

Complies. Policy 2.1.c calls for an increase in local use of renewable energy. Because the energy mix purchased from Bonneville Power Administration by Lower Valley Energy (LVE) is largely renewable, electrification of our vehicles represents a significant shift toward use of renewable energy. An electric vehicle charged on the LVE grid emits about 5% of the carbon emitted by a vehicle powered by non-renewable gasoline. The proposed amendment ensures that as the community and country shift to electric vehicles the community will have the infrastructure and open access to accommodate a more renewable use of energy.

6. Is consistent with other adopted Town Ordinances.

Complies. The proposed amendment is not inconsistent with any Town Ordinances.

Attachments

- EVI-Pro Lite calculation

Your Results

In Wyoming, to support 5,500 plug-in electric vehicles you would need:

266 Workplace Level 2 Charging Plugs

214 Public Level 2 Charging Plugs

There are currently 94 plugs with an average of 2.0 plugs per charging station per the Department of Energy's [Alternative Fuels Data Center Station Locator](#).

69 Public DC Fast Charging Plugs

There are currently 83 plugs with an average of 5.2 plugs per charging station per the Department of Energy's [Alternative Fuels Data Center Station Locator](#).

Where Do I Start?

Planners may want to prioritize installation of fast charging infrastructure above Level 2 charging.

Build DC Fast First: Establishing fast charging networks that enable long-distance travel, serve as charging safety nets, and provide charging for drivers without home charging is critical to support all-electric vehicles that have no other alternative for quickly extending their driving range.

Build Level 2 Second: EVI-Pro typically simulates the majority of Level 2 charging demand coming from plug-in hybrid electric vehicles, which have the ability to use gasoline as necessary for quickly extending driving range.

Change Assumptions

Plug-in Electric Vehicles (as of 2016): 150

Light Duty Vehicles (as of 2016): 619,100

Number of vehicles to support

Vehicle Mix	Plug-in Hybrids 20-mile electric range	15 %
	Plug-in Hybrids 50-mile electric range	25 %
	All-Electric Vehicles 100-mile electric range	15 %
	All-Electric Vehicles 250-mile electric range	45 %
Total		100%

How much support do you want to provide for plug-in hybrid electric vehicles (PHEVs)?

- ☐ **Full Support**
Most PHEV drivers wouldn't need to use gasoline on a typical day.
- ☒ **Partial Support**
Calculate using half of full support assumption.
- ☐ **Do not count PHEVs in charging demand estimates.**

Percent of drivers with
access to home charging %

[Recalculate](#)

[See all assumptions.](#)

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Town Council
Submitting Department:	Planning Department	Presenter:	Katelyn Page
Agenda Item:	P22-212: Request for a Fee Reduction for project P22-176 Request for Land Development Regulation (LDR) Text Amendment to Sec. 6.2.2 and Div. 9.5	Public Comment:	Yes

Purpose & Policy Considerations.

To approve or deny a request for a fee reduction associated with the review of an LDR Text Amendment to Section 6.2.2: Required Parking and Loading and Division 9.5: Defined Terms.

Requested Action.

The applicant, Yellowstone Teton Clean Cities (YTCC), has requested a fee reduction for planning review fees associated with a proposed LDR Text Amendment. The applicant has submitted this request pursuant to Ordinance 939 of the Town of Jackson and Municipal Code section 15.04.090.

YTCC is a nonprofit which works to advance alternative fuels, vehicles, infrastructure and sustainable transportation opportunities in Wyoming, Idaho, and Montana.

Background.

Pursuant to Ordinance 939 the Town Council may reduce, defer, or waive application fees upon the request of an applicant if the proposed project advances significant community goals, which include, but are not limited to the following:

- A project that is sponsored by a governmental entity or a project that receives public funding.
- A project that provides extraordinary charitable, civic, educational, or similar benefits to the community.

Should Town Council make the determination that this proposal advances significant community goals as described above, a motion has been provided below for the reduction of the fees.

The proposed LDR Text Amendment would require some applicable off-street parking spaces to include minimum requirements electric vehicle supply equipment (EVSE) infrastructure.

Recommendations.

No recommendation has been provided by the Planning Director given the nature of this request. Please note that the Council has the option to reduce, defer or waive such application fees if desired.

Alternatives.

Council has the option to approve, modify, or deny the proposed request.

Fiscal Impact.

Approval of the applicant's request would result in a loss of \$1,803 to the Town.

Staff Impact.

None identified.

Attachments or Links.

Applicant Submittal

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to **approve** a request to waive the \$1,803.00 fee for Yellowstone Teton Clean Cities associated with the planning review for LDR Text Amendment P22-176.



PLANNING PERMIT APPLICATION
Planning & Building Department

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P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: EVSE Text Amendment
Physical Address: Townwide
Lot, Subdivision: _____ PIDN: _____

PROPERTY OWNER.

Name: Alicia Cox, Yellowstone Teton Clean Cities Phone: 810-955-5811
Mailing Address: PO Box 11756, Jackson, WY ZIP: 83002
E-mail: alicia@ytcleancities.org

APPLICANT/AGENT.

Name: Alex Norton, OPS Strategies Phone: 307-690-9892
Mailing Address: PO Box 1349, Jackson, WY ZIP: 83001
E-mail: alex@opsstrategies.com

DESIGNATED PRIMARY CONTACT.

☒ Property Owner ☐ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit

☐ Basic Use
☐ Conditional Use
☐ Special Use

Relief from the LDRs

☐ Administrative Adjustment
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☒ LDR Text Amendment
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Other: _____
☐ Environmental Analysis

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Pre-application Conference #: _____ Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

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Have you attached the following?

X **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

n/a **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

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Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Alicia Cox
Signature of Property Owner or Authorized Applicant/Agent
Alicia Cox
Name Printed

7/11/2022
Date
Executive Director
Title



July 9, 2022

Town of Jackson Planning Department
150 E Pearl Ave
P.O. Box 1687
Jackson, WY 83001

Greetings,

Attached please find an application to amend the text of the Land Development Regulations to require electric vehicle infrastructure in parking lots in the Town of Jackson.

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Thank you for your consideration,

Alicia Cox
Executive Director
Clean Cities Coordinator
Yellowstone-Teton Clean Cities

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Town Council
Submitting Department:	Planning Department	Presenter:	Katelyn Page
Agenda Item:	P22-211: Request for a Land Development Regulation (LDR) Text Amendment to Section 2.2.6	Public Comment:	Yes

Purpose & Policy Considerations.

All Text Amendments to the Town of Jackson Land Development Regulations (LDRs) require review and approval by the Town Council according to LDR Section 8.7.2.

Requested Action.

The applicant, The Jackson Hole Community Housing Trust (JHCHT), is requesting approval of an LDR Text Amendment to allow 4 units per lot where 3 are currently permitted in the Neighborhood Low Density – 5 (NL-5) zoning district provided that all units are permanently deed restricted as approved by the Jackson/Teton County Housing Department or administered by the Jackson Hole Community Housing Trust or Habitat for Humanity of the Greater Teton Area.

The proposed text amendment would modify various provisions within the NL-5 zone (Section 2.2.6). See below for a list of all LDR sections proposed for this amendment.

Recommendations.

The Planning Director recommends **approval** of LDR Text Amendment P22-211 as presented by applicant and as modified by staff, as shown in this staff report, and subject to the following (1) condition:

1. Prohibit fourplex as a configuration option. [The Planning Commission does not agree with this condition.]

Background.

In 2018, the Neighborhood Low Density – 5 (NL-5) zone replaced the Auto-Urban Residential (AR) zone which had been in place since 1994. From a use standpoint, the AR zone allowed one detached dwelling unit with up to two (2) Accessory Residential Units (ARUs) which were intended to be rentals. In addition, all three allowed units were required to be under single ownership (i.e., the units could not be sold separately as condominiums or townhomes). As a result of the 2018 rezone and subsequent amendments, the NL-5 zone now allows all the same residential uses as the previous AR zone but added the Apartment use to increase flexibility for landowners while not changing the character of the zone.

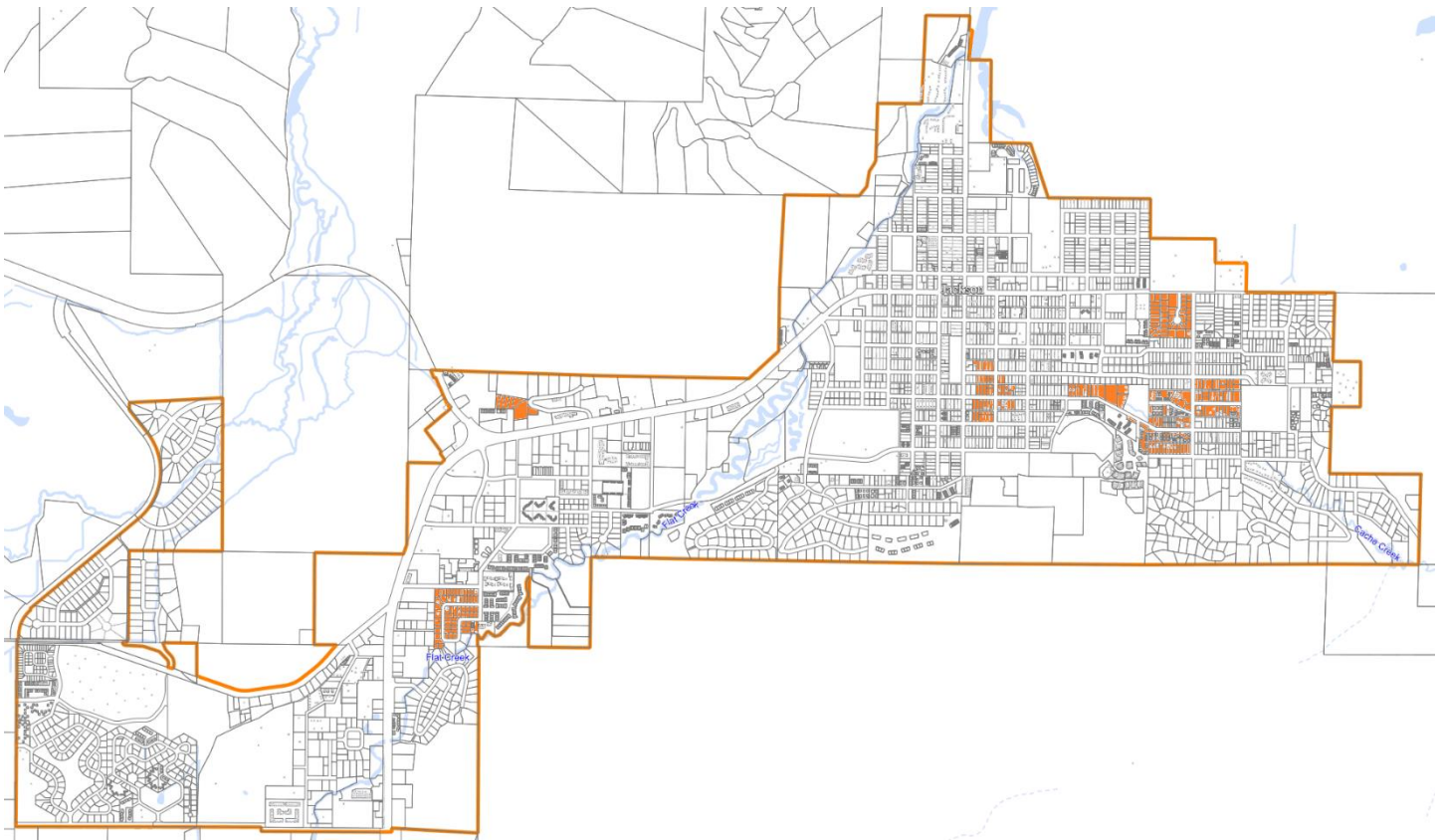
Also prior to 2018, the LDRs provided a Planned Unit Development (PUD) option which was used to provide specific development flexibility, primarily to construct townhomes and multi-unit projects for both rental and ownership. PUDs were removed as a development option from the LDRs during 2018 to increase predictability which was one of the central goals of the Comprehensive plan.

In 2021, Town Council reviewed and approved a text amendment to the NL-5 zone (P21-093) to allow the inclusion of another residential use – Attached Single-Family unit (now “Attached Dwelling Unit”). The amendment provided for the opportunity of separate ownership of units (e.g., condominiums/townhomes) on a single parcel while keeping the density maximum of 3 units per lot provided all of the units were deed restricted.

Proposed Amendment.

The applicant, The Jackson Hole Community Housing Trust (JHCHT), is requesting approval of an LDR Text Amendment to allow 4 units per lot where 3 are currently permitted in the NL-5 zone provided that all units are permanently deed restricted as approved by the Jackson/Teton County Housing Department or administered by the Jackson Hole Community Housing Trust or Habitat for Humanity of the Greater Teton Area. A map of the NL-5 zone is shown below.

Location of Neighborhood Low Density 5 (NL-5) zone within the Town of Jackson



Per the applicant, the proposed text amendment will provide for permanently deed restricted homes which will provide stability to the neighborhood, work to achieve the community's stated goal of housing 65% of its workforce locally, and offer flexibility expressly intended to create opportunities for workforce housing.

The applicant also states the proposed amendment maintains all current dimensional standards of the NL-5 such as FAR, LSR, building height, and setbacks. The proposal also maintains the current maximum of 3 detached structures. The 3 detached structure limit is consistent with the current physical character of the NL-5 zone. Instead, they

propose increasing the density max within those development standards. The following sections in the LDRs would need to be amended:

- Section 2.2.6.A.1 – General Intent
- Section 2.2.6.A.4 – Land Use
- Section 2.2.6.B.1 – Lot Standards (Landscaping)
- Section 2.2.6.B.2 – Vehicle Access Standards (Parking Setbacks)
- Section 2.2.6.B.3 – Bulk & Mass Standards (Scale of Development)
- Section 2.2.6.E.1 – Additional Zone-specific Standards (Detached Dwelling Unit, Attached Dwelling Unit, Apartment, or ARU)
- Section 2.2.6.E.1 – Additional Zone-specific Standards (Condominium or Townhouse)
- Section 2.2.6.F – Configuration

The following pages show the red-line version of the text amendment that includes both JHCHT's proposed text as well as some modifications made by staff to improve clarity and organization or, in the case of Section 2.2.6.F, modifications to support character of the zone. Blue-line changes were put into place following Planning Commission review. JHCHT has expressed support for all of the changes except proposed language for unit configuration in Section 2.2.6.F. Please see the attached application for JHCHT's original proposal for reference.

Section 2.2.6.B.3 – Bulk & Mass Standards (Scale of Development)

Scale of Development (Sec. 9.4.13.)	
Floor area ratio (FAR max)	
1 unit	.30
2 units	.35
3 or 4 units	.40 E.1 & E.3
All other allowed uses	.40
Individual Building (max gross floor area)	10,000 sf

Section 2.2.6.E.1 – Additional Zone-specific Standards (Detached Dwelling Unit, Attached Dwelling Unit, Apartment, or ARU) and Section 2.2.6.E.3 – Additional Zone-specific Standards (Condominium and Townhouse)

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-5 zone.

1. **Single-Family Detached, Single-Family Attached, Apartment, or ARU.** No more than 3 units of any combination are permitted on the lot, **except that 4 units are permitted on the lot if 100% of the units are permanently deed restricted with a deed restriction approved by Jackson/Teton County Housing Department or administered by the Jackson Hole Community Housing Trust or Habitat for Humanity of the Greater Teton Area.**
2. **Apartment and ARU Occupancy.** Occupancy of an apartment or ARU shall be restricted to persons employed within Teton County, in accordance with the Jackson/Teton County Housing Rules and Regulations or the occupants shall be members of the same family occupying the principal dwelling unit, such as parents or adult children, or intermittent, nonpaying guests
3. **Condominium or Townhouse.** Condominium or Townhouse subdivision is only allowed if all units on the property are permanently deed restricted to the satisfaction of the Jackson/Teton County Housing Department. The Restriction must permanently restrict use and occupancy of each dwelling unit to households that work locally and occupy the unit as their primary residence. If three **or four** units are built on a site or lot, an additional 600 sf of above-ground floor area shall be granted.

4. Additional unit density. A residential unit approved using the density incentive allowed in Section 2.2.6.E.1 is also subject to the requirements of Section 7.8.2.C regarding residential buildout.

Staff supports addition of this language in order to clarify amount of residential development allowed in the Town.

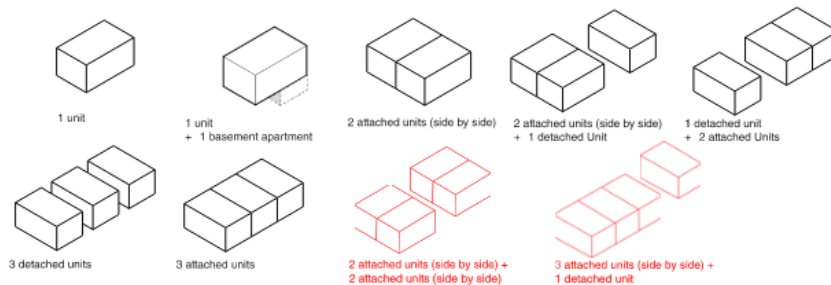
This change was added after Planning Commission meeting.

Section 2.2.6.F – Configuration Options

Configuration options in the NL-5 zone include, but are not limited to the following with fourplexes prohibited as an option:

F. Configuration Options

Configuration options in the NL-5 zone include, but are not limited to, the following:



Staff supports prohibiting fourplexes (4 units in a single structure).

Analysis.

Below is a summary analysis of the proposed text amendment which shows proposed changes, the applicant's justification, and staff's recommendation. Please refer to the applicant's submittal for the specific language as the summary below is mostly intended to simplify the proposed changes.

Proposed Changes to Section 2.2.6 Neighborhood Low Density-5 (NL-5)

#	Section	Proposed Change	Applicant's Justification
1	Sec 2.2.6.A.1 – Intent and 2.2.6.A.4 – Land Use	Allow for the provision of 4 units if all are deed restricted, maintain a maximum of 3 detached structures, and include note to cross-reference Addition Zone specific Standards.	Allow for increased density for deed restricted units.
Staff Recommendation: Staff <u>supports</u> change as presented by applicant. APPLICANT AGREES. Staff Reasoning: Allows flexibility within the LDRs under specific conditions.			
#	Section	Proposed Change	Applicant's Justification
2	Sec 2.2.6.A.1 – Intent	Change “rented to” to “utilized by”	The zone provides for ownership opportunity.
Staff Recommendation: Staff <u>supports</u> change as presented by applicant. APPLICANT AGREES. Staff Reasoning: The zone provides for ownership opportunity.			
#	Section	Proposed Change	Applicant's Justification
3	Sec 2.2.6.B.1 – Landscaping	Includes 4 units as an allowed option while maintaining LSR associated with 3 units.	Allow for increased density for deed restricted units while maintaining current physical development standards.
Staff Recommendation: Staff <u>supports</u> change as modified: “3 or 4 units” (shared line). APPLICANT AGREES. Staff Reasoning: Matches current LDR organization and presentation.			
#	Section	Proposed Change	Applicant's Justification
4	Sec 2.2.6.B.2 – Parking Setbacks	Includes 4 units as an allowed option while maintaining setbacks associated with 3 units.	Allow for increased density for deed restricted units while maintaining current physical development standards.
Staff Recommendation: Staff <u>supports</u> change as presented by applicant. APPLICANT AGREES. Staff Reasoning: Matches current LDR organization and presentation.			
#	Section	Proposed Change	Applicant's Justification
5	Sec 2.2.6.B.3 – Scale of Development	Includes 4 units as an allowed option while maintaining FAR associated with 3 units. Includes note to cross-reference Addition Zone specific Standards.	Allow for increased density for deed restricted units while maintaining current physical development standards.
Staff Recommendation: Staff <u>supports</u> change as presented by applicant. APPLICANT AGREES.			

	Staff Reasoning: Allows flexibility within the LDRs under specific conditions and maintains current physical development FAR maximum.		
#	Section	Proposed Change	Applicant's Justification
6	Sec 2.2.6.E.1 – Additional Use Standards	Provides exception for 4 units if deed restricted to certain housing entity standards	Allow for increased density for deed restricted units and includes JHCHT and Habitat as captured in the various deed types.
	Staff Recommendation: Staff <u>supports</u> change as presented by applicant. APPLICANT AGREES. Staff Reasoning: Allows for increased density and specifically includes JHCHT and Habitat as administrators.		
#	Section	Proposed Change	Applicant's Justification
7	Sec 2.2.6.E.3 – Additional Use Standards	Edits to allow 4 units	Consistency in noting 4 unit maximum throughout the section's applicable standards.
	Staff Recommendation: Staff <u>supports</u> change as presented by applicant. APPLICANT AGREES. Staff Reasoning: Notes the increase in unit number at all areas where the current maximum is noted.		
#	Section	Proposed Change	Applicant's Justification
8	Sec 2.2.6.E.4 – Additional Use Standards	Create connection to Section 7.8.2.C. (Cumulative Limit on Incentives)	n/a (staff recommendation)
	Staff Recommendation: Staff <u>supports</u> change. APPLICANT AGREES. Staff Reasoning: Additional unit density provided by this provision are included in cap amount of residential development allowed in the Town.		
#	Section	Proposed Change	Applicant's Justification
9	Sec 2.2.6.F – Configuration	Prohibits fourplex as a configuration	n/a (staff recommendation)
	Staff Recommendation: Staff <u>supports</u> change and condition of approval as proposed by staff. APPLICANT DOES NOT AGREE. Staff Reasoning: Maintains current design character of the NL-5 by not introducing a new building type — a fourplex (one structure with 4 attached units) — that is not currently allowed in the zone.		

Staff analysis for the proposed text amendment included a review of the Jackson/Teton County Comprehensive Plan (the Plan) to determine if the proposal adheres to the stated goals and vision of the community, and, if the proposed text amendment does not align with some aspects of the Plan, whether its benefits outweigh any non-aligning goals or visions with the Plan when analyzed in whole. As the below analysis outlines, it is Staff's determination that the proposed text amendment finds this balance and adheres to the Plans overall vision.

The Plan maps specific subareas within the Town designated as Stable or Transitional. The NL-5 zone consists of Stable Subareas further defined by specific Character Districts. Stable Subareas, per the Plan, are areas where

“no change to existing character is necessary” and any redevelopment in such areas will be compatible in scale, use, and character. Further, Policy 5.2.b of the Plan states allowances for workforce housing should not directly or indirectly conflict with the Character Districts. However, the Plan also grants a broad definition to the terms “character” and “stability” as encompassing aspects of community identity, vitality, and social character in addition to physical design. It is Staff’s determination that the character and stability established in Stable Subareas is supported by the increased provision of deed-restricted workforce housing. Specifically, the Plan states Stable Subareas should include *a predominance of owner-occupied units* (emphasis added) and that the social character of said areas is likely to change without efforts to preserve historic workforce occupancy. There has been recent concern expressed about the erosion of community character in our Stable neighborhoods due to the demolition of existing workforce housing that is replaced with large homes (and ARUs) that are often not occupied by the workforce but occupied by second homeowners or left empty. This amendment would help to combat this negative trend.

Policies of the Plan also include housing at least 65% of the workforce locally and ensuring no net increase in development potential. Staff finds that increased density of 1 unit limited to deed-restricted housing in the proposed text amendment aligns with the Plan in creating opportunity for housing its workforce locally in a manner that will not increase net development potential (community-wide buildout) because any additional units built using this incentive, which will be few in our estimation, would be deducted from the 1,800-unit pool of residential units allocated to the Town. Proposed edits to Section E.4 intend to clarify that any additional deed restricted units approved through this incentive would be deducted from the residential build-out limit. The NL-5 covers approximately 260 properties with only a small portion of those properties likely to be redeveloped in the near future (approximately 10-20 years). Staff expects this incentive will most likely be used by the Jackson/Teton County Housing Department, the Jackson Hole Community Housing Trust, Habitat for Humanity of the Greater Teton Area, or other Not-For-Profit organizations rather than ‘free-market’ developers choosing to voluntarily deed restrict units.

On the other hand, staff acknowledges that Character District 3.1 East Jackson, which is a Stable Subarea, provides for an intended density maximum of a triplex or three units. While the proposed text amendment would allow for a maximum of 4 units per lot if all units are deed restricted, Staff finds that because the dimensional standards of the NL-5, such as setbacks, LSR, FAR, and building height, remain unchanged, this character will not be significantly impacted. This is especially true if staff’s condition to not allow fourplexes is adopted in order to further protect the current design character of current the NL-5 zone. Additionally, the NL-5 zone currently allows lots with 3 deed restricted condominium or townhouse units to incorporate an additional 600 SF of above ground floor area. The proposed amendment applies this same additional 600 sf of floor area to 4 deed restricted condominium or townhouse units within the current physical development standards. Prohibiting fourplexes further protects the current design character by prohibiting additional unit density within a single structure where an allowance already exists for such a structure to be larger than others containing a 1 or 2-unit configuration.

Finally, the Plan sets a policy to avoid regulatory barriers to the provision of workforce housing. Staff finds the proposed text amendment removes a regulatory barrier in the form of a small density incentive that allows for the provision of workforce housing.

Fee Waiver Request (P22-213).

In addition to the above text changes, the applicant is requesting a fee reduction for the \$1,803.00 Text Amendment fee. This fee reduction is also an item number on the Town Council agenda for the November 7, 2022, meeting. Pursuant to Ordinance 939 the Town Council may reduce, defer, or waive application fees upon the request of an applicant if the proposed project advances significant community goals, which include, but are not limited to a project that is sponsored by a governmental entity or a project that receives public funding or a project that provides extraordinary charitable, civic, educational, or similar benefits to the community.

Public Comment

Staff did not receive any public comment for the proposed text amendment.

Planning Commission

The Planning Commission reviewed the proposed text amendment at its October 19, 2022, meeting and recommended unanimous approval of the amendment, as presented by the applicant, to Town Council. The Commission supported the applicant's proposal of allowing 4 deed restricted units in a single structure because dimensional standards such as FAR, LSR, building height, and setbacks would remain unchanged. The Commission also supported the applicant's proposed language around the type of deed restrictions to be accepted, specifically naming deed restrictions held and/or administered by the JHCHT or Habitat for Humanity of the Greater Teton Area [staff now supports this language as well].

Factors for Consideration.

Pursuant to Section 8.7.2 of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;

Complies. One of the primary purposes of the LDRs is to implement the community's housing goals. The proposed text amendment will accomplish this goal by helping to remove barriers to developing deed restricted ownership housing which is consistent with meeting the goal to house 65% of the workforce locally.

2. Improves the consistency of the LDRs with other provisions of the LDRs;

Not Applicable. The intent of the proposed text amendment is not to improve consistency within the LDRs but rather to modify the density limitations of a specific zoning district.

3. Provides flexibility for landowners within standards that clearly define desired character;

Complies as Conditioned. Staff finds that the proposed text amendment, as conditioned, provides flexibility for owners to develop increased density within the current dimensional standards of the NL-5 zone under the specific condition of a deed restriction for all units. Character of the specific zone is maintained partly because the dimensional standards such as FAR, LSR, building height, and setbacks

remain unchanged and with staff's added condition that fourplexes not be allowed. This amendment does not exempt the development from compliance with all other applicable LDRs.

4. *Is necessary to address changing conditions, public necessity, and/or state or federal legislation;*

Complies. Staff finds that the proposed text amendment encourages development of permanently deed restricted housing units in neighborhoods currently undergoing significant change where workforce housing is being removed and replaced at a high rate. The proposed amendment will help meet the public need for options in providing affordable workforce housing, especially ownership opportunities without requiring a taxpayer subsidy.

5. *Improves implementation of the Comprehensive Plan; and*

Complies as Conditioned. Staff finds that the proposed text amendment, as conditioned, forwards goals of the Jackson/Teton County Comprehensive Plan by removing a regulatory barrier to the provision of workforce housing, providing development potential for workforce housing that is centrally located, providing infill development potential that maintains existing identity or vitality, reinforcing the provision of a variety of housing types, and reinforcing the social character integral to the community.

6. *Is consistent with other adopted Town Ordinances.*

Complies. The proposed amendment does not conflict with any other Town Ordinances.

Alternatives.

Council has the option to approve, modify, or deny the proposed text amendment.

Comprehensive Plan & Priority Alignment.

Staff finds the proposed text amendment aligns with the goals of the Comprehensive Plan. See Staff Analysis and Factors for Consideration sections above.

Fiscal Impact.

None.

Staff Impact.

Staff has spent approximately 40 hours to complete research on this topic and prepare this staff report.

Attachments or Links.

Application packet
Departmental reviews

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to **approve** LDR Text Amendment P22-211 as presented by the applicant and as modified and conditioned by staff as shown in this staff report dated November 7, 2022, and direct Staff to bring back an ordinance for Council consideration.

Town of Jackson
Project Plan Review History
PLANNING

Project Number P22-211
Project Name LDR Text Amend - Sect. 2.2.6 NL-5
Type LAND DEV REGS
Subtype TEXT AMENDMENT
Status STAFF REVIEW

Applied 8/22/2022 AL
Approved
Closed
Expired
Status

Applicant**Owner****Site Address****City****State****Zip****Subdivision****Parcel No****General Plan**

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact Notes					
Legal		8/22/2022	9/12/2022		
Lea Colasuonno					

Planning	APPROVED W/CONDITI	8/22/2022	9/12/2022	9/19/2022	See PC and TC Staff Reports
Katelyn Page					



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: LDR Text Amendment Section 2.2.6
Physical Address: _____
Lot, Subdivision: _____ PIDN: _____

PROPERTY OWNER.

Name: _____ Phone: _____
Mailing Address: _____ ZIP: _____
E-mail: _____

APPLICANT/AGENT.

Name: Anne Cresswell Phone: 307-739-0665
Mailing Address: PO Box 4498 ZIP: 83001
E-mail: anne@housingtrustjh.org

DESIGNATED PRIMARY CONTACT.

_____ Property Owner ☒ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit	Physical Development	Interpretations
_____ Basic Use	_____ Sketch Plan	_____ Formal Interpretation
_____ Conditional Use	_____ Development Plan	_____ Zoning Compliance Verification
_____ Special Use	_____ Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	☒ LDR Text Amendment
_____ Administrative Adjustment	_____ Subdivision Plat	_____ Map Amendment
_____ Variance	_____ Boundary Adjustment (replat)	Miscellaneous
_____ Beneficial Use Determination	_____ Boundary Adjustment (no plat)	☒ other: <u>Fee Waiver</u>
_____ Appeal of an Admin. Decision	_____ Development Option Plan	_____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

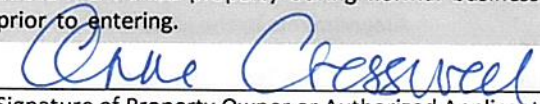
_____ **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

N/A **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

YES **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.



Signature of Property Owner or Authorized Applicant/Agent
Anne Cresswell

Name Printed

8/19/22

Date
Executive Director

Title

Text Amendment Narrative

Proposed Text Amendment and Objective

The Jackson Hole Community Housing Trust (JHCHT) is submitting this application for a text amendment to facilitate the development of desperately needed Affordable housing.

The requested amendment applies to the NL-5 zone only. Specifically, the amendment would enable the development of four units per lot, if all proposed units are permanently deed restricted with a Jackson/Teton County Housing Department, Jackson/Teton County Housing Authority, Jackson Hole Community Housing Trust, or Habitat for Humanity of the Greater Teton Area Special Restriction, Deed Restriction, and/or Ground Lease. These permanently deed restricted homes will provide stability to the neighborhood and work to achieve the community's stated goal of housing 65% of the workforce locally.

Narrative

The intent of the NL-5 zone is to allow for the development of a flexible range of residential types (including single family, duplex, and triplex units) to enhance the character and cohesiveness of the residential neighborhood. The flexibility is expressly intended to create opportunities for workforce housing.

This text amendment maintains all other dimensional standards of the NL-5 zone (setbacks, LSR, FAR, building height, and parking requirements), as well as allowing a maximum of three detached structures, all of which ensures that there will not be a negative impact to the character of the neighborhood. Exhibit B illustrates the potential to develop four livable/high quality homes in three or fewer structures without compromising neighborhood character.

Existing Text to be Amended

See Exhibit A.

Findings for Approval

Pursuant to Section 8.7.1, LDR Text Amendment of the LDRs, the purpose of an LDR text amendment is to publicly review a change to the LDRs to ensure that the change improves implementation of the Comprehensive Plan. The Town Council has legislative discretion when amending the LDRs and shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs.

COMPLIES. The purpose of the LDRs is to implement the Jackson/Teton County Comprehensive Plan and promote the health, safety, and general welfare of present and future inhabitants of the community. The proposed amendment improves the implementation of the Comprehensive Plan (see Finding #5 below). The proposed amendment also promotes the general welfare of present and future inhabitants of the community by facilitating the development of permanently deed restricted housing, which has steadily declined from 1986 when 91% of the workforce lived

locally, to 58% in 2015. A local workforce is the key to safeguarding the health, safety, and welfare of our community. The amendment also supports the clear organization of the LDRs by helping to clarify what can be built or physically developed, what land uses are allowed, and how the land can be subdivided.

2. Improves the consistency of the LDRs with other provisions of the LDRs.

COMPLIES. Pursuant to Section 2.2.6, this amendment provides flexibility for owners to create opportunities for Affordable and Workforce housing to support members of the local workforce. This amendment incorporates zone-specific standards into the NL-5 zone, which is consistent with other zoning districts. This amendment does not exempt the development from compliance with all other applicable LDRs.

3. Provides flexibility for landowners within standards that clearly define desired character.

COMPLIES. The amendment provides flexibility for owners to develop 100% permanently deed restricted ownership housing without amending any of the physical development standards established to safeguard / deliver the desired character.

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation.

COMPLIES. The NL-5 zone envisioned and incentivized the development of apartment units that would be rented to the local workforce. Soon after the 2018 adoption of the LDRs, rapidly rising cost of land and construction made the development of rental housing for our workforce financially impractical. This amendment would help facilitate the development of permanently deed restricted housing in neighborhoods that were identified for workforce housing but are currently undergoing significant change with the development of large single-family homes that are not providing local workforce housing.

5. Improves implementation of the Comprehensive Plan.

COMPLIES. The Comprehensive Plan sets a goal of housing 65% of the workforce locally (Policy 5.1.a). By increasing the density on a lot by 25% for 100% deed restricted housing and by providing an incentive to build permanently deed restricted units, this amendment improves the implementation of the Comprehensive Plan (Policy 5.4.b).

6. Is consistent with other adopted Town Ordinances.

COMPLIES. This amendment is consistent with other Town Ordinances including the Workforce Housing Action Plan Initiative 5A: Allow for supply of workforce housing by removing barriers and Workforce Housing Action Plan Initiative 2A: Prioritize lower-income, year-round housing. Specifically, 5A states that "Future zoning must allow for maximum density consistent with desired community character. Limiting growth is a part of our community vision, but so is providing opportunities for 65% of the workforce to live locally. To meet this housing goal,

changes in density allowances must be considered, which may mean introducing greater flexibility in how we track and measure buildout to allow for the use of workforce housing incentives.” This was a consideration in the approval of Ordinance 1139 in 2016, which allowed ARUs in various zoning districts throughout the Town where they used to be prohibited. Furthermore, 2A says that “To meet the greatest need, public subsidy will focus on the 70% of workforce households making less than 120% of area median income, of which the year-round workforce will be the priority...To coordinate efforts, non-profits are encouraged to mirror this focus by concentrating their efforts on the lower-income, year-round workforce.”

2.2.6. NL-5: Neighborhood Low Density-5 (3/6/19, Ord. 1214)

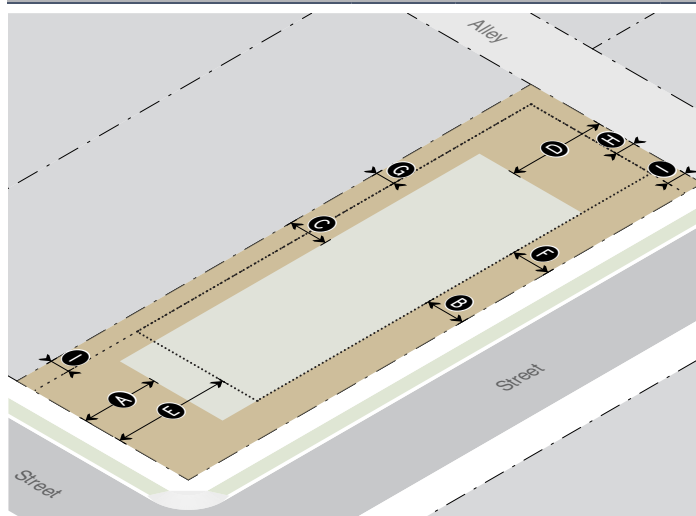
A. Intent

1. General Intent: The intent of the Neighborhood Low Density-5 (NL-5) zone is to enhance the character and cohesiveness of residential neighborhoods while allowing for a flexible range of residential types, including single-family detached units, duplex units, and triplex units. A maximum of three detached or attached units per lot is permitted, **except as allowed in Sec. 2.2.6.E**. This flexibility is intended to create opportunities for workforce housing because all apartment **and deed restricted** units are required to be **rented to** ~~utilized by~~ members of the local workforce. This zone is intended for Stable neighborhoods where increased residential density is not intended, **except up to four deed restricted units are permitted within a maximum of three structures**.
2. Buildings: Buildings can be up to 2 stories in height. Multiple detached buildings or multiple attached units on a site is common. Incentives are provided to encourage variety in roof pitch and design.
3. Parking: Parking is provided primarily on-site in garages or with surface spaces. Parking is typically accessed from an alley where present or a primary street where no alley exists.
4. Land Use: Single-family detached homes, duplex, and triplex units, with additional apartments as allowed to not exceed three units per lot maximum density **except as allowed in Sec. 2.2.6.E**.
5. Comprehensive Plan: Based primarily on Subarea 3.1 in the Comprehensive Plan.

B. Physical Development

Standards applicable to physical development are provided in this Section. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards



Primary Building Setbacks

(Sec. 9.4.8.)

Primary street (min)	20'	A
Secondary street (min)	10'	B
Side interior (min)	10'	B
Rear (min)	10'	D

Accessory Structure Setbacks

(Sec. 9.4.8.)

Primary street (min)	30'	E
Secondary street (min)	10'	F
Side interior (min)	5'	G
Rear (min)	5'	H

Site Development Setbacks

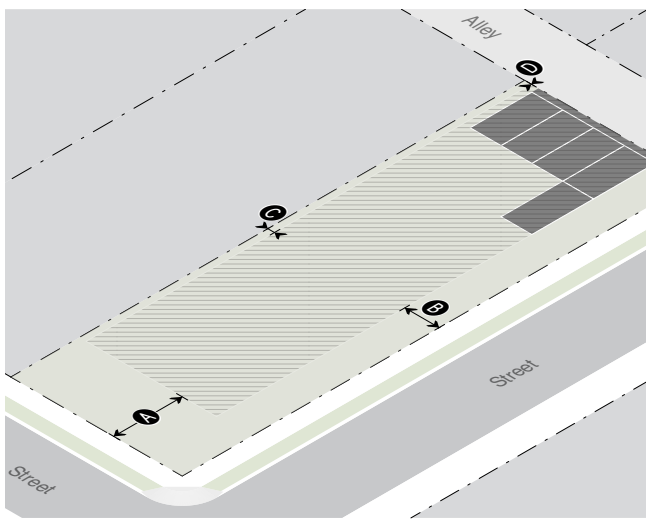
All site development, excluding driveways, sidewalks, or parking.

Primary/secondary street (min)	Same as primary building	
Side interior/rear (min)	5'	I

Landscaping

(Div. 5.5.)

Landscape surface ratio (min)		
1 unit	.45	
2 units	.35	
3 units	.30	
4 units	.30	E.1
All other allowed uses	.45	
Plant units (min)		
Residential	1 per lot	
Nonresidential	1 per 1,000 sf of landscape area	
Parking Lot (all uses)	1 per 12 parking spaces	

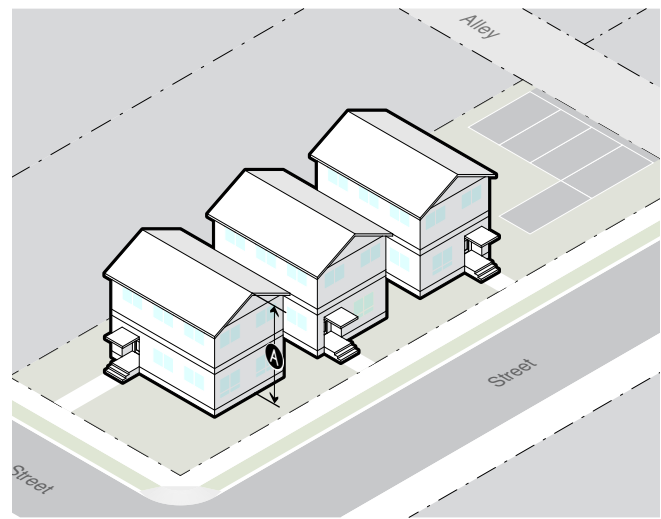
2. Vehicle Access Standards**Access**

Primary street	Allowed
Secondary street	Allowed
Alley	Allowed
Curb-cut width (max)	20' or 40% of lot frontage, whichever is less
Driveway width in primary/secondary street setback (max)	20'

Parking Setbacks

	1 or 2 units	3 or 4 units/ nonresidential	
Primary street (min)	20'	20'*	A
Secondary street (min)	10'	10'*	B
Side interior (min)	5'	1'	C
Rear (min)	5'	5'	
Rear alley (min)	2'	2'	D

* Excludes 20' max driveway allowed in primary/secondary street setback

3. Bulk & Mass Standards**Design Guidelines**

(Div. 5.8.)

The Design Guidelines apply to all residential and nonresidential development of three attached units or greater, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.

Primary Building Height

(Sec. 9.4.9.)

Height (max): roof pitch $\leq 3/12$	2 stories, not to exceed 26'	A
Height (max): roof pitch 4/12, 5/12	2 stories, not to exceed 28'	A
Height (max): roof pitch $\geq 6/12$	2 stories, not to exceed 30'	A

Accessory Structure Height

(Sec. 9.4.9.)

All other accessory structures (max)	14'
--------------------------------------	-----

Scale of Development

(Sec. 9.4.13.)

Floor area ratio (FAR max)	
1 unit	.30
2 units	.35
3 units or 4 units	.40 E.1 & E.3
All other allowed uses	.40
Individual Building (max gross floor area)	10,000 sf

4. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback (min)	
Primary or secondary street/sidewalk (min)	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	3
Lumens per site (max)	
All fixtures	100,000
Unshielded fixtures	5,500
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	

8. Signs (Div. 5.6.)	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Nonresidential Floor Area						
≤ 5,000 sf			X	X		(Sec. 5.7.1.)
5,001 - 15,000 sf		X	X	X		(Sec. 5.7.1.)
> 15,000 sf	X	X	X	X		(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

C. Allowed Uses and Use Standards

Standards applicable to uses in the NL-5 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-5 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-5 zone, however, all standards in Article 6. are applicable in the NL-5 zone, unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	n/a	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (6.1.4.B.) (E.1)	Y	(E.1)	8,000 sf habitable-excluding basement	2/DU	$0.000017(sf) + (Exp(-15.49 + 1.59 \cdot \ln(sf))) / 2.176$
Attached Single-Family (6.1.4.C)	B	(E.1)		<u>1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU</u>	exempt (E.3)
Apartment (6.1.4.D.) (E.2)	B	(E.1)		1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Dormitory (6.1.4.F.)	C	n/a	n/a	1/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Institutional					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	$0.000123 * sf$

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.),

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Wireless Communications Facilities (6.1.10.D.)				1/employee + 1 per stored vehicle	0.000123 * sf
Minor	B	n/a	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B.) (E.1) (E.2)	B	2 units per lot	(E.1)	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Home Occupation (6.1.11.D.)	B	n/a	n/a	n/a	exempt
Home Business (6.1.11.E.)	C	n/a	n/a	1/employee	exempt
Family Home Daycare (6.1.11.F.)	B	n/a	n/a	1/employee + 1 off-street pick-up/drop-off	exempt
Home Daycare Center (6.1.11.G.)	C	n/a	n/a	1/employee + 2 off-street pick-up/drop-off	exempt
Temporary Uses					
Temporary Shelter (6.1.11.D.)	B	1 unit per lot	n/a	2/DU	exempt
Temp. Gravel Extraction and Processing (6.1.12.F.)	B	n/a	n/a	1/employee	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.),

3. Operational Standards	
Outdoor Storage	(Sec. 6.4.1.)
Refuse and Recycling	(Sec. 6.4.2.)
Trash & recycling enclosure required	> 4 DUs and all nonresidential
Noise	(Sec. 6.4.3.)
Sound level at property line (max)	65 DBA
Vibration	(Sec. 6.4.4.)
Electrical Disturbances	(Sec. 6.4.5.)
Fire and Explosive Hazards	(Sec. 6.4.6.)

D. Development Options and Subdivision

Standards applicable to development options and subdivision in the NL-5 zone are provided or referenced below. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-5 zone. This Subsection is intended to indicate all of the development option and subdivision standards applicable in the NL-5 zone, however, all standards in Article 7. are applicable in the NL-5 zone, unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards

Allowed Subdivision Options				
Land Division		7,500 sf		(Sec. 7.2.3.)
Condominium/Townhouse		n/a		(Sec. 7.2.4.)
2. Residential Subdivision Requirements				
Schools and Parks Exaction				
(Div. 7.5.)				
Schools exaction		.020 acres per 1- or 2-family unit .015 acres per multi-family unit		
Parks exaction		9 acres per 1,000 resident		
3. Infrastructure				
Transportation Facilities				
(Div. 7.6.)				
Access				required
Right-of-way for Minor Local Road (min)				60'
Paved travel way for Minor Local Road (min)				20'
Required Utilities				
(Div. 7.7.)				
Water				public
Sewer				public
4. Required Subdivision and Development Option Permits				
Option	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Development Option Plan (Sec. 8.5.3.)	Subdivision Plat (Sec. 8.5.4.)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X

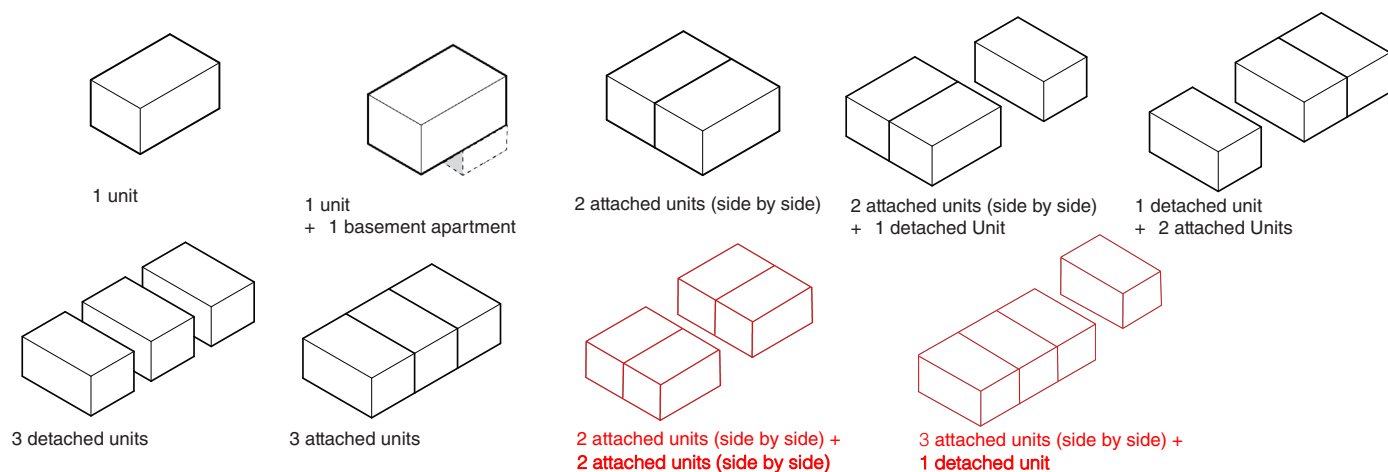
E. Additional Zone-specific Standards

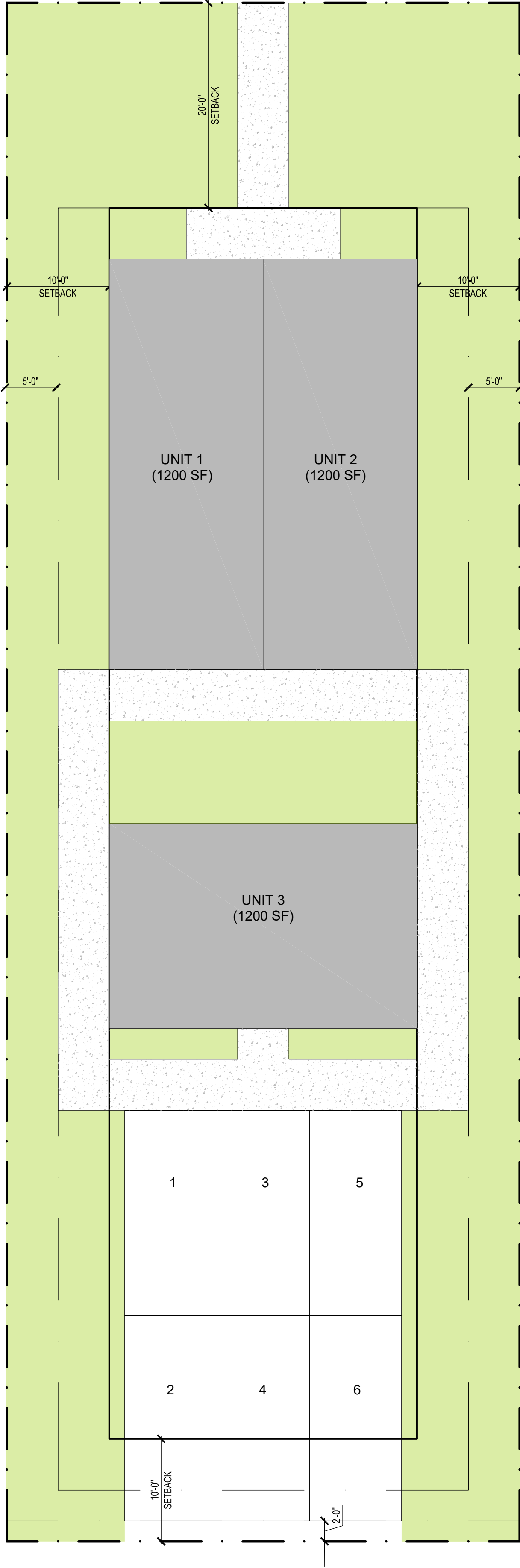
The following standards apply in addition to all other standards applicable in the NL-5 zone.

- Single-Family Detached, Single-Family Attached, Apartment, or ARU.** No more than 3 units of any combination are permitted on the lot, **except that 4 units are permitted on the lot if 100% of the units are permanently deed restricted with a deed restriction approved by Jackson/Teton County Housing Department or administered by the Jackson Hole Community Housing Trust or Habitat for Humanity of the Greater Teton Area.**
- Apartment and ARU Occupancy.** Occupancy of an apartment or ARU shall be restricted to persons employed within Teton County, in accordance with the Jackson/Teton County Housing Rules and Regulations or the occupants shall be members of the same family occupying the principal dwelling unit, such as parents or adult children, or intermittent, nonpaying guests
- Condominium or Townhouse.** Condominium or Townhouse subdivision is only allowed if all units on the property are permanently deed restricted to the satisfaction of the Jackson/Teton County Housing Department. The Restriction must permanently restrict use and occupancy of each dwelling unit to households that work locally and occupy the unit as their primary residence. If three **or four** units are built on a site or lot, an additional 600 sf of above-ground floor area shall be granted.

F. Configuration Options

Configuration options in the NL-5 zone include, but are not limited to, the following:

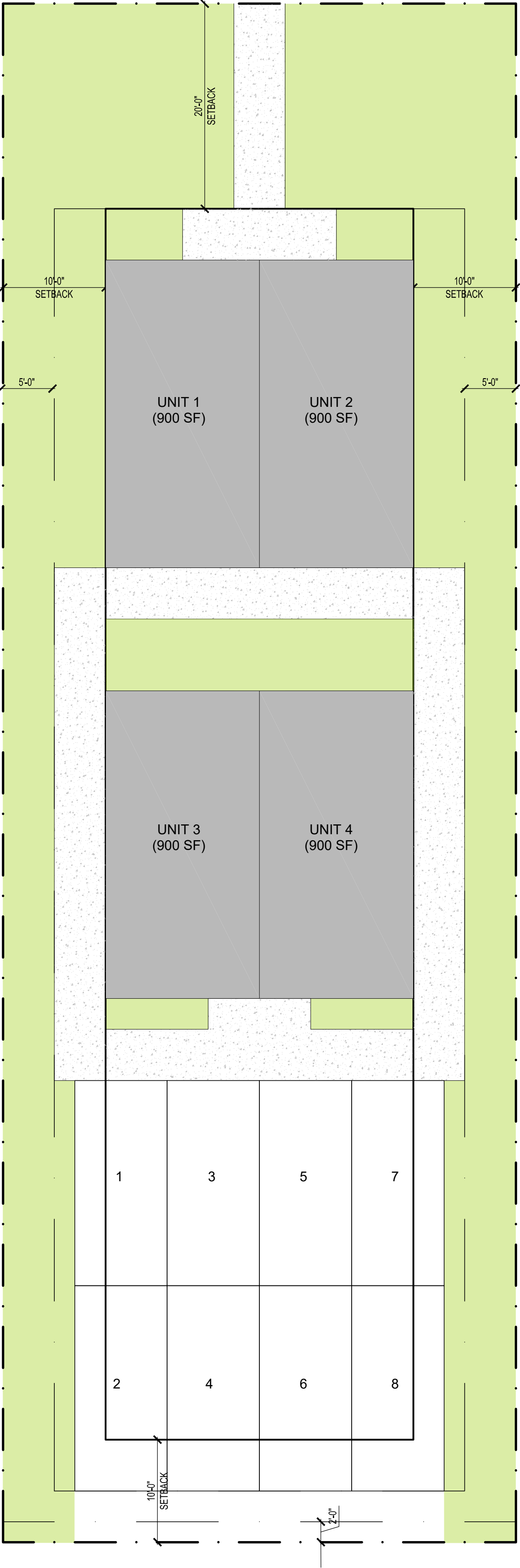




NL-5 LDR REQUIREMENTS
SITE AREA: 7,500 SF
FAR: .4 (3,000 SF) + 600 SF BONUS AFFORDABLE HOUSING = 3,600 SF
LSR: .3 (2,250 SF) MIN
PARKING: 1.5 PER DU

NL-5 PROPOSED SITE DEVELOPMENT (3 UNITS)
SITE AREA: 7,500 SF
FAR: 3,600 SF (1,200 SF UNITS)
LSR: .49 (3,700 SF)
PARKING: 6 SPACES

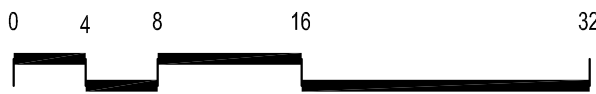
3 UNITS (BY RIGHT)



NL-5 LDR REQUIREMENTS
SITE AREA: 7,500 SF
FAR: .4 (3,000 SF) + 600 SF BONUS AFFORDABLE HOUSING = 3,600 SF
LSR: .3 (2,250 SF) MIN
PARKING: 1.5 PER DU

NL-5 PROPOSED SITE DEVELOPMENT (4 UNITS)
SITE AREA: 7,500 SF
FAR: 3,600 SF (900 SF UNITS)
LSR: .43 (3,255 SF)
PARKING: 8 SPACES

4 UNITS (PROPOSED)



Fee Waiver Narrative
LDR Text Amendment Section 2.2.6

The Jackson Hole Community Housing Trust (JHCHT) is submitting this application for a fee waiver associated with a text amendment that will facilitate the development of desperately needed Affordable housing.

Per the Town of Jackson Schedule of Fees documentation, The Town Council may reduce, defer, or waive application fees upon request if the proposed project advances significant community goals, which include but are not limited to, the following:

1. A project that is sponsored by a governmental entity, or a project that received public funding.
2. A project that provides extraordinary charitable, civic, educational, or similar benefits to the community.

This text amendment will aid in the development of 100% deed restricted housing for the Jackson/Teton County workforce. The housing that will be developed under this text amendment will be restricted either through a governmental entity (a deed restriction approved by the Jackson/Teton County Housing Department) or through a charitable organization (a deed restriction administered by the Jackson Hole Community Housing Trust or Habitat for Humanity for the Greater Teton Area). In all cases, the development of much need Affordable housing for the workforce will provide significant benefit to the community.

Please note, the JHCHT is a 501c3 nonprofit Affordable housing developer.

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Town Council
Submitting Department:	Planning Department	Presenter:	Katelyn Page
Agenda Item:	P22-213: Request for a Fee Reduction for project P22-211 Request for Land Development Regulation (LDR) Text Amendment to Sec. 2.2.6	Public Comment:	Yes

Purpose & Policy Considerations.

To approve or deny a request for a fee reduction associated with the review of an LDR Text Amendment to Section 2.2.6: Neighborhood Low Density-5 (NL-5).

Requested Action.

The applicant, Jackson Hole Community Housing Trust, has requested a fee reduction for planning review fees associated with a proposed LDR Text Amendment. The applicant has submitted this request pursuant to Ordinance 939 of the Town of Jackson and Municipal Code section 15.04.090.

The Jackson Hole Community Housing Trust is a not-for-profit affordable housing developer.

Background.

Pursuant to Ordinance 939 the Town Council may reduce, defer, or waive application fees upon the request of an applicant if the proposed project advances significant community goals, which include, but are not limited to the following:

- A project that is sponsored by a governmental entity or a project that receives public funding.
- A project that provides extraordinary charitable, civic, educational, or similar benefits to the community.

Should Town Council make the determination that this proposal advances significant community goals as described above, a motion has been provided below for the reduction of the fees.

The proposed LDR Text Amendment requests to allow 4 units where 3 are currently permitted in the NL-5 zone provided that all units are permanently deed restricted.

Recommendations.

No recommendation has been provided by the Planning Director given the nature of this request. Please note that the Council has the option to reduce, defer or waive such application fees if desired.

Alternatives.

Council has the option to approve, modify, or deny the proposed request.

Fiscal Impact.

Approval of the applicant's request would result in a loss of \$1,803 to the Town.

Staff Impact.

None identified.

Attachments or Links.

Applicant Submittal

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to **approve** a request to waive the \$1,803.00 fee for Jackson Hole Community Housing Trust associated with the planning review for LDR Text Amendment P22-211.



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: LDR Text Amendment Section 2.2.6
Physical Address: _____
Lot, Subdivision: _____ PIDN: _____

PROPERTY OWNER.

Name: _____ Phone: _____
Mailing Address: _____ ZIP: _____
E-mail: _____

APPLICANT/AGENT.

Name: Anne Cresswell Phone: 307-739-0665
Mailing Address: PO Box 4498 ZIP: 83001
E-mail: anne@housingtrustjh.org

DESIGNATED PRIMARY CONTACT.

_____ Property Owner ☒ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit	Physical Development	Interpretations
_____ Basic Use	_____ Sketch Plan	_____ Formal Interpretation
_____ Conditional Use	_____ Development Plan	_____ Zoning Compliance Verification
_____ Special Use	_____ Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	☒ LDR Text Amendment
_____ Administrative Adjustment	_____ Subdivision Plat	_____ Map Amendment
_____ Variance	_____ Boundary Adjustment (replat)	Miscellaneous
_____ Beneficial Use Determination	_____ Boundary Adjustment (no plat)	☒ other: <u>Fee Waiver</u>
_____ Appeal of an Admin. Decision	_____ Development Option Plan	_____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

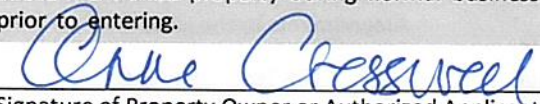
_____ **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

N/A **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

YES **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.



Signature of Property Owner or Authorized Applicant/Agent
Anne Cresswell

Name Printed

8/19/22

Date
Executive Director

Title

Fee Waiver Narrative
LDR Text Amendment Section 2.2.6

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Please note, the JHCHT is a 501c3 nonprofit Affordable housing developer.

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Meeting
Submitting Department:	Administration & Finance	Presenter:	Kelly Thompson & Tyler Sinclair
Agenda Item:	Fiscal Year 2023 Budget - Amendment #1	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Town Council to approve a resolution adopting amendments to the Town of Jackson's fiscal year 2023 budget.

Requested Action.

Staff requests that the Mayor & Council approve the attached resolution.

Recommendations.

Staff recommends that the Mayor & Council approve the attached resolution.

Background.

The annual adoption of the fiscal year budget, and subsequent amendments, are critical to the Town's ability to accomplish its purpose and mission. The budget is a vehicle for the Council to address Common Values and give staff resources to provide core services.

Analysis.

The attached resolution proposes modifications to the Town's current FY2023 budget. The resolution represents the 2023 amended budget divided into budget divisions. The amendment includes \$18,520,134 for expenditures, of this amount \$119,747 are items not previously presented to Council shown in blue below.

New expenditures make up most of this amount including the following:

- \$10,511,648 for Core Services Maintenance Facility project
- \$1,502,296 for 910 Smith Lane and Flat Creek Apartment housing supply plan projects
- \$291,150 for thaw well contract
- \$133,883 for employee housing master leases
- \$90,000 for Rancher Complete Street Project change order
- \$80,240 for additional Police Officer FTE
- \$63,916 for Town Manager and Town Attorney contracts
- \$55,000 for Well #9 design contract
- \$38,750 for Transit Director recruitment contract
- \$32,249 for Spanish interpretation stipends omitted from adopted budget
- \$25,297 for increased property tax assessment
- \$21,000 for Snowplow Blade
- \$20,000 for Crisis Intervention Training
- \$3,451 to reconcile with Teton County budget for Affordable Housing operations

The remainder for expenditures is made up of transfers between accounts and roll over from the Fiscal Year 2022 budget as follows:

- \$4,666,534 for uncompleted FY2022 budgeted capital projects being rolled over into FY2023
- \$389,908 for 3% employee wage adjustment
- \$71,850 to rollover Class & Compensation Study contract

In addition, there are \$5,725,906 in new, external revenues, including recognition of ARPA grant funds, final property tax collections, the Teton County match on the Town 3% wage adjustment and Teton County share of the Core Services Maintenance Facility. The remaining \$912,870 in revenues are internal fund transfers.

Possible Alternatives.

Council may amend as deemed necessary.

Comprehensive Plan & Priority Alignment.

Common Value #3 - Quality of Life, Section 8. Quality Community Service Provision

- Principle 8.1- Maintain current, coordinated service delivery
 - Policy 8.1.e: Budget for service delivery
- Principle 8.2 - Coordinate the provision of infrastructure and facilities needed for service delivery
 - Policy 8.1.S.1: Use budgeting to affirm desired service levels from government service providers that address all policies of Principle 8.1.

Fiscal Impact.

The proposed budget adjustments in the attached resolution include only the updates where current division estimates vary significantly from current budget. The proposed budget adjustments do not address small and relatively immaterial variances between expectations and budget.

Staff Impact.

Town Manager and Directors spend about 20 hours a month reviewing the budget. About 10 hours is spent drafting quarterly budget amendments. Adoption of the resolution will require printing, signatures, and permanent record storage and archiving and will be approximately 1 hour of work by the Town Clerk.

Attachments or Links.

Resolution 22-22 adopting amendments to the Fiscal Year 2023 Budget.

Exhibit A – Schedule of Increases/Decreases.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve Resolution 22-22 adopting amendments to the fiscal year 2023 budget.

RESOLUTION 22-22

A RESOLUTION ADOPTING AMENDMENTS TO THE FISCAL YEAR 2023 BUDGET OF THE TOWN OF JACKSON.

WHEREAS, pursuant to Wyoming Statutes, the governing body of the Town of Jackson is empowered to control the finances of the Town including adopting and amending the annual budget; and

WHEREAS, the specific statutory requirements for budgeting procedures are stipulated in the Uniform Municipal Fiscal Procedures Act (W.S. 16-4-101 through 16-4-124); and

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Jackson that the fiscal year 2023 budget is hereby amended as follows:

EXPENDITURES AND OTHER USES	Approved Budget	Increase (Decrease)	Amended Budget
Mayor & Town Council	413,833	-	413,833
Town Attorney	580,125	66,577	646,702
Municipal Judge	294,552	5,111	299,663
Administration	514,148	33,715	547,863
Town Clerk & Personnel	889,638	27,650	917,288
Finance	695,330	14,282	709,612
Community Development	933,825	(2,414)	931,411
Information Technology	918,763	22,708	941,471
Planning	892,445	16,308	908,753
Town-Wide Services	1,599,268	(356,478)	1,242,790
Town Facilities	777,713	14,061	777,713
Police - Administration	702,763	14,179	716,942
Police - Investigations	708,737	12,997	721,734
Police - Patrol	3,695,012	173,485	3,868,497
Police - Community Service	746,624	14,892	761,516
Police - Special Operations	25,300	-	25,300
Victim Services	355,289	4,841	360,130
Animal Shelter/Control	418,035	9,455	427,490
Building Inspections	486,025	8,405	494,430
Public Works Administration	374,782	19,832	394,614
Streets	2,077,515	16,816	2,094,331
Engineering	690,798	18,956	709,754
Yard Operations	76,293	-	76,293
Cemetery	26,929	392	27,321
Social Services	1,321,307	-	1,321,307
Community Initiatives	423,450	-	423,450
County-Budgeted Joint Programs	3,776,230	-	3,776,230
Transfers Out	17,157,983	60,347	17,218,330
Total General Fund	41,572,712	196,117	41,768,829
Affordable Housing	1,431,776	1,505,747	2,937,523
Total Affordable Housing Fund	1,431,776	1,505,747	2,937,523
Parking Exactions Fund	4,000	800,000	804,000
Total Parking Exactions Fund	4,000	800,000	804,000
Parks Exactions	210,000	29,000	239,000
Total Park Exactions	210,000	29,000	239,000
Employee Housing Fund	581,732	61,201	555,829
Transfers out	85,027	2,078	87,105
Total Employee Housing Fund	666,759	63,279	730,038
Animal Care Fund	25,000	-	25,000
Transfers Out	55,000	-	55,000
Total Animal Care Fund	80,000	-	80,000
Lodging Tax Fund	550,000	-	550,000
Transfers Out	2,147,258	-	2,147,258
Total Lodging Tax Fund	2,697,258	-	2,697,258
START Administration	2,026,077	137,939	2,164,016
START Operations	7,174,272	69,667	7,243,939
START Capital	12,805,765	-	12,805,765
START Transfers	120,355	4,948	125,303
Total START Fund Expenditures	22,126,469	212,554	22,339,023
Capital Outlay	16,637,272	7,601,900	24,239,172
Transfers Out	538,417	-	538,417
Total Capital Projects Fund	17,175,689	7,601,900	24,777,589

EXPENDITURES AND OTHER USES	Approved Budget	Increase (Decrease)	Amended Budget
Capital Outlay	252,537	-	252,537
Total 2006 SPET	252,537	-	252,537
Capital Outlay	35,000	-	35,000
Total 2010 SPET	35,000	-	35,000
Capital Outlay	-	72,472	72,472
Total 2014 SPET	-	72,472	72,472
Capital Outlay	20,000	-	20,000
Total 2016 SPET	20,000	-	20,000
Capital Outlay	-	385,634	385,634
Total 2017 SPET	-	385,634	385,634
Capital Outlay	12,765,000	6,161,608	18,926,608
Total 2019 SPET	12,765,000	6,161,608	18,926,608
Water Maintenance & Operation	1,217,563	17,787	1,235,350
Water Wells	313,988	-	313,988
Water Billing & Accounting	276,007	3,114	279,121
Water Capital Outlay & Improvements	1,087,000	746,778	1,833,778
Water Debt Service	66,970	-	66,970
Water Transfers Out	843,515	22,749	866,264
Sewage Plant Operations	1,059,883	15,961	1,075,844
Sewage Maint. & Operations	457,378	6,059	463,437
Sewage Billing & Accounting	271,947	3,293	275,240
Sewage Capital Outlay & Improvements	1,605,000	487,519	2,092,519
Sewage Transfers Out	843,515	22,749	866,264
Total Enterprise Funds	8,042,766	1,326,008	9,368,774
Employee Insurance	3,164,815	-	3,164,815
Total Insurance Fund	3,164,815	-	3,164,815
Fleet Expenditures	2,286,201	15,394	2,301,595
Total Fleet Management Fund	2,286,201	15,394	2,301,595
Central Equipment Expenses	867,400	150,421	1,017,821
Total Central Equipment Fund	867,400	150,421	1,017,821
IT Services	1,303,490	-	1,303,490
Total IT Service Fund	1,303,490	-	1,303,490
REVENUES AND OTHER SOURCES	Approved Budget	Increase (Decrease)	Amended Budget
Taxes	12,557,825	79,014	12,636,839
Licenses & Permits	1,318,843	-	1,318,843
Intergovernmental Revenue	15,578,938	5,223	15,584,161
Charges for Services	726,000	20,000	746,000
Fines & Forfeitures	375,000	-	375,000
Miscellaneous Revenue	569,923	-	569,923
Transfers In	2,132,267	52,523	2,184,790
Total General Fund	33,258,796	156,760	33,415,556
Licenses & Permits	150,000	-	150,000
Miscellaneous Revenue	68,300	-	68,300
Transfers In	1,431,776	3,451	1,435,227
Total Affordable Housing Fund	1,650,076	3,451	1,653,527
Licenses & Permits	101,000	-	101,000
Miscellaneous Revenue	27,000	-	27,000
Transfers In	-	-	-
Total Parking Exactions	128,000	-	128,000
Licenses & Permits	50,000	-	50,000
Miscellaneous Revenue	6,100	-	6,100
Total Park Exactions	56,100	-	56,100
Miscellaneous Revenue	586,646	-	586,646
Transfers In	-	-	-
Total Employee Housing Fund	586,646	-	586,646

CHANGE OF FUND BALANCE	Approved Budget	Increase (Decrease)	Amended Budget
General Fund	(8,313,916)	(39,357)	(8,353,273)
Affordable Housing	218,300	(1,502,296)	(1,283,996)
Parking Exactions Fund	124,000	(800,000)	(676,000)
Park Exactions Fund	(153,900)	(29,000)	(182,900)
Employee Housing Fund	(80,113)	(63,279)	(143,392)
Animal Care Fund	(19,800)	-	(19,800)
Lodging Tax Fund	(1,206,547)	-	(1,206,547)
Start Fund	(60,355)	(88,866)	(149,221)
Capital Projects	(489,672)	(1,247,023)	(1,736,695)
2006 SPET	(252,537)	-	(252,537)
2010 SPET	(32,200)	-	(32,200)
2014 SPET	57,500	(72,472)	(14,972)
2016 SPET	(14,700)	-	(14,700)
2017 SPET	-	(385,634)	(385,634)
2019 SPET	(7,167,858)	(6,161,608)	(13,329,466)
Enterprise Funds	(1,720,721)	(1,326,008)	(3,046,729)
Employee Insurance Fund	(180,834)	-	(180,834)
Fleet Management Fund	(140,960)	(15,394)	(156,354)
Central Equipment Fund	(212,053)	(150,421)	(362,474)
IT Services Fund	237,715	-	237,715

PASSED, APPROVED, & ADOPTED this 7th day of November , 2022

Town of Jackson

By: _____
Hailey Morton Levinson
Mayor

ATTEST:

By: _____
Riley Taylor
Town Clerk

General Fund Expenditures and Other Uses**Town Attorney**

Salaries & Benefits	54,439	Town Attorney contract approved at 7/5/2022 Council meeting
Salaries & Benefits	12,138	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Municipal Judge

Salaries & Benefits	5,111	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Administration

Salaries & Benefits	9,477	Interim Town Manager contract approved at 6/21/2022 Council meeting
Salaries & Benefits	6,456	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
Salaries & Benefits	17,782	Town Manager Transition

Town Clerk & Personnel

Salaries & Benefits	27,650	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Finance

Salaries & Benefits	2,067	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	12,215	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Community Development

Salaries & Benefits	8,728	Reclass Internship Expense to Departments
Salaries & Benefits	(17,782)	Town Manager Transition
Salaries & Benefits	6,640	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Information Technology

Salaries & Benefits	4,135	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	18,573	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Planning

Salaries & Benefits	4,787	Reclass Internship Expense to Departments
Salaries & Benefits	11,521	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Town Facilities

Property Taxes - 155 Pearl St	14,061	Adjust to final property tax assessment
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Police - Administration

Salaries & Benefits	14,179	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Police - Investigations

Salaries & Benefits	12,997	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Police - Patrol

Salaries & Benefits	80,240	Additional Police Position approved at 7/5/2022 Council meeting
Salaries & Benefits	11,742	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	61,503	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
Training & Meetings	20,000	Crisis Intervention Training

Police - Community Service Officer

Salaries & Benefits	3,308	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	11,584	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Victim Services

Salaries & Benefits	4,841	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Animal Shelter/Control

Salaries & Benefits	671	Reclass Internship Expense to Departments
Salaries & Benefits	4,299	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	4,485	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Building Inspections

Salaries & Benefits	8,405	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Public Works Administration

Salaries & Benefits	8,197	Reclass Internship Expense to Departments
Salaries & Benefits	2,316	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	9,319	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Streets

Salaries & Benefits	3,589	Reclass Internship Expense to Departments
Salaries & Benefits	13,227	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Engineering

Salaries & Benefits	6,532	Reclass Internship Expense to Departments
Salaries & Benefits	12,424	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Cemetery

Salaries & Benefits	392	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Town-Wide Services

Internships	(38,420)	Reclass Internship Expense to Departments
Professional Services	71,850	FY2022 Class & Compensation Study Contract Roll-Over
Professional Services	(389,908)	Allocate Class & Compensation Budget towards 3% Wage Adjustment

Transfers Out

Transfer to Affordable Housing	3,451	Reconcile with Teton County adopted budget
Transfer to Start Bus System	39,071	Town 46% Share of 3% Wage Adjustment
Transfer to Start Bus System	17,825	Town 46% Share of Transit Director Reruitment Contract

Total General Fund

	<u><u>196,117</u></u>	
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Special Revenue Fund Expenditures and Other Uses**Affordable Housing Fund**

Housing Dept Operations	3,451	Reconcile with Teton County adopted budget
Housing Supply Plan	502,296	910 Smith Lane purchase approved at 7/5/2022 Council meeting
Housing Supply Plan	1,000,000	Flat Creek Apartment project approved at 7/18/2022 Council meeting

Employee Housing Fund

Employee Housing	49,965	Housing Master Lease Approved at 7/5/2022 Council meeting
Property Taxes	11,236	Adjust to final property tax assessment
Indirect Cost Allocation - GF	2,078	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Parking Exactions Fund

Transfer to Capital Projects	800,000	Core Services Project Approved at 8/1/2022 Council meeting
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Parks Exactions Fund

May Park - Phase II	29,000	FY2022 Capital Project Budget Roll-Over
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START Administration

Employee Housing	83,918	Housing Master Lease Approved at 7/5/2022 Council meeting
Employee Recruitment	38,750	Transit Director Recruitment Contract
Salaries & Benefits	15,271	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

START Operations

Salaries & Benefits	69,667	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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START Transfers Out

Indirect Cost Allocations	4,948	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Total Special Revenue Funds

	<u><u>2,610,580</u></u>	
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Capital Project Fund Expenditures and Other Uses**Capital Projects Fund**

Rancher St - Water, Complete	90,000	Rancher Complete Street Project change order approved at 9/19/2022 Council
Pearl St. Side - Willow to GV	589,408	FY2022 Capital Project Budget Roll-Over
Rancher St - Water, Complete	1,713,687	FY2022 Capital Project Budget Roll-Over
Vine St 770 LF	35,780	FY2022 Capital Project Budget Roll-Over
Stormwater Management Program	493,219	FY2022 Capital Project Budget Roll-Over
SK - Emergency East Egress Sno	10,000	FY2022 Capital Project Budget Roll-Over
Snow King Center Improvements	13,105	FY2022 Capital Project Budget Roll-Over
SK- Patio/Airlock Replacements	15,511	FY2022 Capital Project Budget Roll-Over
Core Maintenance Facility	4,641,190	Core Services Project Approved at 8/1/2022 Council meeting

2014 SPET Fund

Gregory Ln Complete St/Drainag	72,472	FY2022 Capital Project Budget Roll-Over
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2017 SPET Fund

Center Street Pedestrian Impro	29,362	FY2022 Capital Project Budget Roll-Over
Pearl Ave Willow to Gros Ventr	356,272	FY2022 Capital Project Budget Roll-Over

2019 SPET Fund

Thaw Well Design & Install	291,150	Thaw Well Contract Approved at 8/15/2022 Council meeting
Core Maintenance Facility	5,870,458	Core Services Project Approved at 8/1/2022 Council meeting

Total Capital Project Funds

	<u><u>14,221,614</u></u>	
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Water Fund Expenditures and Other Uses**Maintenance & Operations**

Salaries & Benefits	2,958	Reclass Internship Expense to Departments
Salaries & Benefits	1,157	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	13,672	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Billing & Accounting

Salaries & Benefits	1,034	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	2,080	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Capital Outlay

Well #9	55,000	Design agreement approved at 10/17/2022 Council meeting
North King Water Line Rec Cent	372,187	FY2022 Capital Project Budget Roll-Over
Rancher Street	244,293	FY2022 Capital Project Budget Roll-Over
Vine Street	30,000	FY2022 Capital Project Budget Roll-Over
Well #9	45,298	FY2022 Capital Project Budget Roll-Over

Transfers Out

Indirect Cost Allocation - GF	22,749	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Total Water Fund**790,428****Sewage Fund Expenditures and Other Uses****Plant Operations**

Salaries & Benefits	2,958	Reclass Internship Expense to Departments
Salaries & Benefits	1,157	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	11,846	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Maintenance & Operations

Salaries & Benefits	6,059	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Billing & Accounting

Salaries & Benefits	1,034	Spanish interpretation stipend omitted from adopted budget
Salaries & Benefits	2,259	3% Wage Adjustment Approved at 8/1/2022 Council Meeting

Capital Outlay

Rancher St - Complete St	236,782	FY2022 Capital Project Budget Roll-Over
Vine Street	30,000	FY2022 Capital Project Budget Roll-Over
WWTP Lab Siding Reframing Sout	20,738	FY2022 Capital Project Budget Roll-Over
WWTP Wetland Upgrade	199,999	FY2022 Capital Project Budget Roll-Over

Transfers Out

Indirect Cost Allocation - GF	22,749	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Total Sewage Fund**535,581****Internal Service Fund Expenditures and Other Uses****Fleet Management Fund**

Salaries & Benefits	15,394	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
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Central Equipment Fund

Snowplow Blade	21,000	Snowplow Blade approved at 9/6/2022 Council meeting
Vehicle - Patrol	129,421	FY2022 Capital Project Budget Roll-Over

Total Internal Service Fund**165,815****Total Expenditures and Other Uses****18,520,134**

General Fund Revenues and Other Sources

Property Taxes	79,014	Adjust to Final Property Tax Assessment
Police Ser-Special Event/Other	20,000	Offsetting grant revenue for Crisis Intervention Training
County Reimb - Victim Services	2,711	Teton County 54% Share of 3% Wage Adjustment
County Reimb - Shelter	2,512	Teton County 54% Share of 3% Wage Adjustment
Transfer In - START Fund	4,948	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
Transfer In - Employee Housing	2,078	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
Transfer In - Utility Funds	45,497	3% Wage Adjustment Approved at 8/1/2022 Council Meeting
Total General Fund	156,760	

Special Revenue Fund**Affordable Housing Fund**

Transfer from General	3,451	Reconcile with Teton County adopted budget
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START Fund

Transfer In - General Fund	39,071	Town 46% Share of 3% Wage Adjustment
Teton County Grant - Operation	45,867	Teton County 54% Share of 3% Wage Adjustment
Transfer In - General Fund	17,825	Town 46% Share of Transit Director Reruitment Contract
Teton County Grant - Operation	20,925	Teton County 54% Share of Transit Director Recruitment Contract
Total Special Revenue Fund	127,139	

Capital Project Revenues and Other Sources**Capital Projects Fund**

ARPA Grant	1,713,687	Grant Revenue Billed for Rancher Street
Teton County Reimbursement	3,841,190	Matching funds for Core Maintenance Facility
Transfer In - Parking Exaction	800,000	Core Services Project Approved at 8/1/2022 Council meeting
Total Capital Projects Fund	6,354,877	

Total Revenues and Other Sources	6,638,776
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STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular Town Council
Submitting Department:	Community Development	Presenter:	Tyler Sinclair
Agenda Item:	P22-239: First Reading for Art Enrichment Allocation Ordinance C	Public Comment:	Yes

Purpose & Policy Considerations.

To approve at First Reading an Ordinance to update the Town of Jackson's Municipal Code specifically to adopt a section for Art Enrichment Allocation. The Town Council makes the final decision on all Municipal Code additions.

Requested Action.

The Community Development Department requests adoption of an Ordinance to the Town of Jackson's Municipal Code. This Ordinance adds a section addressing an Art Enrichment Allocation to the Town's Municipal Code as follows:

- Chapter 15.34: Art Enrichment Allocation

Recommendations: The Community Development Director recommends approval of Ordinance C as presented.

Background.

At the November 15, 2021, workshop, Town Council voted unanimously to direct staff to prepare and Art Enrichment Allocation Ordinance.

Analysis.

The Teton County/Town of Jackson Comprehensive Plan includes the following language in support of public art to promote Jackson as a cultural destination and enhance pedestrian space:

Managed Growth

Policy 3.2.e: Promote quality public spaces in Complete Neighborhoods

Public spaces are the building blocks of vital Complete Neighborhoods. The Town will promote public spaces and civic facilities that are interesting, memorable, and reinforce the desired sense of community within Complete Neighborhoods. Integrating fine arts professionals in the design of projects will be encouraged in order to create unique and visually engaging public spaces—including sidewalks and walkways, parks, outdoor squares, landscaped areas and public art.

In addition, the Comprehensive Plan includes a strategy to write a public art plan for the community.

Strategy 3.2.S.7:

Coordinate with a public art task force to write a public art plan for the community.

Attachments.

Ordinance C

Suggested Motions.

I move to approve Ordinance C on first reading.

ORDINANCE C

AN ORDINANCE ADDING CHAPTER 15.34 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING FUNDING FOR PUBLIC ART AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

There is hereby added Chapter 15.34 of Title 15 Art Enrichment Allocation of the Municipal Code of the Town of Jackson as follows:

Chapter 15.34

Art Enrichment Allocation

15.34.010	Art enrichment allocation
15.34.020	Definitions
15.34.030	Eligible capital improvement projects
15.34.040	Exemptions
15.34.050	Aggregation of funds
15.34.060	Allocation of funds -- administrative fees; maintenance and conservation.
15.34.070	Miscellaneous provisions

15.34.010 Art Enrichment allocation.

- A. Before requesting an appropriation for the construction of any project set forth in 15.34.030, the department director concerned shall add thereto for the art enrichment of the proposed construction, 1.5% of the gross construction cost, exclusive of the items proposed for such art enrichment.
- B. If the ability to allocate funding to art enrichment is limited by law or funding agency rules, the art enrichment allocation shall be based upon 1.5% of eligible construction costs.
- C. If the Town Manager, or their designee, determines that 1.5% of the gross construction cost of a project is inappropriate for art enrichment, they shall submit a recommendation regarding the art enrichment budget for the project to the Town Council to resolve the matter.

15.34.020 Definitions.

- A. "*Alteration*" of a building, aboveground structure, or transportation improvement project shall include substantial changes to elements such as walls, partitions, or ceilings on 2/3 or more of the total floor space, excluding basements. "Substantial changes" shall include additions to, removal of, and modification of such elements.

- B. "*Art enrichment*" shall mean the acquisition and installation of original works of art (including limited editions), or temporary installation, display, or presentation of the same, on Town (and in limited circumstances private) property for aesthetic and cultural enhancement of public buildings and public spaces and engagement of the public with the creative work of artists, as approved by the Town Council.
- C. "*Art enrichment funds*" shall mean the funds generated from art enrichment allocations.
- D. "*Civic art collection*" shall mean the various artworks owned by the Town that are accessioned in accordance with the Public Art Guidelines.
- E. "*Gross construction cost*" shall mean the total estimated construction contract award amount, including the costs of all built-in fixtures, unless otherwise agreed to by the Town Manager. Gross construction Cost shall not include movable or personal property or construction cost contingency.
- F. "*Transportation improvement project*" refers to projects which include aboveground transportation-related projects; new transit stops; new transportation systems with their attendant passenger amenities, such as shelters, seating, lighting, landscaping, and signage; new transportation-related facilities such as for maintenance and operations; and street/highway-related transit improvements.

15.34.030 Eligible capital improvement projects.

- A. This chapter shall apply to the construction or alteration of the following:
 - 1. Buildings.
 - 2. Aboveground structures.
 - 3. Public parks.
 - 4. Transportation improvement projects.

15.34.040 Exemptions.

The following shall be exempt from the requirements of this chapter:

- A. Transportation improvement projects limited to sidewalk (including curb and gutter) repair or improvements; street paving; or transit vehicle purchases.
- B. All mechanical, plumbing, and electrical system upgrades, structural or seismic upgrades, and modifications for access for people with disabilities, unless occurring in conjunction with alteration of a building, an aboveground structure, or transportation improvement project.

- C. Park and landscape renovation projects limited to court resurfacing; replanting; sewer and water lines; drainage and irrigation systems; wells; erosion control; paving/repaving; modifications for access for people with disabilities; signage; lighting; fence replacement or repair; replacement or repair of existing play structures.
- D. Annual Capital Improvement Plan projects for security/life/health safety and sewer and water infrastructure, when not occurring in conjunction with alteration of existing public buildings, aboveground structures, parks, and transportation improvement projects.
- E. Airport projects.

15.34.050 Aggregation of funds.

- A. An art enrichment allocation is not required to be used for art enrichment at the location connected to its associated capital improvement project. Art enrichment funds may be aggregated for use on an alternative Town property or for an alternative project in the civic art collection, or, with appropriate agreements in place, on private property.

15.34.060 Allocation of funds -- administrative fees; maintenance and conservation.

- A. The Town Council shall review and approve projects funded with art enrichment funds.
- B. The Town Manager shall set aside and expend up to a maximum of 15% of art enrichment funds from each project for necessary and reasonable administrative costs incurred in connection therewith, unless such administrative fee is limited or prohibited by the funding source.
- C. The Town Manager shall set aside and expend 10% of art enrichment funds from each project for maintenance and conservation of artworks in the civic art collection.

15.34.070 Miscellaneous provisions.

- A. Construction and installation of art enrichment shall comply with the requirements of all applicable building codes, laws, ordinances, rules, and regulations.
- B. Nothing in this Chapter shall be construed to limit or abridge the jurisdiction of the department director of the participating Town department to supervise and control the expenditure of project funds other than the art enrichment allocation of the project.
- C. This Chapter shall not be applied retroactively to projects for which an art enrichment allocation previously would not have been required, nor to those projects for which project funding has been approved either by prior voter action, but not yet appropriated or expended. Nor shall this Chapter

be construed to allow for an increase in the total art enrichment allocation for a project that is already underway or for which an allocation for funding for art has already been established.

(Ord. _____ §_____, 2022)

SECTION II

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE _____ DAY OF _____, 2022.

PASSED 2ND READING THE _____ DAY OF _____, 2022.

PASSED AND APPROVED THE _____ DAY OF _____ 2022.

TOWN OF JACKSON

BY: _____
Hailey Morton Levinson

ATTEST:

BY: _____
Riley Taylor, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. _____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the _____ day of _____, 2022.

I further certify that the foregoing Ordinance was duly recorded on page ____ of Book ____ of Ordinances of the Town of Jackson, Wyoming.

Riley Taylor, Town Clerk

STAFF REPORT



Meeting Date:	November 7, 2022	Meeting Title:	Regular
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Updating the Municipal Code Title 2: Personnel	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to review a draft of Title 2 of the Jackson Municipal Code, *Personnel*.

Requested Action.

Staff requests Council review the draft and provide direction to staff.

Recommendations.

Staff recommends approving the ordinance on first reading as presented.

Background.

The Town periodically updates the Municipal Code to ensure its applicability and content match the community's and municipality's needs and are relevant to current times. The Town Legal Department is currently reviewing one title at a time with the relevant departments and staff.

At the July 18, 2022 workshop Council reviewed and answered a key policy issue in Title 2 – whether the Town should continue to provide bonds for more employees than statutorily required – and directed staff to draft an ordinance for Council review at a future meeting.

Analysis.

The draft ordinance attached to this staff report includes Council's June direction to provide bonds for more employees than statutorily required and technical revisions to the Title identified by staff.

Possible Alternatives.

1. Council could direct staff to modify the draft and move the ordinance on first reading with those modifications.
2. Council could direct staff to modify the draft and bring back a revised draft of the Title for Council consideration at a future meeting.

Comprehensive Plan & Priority Alignment.

N/A

Fiscal Impact.

Revenue: There is no revenue associated with updating Title 2.

Expense: There are no changes to the existing expenses generated from the amendments to Title 2. The Town is continuing its policy of bonding for more employees than statutorily required, which has an annual cost of, approximately, \$700. There are two costs associated with new ordinances in general.

1. Newspaper Publishing: State law requires the Town publish new ordinances (after third reading) in a newspaper meeting specific circulation requirements. In Teton County that newspaper is the Jackson Hole News & Guide weekly and the cost of meeting mandatory publishing requirements varies depending on the length of the ordinance. The cost ranges from a few hundred dollars to multiple thousands. The cost of publishing Ordinance D as presented is estimated to be \$1000.

2. Updating Online Municipal Code Platform: The Town contracts with the company MuniCode to host the Town's Code online and to provide codification services, which specifically includes the company processing amendments to the Town of Jackson Code and updating it. This service has an annual flat rate of, approximately, \$3000.00.

Staff Impact.

The staff impact of updating the Municipal Code is significant. In total, the Legal Department spent approximately 45 hours updating Title 2 and coordinating with the various departments affected by changes in the Title.

Attachments or Links.

- Ordinance D Clean.
- Title 2 Redline.

Suggested Motion.

I move to approve Ordinance D on first reading.

ORDINANCE D

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NOS. 1-A, 1-E, 2, 3, 31b, 69, 145, 145A, 145B, 153, 212, 226, 283, 326, 350, 360, 361, 384, 385, 457, 499, 597, 598, 599, 644, 652, 699, 717, 719, 787, 842, 872, 934, 1002, 1051, 1186, 1190, 1252, 1268 AND 1315; SECTION 2 OF ORDINANCE NOS. 1-F, 2, 3, 69, 109, 145, 153, 226, 289, 317, 816, 872 AND 873; SECTION 3 OF ORDINANCE NOS. 2, 69, 109, 153, 317, AND 872; SECTION 4 OF ORDINANCE NOS. 2, 69, 145, 152 AND 872; SECTION 5 OF ORDINANCE NOS. 154 AND 872; SECTION 6 OF ORDINANCE NOS. 109 AND 152; SECTION 7 OF ORDINANCE NOS. 109 AND 152; SECTION 8 OF ORDINANCE NO. 152; SECTION 10 OF ORDINANCE NO. 109; SECTIONS 1 THROUGH 4 OF ORDINANCE NOS. 1, 164, 256 AND 644; AND SECTIONS 5 AND 6 OF ORDINANCE NO. 69; AND TITLE 2 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING PERSONNEL, TO INCLUDE OFFICERS, BOARDS, AND COMMISSION AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

Section 1 of Ordinance Nos. 1-A, 1-E, 2, 3, 31b, 69, 145, 145A, 145B, 153, 212, 226, 283, 326, 350, 360, 361, 384, 385, 457, 499, 597, 598, 599, 644, 652, 699, 717, 719, 787, 842, 872, 934, 1002, 1051, 1186, 1190, 1252, 1268, and 1315; Section 2 of Ordinance Nos. 1-F, 2, 3, 69, 109, 145, 153, 226, 289, 317, 816, 872 and 873; Section 3 of Ordinance Nos. 2, 69, 109, 153, 317, and 872; Section 4 of Ordinance Nos. 2, 69, 145, 152 and 872; Section 5 of Ordinance Nos. 154 and 872; Section 6 of Ordinance Nos. 109 and 152; Section 7 of Ordinance Nos. 109 and 152; Section 8 of Ordinance No. 152; Section 10 of Ordinance No. 109; Sections 1 through 4 of Ordinance Nos. 1, 164, 256 and 644; and Sections 5 and 6 of Ordinance No. 69; and Title 2 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

Title 2 Administration and Personnel

...

2.12 TOWN MANAGER

...

2.02.020 Exemption from certain provisions of the Wyoming Statutes relating to veto power for the Mayor.
The Town of Jackson, by adoption of this Charter Ordinance, does hereby exempt itself from the provisions of Wyo. Stat. Ann. § 15-3-201 (2003, as amended) relating to the veto power of the Mayor in a City of the First Class. (Ord. 1-C § 2, 2004; Ord. 1-A § 1 (part), 1984.)

2.02.025 Exemption from certain provisions of the Wyoming Statutes relating to the Mayor's appointment of Clerk and Treasurer.
The Town of Jackson, by adoption of this Charter Ordinance, does hereby exempt itself from the provisions of Wyo. Stat. Ann. § 15-3-204(a) relating to the appointment of Clerk, Attorney, Municipal Judge, and Treasurer by the Mayor with the consent of the governing body and removal by the Mayor. (Ord. 1-F § 1, 2008).

2.02.030 Officers--Election, appointment and removal.
A. The elected officers of the Town of Jackson are a Mayor and four Councilmembers, all of whom shall be elected and all of whom shall be members of the governing body as the term is defined in Wyo. Stat. Ann.

Title 15. The Mayor and Councilmembers shall be elected at large, and no discrete ward election districts are created in the Town.

- B. Appointed officers include a Municipal Judge(s), Town Manager, and Town Attorney, who shall be appointed by a majority of all members of the governing body, and according to conditions fixed by ordinance or resolution adopted by the governing body. Such other officers and/or department heads shall be designated in a manner to be determined by the governing body pursuant to the general powers granted cities and towns. Such power and authority may be delegated to the Town Manager, and pursuant to a job description of the Town Manager, which may from time to time be adopted and changed, by resolution of the governing body.

(Ord. ____ § __, 2022; Ord. 1-F § 2, 2008; Ord. 1-E § 1, 2004; Ord. 599 § 1, 1998; Ord. 1-A § 1 (part), 1984.)

2.02.040 Exemption from certain provisions of the Wyoming Statutes relating to the corporate name of cities of the first class.

The Town of Jackson, by adoption of this Charter Ordinance, does hereby exempt itself from the provisions of Wyo. Stat. Ann. § 15-3-102 (2003, as amended) relating to the corporate names of cities of the first class, and instead elects to use the name it has historically employed since original incorporation, "Town of Jackson".

(Ord. 1-D § 1, 2004)

...

Sections:

2.04.010 Regular meetings.

2.04.020 Special meetings. (Repealed) (Ord. ____ § 1, 2022)

2.04.030 Adjourned meetings.

2.04.040 Executive sessions. (Repealed) (Ord. ____ § 1, 2022)

2.04.050 Presentation of ordinances. (Repealed) (Ord. ____ § 1, 2022)

2.04.010 Regular meetings.

- A. The regular meetings of the Town Council shall be held as follows and in accordance with Wyoming State Statute:

1. At 6:00 P.M. on the first and third Mondays of each month of the year, unless such day is a legal holiday, and then such meeting shall be held at 6:00 P.M. on the next regular business day following the holiday and shall be held in the council chambers of the Town of Jackson Town Hall, Jackson, Wyoming.
2. At 3:00 P.M. on the third Monday of each month of the year, unless such day is a legal holiday, and then such meeting shall be held at 3:00 P.M. on the next regular business day following the holiday and shall be held in the council chambers of the Town of Jackson Town Hall, Jackson, Wyoming.
3. At 3:00 P.M. on the first Monday of each month of the year in conjunction with the Board of County Commissioners of Teton County Wyoming, unless such day is a legal holiday, and then such meeting shall be held at 3:00 P.M. on the second Monday of that month and shall be held in the council chambers of the Town of Jackson Town Hall during the months of January through June and in the county commission chambers of the Teton County Administration Building during the months of July through December, both located in Jackson, Wyoming.

(Ord. ____ § __, 2022; Ord. 1002 § 1, 2012; Ord. 872 § 1, 2008; Ord. 457 § 1, 1993; Ord. 384 § 1, 1989; Ord. 360 § 1, 1987; Ord. 145B § 1, 1974; Ord. 145A § 1, 1972; Ord. 145 § 1, 1971.)

2.04.020 Special meetings. (Repealed)

(Ord. ____ § __, 2022; Ord. 872 § 1, 2008; Ord. 385 § 1, 1989; Ord. 145 § 2, 1971.)

2.04.030 Adjourned meetings.

Any meeting may be adjourned to a later date, except that no meeting may be adjourned to a date beyond the next regular meeting. Only such matters as could legally be considered at the original meeting may be considered at the adjourned meeting.

(Ord. 145 § 3, 1971.)

2.04.040 Executive sessions. (Repealed)

(Ord. ____ § __, 2022; Ord. 145 § 4, 1971.)

2.04.050 Presentation of ordinances. (Repealed)

(Ord. ____ § __, 2022; Ord. 31b § 1, 1938.)

...

Sections:

2.08.010 Mayor and Councilmembers.

2.08.020 Other Officers. (Repealed) (Ord. ____ § 1, 2022) **2.08.030 Town Clerk. (Repealed)** (Ord. ____ § 1, 2022)

2.08.040 Town Treasurer. (Repealed) (Ord. ____ § 1, 2022)

2.08.050 Chief of Police. (Repealed) (Ord. ____ § 1, 2022)

2.08.055 Bonds.

2.08.060 Approval and Conditions Imposed.

2.08.010 Mayor and Councilmembers.

- A. Commencing on July 1, 2022, with officers sworn into office after January 1, 2023, the compensation of the Mayor of the Town shall be forty-four thousand dollars (\$44,000) per year, payable in twelve equal monthly installments. The salary for each member of Council shall be thirty-six thousand dollars (\$36,000.00), payable in twelve equal monthly installments.
- B. The compensation schedule set forth in subsection A of this section shall be effective on July 1, 2022 and apply to the Mayor and members of Council sworn into office after January 1, 2023. In all other instances, the ordinance codified in this section shall not be applied to increase the salary of any officer during the term for which they are elected.
- C. Compensation of the Mayor and members of Council shall be reviewed no later than February 28 of each general election year.

(Ord. ____ § __, 2022; Ord 1315 § 1, 2022; Ord 1252 § 1, 2020; Ord 787 § 1, 2004; Ord. 717 § 1, 2002; Ord. 326 § 1, 1984; Ord. 226 § 1, 1977; Ord. 1 §§ 1–3, 1926.)

2.08.020 Other Officers. (Repealed)

(Ord. ____ § __, 2022; Ord. 872 § 2, 2008; Ord. 226 § 2, 1977; Ord. 1 § 4, 1926.)

2.08.030 Town Clerk. (Repealed)

(Ord. ____ § __, 2022; Ord. 2 § 1, 1926.)

2.08.040 Town Treasurer. (Repealed)

A. .

(Ord. ____ § __, 2022; Ord. 2 § 2, 1926.)

2.08.050 Chief of Police. (Repealed)
(Ord. ____ § ___, 2022; Ord. 2 § 3, 1926.)

2.08.055 Bonds.

- A. The Municipal Judge and Town Treasurer shall each execute to the Town of Jackson a bond in, at minimum, the state required amount.
- B. The Town may execute bonds for additional employees at Town Council discretion.

(Ord. ____ § ___, 2022)

2.08.060 Approval and conditions imposed. The bonds required herein are to be approved by the Town Council, and conditioned for the faithful performance of the duties required of them by law as such officers, and for the faithful performance in the application and payment of all moneys and effects, that may come into their hands in the execution of their duties in their respective offices.
(Ord. ____ § ___, 2022; Ord. 2 § 4, 1926.)

Chapter 2.12 TOWN MANAGER

Sections:

2.12.010 Establishment of position.

2.12.020 Qualifications.

2.12.030 Functions and duties.

2.12.010 Establishment of position. There is created and established the position of Town Manager of the Town of Jackson.

(Ord. ____ § ___, 2022; Ord. 153 § 1, 1973.)

2.12.020 Qualifications.

The Town Manager shall be selected solely on the basis of their executive and administrative qualifications with special reference to training and experience. They shall be appointed and dismissed or removed by a majority of all members of the governing body. They shall be compensated for their services as the Council may from time to time determine.

(Ord. ____ § ___, 2022; Ord. 598 § 1, 1998; Ord. 317 § 2, 1984; Ord. 212 § 1, 1977; Ord. 153 § 2, 1973.)

2.12.030 Functions and duties.

The Town Manager shall be the chief administrative officer of the Town government and shall be responsible to the Mayor and Town Council for the proper administration of all affairs of the Town placed in their charge, pursuant to the job description for the Town Manager as approved and from time to time amended by resolution of the Town Council.

(Ord. ____ § ___, 2022; Ord. 317 § 3, 1984; Ord. 153 § 3, 1973.)

...

2.14.030 Hiring, functions, and duties.

The Town Attorney, or designee, shall attend all meetings of the governing body as requested; appear and prosecute for and defend the Town in all cases in which it is a party, and render other professional services as may be required by the governing body or by law. Additional hiring procedures, job descriptions, terms and conditions of employment, and duties and responsibilities of the Town Attorney shall be as designated in a resolution, which may be amended from time-to-time by resolution, of the Town Council.

(Ord. ____ § ___, 2022; Ord. 499 § 1, 1995.)

...

2.16.010 Powers and duties.

- A. The Town Clerk of the Town of Jackson shall have the custody of the Town seal and of all laws and ordinances of the Town of Jackson, and shall keep a correct and regular journal of the proceedings of the Town Council. They shall engross all ordinances, resolutions, and by-laws, in a separate book to be kept for that purpose, and furnish copies of the same for publication when so directed, and shall issue all warrants for money, when appropriated by the Town Council, and shall keep a distinct and classified account of such appropriations.

- B. They shall keep on file all papers, books, records, contracts, and correspondence belonging to the Town and, at the expiration of their term of office, shall turn over to their successor all property belonging to the Town in their possession.

(Ord. ____ § ___, 2022; Ord. 872 § 3, 2008; Ord. 3 § 1, 1926.)

...

2.20.010 Duties.

- A. The Treasurer of the Town shall, upon payment of all orders, provide appropriate financial statements and reports of financial position, operating results and other pertinent information prepared to facilitate management control of financial operations, accompanied by all warrants, or orders paid since their last report, as vouchers of their accounts, and at the close of each fiscal year shall perform an audit subject to Wyo. Stat. §16-4-121. They shall pay no money from the Town treasury, except upon warrants regularly issued by the Town Clerk, bearing the Town seal and signed by the Mayor.
- B. At the expiration of their term of office, they shall turn over to their successor all property belonging to the Town in their possession.

(Ord. ____ § ___, 2022; Ord. 872 § 4, 2008; Ord. 3 § 2, 1926.)

...

Sections:

2.28.010 Fire Department-Joint Agreement..

2.28.020 Fire chief--Department supervision.

2.28.030 Fire chief--Inspection duties.

2.28.040 Fire chief--Powers.

2.28.050 Investigation of fires--Procedure. (Repealed) (Ord. ____ § 1, 2022)

2.28.010 Fire Department-Joint Agreement.

The Jackson-Teton County Fire Department shall operate pursuant to a joint power agreement, as the same may be amended from time to time. Nothing contained herein shall prevent the Town from terminating said joint power agreement or providing fire protection to the Town of Jackson under any other agreement or method not contrary to law.

(Ord. ____ § ___, 2022; Ord. 644 § 1, 2000; Ord. 69 § 1, 1959.)

2.28.020 Fire Chief-Department Supervision.

It shall be the duty of the Fire Chief to supervise, with the aid of other officers, a combination fire department for the extinguishment and control of fires and other emergencies, and such other functions deemed necessary within the Town of Jackson.

(Ord. ____ § ___, 2022; Ord. 644 § 2, 2000; Ord. 69 § 2, 1959.)

2.28.030 Fire Chief-Inspection Duties.

The Fire Chief, or their designee, shall be the official fire inspector for the Town, and if necessary, shall appoint others to assist with the inspection of any and all buildings in the Town of Jackson.

(Ord. ____ § ___, 2022; Ord. 644 § 3, 2000; Ord. 69 § 3, 1959.)

2.28.040 Fire Chief—Powers.

In addition to the powers herein granted, the Fire Chief, or their designee, shall have the following powers:

- A. All powers and duties relative to the investigation of fires and set forth in Wyo. Stat. Ann. § 35-9-109,;
- B. The authority to implement and enforce regulations for the safeguarding of life and property from the hazards of fire, explosion, and dangerous conditions arising from the storage, handling and use of hazardous materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises;

- C. The authority to inspect buildings and premises and to require conformance to standards of prevention and safety and use of premises as set forth in Wyo. Stat. Ann. § 35-9-121;
- D. The power to do all things necessary and convenient for carrying into effect the laws of the State of Wyoming and the Town of Jackson pertaining to this chapter and Title 15 of this code for the better protection of the lives and property of the public.

(Ord. ____ § __, 2022; Ord. 872 § 5, 2008; Ord. 644 § 4, 2000; Ord. 69 § 4, 1959.)

2.28.050 Investigation of fires--Procedure. (Repealed)

(Ord. ____ § __, 2022; Ord. 69 §§ 5, 6, 1959.)

...

Sections:

2.32.010 Created.

2.32.020 Appointments. (Repealed) (Ord. 873 § 1, 2008)

2.32.030 Rank.

2.32.040 Duties of Chief.

2.32.050 Duties of department.

2.32.051 Community Service Unit and Code Enforcement Officer.

2.32.060 Conduct of members.

2.32.070 Service of process. (Repealed) (Ord. ____ § 1, 2022)

2.32.080 Rules and regulations.

...

2.32.040 Duties of Chief.

The Chief of Police shall be the chief law enforcement officer for the Town of Jackson. They shall be responsible in the performance of their duties to the Town Manager and shall be subject to removal from office by the same. The Chief of Police shall keep such records and make such reports concerning the activities of the Police Department as may be required by statute or by the Town Manager. The Chief of Police may, from time to time, with the approval of the Town Manager, designate in writing an acting Chief of Police to serve as head of the Police Department during any extended absence by the Chief of Police from the Town of Jackson.

(Ord. ____ § __, 2022; Ord. 873 § 2, 2008; Ord. 816 § 2, 2005; Ord. 719 § 1, 2003; Ord. 699 § 1, 2002; Ord. 152 § 4, 1973.)

...

2.32.051 Community Service Unit and Code Enforcement Officer. The Community Service Unit of the Police Department and Code Enforcement Officer(s) appointed as Special Municipal Officers by the Town of Jackson, have specific authority to issue citations for violations of the Jackson Municipal Code as set forth in Wyo. Stat. Ann. § 15-1-103(a)(l).

(Ord. ____ § __, 2022; Ord 1186 § 1, 2017; Ord. 842 § 1, 2007.)

2.32.060 Conduct of members.

It shall be the duty of every member of the Police Department to conduct themselves, in a proper and law-abiding manner, at all times.

(Ord. ____ § __, 2022; Ord. 873 § 2, 2008; Ord. 152 § 6, 1973.)

2.32.070 Service of process. (Repealed)

(Ord. ____ § __, 2022; Ord. 873 § 2, 2008; Ord. 152 § 7, 1973.)

2.32.080 Rules and regulations.

- A. The Chief of Police may make or prescribe such rules or regulations as they shall deem advisable. Such rules, when approved by the Town Council, shall be binding upon the members of the Police Department. Such rules are subordinate to the Town employee policy manual.
- B. In addition to governing the conduct of the members of the Police Department, such rules and regulations may cover uniforms and equipment to be worn or carried, hours of service, assignment and stationing of members of the Police Department, vacations, and all other similar matters necessary or desirable for the better efficiency of the Police Department.

(Ord. ____ § __, 2022; Ord. 873 § 2, 2008; Ord. 152 § 8, 1973.)

...

**Chapter 2.36
AIRPORT BOARD**

Sections:

2.36.010 Created.

2.36.020 Membership. (Repealed) (Ord. ____ § 1, 2022)

2.36.030 Terms--Appointment--Vacancies.

2.36.040 Organization.

2.36.050 Body corporate upon certificate of organization filing.

2.36.060 Successor to airport authority.

2.36.070 Powers.

2.36.080 Budget submission--Funding.

2.36.090 Liability for actions--Reimbursement for expenses--Meetings.

2.36.100 Dissolution and discontinuance. (Repealed) (Ord. ____ § 1, 2022)

2.36.110 Passenger boarding fee--Definitions.

2.36.120 Passenger boarding fee--Imposition authority--Exemptions.

2.36.130 Passenger boarding fee--Collection.

2.36.140 Passenger boarding fee--Nonpayment or failure to obtain pass unlawful.

2.36.150 Passenger boarding fee--Disposition of revenue.

2.36.160 Passenger boarding fee--Duration.

2.36.170 Passenger boarding fee--Penalty for violations. (Repealed) (Ord. ____ § 1, 2022)

...

2.36.020 Membership. (Repealed)

(Ord. ____ § __, 2022; Ord. 109 § 2, 1967.)

2.36.030 Terms--Appointment--Vacancies.

The initial board shall be appointed by the joint action of the Town Council and the Board of County Commissioners of Teton County, Wyoming, and one new member of the board shall be appointed by the joint action of the Town Council and the Board of County Commissioners in January of each year, and all members of the board shall serve until their successor shall have been duly appointed and qualified. Vacancies on the board shall be filled for the unexpired term of the member whose office became vacant by the joint action of the Town Council and the Board of County Commissioners.

(Ord. ____ § __, 2022; Ord. 109 § 3, 1967.)

...

2.36.060 Successor to airport authority.

The Jackson Hole airport board shall be the successor to the Jackson Hole airport authority.

(Ord. ____ § __, 2022; Ord. 109 § 6, 1967.)

2.36.070 Powers.

The board shall have unlimited power to engage in and to do any lawful act concerning any and all lawful business authorized by Wyo. Stat. Ann. 10-5-201 et seq.).

(Ord. ____ § __, 2022; Ord. 109 § 7, 1967.)

...

2.36.100 Dissolution and discontinuance. (Repealed)

(Ord. ____ § __, 2022; Ord. 109 § 10, 1967.)

...

2.36.170 Passenger boarding fee--Penalty for violations.

Any person violating Sections 2.36.110 through 2.36.160 or the duly adopted rules and regulations of the Jackson Hole Airport Board issued in connection with Sections 2.36.110 through 2.36.160 is guilty of a misdemeanor.

(Ord. ____ § __, 2022; Ord. 289 § 2, 1982; Ord. 154 § 5, 1973.)

...A

2.40.010 Created--Membership--Qualifications--Terms.

There is created a Town Planning Commission for the Town of Jackson, which commission shall consist of an odd number of not more than 7 members and not less than 3, including a chairman, all to be appointed by the Mayor by and with the advice and consent of the Town Council. Members of the Town Planning Commission shall have been bona fide residents of the Town for at least one (1) year immediately prior to their becoming members of the commission and no person holding any other public office or position in the government of the Town shall be eligible for membership on such commission. The members of the initial commission shall take office as of the date of their appointment and qualification. All new members shall be appointed for a term of three (3) years in the manner herein provided at the expiration of the term of each member. All members shall serve without compensation. The Town Planning Commission shall appoint a secretary who, unless he is a member of the Planning Commission, shall not be entitled to vote on matters before the Planning Commission.

2.40.020 Powers and duties.

The Town Planning Commission, acting as the Zoning Commission, shall study the zoning questions in the Town and shall, from time to time, prepare suggested revisions of the Town zoning ordinance. The Town Planning

Commission shall also conduct public hearings concerning requests for amendments to the zoning map of the Town in accordance with the ordinances of the Town. The Town Planning Commission shall also act as the Town Board of Adjustment and perform those functions designated by Town ordinance and statutes of the State to be performed by the Board of Adjustment and shall also perform such other duties as may be required, from time to time, by the ordinances of the Town.

2.40.030 Meeting schedule.

The Town Planning Commission shall hold regular public meetings on the first and third Wednesdays of each month in the council chambers of the Jackson Town Hall at five-thirty p.m. All persons desiring to conduct business before the Town Planning Commission shall contact the Town Planning Department no later than two p.m. on the Friday preceding the meeting at which the person wishes to appear.

2.40.040 Rules.

The Planning Commission may adopt rules in accordance with state law. No action shall be taken by the Planning Commission on any case until after notice and hearing, as required by Town ordinance or the statutes of Wyoming, has been provided and completed. The presence of a majority of the appointed members shall constitute a quorum and the concurring vote of a majority of the members present shall be necessary to decide on any matter upon which the commission is required to pass.

(Ord. ____ § __, 2022; Ord. 1268 § 1, 2020; Ord. 1190 § 1, 2018; Ord. 1051 §1, 2014; Ord. 934 §1, 2009; Ord. 652 § 1, 2000; Ord. 597 § 1, 1998; Ord. 361 § 1, 1987; Ord. 350 § 1, 1986; Ord. 283 § 1, 1982; Ord. 256 §§ 1, 2, 3, 4, 1979; Ord. 164 §§ 1, 2, 3, 4, 1973.)

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION VI.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2022.

PASSED 2ND READING THE ____ DAY OF _____, 2022.

PASSED AND APPROVED THE ____ DAY OF _____, 2022.

TOWN OF JACKSON

BY: _____
Hailey Morton Levinson, Mayor

ATTEST:

BY: _____
Riley Taylor, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. ____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the ____ day of _____, 2022.

I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

BY: _____
Riley Taylor, Town Clerk

Title 2 Administration and Personnel

Chapters:

- 2.02 CHARTER ORDINANCE AND ADMINISTRATION
- 2.04 TOWN COUNCIL
- 2.08 COMPENSATION AND BONDS OF OFFICERS
- 2.12 TOWN ~~MANAGER~~ADMINISTRATOR
- 2.14 TOWN ATTORNEY
- 2.16 TOWN CLERK
- 2.20 TOWN TREASURER
- 2.24 TOWN ENGINEER Repealed. Ord. 597 §, 1998
- 2.28 FIRE DEPARTMENT
- 2.32 POLICE DEPARTMENT
- 2.36 AIRPORT BOARD
- 2.40 TOWN PLANNING COMMISSION

Chapter 2.02
CHARTER ORDINANCE AND ADMINISTRATION

Sections:

- 2.02.010 Exemption from certain provisions of Wyoming Statutes relating to term of office for the Mayor. (Repealed). (Ord. 1073 § 1, 2014)
- 2.02.020 Exemption from certain provisions of the Wyoming Statutes relating to veto power for the Mayor.
- 2.02.025 Exemption from certain provisions of the Wyoming Statutes relating to the Mayor's appointment of Clerk and Treasurer.
- 2.02.030 Officers--Election, appointment and removal.
- 2.02.040 Exemption from certain provisions of the Wyoming Statutes relating to the corporate name of cities of the first class.

2.02.010 Exemption from certain provisions of the Wyoming Statutes relating to term of office for the Mayor. (Repealed).

(Ord. 1073 § 1, 2014; Ord. 1-B § 2, 2004; Ord. 1-A § 1 (part), 1984.)

2.02.020 Exemption from certain provisions of the Wyoming Statutes relating to veto power for the Mayor.

The Town of Jackson, by adoption of this Charter Ordinance, does hereby exempt itself from the provisions of Wyo. Stat. Ann. § 15-3-201 (2003, as amended) relating to the veto power of the Mayor in a City of the First Class.

(Ord. 1-C § 2, 2004; Ord. 1-A § 1 (part), 1984.)

2.02.025 Exemption from certain provisions of the Wyoming Statutes relating to the Mayor's appointment of Clerk and Treasurer.

The Town of Jackson, by adoption of this Charter Ordinance, does hereby exempt itself from the provisions of W.S. Wyo. Stat. Ann. § 15-3-204(a) relating to the appointment of Clerk, Attorney, Municipal Judge, and Treasurer by the Mayor with the consent of the governing body and removal by the Mayor.

(Ord. 1-F § 1, 2008).

2.02.030 Officers--Election, appointment and removal.

A. The ~~principalelected~~ officers of the Town of Jackson are a Mayor and four Councilmembers, all of whom shall be elected and all of whom shall be members of the governing body as the term is defined in Wyo. Stat. Ann. Title 15, Wyoming Statutes 2003. The Mayor and Councilmembers shall be elected at large, and no discrete ward election districts are created in the Town.

A.B. ~~Appointedadditional~~ officers shall include a Municipal Judge(s), Town Manager, and a Town Attorney, who shall be appointed by a majority of all members of the governing body, and according to conditions fixed by ordinance or resolution adopted by the governing body. ~~Other officers and department heads may include a Town Clerk and Town Treasurer, which position may be combined, and a Chief of Police and such other officers and department heads as may from time to time be designated pursuant to ordinances of the Town of Jackson. Appointment and removal of the Town Clerk and Town Treasurer shall be delegated to the Town Administrator.~~ Such other officers and/or department heads shall be designated in a manner to be determined by the governing body pursuant to the general powers granted cities and towns. Such power and authority may be delegated to the Town AdministratorManager, and pursuant to a job description of the Town- ManagerAdministrator, which may from time to time be adopted and changed, by resolution of the governing body.

(Ord. _____ § _____, 2022; Ord. 1-F § 2, 2008; Ord. 1-E § 1, 2004; Ord. 599 § 1, 1998; Ord. 1-A § 1 (part), 1984.)

2.02.040 Exemption from certain provisions of the Wyoming Statutes relating to the corporate name of cities of the first class.

The Town of Jackson, by adoption of this Charter Ordinance, does hereby exempt itself from the provisions of ~~W.S. Wyo. Stat. Ann. §~~ 15-3-102 (2003, as amended) relating to the corporate names of cities of the first class, and instead elects to use the name it has historically employed since original incorporation, "Town of Jackson".
(Ord. 1-D § 1, 2004)

Chapter 2.04 TOWN COUNCIL

Sections:

2.04.010 Regular meetings.

2.04.020 Special meetings. ~~(Repealed)~~ (Ord. _____ § 1, 2022)

2.04.030 Adjourned meetings.

2.04.040 Executive sessions. ~~(Repealed)~~ (Ord. _____ § 1, 2022)

2.04.050 Presentation of ordinances. ~~(Repealed)~~ (Ord. _____ § 1, 2022)

2.04.010 Regular meetings.

A. The regular meetings of the Town Council shall be held as follows and in accordance with Wyoming State Statute:

1. ~~At~~ At 6:00 P.M. on the first and third Mondays of each month of the year, unless such day ~~shall be~~ is a legal holiday, and then such meeting shall be held at 6:00 P.M. on the next regular business day following the holiday and shall be held in the council chambers of the Town of Jackson Town Hall, Jackson, Wyoming.
2. ~~At~~ At 3:00 P.M. on the third Monday of each month of the year, unless such day ~~shall be~~ is a legal holiday, and then such meeting shall be held at 3:00 P.M. on the next regular business day following the holiday and shall be held in the council chambers of the Town of Jackson Town Hall, Jackson, Wyoming.
3. ~~At~~ At 3:00 P.M. on the first Monday of each month of the year in conjunction with the Board of County Commissioners of Teton County Wyoming ~~Commission~~, unless such day ~~shall be~~ is a legal holiday, and then such meeting shall be held at 3:00 P.M. on the second Monday of that month and shall be held in the council chambers of the Town of Jackson Town Hall during the months of January through June and in the county commission chambers of the Teton County Administration Building during the months of July through December, both located in Jackson, Wyoming.

(Ord. _____ § _____, 2022; Ord. 1002 § 1, 2012; Ord. 872 § 1, 2008; Ord. 457 § 1, 1993; Ord. 384 § 1, 1989; Ord. 360 § 1, 1987; Ord. 145B § 1, 1974; Ord. 145A § 1, 1972; Ord. 145 § 1, 1971.)

2.04.020 Special meetings. ~~(Repealed)~~

~~Special meetings of the Town Council may be called whenever they are deemed to be necessary by a majority of the members of the Town Council or by the Mayor. Notice of special meetings shall be published in conformance with Wyoming State Statutes.~~

(Ord. _____ § _____, 2022; Ord. 872 § 1, 2008; Ord. 385 § 1, 1989; Ord. 145 § 2, 1971.)

2.04.030 Adjourned meetings.

Any meeting may be adjourned to a later date, except that no meeting may be adjourned to a date beyond the next regular meeting. Only such matters as could legally be considered at the original meeting may be considered at the adjourned meeting.

(Ord. 145 § 3, 1971.)

2.04.040 Executive sessions. ~~(Repealed)~~

~~When the nature of the business so requires, the Town Council may, by a vote of two-thirds of the members present, go into executive session and exclude the public therefrom.~~

(Ord. _____ § _____, 2022; Ord. 145 § 4, 1971.)

2.04.050 Presentation of ordinances. ~~(Repealed)~~

~~All ordinances shall be presented in writing or typewritten, and referred to the judiciary committee and shall not be acted upon until the next regular meeting unless by at least a two-thirds vote this rule is suspended, when the committee may be empowered and directed to report at once and when an emergency is declared, an ordinance may be finally passed at the same meeting at which it is introduced, upon either first or second reading with or without being first referred to the judiciary committee or any other committee, and when said ordinance is passed it shall be placed on record in the book of ordinances and shall be published as provided by statute. (Ord. _____ § _____, 2022; Ord. 31b § 1, 1938.)~~

Chapter 2.08
COMPENSATION AND BONDS OF OFFICERS

Sections:

~~I. Compensation and Bonds~~

2.08.010 Mayor and Councilmembers.

2.08.020 Other Officers. ~~(Repealed)~~ (Ord. § 1, 2022)

~~II. Bonds~~

2.08.030 Town Clerk. ~~(Repealed)~~ (Ord. § 1, 2022)

2.08.040 Town Treasurer. ~~(Repealed)~~ (Ord. § 1, 2022)

2.08.050 Chief of Police. ~~(Repealed)~~ (Ord. § 1, 2022)

2.08.055 Bonds.

2.08.060 Approval and Conditions Imposed.

~~I. Compensation~~

2.08.010 Mayor and Councilmembers.

- A. Commencing on July 1, 2022, with officers sworn into office after January 1, 2023, the compensation of the Mayor of the Town shall be forty-four thousand dollars (\$44,000) per year, payable in twelve equal monthly installments. The salary for each member of Council shall be thirty-six thousand dollars (\$36,000.00), payable in twelve equal monthly installments.
- B. The compensation schedule set forth in subsection A of this section shall be effective on July 1, 2022 and apply to the Mayor and members of Council sworn into office after January 1, 2023. In all other instances, the ordinance codified in this section shall not be applied to increase the salary of any officer during the term for which they are elected.
- C. Compensation of the Mayor and members of Council shall be reviewed no later than February 28 of each general election year.

(Ord. § , 2022; Ord 1315 § 1, 2022; Ord 1252 § 1, 2020; Ord 787 § 1, 2004; Ord. 717 § 1, 2002; Ord. 326 § 1, 1984; Ord. 226 § 1, 1977; Ord. 1 §§ 1–3, 1926.)

2.08.020 Other Officers. ~~(Repealed)~~

~~A. The salaries of the Chief of Police, Town Clerk, Town Treasurer, Municipal Judge, Town Engineer and the Town Attorney are to be as designated from time to time by resolution of the Town Council, but in no event shall they exceed the maximum salary or compensation allowable to such officers under the statutes of the State of Wyoming.~~

(Ord. § , 2022; Ord. 872 § 2, 2008; Ord. 226 § 2, 1977; Ord. 1 § 4, 1926.)

~~II. Bonds~~

2.08.030 Town Clerk. ~~(Repealed)~~

~~The Town Clerk shall execute to the Town of Jackson a bond in the penal sum of five hundred dollars with two or more securities.~~

(Ord. § , 2022; Ord. 2 § 1, 1926.)

2.08.040 Town Treasurer. ~~(Repealed)~~

- A. ~~The Town Treasurer shall execute to the Town of Jackson a bond in the penal sum of two thousand five hundred dollars, with two or more sureties.~~

(Ord. _____ § _____, 2022; Ord. 2 § 2, 1926.)

2.08.050 Chief of Police. (Repealed)

~~The Chief of Police of the Town, who is also ex officio street commissioner and fire warden, shall execute to the Town of Jackson a bond in the penal sum of five hundred dollars, with two or more sureties. (Ord. _____ § _____, 2022; Ord. 2 § 3, 1926.)~~

2.08.055 Bonds.

A. The Municipal Judge and Town Treasurer shall each execute to the Town of Jackson a bond in, at minimum, the state required amount.

A.B. The Town may execute bonds for additional~~ly~~ employees at Town Council discretion.

(Ord. _____ § _____, 2022)

2.08.060 Approval and conditions imposed.

The bonds required ~~as aforesaid provided herein,~~ are to be approved by the Town Council, and conditioned for the faithful performance of the duties required of them by law as such officers, and for the faithful performance in the application and payment of all moneys and effects, that may come into their hands in the execution of their duties in their respective offices.

(Ord. _____ § _____, 2022; Ord. 2 § 4, 1926.)

Chapter 2.12
TOWN ~~ADMINISTRATOR~~ MANAGER

Sections:

2.12.010 Establishment of position.

2.12.020 Qualifications.

2.12.030 Functions and duties.

2.12.010 Establishment of position.

There is created and established the position of Town ~~Manager Administrator~~ of the Town of Jackson.
(Ord. _____ § _____, 2022; Ord. 153 § 1, 1973.)

2.12.020 Qualifications.

The Town ~~Manager Administrator~~ shall be selected solely on the basis of ~~theirs~~ executive and administrative qualifications with special reference to training and experience. ~~They~~ shall be appointed and dismissed or removed by a majority of all members of the governing body. ~~They~~ shall be compensated for ~~theirs~~ services as the ~~e~~Council may from time to time determine.

(Ord. _____ § _____, 2022; Ord. 598 § 1, 1998~~;~~ Ord. 317 § 2, 1984~~;~~ Ord. 212 § 1, 1977~~;~~ Ord. 153 § 2, 1973.)

2.12.030 Functions and duties.

The Town ~~Administrator Manager~~ shall be the chief administrative officer of the Town government~~;~~ and shall be responsible to the Mayor and Town Council for the proper administration of all affairs of the Town placed in ~~theirs~~ charge, pursuant to the job description for the Town ~~Manager Administrator~~ as approved and from time to time amended by resolution of the Town Council.

(Ord. _____ § _____, 2022; Ord. 317 § 3, 1984; Ord. 153 § 3, 1973.)

Chapter 2.14 TOWN ATTORNEY

Sections:

2.14.010 Town Attorney

2.14.020 Qualifications

2.14.030 Hiring, functions, and duties

2.14.10 Town Attorney

There is hereby created and established the position of Town Attorney of the Town of Jackson.

2.14.020 Qualifications

The Town Attorney shall be a member in good standing of the Wyoming State Bar, duly admitted to practice as an attorney and counselor at law in all ~~C~~courts of the State of Wyoming and of the United States District Court for the District of Wyoming. The Town Attorney shall be knowledgeable of state laws, federal laws, constitutional provisions, charter ordinance provisions and Town ordinances of the Town of Jackson and be generally familiar with and willing and able to study United States Supreme Court and Wyoming Supreme Court decisions affecting municipalities.

2.14.030 Hiring, functions, and duties.

The Town Attorney, or designee, shall attend all meetings of the governing body as requested; appear and prosecute for and defend the Town in all cases in which it is a party, and render other professional services as may be required by the governing body or by law. Additional Hiring procedures, job descriptions, terms and conditions of employment, and duties and responsibilities of the Town Attorney shall be as designated in a Resolution, setting forth the job description, functions and duties of the Town Attorney as the same~~which~~ may be ~~adopted and from time to time~~ amended from time-to-time by Resolution, of the ~~Mayor and~~ Town Council. (Ord. § , 2022; Ord. 499 § 1, 1995.)

Chapter 2.16
TOWN CLERK

Sections:

2.16.010 Powers and duties.

2.16.010 Powers and duties.

A. The Town Clerk of the Town of Jackson shall have the custody of the Town seal and of all laws and ordinances of the Town of Jackson, and shall keep a correct and regular journal of the proceedings of the Town Council. ~~H~~Theye shall engross all ordinances, resolutions, and by-laws, in a separate book to be kept for that purpose, and furnish copies of the same for publication when so directed, and shall issue all warrants for money, when appropriated by the Town Council, and shall keep a distinct and classified account of such appropriations. ~~He~~

~~A.~~B.They shall keep on file all papers, books, records, contracts, and correspondence belonging to the Town ~~and not allow any such papers, books, records, contracts or Town seal to be removed without the written consent of the Mayor of the Town,~~ and, at the expiration of ~~his~~their term of office, ~~he~~ shall turn over to theirs successor all property belonging to the Town in theirs possession. ~~He shall be compensated for his services as the Town Council may from time to time determine.~~

(Ord. _____ § _____, 2022; Ord. 872 § 3, 2008; Ord. 3 § 1, 1926.)

Chapter 2.20
TOWN TREASURER

Sections:

2.20.010 Duties.

2.20.010 Duties.

- A. The Treasurer of the Town shall, upon payment of all orders, ~~immediately cancel the same and preserve the same on file, provide appropriate financial statements and reports of financial position, operating results and other pertinent information prepared to facilitate management control of financial operations make out monthly reports to the Town Council, and at other times when directed by them so to do, giving a full and classified statement of all moneys received and expended,~~ accompanied by all warrants, or orders paid since theirs last report, as vouchers of theirs accounts, and at the close of each fiscal year ~~he shall publish a full report of all the receipts and disbursements during the year~~ perform an audit subject to Wyo. Stat. §16-4-121. ~~all outstanding warrants drawing interest. H~~They shall pay no money from the Town treasury, except upon warrants regularly issued by the Town Clerk, bearing the Town seal and signed by the Mayor. ~~He shall give a bond for the faithful performance of his duties, to be approved by the Town Council, in such amount as provided by ordinance and a~~
- A.B. ~~At the expiration of theirs term of office, they shall turn over to theirs successor all property belonging to the Town in theirs possession. For his services as Town Treasurer as set forth in this section, he shall be compensated for his services as the Town Council may from time to time determine.~~

(Ord. § , 2022; Ord. 872 § 4, 2008; Ord. 3 § 2, 1926.)

Chapter 2.28
FIRE DEPARTMENT

Sections:

- 2.28.010 ~~Fire Department-Joint Agreement.~~~~Fire chief--Election.~~
- 2.28.020 Fire chief--~~Salary~~--Department supervision.
- 2.28.030 Fire chief--Inspection duties.
- 2.28.040 Fire chief--Powers.
- 2.28.050 Investigation of fires--Procedure. ~~(Repealed)~~ (Ord. § 1, 2022)

2.28.010 Fire Department-Joint Agreement.

The Jackson-Teton County Fire Department shall operate pursuant to ~~that ascertain a joint power~~~~Fire Protection~~~~A agreement entered into by and between the Town of Jackson and Teton County, Wyoming on December 16, 1983,~~ as the same may be amended from time to time. Nothing contained herein shall prevent the Town from ~~terminating said joint power agreement or~~ providing fire protection to the Town of Jackson under any other agreement or method not contrary to law.
(Ord. § , 2022; Ord. 644 § 1, 2000; Ord. 69 § 1, 1959.)

2.28.020 ~~Administrative~~ Fire Chief-Department Supervision.

It shall be the duty of the ~~Administrative~~ Fire Chief to supervise, with the aid of other officers, a combination fire department for the extinguishment and control of fires and other emergencies, and such other functions deemed necessary within the Town of Jackson.
(Ord. § , 2022; Ord. 644 § 2, 2000; Ord. 69 § 2, 1959.)

2.28.030 ~~Administrative~~ Fire Chief-Inspection Duties.

The ~~Administrative~~ Fire Chief, ~~or their designee~~, shall be the official fire inspector for the Town, and if necessary, shall appoint others to assist with the inspection of any and all buildings in the Town of Jackson.
(Ord. § , 2022; Ord. 644 § 3, 2000; Ord. 69 § 3, 1959.)

2.28.040 ~~Administrative~~ Fire Chief--Powers.

In addition to the powers herein ~~after~~ granted, the ~~Administrative~~ Fire Chief, ~~or their~~~~his~~ designee, shall have the following powers:

- A. All powers and duties relative to the ~~investigation~~~~spection~~ of fires and set forth in Wyo. Stat. Ann. § 35-9-109, ~~(1999, as amended)~~;
- B. ~~The authority to~~ implement and enforce regulations for the safeguarding of life and property from the hazards of fire, explosion, and dangerous conditions arising from the storage, handling and use of hazardous materials and devices, and from conditions hazardous to life ~~or~~ property in the use or occupancy of buildings or premises;
- C. The authority to inspect ~~public, business or industrial~~ buildings ~~and premises~~ and to require conformance to standards of prevention and safety and use of premises as set forth in Wyo. Stat. Ann. § 35-9-121;
- D. ~~The P~~power to do all things necessary and convenient for carrying into effect the laws of the State of Wyoming and the Town of Jackson pertaining to this chapter and ~~Title 15~~~~Chapter 15.16~~ of this code for the better protection of the lives and property of the public.

(Ord. § , 2022; Ord. 872 § 5, 2008; Ord. 644 § 4, 2000; Ord. 69 § 4, 1959.)

2.28.050 Investigation of fires--Procedure. ~~(Repealed)~~

~~A. The officer making an investigation of a fire occurring in a city, or town, shall forthwith notify the State Fire Marshal and within one week of the occurrence of the fire shall furnish him a written statement of all facts relating to its cause and origin, and such other information as required by forms provided by the State Fire Marshal.~~

~~If, in his opinion, further investigation is necessary, the State Fire Marshal shall take or cause to be taken the testimony on oath of all persons supposed to be cognizant of any facts, or to have means of knowledge in relation to the matter concerning which an examination is required by law to be made, and cause such testimony to be reduced to writing.~~

~~(Ord. _____ § _____, 2022; Ord. 69 §§ 5, 6, 1959.)~~

Chapter 2.32
POLICE DEPARTMENT

Sections:

- 2.32.010 Created.
- 2.32.020 Appointments. ~~(Repealed)~~ [\(Ord. 873 § 1, 2008\)](#)
- 2.32.030 Rank.
- 2.32.040 Duties of Chief.
- 2.32.050 Duties of department.
- 2.32.051 Community Service Unit and Code Enforcement Officer.
- 2.32.060 Conduct of members.
- 2.32.070 Service of process. ~~(Repealed)~~ [\(Ord. § 1, 2022\)](#)
- 2.32.080 Rules and regulations.

2.32.010 Created.

There is created a Police Department for the Town of Jackson which shall consist of the Chief of Police, and such other supervisory, officers and members as may be provided for by the Town Council.
(Ord. 873 § 2, 2008; Ord. 152 § 1, 1973.)

2.32.020 Appointments. ~~(Repealed)~~

(Ord. 873 § 1, 2008; Ord. 816 § 1, 2005; Ord. 718 § 1, 2003; Ord. 698 § 1, 2002; Ord. 152 § 2, 1973.)

2.32.30 Rank.

The Chief of Police shall be the head of the department and have supervision over all officers and members thereof with ranks to be designated by the Chief of Police.
(Ord. 873 § 2, 2008; Ord. 152 § 3, 1973.)

2.32.040 Duties of Chief.

The Chief of Police shall be the chief law enforcement officer for the Town of Jackson. ~~They~~He or she shall be responsible in the performance of ~~theirs or her~~ duties to the Town ~~Manager~~Administrator and shall be subject to removal from office by the ~~same Town Administrator~~. The Chief of Police shall keep such records and make such reports concerning the activities of ~~the is or her~~ Police Department as may be required by ~~S~~statute or by the Town ~~Manager~~Administrator. ~~The Chief of Police shall be responsible for the performance by the Police Department of its functions and all persons who are members of the Police Department shall serve subject to the orders of the Chief of Police.~~ The Chief of Police may, from time to time, designate in writing an acting Chief of Police to serve as head of the Police Department during any extended absence by the Chief of Police from the Town of Jackson.
(Ord. § , 2022; Ord. 873 § 2, 2008; Ord. 816 § 2, 2005; Ord. 719 § 1, 2003; Ord. 699 § 1, 2002; Ord. 152 § 4, 1973.)

2.32.050 Duties of department.

It shall be the duty of the officers of the Police Department to see to the enforcement of all the ordinances of the Town of Jackson and all statutes applicable therein; and to preserve order and prevent infractions of the law and arrest violators thereof.
(Ord. 873 § 2, 2008; Ord. 152 § 5, 1973.)

2.32.051 Community Service Unit and Code Enforcement Officer.

The Community Service Unit of the Police Department and Code Enforcement Officer(s) appointed as Special Municipal Officers by the Town of Jackson, have specific authority to issue citations for violations of the Jackson Municipal Code as set forth ~~in by W.S. § 7-2-103(e) and Wyo. Stat. Ann. § 15-1-103(a)(*)~~.
(Ord. _____ § _____, 2022; Ord 1186 § 1, 2017; Ord. 842 § 1, 2007.)

2.32.060 Conduct of members.

It shall be the duty of every member of the Police Department to conduct ~~themselves or herself~~, in a proper and law-abiding manner, at all times. ~~Each member of the Police Department shall obey the orders and directions of his superior.~~
(Ord. _____ § _____, 2022; Ord. 873 § 2, 2008; Ord. 152 § 6, 1973.)

2.32.070 Service of process. (Repealed)

~~All forms of process may be served by the Chief of Police or any other member of the Police Department acting under the direction of the Chief of Police.~~
(Ord. _____ § _____, 2022; Ord. 873 § 2, 2008; Ord. 152 § 7, 1973.)

2.32.080 Rules and regulations.

A. The Chief of Police may make or prescribe such rules or regulations as ~~they or she~~ shall deem advisable. Such rules, when approved by the Town Council, shall be binding upon the members of the Police Department. Such rules are subordinate to the Town employee policy manual.

A.B. In addition to governing the conduct of the members of the Police Department, such rules and regulations may cover, ~~besides the conduct of the members~~, uniforms and equipment to be worn or carried, hours of service, assignment and stationing of members of the Police Department, vacations, and all other similar matters necessary or desirable for the better efficiency of the Police Department.

(Ord. _____ § _____, 2022; Ord. 873 § 2, 2008; Ord. 152 § 8, 1973.)

Chapter 2.36
AIRPORT BOARD

Sections:

- 2.36.010 Created.
- 2.36.020 Membership. ~~(Repealed)~~; (Ord. § 1, 2022)
- 2.36.030 Terms--Appointment--Vacancies.
- 2.36.040 Organization.
- 2.36.050 Body corporate upon certificate of organization filing.
- 2.36.060 Successor to airport authority.
- 2.36.070 Powers.
- 2.36.080 Budget submission--Funding.
- 2.36.090 Liability for actions--Reimbursement for expenses--Meetings.
- 2.36.100 Dissolution and discontinuance. ~~(Repealed)~~; (Ord. § 1, 2022)
- 2.36.110 Passenger boarding fee--Definitions.
- 2.36.120 Passenger boarding fee--Imposition authority--Exemptions.
- 2.36.130 Passenger boarding fee--Collection.
- 2.36.140 Passenger boarding fee--Nonpayment or failure to obtain pass unlawful.
- 2.36.150 Passenger boarding fee--Disposition of revenue.
- 2.36.160 Passenger boarding fee--Duration.
- 2.36.170 Passenger boarding fee--Penalty for violations. ~~(Repealed)~~; (Ord. § 1, 2022)

2.36.010 Created.

There is created an administrative board to be known as the Jackson Hole airport board, hereinafter referred to as the board. (Ord. 109 § 1, 1967.)

2.36.020 Membership. ~~(Repealed)~~

~~The board shall consist of five members, all of whom shall be qualified electors of Teton County, Wyoming.~~ (Ord. § , 2022; Ord. 109 § 2, 1967.)

2.36.030 Terms--Appointment--Vacancies.

~~One member of the board shall be appointed for a term of one year; one member for two years; one member for three years; one member for four years; and one member for five years; and in each case such member shall serve until the first Monday in February following the expiration of the year.~~ The initial board shall be appointed by the joint action of the Town Council and the Board of County Commissioners of Teton County, Wyoming, and one new member of the board shall be appointed by the joint action of the Town Council and the Board of County Commissioners in January of each year, and all members of the board shall serve until their successor shall have been duly appointed and qualified. Vacancies on the board shall be filled for the unexpired term of the member whose office became vacant by the joint action of the Town Council and the Board of County Commissioners. (Ord. § , 2022; Ord. 109 § 3, 1967.)

2.36.040 Organization.

The board shall organize in February of each year, except the first board which shall organize within ten days after their creation, by selecting one of their number as president, one of their number as vice president, one of their number as secretary and one of their number as treasurer. The secretary of the board shall notify the Town Council of Jackson, and the Board of County Commissioners of Teton County, of the board's organization and shall cause to be filed with the county clerk and the Secretary of State a certificate showing their organization. (Ord. 109 § 4, 1967.)

2.36.050 Body corporate upon certificate of organization filing.

Upon filing of such certificate as required by Section 2.36.040, the airport board shall become a body corporate, empowered to sue and be sued under the name and style of Jackson Hole airport board.
(Ord. 109 § 5, 1967.)

2.36.060 Successor to airport authority.

The Jackson Hole airport board shall be the successor to the Jackson Hole airport authority~~presently existing.~~
(Ord. § , 2022; Ord. 109 § 6, 1967.)

2.36.070 Powers.

The board shall have unlimited power to engage in and to do any lawful act concerning any and all lawful business authorized by Wyo. Stat. Ann. 10-5-201 et seq.~~Title 10, Chapter 4, Wyoming Statutes 1957, as amended or may be amended from time to time.~~
(Ord. § , 2022; Ord. 109 § 7, 1967.)

2.36.080 Budget submission--Funding.

The board shall submit on or before the first day of June of each year, to the Town Council, and to the Board of County Commissioners, Teton County, a proposed budget for the ensuing fiscal year which will be from July 1st of each year until June 30th of the ensuing year. Said budget shall be subject to alteration, modification or revision by the Town Council or Board of County Commissioners and after being approved by them shall be adopted as the fiscal plan of the board for the subsequent year. Such fiscal plan as approved by the board of county commissioners and Town Council shall be funded from revenues derived from the Jackson Hole Airport operation, supplemented by additional appropriations on an equal basis from the ~~€~~County of Teton and the Town of Jackson.

(Ord. 837 § 1, 2006; Ord. 109 § 8, 1967.)

2.36.090 Liability for actions--Reimbursement for expenses--Meetings.

No individual member of the board shall be personally liable for any action or procedure of the board. Members of the board shall serve without compensation, but shall be entitled to payment for travel and other necessary expenses incurred while attending to business or meetings of the board. Meetings of the board shall be held quarterly, at such place as is designated by the board and at such other time as may be desirable upon call of the president or any two members of the board, or upon the call of the Town Council of Jackson or the Board of County Commissioners of Teton County.
(Ord. 109 § 9, 1967.)

2.36.100 Dissolution and discontinuance. (Repealed.)

~~The board herein created may be dissolved and discontinued or the Town of Jackson may withdraw from the board, by resolution of the Town Council adopted in a regular and public meeting at any time within two years following December 20, 1967, which dissolution or withdrawal shall be in accordance with the laws of the State of Wyoming.~~
(Ord. § , 2022; Ord. 109 § 10, 1967.)

2.36.110 Passenger boarding fee--Definitions.

A. For the purposes of this section and Sections 2.36.120 through 2.36.170 the following terms, phrases, words, and their derivations shall have the meaning given herein:

1. "Airline employee passenger" is a passenger, or the members of the immediate family of an airline employee traveling on a pass issued by any commercial airline.

2. "Enroute delay passenger" is a passenger whose point of origin is from an airport facility other than the Jackson Hole Airport, Teton County, Wyoming, and whose flight requires an intermediate or temporary stop at the Jackson Hole Airport due to weather or mechanical conditions.
3. "Military passenger" is a passenger who is traveling pursuant to valid orders issued by an appropriate branch of the military services.
4. "On-line connecting passenger" is a passenger whose point of origin is from an airport facility other than the Jackson Hole Airport, Teton County, Wyoming, and whose flight requires an intermediate or temporary stop at the Jackson Hole Airport for the purpose of changing planes or for the on-loading of other passengers, all in the execution of a continuous journey.
5. "Passenger" means a person traveling for hire in a commercial airplane.

(Ord. 154 § 1, 1973.)

2.36.120 Passenger boarding fee--Imposition authority--Exemptions.

The Jackson Hole airport board, an agency of the Town of Jackson and County of Teton, is authorized to fix, create, establish, impose and collect a boarding fee, up to a maximum amount which shall be established by resolution, for each passenger enplaning any commercial aircraft operated from the Jackson Hole Airport, Teton County, Wyoming, subject to the exceptions hereinafter set forth.

(Ord. 1280 § 2, 2021; Ord. 154 § 2, 1973.)

2.36.130 Passenger boarding fee--Collection.

- A. Each enplaning passenger subject to the boarding fee shall purchase from the Jackson Hole airport board, its representatives, or agents, a boarding pass provided by the Jackson Hole airport board, which pass shall be surrendered at or prior to the boarding gate and prior to entry or attempted entry by the enplaning passenger upon any boarding apron of the Jackson Hole Airport.
- B. The administration of Sections 2.36.110 through 2.36.170 shall be pursuant to rules and regulations established by the Jackson Hole airport board.

(Ord. 154 § 3, 1973.)

2.36.140 Passenger boarding fee--Nonpayment or failure to obtain pass unlawful.

It is unlawful for any enplaning passenger required to pay the boarding fee imposed by Section 2.36.120 and required to purchase a boarding pass under the rules and regulations as established by the Jackson Hole airport board to enter on or upon the boarding aprons without first having paid said charge and obtained said pass and having surrendered the same prior to entry or attempted entry by the enplaning passenger upon the boarding apron of the Jackson Hole Airport. "Boarding apron" means the area between an exit from the terminal building and the airplane from which the enplaning passenger holds a ticket for passage.

(Ord. 154 § 4, 1973.)

2.36.150 Passenger boarding fee--Disposition of revenue.

All revenue collected from said boarding fee shall be held by the Jackson Hole airport board for defraying the present and future operating costs at the Jackson Hole Airport.

(Ord. 154 § 6, 1973.)

2.36.160 Passenger boarding fee--Duration.

The boarding fee herein provided shall remain in full force and effect until revoked by the Jackson Hole airport board, or by ordinance of the Town Council of Jackson. The boarding fee shall be subject to review by the Town Council of Jackson, at six months intervals from May 16, 1973.

(Ord. 154 § 8, 1973.)

2.36.170 Passenger boarding fee--Penalty for violations.

Any person violating Sections 2.36.110 through 2.36.160 or the duly adopted rules and regulations of the Jackson Hole ~~a~~Airport ~~b~~Board issued in connection with Sections 2.36.110 through 2.36.160 is guilty of a misdemeanor, ~~and upon conviction, shall be punishable by a fine not exceeding seven hundred fifty dollars.~~
(Ord. § , 2022; Ord. 289 § 2, 1982; Ord. 154 § 5, 1973.)

Chapter 2.40 TOWN PLANNING COMMISSION

Sections:

2.40.010 Created--Membership--Qualifications--Terms.

2.40.020 Powers and duties.

2.40.030 Meeting schedule.

2.40.040 Rules.

2.40.010 Created--Membership--Qualifications--Terms.

There is created a Town Planning Commission for the Town of Jackson, which commission shall consist of an odd number of not more than 7 members and not less than 3, including a chairman, all to be appointed by the Mayor by and with the advice and consent of the Town Council. Members of the Town Planning Commission shall have been bona fide residents of the Town for at least one (1) year immediately prior to their becoming members of the commission and no person holding any other public office or position in the government of the Town shall be eligible for membership on such commission. The members of the initial commission shall take office as of the date of their appointment and qualification. ~~Initial appointments shall be two (2) appointments for one (1) year, two (2) appointments for two (2) years, and three (3) appointments for three (3) years, and thereafter~~ All new members shall be appointed for a term of three (3) years in the manner herein~~above~~ provided at the expiration of the term of each member. All members shall serve without compensation. The Town Planning Commission shall appoint a secretary who, unless he is a member of the Planning Commission, shall not be entitled to vote on matters before the Planning Commission.

2.40.020 Powers and duties.

The Town Planning Commission, acting as the Zoning Commission, shall study the zoning questions in the Town and shall, from time to time, prepare suggested revisions of the Town zoning ordinance. The Town Planning Commission shall also conduct public hearings concerning requests for amendments to the zoning map of the Town in accordance with the ordinances of the Town. The Town Planning Commission shall also act as the Town Board of Adjustment and perform those functions designated by Town ordinance and statutes of the State to be performed by the Board of Adjustment and shall also perform such other duties as may be required, from time to time, by the ordinances of the Town, ~~including, but not limited to, administration of certain portions of the subdivision ordinance.~~

2.40.030 Meeting schedule.

The Town Planning Commission shall hold regular public meetings on the first and third Wednesdays of each month in the council chambers of the Jackson Town Hall at five-thirty p.m. All persons desiring to conduct business before the Town Planning Commission shall contact the ~~Town Planning Department~~ secretary of the Planning Commission no later than two p.m. on the Friday preceding the meeting at which the person wishes to appear.

2.40.040 Rules.

The Planning Commission may adopt rules in accordance with ~~S~~state law. No action shall be taken by the Planning Commission on any case until after notice and hearing, ~~as required by Town ordinance or the statutes of Wyomingthe State, has been provided and completed.~~ The presence of a majority of the appointed members shall constitute a quorum and the concurring vote of a majority of the members present shall be necessary to decide on any matter upon which the commission is required to pass.

(Ord. § , 2022; Ord. 1268 § 1, 2020; Ord. 1190 § 1, 2018; Ord. 1051 §1, 2014; Ord. 934 §1, 2009; Ord. 652 § 1, 2000; Ord. 597 § 1, 1998; Ord. 361 § 1, 1987; Ord. 350 § 1, 1986; Ord. 283 § 1, 1982; Ord. 256 §§ 1, 2, 3, 4, 1979; Ord. 164 §§ 1, 2, 3, 4, 1973.)

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION VI.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2022.
PASSED 2ND READING THE ____ DAY OF _____, 2022.
PASSED AND APPROVED THE ____ DAY OF _____, 2022.

TOWN OF JACKSON

BY: _____
Hailey Morton Levinson, Mayor

ATTEST:

BY: _____
Riley Taylor, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. ____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the ____ day of _____, 2022.

I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

BY: _____
Riley Taylor, Town Clerk

ORDINANCE 1324

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1097, 1124, 1128, 1136, 1155, 1197, AND 1278; SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART); AND SECTIONS 1.9.6, 5.3.1, 5.6.1, AND 9.5 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING EXTERIOR LIGHTING IN THE TOWN OF JACKSON.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

Section 1 of Town of Jackson Ordinance Nos. 1097, 1124, 1128, 1136, 1155, 1197, and 1278; Section 2 of Town of Jackson Ordinance No. 1074 (part); and Sections 1.9.6, 5.3.1, 5.6.1, and 9.5 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

(See next page)

1.9.6. Nonconforming Lighting

A. Applicability

A nonconforming luminaire is declared generally incompatible with the character of the zone in which it is located. This Section shall apply to any lawfully erected light fixture that does not comply with the requirements of Sec. 5.3.1.

B. Maintenance and Alteration

A nonconforming luminaire may be maintained or altered.

C. Replacement

A nonconforming luminaire shall be brought into compliance with all applicable standards of these LDRs upon replacement of any lighting equipment, not inclusive of lamps or similar consumable parts.

D. Discontinuance

1. If a site or building is operationally discontinued or unoccupied for a period of more than one year, all nonconforming lighting shall be brought into compliance with the standards of these LDRs.
2. Compliance for nonconforming lighting is required after a structure is removed, demolished, or destroyed, whether intentionally or by casualty loss, such as fire, earthquake, or another unforeseen occurrence.

E. Change in Use

Compliance for nonconforming lighting is required as part of a building permit for a change in use or expansion.

F. Other Permits

Compliance for nonconforming lighting is required as part of a DRC review, Development Plan, Conditional Use Permit, or Variance.

G. Planning Director Determination

Compliance for nonconforming lighting is required upon a determination by the Planning Director that a nonconforming luminaire constitutes a public hazard or nuisance.

Div. 1.10. Severability (1/1/15, Ord. 1074)

The legislative intent of the Town Council in adopting these LDRs is that if any article, division, section, subsection, paragraph, clause, provision, or portion of these LDRs is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of these LDRs shall not be affected

4. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback (min)	
Primary or secondary street/sidewalk (min)	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per acre of site development (max)	
All fixtures	20,000
Unshielded fixtures	1,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	

8. Signs (Div. 5.6.)	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

4. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback (min)	
Primary or secondary street/sidewalk (min)	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per acre of site development (max)	
All fixtures	20,000
Unshielded fixtures	1,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	

8. Signs (Div. 5.6.)	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

4. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback (min)	
Primary or secondary street/sidewalk (min)	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per acre of site development (max)	
All fixtures	20,000
Unshielded fixtures	1,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	

10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	
8. Signs (Div. 5.6.)	
Home occupation/business	1 unlit wall sign
Area (max)	2 sf
Background color	No white or yellow
Temporary Signs (Sec. 5.6.1.)	
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

4. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback (min)	
Primary or secondary street/sidewalk (min)	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
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Lumens per acre of site development (max)	
All fixtures	20,000
Unshielded fixtures	1,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	

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Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	
8. Signs (Div. 5.6.)	
Home occupation/business	1 unlit wall sign
Area (max)	2 sf
Background color	No white or yellow
Temporary Signs	Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

4. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback (min)	
Primary or secondary street/sidewalk (min)	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	

8. Signs (Div. 5.6.)	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

4. Fencing	
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In street yard	4'
In side or rear yard	6'
Setback (min)	
Primary or secondary street/sidewalk (min)	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek (South of Cache Creek Drive)	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	1.5
Lumens per acre of site development (max)	
All fixtures	20,000
Unshielded fixtures	1,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	

7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	
8. Signs (Div. 5.6.)	
Home occupation/business	1 unlit wall sign
Area (max)	2 sf
Background color	No white or yellow
Temporary Signs	Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
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10. Required Physical Development Permits						
Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)
Dwelling Unit						
< 5 units			X			(Sec. 5.7.1.)
5 - 10 units		X	X			(Sec. 5.7.1.)
> 10 units	X	X	X			(Sec. 5.7.1.)
Sign					X	(Sec. 5.7.1.)

4. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback (min)	
Primary or secondary street/sidewalk (min)	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	

8. Signs (Div. 5.6.)	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

4. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback (min)	
Primary or secondary street/sidewalk (min)	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited	
All lights over 600 initial lumens shall be fully shielded	
Lumens per sf of site development (max)	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	

8. Signs (Div. 5.6.)	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlit wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Wall sign	
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary Signs	Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	(Sec. 5.2.1.)
5. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	(Sec. 5.3.2.)
6. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

7. Signs (nonresidential)		(Div. 5.6.)
Number of signs (max)	3 per business per frontage	
Background color	No white or yellow	
Sign Area		
Total sign area (max)	3 sf per ft of street facade width up to 150 sf	
Penalty	10% per projecting and freestanding sign	
Sign Type Standards		
Canopy sign		
Clearance (min)	7'6" average grade	
Setback (min)	18" from back of curb	
Freestanding sign		
Height (max)	6'	
Setback (min)	5'	
Projecting sign		
Height (max)	24' above grade	
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Window sign		
Window surface coverage (max)	25% up to 16 sf	
Temporary signs		<u>Sec. 5.6.1.</u>
8. Grading, Erosion Control, Stormwater		
Grading		(Sec. 5.7.2.)
Erosion Control		(Sec. 5.7.3.)
Erosion shall be controlled at all times		
Stormwater Management		(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines		

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	(Sec. 5.2.1.)
5. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	(Sec. 5.3.2.)
6. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

7. Signs (nonresidential)		(Div. 5.6.)	
Number of signs (max)	3 per business per frontage		
Background color	No white or yellow		
Sign Area			
Total sign area (max)	3 sf per ft of street facade width up to 150 sf		
Penalty	10% per projecting and freestanding sign		
Sign Type Standards			
Canopy sign			
Clearance (min)	7'6" from average grade		
Setback (min)	18" from back of curb		
Freestanding sign			
Height (max)	6'		
Setback (min)	5'		
Projecting sign			
Height (max)	24' above grade		
Clearance (min)	7'6" from average grade		
Setback (min)	18" from back of curb		
Window sign			
Window surface coverage (max)	25% up to 16 sf		
Temporary signs	Sec. 5.6.1.		
8. Grading, Erosion Control, Stormwater			
Grading	(Sec. 5.7.2.)		
Erosion Control	(Sec. 5.7.3.)		
Erosion shall be controlled at all times			
Stormwater Management			(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines			

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)	Floodplain Permit
Floor Area							
< 9,750 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
9,750 - 19,500 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 19,500 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 19,500 sf for only residential use	optional	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	(Sec. 5.2.1.)
5. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	(Sec. 5.3.2.)
6. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

7. Signs (nonresidential)		(Div. 5.6.)	
Number of signs (max)	3 per business per frontage		
Background color	No white or yellow		
Sign Area			
Total sign area (max)	3 sf per ft of street facade width up to 150 sf		
Penalty	10% per projecting and freestanding sign		
Sign Type Standards			
Canopy sign			
Clearance (min)	7'6" from average grade		
Setback (min)	18" from back of curb		
Freestanding sign			
Height (max)	6'		
Setback (min)	5'		
Projecting sign			
Height (max)	24' above grade		
Clearance (min)	7'6" from average grade		
Setback (min)	18" from back of curb		
Window sign			
Window surface coverage (max)	25% up to 16 sf		
Temporary signs	(Sec. 5.6.1.)		
8. Grading, Erosion Control, Stormwater			
Grading	(Sec. 5.7.2.)		
Erosion Control	(Sec. 5.7.3.)		
Erosion shall be controlled at all times			
Stormwater Management			(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines			

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)	Floodplain Permit
Floor Area							
< 6,900 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
6,900 - 13,800 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 13,800 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 13,800 sf for only residential use	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

4. Fencing	
Height (max)	
In street yard	4'
In side yard	6'
Setback (min)	
Primary or side street/sidewalk	1'
Side or rear lot line	0'
5. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
6. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
7. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 30%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	

8. Signs (nonresidential) (Div. 5.6.)	
Number of signs (max)	3 per business per frontage
Background color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Penalty	10% per projecting and freestanding sign
Sign Type Standards	
Canopy sign	
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Freestanding sign	
Height (max)	6'
Setback (min)	5'
Projecting sign	
Height (max)	24' above grade
Clearance (min)	7'6" from average grade
Setback (min)	18" from back of curb
Window sign	
Window surface coverage (max)	25% up to 16 sf
Temporary signs	Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	(Sec. 5.2.1.)
5. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	(Sec. 5.3.2.)
6. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

7. Signs (nonresidential)		(Div. 5.6.)
Number of signs (max)	3 per business per	
Background color	No white or yellow	
Sign Area		
Total sign area (max)	3 sf per linear ft of street facade width up to 150 sf	
Penalty	10% per projecting and freestanding sign	
Sign Type Standards		
Canopy sign		
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Freestanding sign		
Height (max)	6'	
Setback (min)	5'	
Projecting sign		
Height (max)	24' above grade	
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Window sign		
Window surface coverage (max)	25% up to 16 sf	
Temporary signs	Sec. 5.6.1.	
8. Grading, Erosion Control, Stormwater		
Grading	(Sec. 5.7.2.)	
Erosion Control	(Sec. 5.7.3.)	
Erosion shall be controlled at all times		
Stormwater Management		(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines		

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)	Floodplain Permit
Floor Area							
< 19,500 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
19,500 - 39,000 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 39,000 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 39,000 sf for only residential use	optional	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	(Sec. 5.2.1.)
5. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	(Sec. 5.3.2.)
6. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

7. Signs (nonresidential)		(Div. 5.6.)
Number of signs (max)	3 per business per	
Background color	No white or yellow	
Sign Area		
Total sign area (max)	3 sf per linear ft of street facade width up to 150 sf	
Penalty	10% per projecting and freestanding sign	
Sign Type Standards		
Canopy sign		
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Freestanding sign		
Height (max)	6'	
Setback (min)	5'	
Projecting sign		
Height (max)	24' above grade	
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Window sign		
Window surface coverage (max)	25% up to 16 sf	
Temporary signs	Sec. 5.6.1.	
8. Grading, Erosion Control, Stormwater		
Grading	(Sec. 5.7.2.)	
Erosion Control	(Sec. 5.7.3.)	
Erosion shall be controlled at all times		
Stormwater Management		(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines		

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)	Floodplain Permit
Floor Area							
< 19,500 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
19-500 - 39,000 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 39,000 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 39,000 sf for only residential use	optional	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	(Sec. 5.2.1.)
5. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	(Sec. 5.3.2.)
6. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

7. Signs (nonresidential)		(Div. 5.6.)
Number of signs (max)	2 per business per frontage	
Background color	No white or yellow	
Sign Area		
Total sign area (max)	2.5 sf per ft of street facade width up to 125 sf	
Penalty	10% per projecting and freestanding sign	
Sign Type Standards		
Canopy sign		
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Freestanding sign		
Height (max)	6'	
Setback (min)	5'	
Projecting sign		
Height (max)	24' above grade	
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Window sign		
Window surface coverage (max)	25% up to 16 sf	
Temporary signs	Sec. 5.6.1.	
8. Grading, Erosion Control, Stormwater		
Grading	(Sec. 5.7.2.)	
Erosion Control	(Sec. 5.7.3.)	
Erosion shall be controlled at all times		
Stormwater Management		(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines		

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)	Floodplain Permit
Nonresidential Floor Area							
≤ 10,000 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
10,001 - 20,000 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 20,000 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

4. Environmental Standards	
Natural Resource Setback (min)	(Sec. 5.1.1.)
Cache Creek south of Cache Creek Dr.	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	()
Irrigation Ditch	15'
Natural Resource Overlay (NRO)	(Sec. 5.2.1.)
5. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass is prohibited.	
All lights over 600 lumens shall be fully shielded.	
Max lumens per sf of site development	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	(Sec. 5.3.2.)
6. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
Hillside CUP required	Parcel with average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Area	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)

7. Signs (nonresidential)		(Div. 5.6.)
Number of signs (max)	2 per business per frontage	
Background color	No white or yellow	
Sign Area		
Total sign area (max)	2.5 sf per ft of street facade width up to 125 sf	
Penalty	10% per projecting and freestanding sign	
Sign Type Standards		
Canopy sign		
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Freestanding sign		
Height (max)	6'	
Setback (min)	5'	
Projecting sign		
Height (max)	24' above grade	
Clearance (min)	7'6" from average grade	
Setback (min)	18" from back of curb	
Window sign		
Window surface coverage (max)	25% up to 16 sf	
Temporary signs	(Sec. 5.6.1.)	
8. Grading, Erosion Control, Stormwater		
Grading	(Sec. 5.7.2.)	
Erosion Control	(Sec. 5.7.3.)	
Erosion shall be controlled at all times		
Stormwater Management		(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines		

9. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.2.)	Development Plan (Sec. 8.3.3.)	Building Permit (Sec. 8.3.4.)	DRC Review (Sec. 8.2.6.)	Sign Permit (Sec. 8.3.6.)	Grading Permit (Sec. 8.3.5.)	Floodplain Permit
Nonresidential Floor Area							
≤ 10,000 sf			X	X		Sec. 5.7.1.	Sec. 5.4.4.
10,001 - 20,000 sf		X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
> 20,000 sf	X	X	X	X		Sec. 5.7.1.	Sec. 5.4.4.
Sign					X	Sec. 5.7.1.	Sec. 5.4.4.

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	15,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines (Div. 5.8.)	
Design review required for all nonresidential development, unless exempted by Planning Director	
Design review shall only apply to selection of exterior materials	
4. Site Development	
Site Development Setbacks (min) (E. 2)	
Side/rear yard if next to residential	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping (Div. 5.5.)	
Plant Units (min)	
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 12 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	
8. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
9. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	
10. Signs (Div. 5.6.)	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow
Sign Area	
Total sign area (max)	3 sf per ft of street facade width up to 150 sf
Home occupation/business	2 sf
Penalty	10% per projecting and freestanding sign

2. Maximum Scale of Development	
Individual Building (max gross FA)	
n/a	
3. Design Requirements	
Nonresidential Design Guidelines (Div. 5.8.)	
4. Site Development	
Site Development Setbacks (min)	
Side/rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb Cut (max)	40% of lineal frontage
5. Landscaping (Div. 5.5.)	
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking lot	1 per 8 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line/R.O.W./sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	
7. Environmental Standards	
Natural Resource Buffers (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation ditch	15'
Natural Resource Overlay (NRO) (Sec. 5.2.1.)	

8. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per acre of site development (max)	
All fixtures	50,000'
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
9. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Areas (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	
10. Signs (Div. 5.6.)	
Allowable Signage	
Home occupation/business	1 unlighted wall sign
Sign Area (max)	
Home occupation/business	2 sf
11. Grading, Erosion Control, Stormwater	
Grading (Sec. 5.7.2.)	
Erosion Control (Sec. 5.7.3.)	
Erosion shall be controlled at all times	
Stormwater Management (Sec. 5.7.4.)	
No increase in peak flow rate or velocity across property lines	

2. Maximum Scale of Development	
Individual Building (gross floor area) (max)	
Single building	10,000 sf
3. Building Design Requirements	
Nonresidential Design Guidelines (Div. 5.8.)	
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
Site Development Setbacks (min)	
Side / rear yard	5'
Front yard	
40% of lineal frontage	0'
60% of lineal frontage	structure setback
Curb cut (max)	40% of lineal frontage
5. Landscaping (Div. 5.5.)	
Plant Units (min)	
Residential	1 per du
Nonresidential	1 per 1,000 sf of landscape area
Parking Lot (all uses)	1 per 8 parking spaces
6. Fencing	
Height (max)	
In street yard	4'
In side or rear yard	6'
Setback	
Front lot line / R.O.W. / Sidewalk	1'
Side or rear lot line	0'
Orientation	
The finished side of the fence shall face out to the neighbor, posts and supports shall face in to the owner	

7. Environmental Standards	
Natural Resource Setback (min) (Sec. 5.1.1.)	
Cache Creek South of Cache Creek Dr.	20'
Flat Creek North of Hansen Ave.	25'
Flat Creek South of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min) (7.7.4.D.)	
Irrigation Ditch	15'
Natural Resource Overlay (NRO) Standards (Sec. 5.2.1.)	
8. Scenic Standards	
Exterior Lighting (Sec. 5.3.1.)	
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	1.5
Lumens per acre of site development (max)	
All fixtures	20,000
Unshielded fixtures	1,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO) Standards (Sec. 5.3.2.)	
9. Natural Hazards to Avoid	
Steep Slopes (Sec. 5.4.1.)	
Development prohibited	Slopes > 25%
Hillside CUP required	Lot with average cross-slope ≥ 10%
Areas of Unstable Soils (Sec. 5.4.2.)	
Fault Area (Sec. 5.4.3.)	
Floodplains (Sec. 5.4.4.)	
Wildland Urban Interface (Sec. 5.4.5.)	
10. Signs (Div. 5.6.)	
Number of Signs (max)	3 per business per frontage
Home occupation/business	1 unlighted wall sign
Background Color	No white or yellow

2. Maximum Scale of Development		8. Scenic Standards	
not applicable		Exterior Lighting (Sec. 5.3.1.)	
3. Building Design		Light trespass prohibited.	
Nonresidential Design Guidelines (Div. 5.8.)		All lights over 600 initial lumens shall be fully shielded.	
Design review required for all nonresidential development, unless exempted by Planning Director		Lumens per sf of site development (max)	3
4. Site Development		Lumens per acre of site development (max)	
not applicable		All fixtures	50,000
5. Landscaping (Div. 5.5.)		Unshielded fixtures	2,000
not applicable		Light Color	≤3000 Kelvin
6. Fencing		Scenic Resource Overlay (SRO) (Sec. 5.3.2.)	
not applicable		9. Natural Hazards to Avoid	
7. Environmental Standards		Steep Slopes (Sec. 5.4.1.)	
Natural Resource Buffers (min) (Sec. 5.1.1.)		Development prohibited	Slopes > 25%
Cache Creek (south of Cache Creek Dr.)	20'	CUP required	Lot average cross-slope ≥ 10%
Flat Creek north of Hansen Ave.	25'	Areas of Unstable Soils (Sec. 5.4.2.)	
Flat Creek south of Hansen Ave.	50'	Fault Areas (Sec. 5.4.3.)	
Wetland	30'	Floodplains (Sec. 5.4.4.)	
Irrigation Ditch Setback (min) (7.7.4.D.)		Wildland Urban Interface (Sec. 5.4.5.)	
Irrigation ditch	15'	10. Signs (Div. 5.6.)	
Natural Resource Overlay (NRO) (Sec. 5.2.1.)		not applicable	
		11. Grading, Erosion Control, Stormwater	
		Grading (Sec. 5.7.2.)	
		Erosion Control (Sec. 5.7.3.)	
		Erosion shall be controlled at all times	
		Stormwater Management (Sec. 5.7.4.)	
		No increase in peak flow rate or velocity across property lines	

2. Maximum Scale of Development	
not applicable	
3. Building Design	
Nonresidential Design Guidelines	(Div. 5.8.)
Design review required for all nonresidential development, unless exempted by Planning Director	
4. Site Development	
not applicable	
5. Landscaping	(Div. 5.5.)
not applicable	
6. Fencing	
not applicable	
7. Environmental Standards	
Natural Resource Buffers (min)	(Sec. 5.1.1.)
Cache Creek (south of Cache Creek Dr.)	20'
Flat Creek north of Hansen Ave.	25'
Flat Creek south of Hansen Ave.	50'
Wetland	30'
Irrigation Ditch Setback (min)	(7.7.4.D.)
Irrigation ditch	15'
Natural Resource Overlay (NRO)	(Sec. 5.2.1.)

8. Scenic Standards	
Exterior Lighting	(Sec. 5.3.1.)
Light trespass prohibited.	
All lights over 600 initial lumens shall be fully shielded.	
Lumens per sf of site development (max)	3
Lumens per acre of site development (max)	
All fixtures	50,000
Unshielded fixtures	2,000
Light Color	≤3000 Kelvin
Scenic Resource Overlay (SRO)	(Sec. 5.3.2.)
9. Natural Hazards to Avoid	
Steep Slopes	(Sec. 5.4.1.)
Development prohibited	Slopes > 25%
CUP required	Lot average cross-slope ≥ 10%
Areas of Unstable Soils	(Sec. 5.4.2.)
Fault Areas	(Sec. 5.4.3.)
Floodplains	(Sec. 5.4.4.)
Wildland Urban Interface	(Sec. 5.4.5.)
10. Signs	(Div. 5.6.)
not applicable	
11. Grading, Erosion Control, Stormwater	
Grading	(Sec. 5.7.2.)
Erosion Control	(Sec. 5.7.3.)
Erosion shall be controlled at all times	
Stormwater Management	(Sec. 5.7.4.)
No increase in peak flow rate or velocity across property lines	

Div. 5.3. Scenic Standards

The purpose of this Division is to maintain the scenic resources of the community.

Scenic resources, natural landforms, and dark skies are vital to the community's natural character. Mountains moraines, meadows, and other natural viewsheds provide residents and guests with a constant reminder of their location within the Greater Yellowstone Ecosystem. Interruption of these natural forms by the built environment detracts from Teton County's scenic character and should be avoided.

5.3.1. Exterior Lighting Standards (7/18/18, Ord. 1197)

The purpose of this Section is to allow necessary and reasonable lighting of public and private property for the safety, security, and convenience of occupants and the general public, while eliminating or reducing the nuisance and hazards of light pollution, including, but not limited to: glare, light trespass, sky glow, energy waste, and negative impacts on the nocturnal environment. The Town of Jackson will only install new public lighting when deemed necessary for public safety.

- A. Applicability. All exterior lighting, unless exempted below, shall comply with the regulations set forth in this Section. This includes, but is not limited to: lighting attached to structures, poles, the earth, or any other location.

1. Exempt Lighting

- a. Open flame gas lamps.
- b. Flagpole lighting that is shielded and directed downward from the top of the flagpole, and that does not exceed 75 lumens per linear foot of pole height above grade or does not exceed 100 lumens per square foot of flag surface when unfolded, whichever is less. Unshielded lights are permitted provided each luminaire is less than 600 lumens and complies with the maximum lumens per site for unshielded lights.
- c. Underwater lighting in swimming pools and other water features.
- d. Temporary lighting that is used by qualified personnel or the general public during emergency conditions to save life, limb, or property from imminent peril.
- e. Lighting solely for signs (lighting for signs is regulated by Div. 5.6).
- f. Lighting used solely for agricultural purposes.
- g. Lighting employed during repairs of roads, utilities, and similar infrastructure, including unshielded lighting, provided that the greatest reasonable effort is made to avoid glare on drivers on any roadway or highway.

- h. Any form of lighting mandated or otherwise governed by a legal jurisdiction beyond the authority of the Town.
- i. Lighting required by the Building or Fire Code.
- j. Lighting determined necessary by the Planning Director to preserve public safety.

B. Standards

1. **Fully Shielded Light Fixtures.** Any light source whose initial output exceeds 600 initial lumens shall be fully shielded. Any structural part of the luminaire providing full shielding shall be attached. Light fixtures that project light above the horizontal plane of the fixture may be used where the architecture of the building restricts light emitted above the horizontal plane.
2. **Total Exterior Light Output.** Total exterior light output for light fixtures on a site shall not exceed the limits shown in the table below.

How much light is permitted?	All Fixtures	Unshielded Fixtures (for lights emitting fewer than 600 lumens)
Maximum lumens per sq ft of site development		
DC, CR-1, CR-2, CR-3, OR, TS, UC, BP-ToJ, MHP-ToJ, P/SP, P-ToJ, NL-5, NM-2, NH-1	3	Not applicable
R-ToJ, NL-1, NL-2, NL-3, NL-4, NM-1	1.5	Not applicable
Maximum lumens per acre of site development		
DC, CR-1, CR-2, CR-3, OR, TS, UC, BP-ToJ, MHP-ToJ, P/SP, P-ToJ, NL-5, NM-2, NH-1	50,000	2,000
R-ToJ, NL-1, NL-2, NL-3, NL-4, NM-1	20,000	1,000

- a. These lumen limits are upper limits and not a design goal; the design goal should be the lowest levels of lighting possible.
 - b. Individuals with visual impairments and organizations that primarily serve individuals with visual impairments (e.g. retirement communities, hospices, and hospitals) may use up to 4 times the illumination allowed by this section.
3. **Light Color.** Correlated color temperature of any exterior light source shall not exceed 3000 Kelvin.

EXAMPLE: Many light bulb manufacturers include correlated color temperature on packaging. Where packaging does not indicate light color in Kelvins, it is often indicated in descriptive terms. Lights with a “cool” quality typically exceed 3000 Kelvin in color temperature. Light bulbs that create a more “warm” tone are typically under 3000 K..

5.3.1. Exterior Lighting Standards (7/18/18, Ord. 1197)

4. **Light Trespass.** No luminaire installed within Town limits shall create conditions of light trespass, except those installed in the public ROW. The applicant shall demonstrate that all proposed lighting does not create conditions of light trespass at the time of building permit submittal. Lighting in the public ROW shall be installed to avoid light trespass to the greatest extent possible.

5. **Maximum Pole Height of Light Fixture.**

Zone	Maximum Pole Height of Light Fixtures
DC, CR-1, CR-2, CR-3, OR, TS, UC, BP-ToJ, MHP-ToJ, P/SP, P-ToJ, NL-5, NM-2, NH-1	18 feet
R-ToJ, NL-1, NL-2, NL-3, NL-4, NM-1	15 feet

6. **Controls.** All nonresidential lighting fixtures shall employ automatic lighting controls that extinguish exterior lighting when sufficient daylight is available. Such controls include, but are not limited to: timers, wireless remote monitoring with turn on/off capabilities, photo sensitive light controls, photoelectric switches, astronomic time switches or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device. All new installations of outdoor lighting on public properties and rights of way must be regulated with adaptive controls such that the lighting of areas is restricted to times, places, and amounts required for safe occupancy.

a. **Exceptions:**

- i. Lighting under canopies.

7. **Lighting Reduction.** After 12:00 AM nonresidential sites shall extinguish or reduce their total exterior lighting by at least 30%.

a. **Exceptions:**

- i. Motion activated lighting provided the lights shut off after 5 minutes of inactivity.
- ii. Lighting governed by a conditional use permit in which times of operation are specifically identified.
- iii. When the exterior lighting consists of only one luminaire.

8. **Outdoor Sports Lighting (OSL).** The following provisions shall apply exclusively to facilities built to host outdoor athletic events.

- a. **Purpose.** Field lighting shall be provided exclusively for illumination of the surface of play and adjacent viewing stands, and not for any other application, such as lighting a parking lot.

- b. **Standards.** OSL shall comply with the Illuminating Engineering Society (IES) standards in effect at the time of sufficiency. The IES standards referred to in this section shall be enacted by resolution of the Town Council and are a part of this section as fully as though written herein.
 - c. **Class of Play.** The design and installation of lighting for outdoor sports and similar activities shall follow the illuminance and uniformity guidelines of the IES according to the appropriate class of play.
 - d. **Shielding.** OSL shall be exempt from the general shielding requirement of this section, although site plans must demonstrate that shielding is implemented to the greatest practical extent.
 - e. **Illuminance Levels.** Illuminance levels provided by OSL systems shall be adjustable according to task, allowing for IES-recommended values during active play as well as for lower output during other times, such as when field maintenance is being actively performed.
 - f. **Curfew.** All OSL must be extinguished by 11 PM or within one hour of the end of active play, whichever is later. The OSL system shall be fitted with mechanical or electronic timers to prevent lights from being left on accidentally overnight by enabling them to be automatically extinguished.
 - g. **Off-site Impacts.** Impacts of OSL on any other properties shall be limited to the greatest practical extent possible. The maintained vertical illuminance at the property line shall not exceed 1 foot-candle at any time.
9. **Implementation of Publicly Owned Lighting.** Publicly owned lighting should be implemented in a conservative manner, typically when necessary for appropriate visibility, safety, and outdoor enjoyment. Conformity with the best available technology for lighting usage should be prioritized. Excessive lighting should be avoided to the greatest extent possible.

C. Prohibited Lighting

The following lighting systems are prohibited from being installed or used.

- 1. **Flickering or Flashing Lights.** No flickering or flashing lights shall be permitted.
- 2. **Searchlights.** No searchlights, laser lights, aerial lasers, or holograms are permitted.
- 3. **Strings of Lights.** Strings or strands of lights used to highlight a sign, perimeter of a sign, or any portion of a building are not permitted, except for holiday-type decorative lighting displayed between November 1 and April 15.
- 4. Lighting in which any single luminaire exceeds 20,000 initial lumens.

D. Civic and Special Uses

- 1. Complex uses such as ski areas, special events, construction sites, parking structures, urban parks, theme and amusement parks, ornamental and architectural lighting of bridges, public monuments, statuary and public

buildings, correctional facilities, and industrial sites all have unique requirements for nighttime visibility and often have limited hours of operation. They shall be exempted from the above standards of this Section, if the below standards are met or if their lighting has been approved via issuance of a Conditional Use Permit or Special Event Permit.

2. **Maximum height.** Exterior luminaires shall not exceed a maximum post height of 60 feet.
3. **Fully Shielded.** Each luminaire shall be fully shielded in either its orientation or by landscaping to prohibit glare and light trespass to adjacent residential property and must be installed and maintained with minimum aiming angles of 25 degrees downward from the horizontal.
4. **Lights Extinguished.** Lights shall be extinguished by 10:00 PM or at the conclusion of the event, whichever is later. Lighting is not allowed to remain on overnight. Such lighting shall be fitted with mechanical or electronic timers to prevent lights being left on accidentally overnight by enabling them to be automatically extinguished.
5. **Maximum lumens.** Overall site illumination for a complex use shall not exceed 6 lumens per square feet of site development, nor shall it exceed a total of 550,000 lumens.

5.3.2. Scenic Resources Overlay (SRO) Standards (7/18/18, Ord. 1197)

A. Purpose

The purpose of the Scenic Resources Overlay (SRO) is to preserve and maintain the County's most frequently viewed scenic resources that are important to both its character and economy. This is done through the establishment of several Scenic Areas within the SRO, within which the location, design, and landscaping of physical development and use is regulated to maintain and/or complement the County's important scenic resources.

B. Establishment of the SRO

To protect important scenic resources, which are frequently seen from State highways, Spring Gulch Road, South Park Loop Road and Alta County Road, and which set an image of the rural and western ranching heritage of the County the Scenic Resources Overlay (SRO) is established.

1. **Foregrounds.** The Scenic Resources Overlay (SRO) includes the foreground of the scenic areas described below. Foreground is the open area immediately adjacent to the public road that extends back to where there is either a distinct topographic change, such as the edge of a hillside or butte, or a drop in elevation toward a river bottom, or where dense vegetation screens views to areas behind the vegetation. The Foreground provides the setting for views to distant mountain ranges and valley buttes.

- d. Signs shall not be located in such a way as to impede clear sight distance or located in such a way as to obstruct devices and signs that control traffic. Signs that impede the clear sight distance or obstruct traffic control devices will be removed by the Town of Jackson and/or the Wyoming Department of Transportation.
- e. Signs shall not be permitted within the public right-of-way, and will be removed by the Town of Jackson and/or the Wyoming Department of Transportation.

5. Height and Clearance

- a. Projecting signs are permitted no higher than 24 feet above grade on any structure.
- b. The clearance of a projecting, canopy, or roof sign shall be a minimum of 7.5 feet from the average grade. Canopy and projecting sign clearance shall be measured from the top of the sidewalk to the bottom of the sign.
- c. No projecting sign or canopy sign shall extend from a building to a point beyond 18 inches from the back of the adjacent curb.

6. Sign Lighting. The following section describes the types of lighting and the criteria for lighting signs within the Town.

- a. **Exterior Lighting.** Exterior lighting may be permitted, provided that the following criteria is satisfied:
 - i. Lights shall be designed, located, shielded and directed in such a manner that the light source is fixed and is not directly visible from, and does not cast glare or direct light upon any adjacent public right-of-way, surrounding property, residential property or motorist's vision.
 - ii. At the Planning Director's discretion, any proposed external lighting application may be required to submit professional Engineering and/or Architect plans and photometric maps depicting the types of lighting to be used.
 - iii. All signs containing electrical wiring shall be subject to the provisions of the Electrical Code in place at that time and the electrical components shall bear the label of an approved testing agency. Said wiring components shall be submitted to the Electrical Inspector for review and approval.
 - iv. Light sources shall be extinguished completely after 11 PM or at the end of normal business hours, whichever is later, and remain off until one hour before sunrise.
- b. **Internally Lighted.** Internal lighting may be permitted, provided that the following criteria are satisfied:

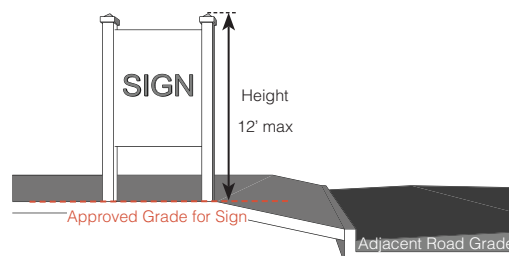
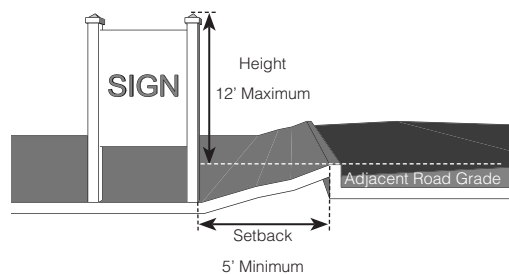
- i. The total surface area of the sign that emits lighting shall not exceed 15% of the overall surface of the sign. A two-sided freestanding sign shall be permitted 30% of total surface area of both sides of the sign.
 - ii. Plastics, polymers, acrylics, and like materials may be used for letters, with the exception of white plastics, provided that the plastic exceeds no more than 15% of the total surface area of the sign or 30% of a 2 sided sign.
 - iii. The proposed light source shall not be visible from the exterior of the sign, which shall include the back, edges, and sides.
 - iv. Fluorescent and/or neon lighting is not permitted as a source of internal lighting.
 - v. Any proposed internally lighted sign application shall submit professional Engineering and/or Architect plans and photometric maps depicting the types of lighting to be used. The percentage of lighting, not to exceed 15%, shall be depicted on the plans.
 - vi. All signs containing electrical wiring shall be subject to the provisions of the Electrical Code in place at that time and the electrical components shall bear the label of an approved testing agency. Said wiring components shall be submitted to the Electrical Inspector for review and approval.
 - vii. Luminaire levels during permitted operating hours shall not exceed 100 nits, For electronic displays, this figure is to be measured under conditions of a full white display.
 - viii. Light sources shall be extinguished completely after 11 PM or at the end of normal business hours, whichever is later, and remain off until one hour before sunrise.
- c. **Backlit Signs.** Backlit signs may be permitted, provided that the following criteria are satisfied:
- i. Signs shall be lighted from a source mounted on the wall behind the proposed sign and shall not be visible through the sign. Lighting shall be visible only along the edges of the sign and light shall not extend more than 3 inches beyond the sign edges.
 - ii. Fluorescent and/or neon lighting is not permitted as a source for backlighting.
 - iii. Plastics, polymers, acrylics, and like materials may be used for letters, with the exception of white plastics, provided that the plastic exceeds no more than 15% of the total surface area of the sign or 30% of a 2 sided sign.

- iv. Any proposed backlit sign application shall submit professional Engineering and/or Architect plans and photometric maps depicting the types of lighting to be used.
- v. All signs containing electrical wiring shall be subject to the provisions of the Electrical Code in place at that time and the electrical components shall bear the label of an approved testing agency. Said wiring components shall be submitted to the Electrical Inspector for review and approval.
- vi. Light sources shall be extinguished completely after 11 PM or at the end of normal business hours, whichever is later, and remain off until one hour before sunrise.

7. Freestanding Signs

a. Height

- i. Permitted freestanding signs and support structures within the Town Square Sign District and DC, CR-1, CR-2, CR-3, OR, UC, NL-1, NL-2, NL-3, NL-4, NL-5, NM-1, NM-2, and NH-1 zones in the General Sign District and shall not exceed 6 feet in height.
- ii. Permitted freestanding signs and support structures within the CR-2, CR-3, BP-ToJ, and R-ToJ zones in the General Sign District shall not exceed 12 feet in height.
- iii. Sign heights for freestanding signs including support structures and any decorative extensions above the sign shall be measured from the adjacent road grade to the top of the sign including support structures. If the adjacent road grade is lower than the proposed freestanding sign, the sign shall be measured from the approved grade at the base of the proposed sign to the top of the sign including support structures.



Div. 9.5. Defined Terms

When used in these LDRs, the following terms shall have the following meanings:

A (2/1/21, Ord. 1278)

Access. Access means a method to provide physical entrance to or exit from a property, street, or highway.

Accessory Residential Unit. See [6.1.1.B.](#)

Accessory Structure. An accessory structure is a separate structure that is secondary and subordinate to another structure on the same property.

Accessory Use. See [6.1.2.B.3.](#)

Adaptive Controls. Mechanical or electronic devices, when used in the context of outdoor lighting systems, intended to actively regulate the switching, duration, and/or intensity of light emitted by such systems. Examples of adaptive controls include timers, dimmers, and motion-sensing switches.

Adjoining. See “Contiguous.”

Adjusted Site Area. See [9.4.4.C.](#)

Affordable Housing Unit. An affordable housing unit is a unit subject to an Affordable Ownership or Affordable Rental deed restriction as defined in the Housing Department Rules and Regulations.

Affordable Workforce Housing Unit. Affordable workforce housing is workforce housing that costs 30% or less of the occupant household’s gross income. When used in reference to a requirement to provide affordable workforce housing, the standards for the units required to be provided are established by [Div. 6.3.](#) See also “Affordable Housing Unit” and “Workforce Housing Unit”, which are specific types of deed-restricted units.

Agriculture. See [6.1.3.B.](#)

Alley. An access way, no more than 30 feet wide, which provides a means of public access to contiguous property that is not intended for general traffic circulation.

Alter or Alteration. Alter or alteration means any change, addition, or modification in construction or occupancy.

Alteration. (For the purposes of [Div. 5.9.](#)). Any act or process, except repair and light construction, that changes one or more of the architectural features of a structure or site, including, but not limited to, the erection, construction, reconstruction, relocation of, or addition to a structure.

Amusement Use. See [6.1.7.B.](#)

Flood. See Chapter 15.30, Flood Damage Prevention, Municipal Code of the Town of Jackson.

Floodplain. See Chapter 15.30, Flood Damage Prevention, Municipal Code of the Town of Jackson.

Floor Area Ratio. See 9.4.6.C.

Floor Area. See Sec. 9.4.5.

Floor Area, Gross. See, “Gross Floor Area.”

Floor Area, Habitable. See, “Habitable Floor Area.”

Foot-candle. A non-SI unit of illuminance or light intensity. The foot-candle is defined as the intensity of one lumen of light falling with uniform distribution on a surface with an area of one square foot.

Frontage. Frontage means a lot line contiguous with a road right-of-way or roadway regardless of the designation of the lot line pursuant to Sec. 9.4.10.

Front Lot Line. See, “Lot Line, Front.”

Front Yard. See, “Yard, Street.”

G

(1/4/17, Ord. 1166)

Garage. Garage means a building or floor area within a building intended to be used for the parking or storage of motor vehicles.

Grade, Finished. Finished grade means the final elevation of the ground surface after physical development that has been permitted pursuant to these LDRs. The term “finished grade” may also mean natural grade when no terrain alteration is proposed, or where otherwise applicable. Fill which is not necessary to achieve positive drainage or slope stabilization, or which is otherwise proposed clearly to manipulate the measurement of another standard of these LDRs, shall not be considered finished grade.

Grade, Natural. Natural grade means the elevation of the ground surface in its natural state before physical development.

Gradient. Gradient means the steepness, in terms of angle from the horizontal or in terms of percent, of a slope measured in a prescribed direction up or down the slope. For a road, the gradient is measured as the steepness along the centerline.

Gravel Extraction and Processing, Temporary. See 6.1.12.F.

Gross Floor Area. Gross floor area is the total of all habitable and non-habitable floor area in a structure on all levels. Gross floor area includes basements, and partial levels such as lofts, mezzanines, and interior balconies. It also includes foyers, hallways, restrooms, storage, and other common areas within a building.

Gross Site Area. See 9.4.4.A.

Groundwater. Groundwater means any water, including hot water and geothermal steam, under the surface of the land.

Group Home. See [6.1.4.G.](#)

H (2/1/21, Ord. 1278)

Habitable Floor Area. Habitable floor area is the floor area that can be used for living purposes, usually having access to heat, plumbing, and electricity. Habitable floor area includes studios, exercise rooms, offices, and similar spaces. It also includes foyers, hallways, restrooms, storage, and other common areas within a building. Habitable floor area does not include barns, garages, or unfinished attic space.

Heavy Industry. See [6.1.9.C.](#)

Heavy Retail/Service. See [6.1.6.F.](#)

Height, Building. See [Sec. 9.4.9.](#)

Height, Story. [Sec. 9.4.13.](#)

Heliport. See [6.1.10.E.](#)

Historic Property. A property listed on the Jackson Historic Register.

Historic Significance. The meaning or value ascribed to a building, structure, object or site based on criteria for evaluation as identified in [Sec. 5.9.4.](#)

Home Business. See [6.1.11.E.](#)

Home Daycare. See [6.1.11.F.](#)

Home Daycare Center. See [6.1.11.G.](#)

Home Occupation. See [6.1.11.D.](#)

Household Unit. Individuals occupying a dwelling unit that have established ties and familiarity with each other; share a lease agreement, have consent of the owner to reside on the property, or own the property; jointly use common areas and interact with each other; and share the household expenses such as rent or ownership costs, utilities, and other household and maintenance costs activities.

I (2/1/21, Ord. 1278)

Illuminating Engineering Society (IES). An industry-supported, nonprofit learned society headquartered at 120 Wall Street, New York City, New York, recognized as an authoritative body on the science and application of lighting that publishes and promotes recommended practices for a variety of specific lighting applications.

Impervious surface. Impervious surfaces mean a surface which does not absorb water.

EXAMPLE: Examples of impervious surfaces include, but not are not limited to: buildings (including roofed areas but excluding eaves that over-hang a pervious surface), structures, parking areas, loading areas, driveways, roads, sidewalks, and any areas of concrete, asphalt, or significantly compacted material which prevents water absorption.

Industrial Use. See [Sec. 6.1.9.](#)

Industry, Heavy. See [6.1.9.C.](#)

Industry, Light. See [6.1.9.B.](#)

Incidental Use. [6.1.2.B.2.](#)

Infrastructure. Infrastructure means public facilities necessary to serve development, including, but not limited to roads, potable water supply facilities, sewage disposal facilities, drainage facilities, electric facilities, natural gas facilities, telephone facilities and cable television facilities.

Initial Lumens. The number of lumens of light emitted by a luminaire when the lamp is new, not accounting for any depreciation due to the age of the lamp or environmental conditions that may be detrimental to its performance.

Institutional Use. See [Sec. 6.1.8.](#)

Integrity. (For the purposes of [Div. 5.9.](#)). The ability of a property to convey its historic significance through its physical features.

Irrigation Ditch. An irrigation ditch is a man-made ditch constructed for the purpose of land irrigation. Irrigation ditches shall not include naturally formed drainageways.

J

(2/1/21, Ord. 1278)

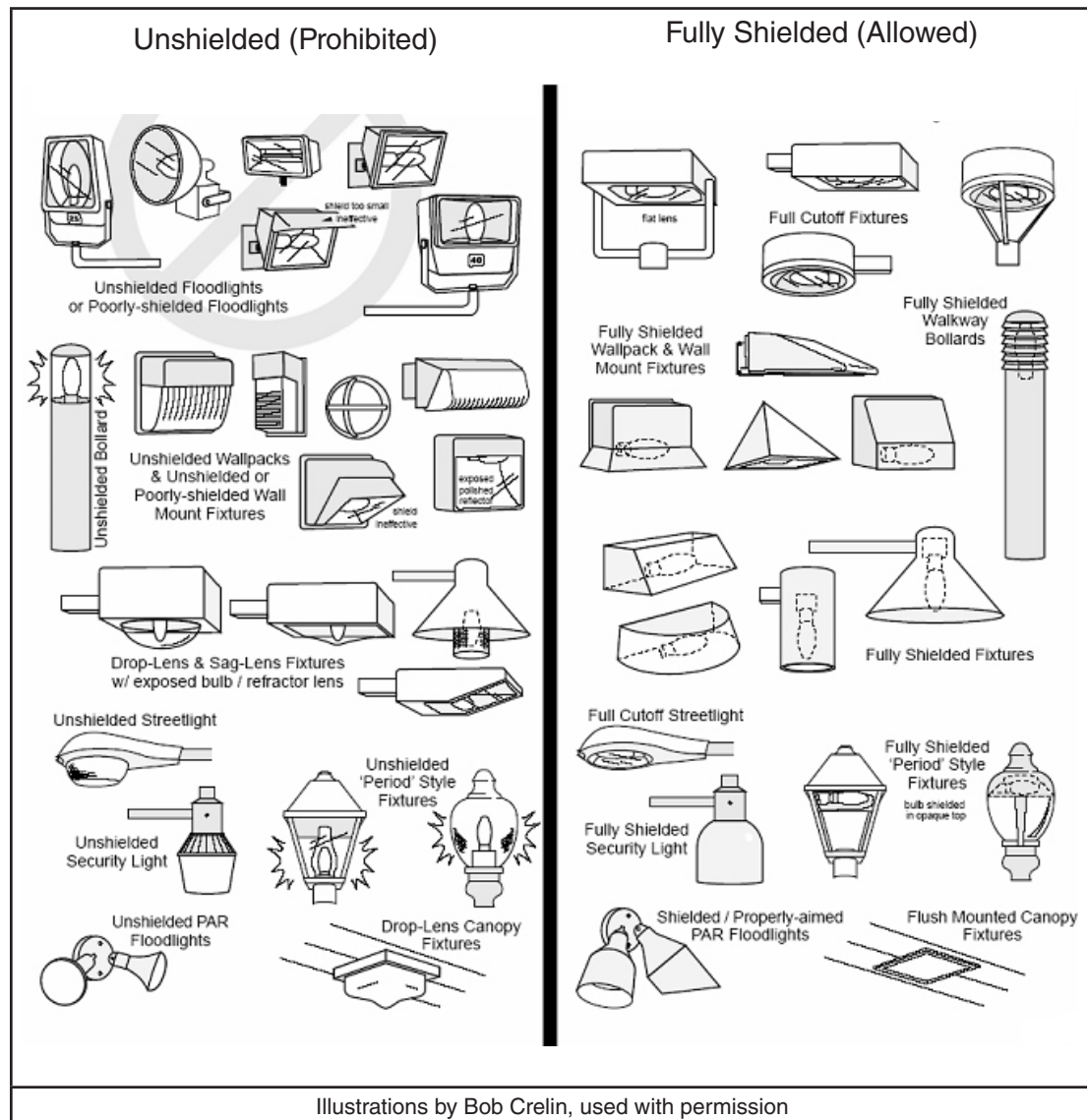
Jackson Historic Register (JHR). The list of buildings – Registered Historic Resources – found to have significance in the Town of Jackson as maintained by the Planning Department.

K

(1/1/15, Ord. 1074)

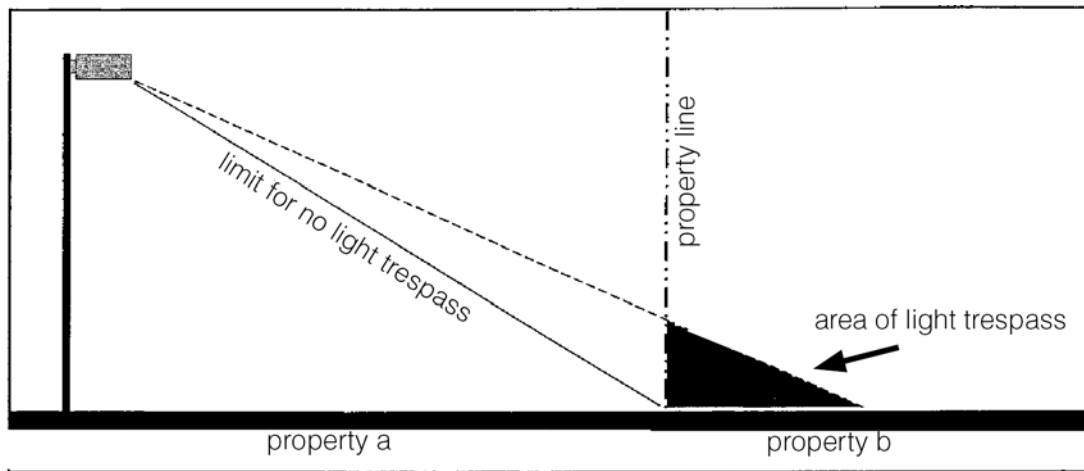
Kitchen. A kitchen is a room or portion of a room devoted to the preparation or cooking of food for a person or a household living independently of any other household, which contains a sink and a stove or oven powered by either natural gas, propane or 220-V electric hook-up. A wet bar, consisting of no more than a refrigerator, sink, and microwave, or similar facility that is a homeowner convenience and is not intended to function as the cooking facility for a separate dwelling unit shall not be considered a kitchen facility.

Light, Fully Shielded. An outdoor luminaire constructed so that in its installed position all of the light emitted by the luminaire is projected below the horizontal plane passing through the lowest light emitting part of the luminaire. Examples of Unshielded (Prohibited) and Fully Shielded (Allowed) lights and luminaires limiting light to the horizontal plane are shown below.



Light Industry. See [6.1.9.B.](#)

Light Trespass. A condition in which an illuminated luminaire on one property creates a vertical illuminance at the property line that exceeds 1 foot-candle.



Loading Area or Space. The portion of a site developed for the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and related landscaped areas.

Local Road. See, "Road, Local."

Location. (For the purposes of [Div. 5.9.](#)). The place where the historic property was constructed or the place where the historic event occurred.

Lodging. See [Sec. 6.1.5.](#)

Lot Area. Lot area means the gross site area of a lot of record.

Lot Coverage. See [9.4.6.E.](#)

Lot Line, Front. Front lot line means the street lot line unless no street lot line exists in which case it means the lot line across which access is taken.

Lot Line, Rear. Rear lot line means a lot line opposite a street or front lot line. A non-rectangular lot of record or lot of record with multiple street lot lines may not have a rear lot line or may have multiple rear lot lines. See also [Sec. 9.4.10.](#) regarding designation of street and rear lot lines.

Lot Line, Side. Side lot line means any lot line other than a street, front, or rear lot line.

Lot Line, Street. Street lot line means a lot line contiguous with a road right-of-way or roadway. See [Sec. 9.4.10.](#) for rules for determining street lot line designation.

Lot Line. A line bounding a lot of record which divides one lot of record from another lot of record or from a street.

Monopole. A single, freestanding, tubular, self-supporting pole-type structure supporting one or more antennas

N (2/1/21, Ord. 1278)

National Register of Historic Places (NRHP). The list of significant buildings, structures, sites, objects or districts in American history, architecture, archaeology, engineering, or culture maintained by the U.S. Secretary of the Interior.

Native Species. Native species means vegetation which is indigenous to, and is commonly found in, landscapes in the Town of Jackson and Teton County which have never been disturbed. A list of native species is available at the Planning Department.

Natural Grade. See “Grade, Natural.”

Natural Topographic Break. Natural topographic break means any naturally occurring change in relief on land such as a mound, knoll, hill, bank, ridge, or terrace, or an area sloping away from a flat grade, which creates a recessed area capable of screening development.

Neon Sign. See, “Sign, Neon.”

Nit. A measure of luminance – the light intensity of the light leaving a sign surface in a given direction. 1 nit is a candela per square meter (cd/m²).

Nonconforming or Nonconformity. See [Div. 1.9.](#)

Nursery. See [6.1.6.H.](#)

O (2/1/21, Ord. 1278)

Office. See [6.1.6.B.](#)

Off-Premise Sign. A sign identifying or advertising a business, person, activity, goods, products or services, which is not located on the premises where the business or commercial activity is conducted.

Off-Site. Located neither on the land that is the subject of the application nor on a contiguous portion of a street or other right-of-way.

On-Site. Located on the land that is the subject of the application.

Open Space (Use). See [Sec. 6.1.3.](#)

Owner. The person, corporation, government or other legal entity who owns or who has any legal or equitable interest in property and who is so listed as Owner on the records of the Teton County Assessor’s Office.

Outdoor Recreation. See [6.1.3.C.](#)

Short-Term Rental Unit. See 6.1.5.C.

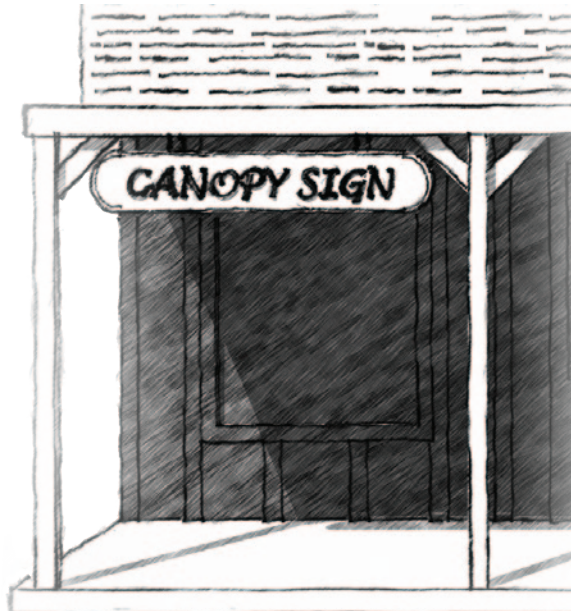
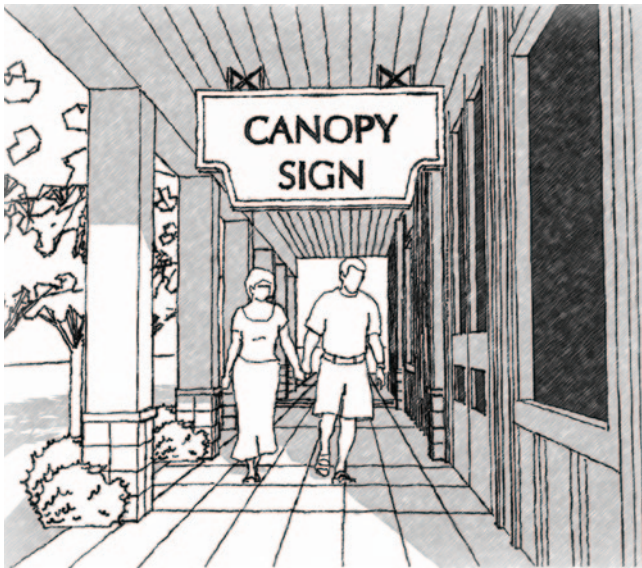
Side Lot Line. See, "Lot Line, Side."

Side Yard. See, "Yard, Side."

Sign, Backlit. Any sign or display whose message or design is indicated by the use of opaque materials situated in front of a luminous background as viewed by an observer. Sometimes referred to as a "reverse pan channel" sign.

Sign, Banner. An advertising sign intended to be hung either with or without a frame possessing characters, letters or ornamentations applied to paper, plastic or fabric.

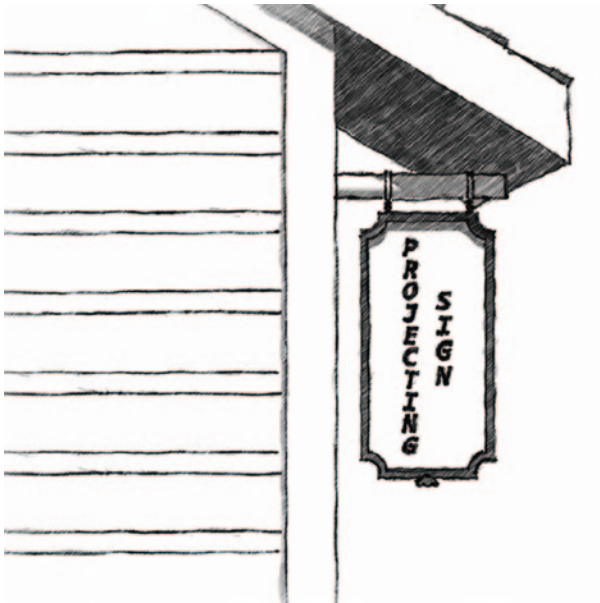
Sign, Canopy or Marquee. A sign attached to or constructed in or on a canopy or marquee (see example below).



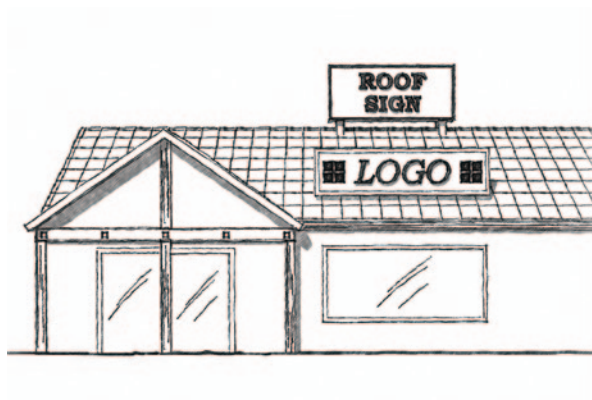
Sign, Internally Illuminated. Any sign or display, whether on- or off-premise, consisting of (1) translucent surfaces whose message is designed to be made visible by means of lamps or other light sources concealed with such surfaces; or (2) a sign whose content is made visible by means of luminous elements under active electronic control and therefore subject to alteration in order to vary the color, content and/or brightness of the message displayed.

Sign, Neon. Any sign or portion of a building illuminated or outlined by tubes using electrically stimulated neon or other gas.

Sign, Projecting. A sign, other than a wall sign, which is attached to and projects from a structure or building face (see example below).



Sign, Roof. Any sign placed or painted above the roof or parapet wall of a structure (see example below).



SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION VI.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE 19 DAY OF SEPTEMBER, 2022.

PASSED 2ND READING THE 17 DAY OF OCTOBER, 2022.

PASSED AND APPROVED THE ____ DAY OF _____, 2022.

TOWN OF JACKSON

BY: _____
Arne Jorgensen, Vice Mayor

ATTEST:

BY: _____
Riley Taylor, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the ____ day of _____, 2022.

I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

Riley Taylor, Town Clerk

MEMORANDUM

TO: Mayor and Town Council

FR: Tyler Sinclair, Interim Town Manager

DT: November 7, 2022

RE: Town Manager's Report

Anti-Vehicle Barrier Funding Request to Travel and Tourism Board

Town staff have investigated the possibility of obtaining anti-vehicle barriers for use at large special events throughout the year. These anti-vehicle barriers are safety devices that could be implemented at large events to prevent unauthorized vehicles from entering a crowd. In the past the Town of Jackson has utilized jersey barriers to close off space at large events. There are several downsides to utilizing jersey barriers such as staff time and specialized equipment needed to move and place jersey barriers. The anti-vehicle barriers which staff has been investigating could be moved and set up by one individual without a CDL. The cost of the anti-vehicle barriers and trailer kits would amount to approximately \$272,000. Town Staff is requesting permission to present a proposal to the Travel and Tourism Board requesting the funds to purchase these anti-vehicle barrier safety devices for the Town of Jackson. With approval of this Town Managers report, Town Staff will move forward with a proposal at an upcoming Travel and Tourism Board meeting requesting the funding for the full amount of this safety device. If you would like further information about these barriers, please contact Carl Pelletier.

Smartgov Update

The Town Planning and Building Department, as well as the Town Engineering Department, will be "going live" with our new permit application and tracking software (Smartgov) on November 8. This replaces our current Trakit permit system. The plan is to start with a soft opening, meaning that the Smartgov system will not be opened to the general public for approximately another 3 or 4 weeks while staff tests the system. Once the system is ready for use by the public, staff will make a full announcement and reach-out to the public with information and instructions on how to use the new system. Staff has been working on this effort for 18 - 24 months and looks forward to getting it implemented. With Smartgov, ALL applications for building, development, and engineering permits, as well as contractor licenses, will be applied for through a public online portal system where applicants must first set up a user account with a password. This will be a major change to applicants but it will create a one-stop shop that will significantly streamline the permitting process, enable applicants to access real-time information on all their active permit requests and inspections, and create a much more comprehensive and organized database of permit data that can be much more easily searched and reported on. Teton County is currently in the soft opening phase of Smartgov implementation as well.

In addition, the Planning Department has contracted with [MuniCode](#), an on-line code publishing company, to publish the Town's Land Development Regulations (LDRs). We hope to have the LDRs republished by February, 2023. The Town's Municipal Code is also currently in the process of being converted into the Municode format. The reason for converting the current LDRs is that their current InDesign format has proven very complex and expensive to maintain by staff, often delaying the codification of new amendments by 6 months or more and requiring the help of an outside consultant (Code Studio who created the original InDesign file). In converting the LDRs to the Municode format, some visual aspects of the code, such as graphics and tables, will be modified and simplified but the content will be unchanged. The Municode format will be a major improvement for both staff and the public because instead of using the current static PDF format found on-line, the code will be much more searchable, printable, and editable. Many communities that have had InDesign codes have moved to the Municode format for these reasons. Please contact Paul Anthony if you have any questions about either of these efforts.

South Park Service Center Improvement and Service District

As the Town is an owner of property in the South Park Service Center Improvement and Service District, we have received a Board of Directors official ballot to elect two board members. With the approval of the Town Manager's report, Council authorizes the submission of said ballot voting for the two candidates listed on the ballot which are Scott Anderson and Diana Guslander.

Board Member Recruitment

The application deadline for the 5 open seats on the Design Review Committee (DRC) and the 1 open seat on the Planning Commission/Board of Adjustment (PC/BOA) has passed.

We received 2 new applications for the DRC, and the Planning Director has indicated that both are qualified to serve. We also received applications from 4 current members, whose terms are expiring, that are requesting reappointment. Should the Council wish to interview the two new applicants as well as the 4 incumbents, that would be 6 interviews for 5 open seats.

We received no letters of interest from qualified applicants to serve on the PC/BOA, and we have one open seat to fill.

We have had success in the past with Town Council reaching out to qualified constituents who could apply to serve, and staff feels it would be helpful for Council to be involved in that process.

With the approval of this report, staff will move forward with setting up a day and time to interview the 6 applicants for the DRC seats.

If the Mayor and Council would like to extend the deadline for applications for either of these boards, please let staff know and we will extend the recruitment.

Legislative Update

The State of Wyoming Corporations Committee has been discussing housing as one of its Interim Topics. The committee directed LSO staff to draft a bill about land banks to deal with blighted

properties. At its meeting in October, the committee tabled this bill and asked community members to work on editing it. WAM organized a meeting to do so, and Jackson Town staff attended, mostly to listen and offer support if/when needed. At that meeting staff heard that Representative Dan Zwonitzer will be bringing back a Community Land Trust Bill during the 2023 Legislative Session, which seemed related to earlier housing discussions. We will watch for this bill, but currently have no clarity about what it will actually be about.

Simon Lane-Scott Lane-Snow King Avenue Intersection Design Update

The Engineering Department and Pathways have been working on a realignment/redesign for the Scott Lane-Simon Lane-Snow King Ave. intersection. The proposed changes will shift the Simon Lane-Scott Lane intersection to the north so that it aligns with the Scott Lane-Snow King Avenue intersection and incorporate elements of a protected intersection to improve safety and efficiency for all travel modes. The design work is coordinated with the Scott Lane/Maple Way Bike/Ped/ADA Improvements design work, the traffic modeling work currently being conducted by Public Works/Engineering, and the S4 Flats public/private partnership affordable housing project on the corner of Simon and Scott.

Pathways and Engineering staff are collecting input from other Town departments and from stakeholders in the project area. Staff plans to bring a proposal to Council for review by the end of the year.