

Jackson Town Council Regular Meeting

January 17, 2023

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/82748711046?pwd=aTJXL1FwcXkwMXZOWE2QjZEbytTUT09>

If the link does not work, join at zoom.com with Webinar ID **827 4871 1046** Password: **83001**

or join by phone **+1 253 205 0468** with Webinar ID **827 4871 1046** and Password: **83001**

II. OPENING

- A. Call to Order and Roll Call
- B. Pledge of Allegiance
- C. Announcements/Proclamations
 - 1. Martin Luther King Jr. and Equality Day Proclamation
 - 2. Introduction of Beth Ramsey, Victim Services Advocate

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. January 9, 2023 Special Town Council Meeting
- B. Disbursements
- C. December Municipal Court Report
- D. P22-295: Tax Prep Temporary Sign (Paul Anthony)
- E. Special Restrictions for Workforce Housing at 105 Mercill Ave. (April Norton)
- F. Dispensing Area - Get Loose LLC dba Roadhouse Eatery and Pub (Lynsey Lenamond)
- G. Utility Financial Plan Update (Johnny Ziem)
- H. All Electric Vehicle Procurement (Johnny Ziem)
- I. Police Department Policy and Procedure Manual Update (Michelle Weber)

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

- A. Administration

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.

1. New Resort Liquor License - CCC's PBI LLC dba Mountain Modern (Lynsey Lenamond) - **This item will be continued.**
 2. New Restaurant Liquor License - Abuelito Group LLC dba El Abuelito Mexican Restaurant (Lynsey Lenamond)
 3. Liquor License Transfer - Jackson Liquors LLC dba KJ's Phillips 66 (Lynsey Lenamond)
- B. Planning
1. P22-207 & P22-265 Conditional Use Permit - Miller Park (Tyler Valentine)
 2. Stay of Demolition Permit Applications B22-1098 & B22-1068 (Kelly Sluder)

VI. RESOLUTIONS

- A. Resolution 23-01: Town Manager Job Description (Tyler Sinclair)

VII. ORDINANCES

- A. Ordinance H: Repealing Bingo and Pull Tabs (first reading, Lea Colauonno)
- B. Ordinance I: Repealing Parking Prohibitions (first reading, Lea Colasuonno)
- C. Ordinance G: Jackson Municipal Code Recodification (first reading, Riley Taylor)
- D. Ordinance E: P22-176 EVSE LDR Amendment (third reading, to be designated ordinance 1339)

VIII. MATTERS FROM MAYOR AND COUNCIL

- A. Board and Commission Reports

IX. MATTERS FROM THE TOWN MANAGER

- A. Town Manager's Report

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.

**DR. MARTIN LUTHER KING JUNIOR &
WYOMING EQUALITY DAY PROCLAMATION**

WHEREAS, Dr. Martin Luther King Jr. devoted his life to advancing social justice and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and

WHEREAS, Dr. King's teachings can continue to guide and inspire us in addressing challenges in our communities; and

WHEREAS, President Ronald Reagan declared Martin Luther King day a federal holiday in 1983, and our state enacted Wyoming Equality Day in 1990 thanks to the persistence of Liz Byrd, our state's first black senator, who worked for to sway her colleagues to support it for many years; and

WHEREAS, millions of Americans are inspired by the life and work of Dr. Martin Luther King Jr.'s dream to achieve social change through nonviolence; and

WHEREAS, yesterday we remembered Dr. King's legacy as an American hero and tireless social activist, who called upon our nation to uphold our founding principles that recognize individual rights to life, liberty, and the pursuit of happiness; and

WHEREAS, Dr. King encouraged Americans to come together, regardless of age, race, or creed, to strengthen our communities and value the dignity and respect inherent in all people. Through his example, King taught the values of courage, truth, justice, compassion, humility, service, and brotherhood; and

NOW THEREFORE, Jackson's Town Council does hereby proclaim Monday, January 16, 2023, as Wyoming Equality Day commemorating Dr. Martin Luther King Junior.

DATED THIS 17th DAY of JANUARY 2023.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

Beth Ramsey
Victim Services Advocate
Jackson Police Department

Beth Ramsey grew up in Kansas and moved to Jackson 2 years ago from Kansas City. Her professional career has been in mortgage finance and banking. She loves serving in her community and completed her degree in Behavioral Sciences and Psychology. She is excited to join the team in the Town of Jackson as a Victim Services Advocate.

TOWN COUNCIL PROCEEDINGS - UNAPPROVED

JANUARY 9, 2023

JACKSON, WYOMING

The Jackson Town Council met in special 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 Hailey Morton Levinson, Arne Jorgensen, Jim Rooks, and Jonathan Schechter. Jessica Sell Chambers was absent.

STAFF: Tyler Sinclair, Lea Colasuonno, Paul Anthony, Susan Scarlata, Floren Poliseo, Johnny Ziem, April Norton, Michelle Weber, and Riley Taylor.

Council introduced Chrystal Lopez, Street Operator/Collection System Operator.

Public Comment. Jane Shaw and Joe Burk made public comment.

Consent Calendar. A motion was made by Jonathan Schechter and seconded by Jim Rooks to approve the consent calendar including items A-E as presented with the following motions.

- A. **Meeting Minutes.** To approve the meeting minutes from the December 19, 2022 Regular Town Council Workshop and Town Council Meeting.
- B. **Disbursements.** To approve disbursements as presented. ACE HARDWARE \$893.00; AIRGAS INTERMOUNTAIN INC. \$44.26; ALLEGIANCE BENEFIT PLAN MANAGE, INC. \$189,438.29; ALPHAGRAPHICS \$2,034.36; AMAZON \$1,820.12; APPLE INC \$2,228.00; ARCHITECTURAL BUILDING SUPPLY \$14,039.04; ARISTORENAS, MARIA \$450.00; ARROWHEAD SCIENTIFIC, INC \$1,013.65; AT&T \$1,887.71; BADILLO, MARCELA \$450.00; BADURA, KYLE \$100.00; BAKER TILLY US, LLP \$13,770.00; BERGMAN, PIERRE \$450.00; BIG R RANCH & HOME \$46.44; BOREMAN, BRAD \$159.99; BRIGGS, ERIC L \$146.95; CARQUEST AUTO PARTS INC. \$16.74; CENTURYLINK \$2,366.69; CHAMBERS, JESSICA \$1,415.54; CONRAD & BISCHOFF INC. \$8,104.56; CREATIVE ENERGIES, LLC \$2,051.91; DAY, JEAN \$450.00; DELTA DENTAL PLAN OF WYOMING \$11,822.00; DEPATCO INC. \$20,819.49; DICK ANDERSON CONSTRUCTION \$737,884.02; DIVISION OF CHILD SUPPORT ENFORCEMENT \$509.23; DIVISION OF VICTIM SERVICES \$300.00; DOVER DRILLING \$193,101.65; DPC INDUSTRIES, INC. \$4,918.25; E.R. OFFICE EXPRESS \$593.52; ELECTRICAL WHSLE SUPPLY CO INC \$48.00; ENERGY LABORATORIES INC. \$1,105.00; EVANS CONSTRUCTION INC \$769,083.18; FALL RIVER PROPANE \$3,191.99; FALL RIVER RURAL ELECTIC \$96.04; FENNERN, ROBERT \$110.00; FLEETPRIDE \$432.55; FREE, MARVIN \$155.00; FRITTS, JASON \$450.00; GARMIN USA \$2.00; GEDDES, GLENN \$100.00; GFOA \$460.00; GILLIG LLC \$3,575.93; GRAND TARGHEE RESORT \$91,519.00; HAWLEY, FLAVIANNA \$332.00; HD FOWLER COMPANY \$1,502.58; HEALTHIEST YOU \$1,393.20; HERNANDEZ, BRANDON \$450.00; HIGH COUNTRY LINEN \$392.61; HOFFMAN, DARREL AND SUE \$148.40; HOKE & CO. LLC \$1,326.12; IDAHO FALLS PETERBILT \$235.28; INTERSTATE BATTERY \$916.74; INTERWEST SUPPLY COMPANY \$2,665.80; IVY OUTDOOR SERVICES LLC \$4,785.75; JACKSON CURBSIDE INC. \$1,315.00; JACKSON DOWNTOWNER, LLC \$77,543.75; JACKSON HOLE LAW, PC \$3,005.50; JACKSON HOLE NEWS & GUIDE \$1,504.80; JACKSON HOLE PUBLIC ART \$45,000.00; JH20 WATER CONDITIONING & FILTRATION \$89.50; JOHNSON, ROBERTS & ASSOCIATES \$87.50; JONES SIMKINS \$16,065.00; JORGENSEN ASSOCIATES, PC \$47,164.73; KIMLEY HORN \$7,654.11; KRUEGER, ERICA JADE \$450.00; LANGUAGE TESTING INTERNATIONAL, INC \$416.50; LENZ, BRIAN \$90.00; LEPCO \$374.00; LONG BUILDING TECHNOLOGIES INC. \$1,560.00; MACY'S SERVICES \$2,387.50; MHL SYSTEMS \$7,767.45; MIKE'S OILFIELD SERVICES INC \$11,180.00; MOBILITY FOREFRONT LLC \$35,000.00; MSC INDUSTRIAL SUPPLY CO \$764.24; NAPA AUTO PARTS INC. \$662.19; NELSON ENGINEERING \$600.35; NEW WEST BUILDING COMPANY INC. \$56,302.00; NOLAND, STACY \$450.00; PEAK WATER SERVICES, LLC \$5,790.16; PEERY, JEREMIAH \$100.00; PELLETIER, CARL \$1,028.13; PITTS, JASON \$155.00; PREMIER TRUCK- SALT LAKE CITY \$7,258.41; PROTERRA \$2,398.18; QUADIENT LEASING USA, INC. \$468.69; ROBERTS, CAREY \$49.00; RON'S TOWING \$525.00; RT1 INC \$349.05; RUI INC. DBA VILLAGE GARDNER \$117.82; SANCHEZ-MACHUCA, ROSA \$450.00; SILVERSTAR \$3,565.83; SMITH PSYCHOLOGICAL SERVICES \$400.00; SMITH, SHANE \$100.00; SNAKE RIVER MEP COMPLETE, INC \$1,572.52; SNAKE RIVER ROASTING \$430.70; SOSA'S JANITORIAL SERVICE \$5,760.00; SPRING CREEK ANIMAL HOSPITAL \$638.16; ST JOHN'S HOSPITAL \$130.00; STANDARD INSURANCE COMPANY \$7,753.97; STINKY PRINTS, INC \$109.48; SUBURBAN PROPANE \$53.00; SWAGIT PRODUCTIONS, LLC \$1,775.00; TETON COUNTY INTEGRATED SOLID WASTE/RECY \$50.00; TETON COUNTY SHERIFF'S-JAIL \$504.00; TETON COUNTY SPECIAL FIRE FUND \$18,870.34; TETON COUNTY

TREASURER \$3,013.41; TETON COUNTY-FUND 10 \$71,976.97; TETON COUNTY-FUND 19 \$41,248.34; TETON MOTORS INC \$635.01; THE TIRE RACK, INC. \$634.48; TMSC LLC \$5,014.80; TRC FABRICATION, LLC \$96,950.16; TRIHYDRO CORPORATION \$6,899.00; USA BLUE BOOK \$888.31; VALLEY OFFICE SYSTEMS \$1,253.81; VERMA, SACHIN \$2,500.00; VIRGINIAN VILLAGE CONDO HOA \$1,080.00; VISION SERVICE PLAN - (WY) \$1,753.51; WESTERN STATE \$4,516.98; WY CHILD SUPPORT ENFORCEMENT \$146.76; WYOMING ASSOC OF RURAL WATER S \$219.00; WYOMING FIRST AID & SAFETY \$1,603.82; WYOMING LAW ENFORCEMENT \$230.00; WYOMING WATER RIGHTS CONSULTING, INC \$231.25; Y2 CONSULTANTS, LLC \$6,235.25.

- C. **P22-272 Slow Foods Market Temporary Sign.** To approve temporary banner application (P22-272) for Slow Food in the Tetons including the three conditions of approval recommended by the Planning Director in the staff report dated January 9, 2023.
- D. **P22-009 Crane Encroachment – 175 E. Broadway.** To approve Crane Swing Agreement between the Town and the Jackson Hole Historical Museum as presented, and authorize the mayor to execute the Agreement, subject to minor changes by staff.
- E. **Suite of Documents for Flat Creek Apartments/400 W. Snow King Ave.** To approve the following documents related to Flat Creek Apartments located at 400 W. Snow King Avenue, subject to minor changes by the Town Attorney as necessary: the Amended and Restated Ground Lease; the Ground Lease Assignment and Assumption; the Notice of Ground Lease; the Ground Lessor Estoppel and Consent; the Shared Parking Agreement and Stormwater Easement; and the Termination and Release of Continuing Obligation Under Termination Lease Agreement.

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

Legislative Support Contract. Susan Scarlata made staff comment. Council held discussion with staff. Andy Shwartz and Rick Howe gave public comment. A motion was made by Jonathan Schechter and seconded by Jim Rooks to approve the Agreement for Services of a Legislative Advisor attached to the staff report, subject to minor changes by staff. Mayor Morton Levinson called for the vote. The vote showed all in favor with Jessica Sell Chambers absent. The motion carried.

Town Manager's Job Description. Tyler Sinclair made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jim Rooks and seconded by Arne Jorgensen to 1) direct staff to prepare a Resolution for Council consideration at the January 17, 2023, Town Council meeting setting forth the Town Manager's job description; 2) approve the recommended Town Manager Performance Evaluation Process; and 3) approve the next steps and target timeline all as set forth in this staff report or as amended by Council. Mayor Morton Levinson called for the vote. The vote showed all in favor with Jessica Sell Chambers absent. The motion carried.

P22-115: Request to Vacate Alley at 300 Block N. Cache St. Paul Anthony made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jonathan Schechter and seconded by Jim Rooks to continue Item P22-115 to the Town Council's regular meeting on February 6, 2023. Mayor Morton Levinson called for the vote. The vote showed all in favor with Jessica Sell Chambers absent. The motion carried.

P22-141: Development Plan at 1050, 1060, and 1080 South Park Loop Rd. Tyler Valentine made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jonathan Schechter and seconded by Jim Rooks to continue Item P22-141 to the regularly scheduled Town Council meeting on January 17, 2022. Mayor Morton Levinson called for the vote. The vote showed all in favor with Jessica Sell Chambers absent. The motion carried.

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

Ordinance E: An Ordinance Regarding Electric Vehicle Supply Equipment.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1196 AND 1277 AND SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 6.2.2.F AND 9.5 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING ELECTRIC VEHICLE SUPPLY EQUIPMENT 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:

Alicia Cox made public comment. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve Ordinance E on second reading. Mayor Morton Levinson called for the vote. The vote showed all in favor with Jessica Sell Chambers absent. The motion carried.

Ordinance F: An Ordinance Regarding Neighborhood Low Density-5 (NL-5)

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1122, 1196, 1197, 1198, 1214, AND 1299 AND SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTION 2.2.6 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING NEIGHBORHOOD LOW DENSITY-5 (NL-5) 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:

A motion was made by Arne Jorgensen and seconded by Jim Rooks to approve Ordinance F on third reading and designate it ordinance 1338. Council held discussion. Mayor Morton Levinson called for the vote. The vote showed all in favor with Jessica Sell Chambers absent. The motion carried.

Matters from Mayor and Council. Council discussed the Travel and Tourism Board, Pedigree Stage Stop event, and 2023 Legislative Session. A motion was made by Arne Jorgensen and seconded by Jim Rooks to approve Town Council travel expenses to the 2023 Legislative Session. Mayor Morton Levinson called for the vote. The vote showed all in favor with Jessica Sell Chambers absent. The motion carried.

Adjourn. A motion was made by Jim Rooks and seconded by Jonathan Schechter to adjourn. Mayor Morton Levinson called for the vote. The vote showed all in favor with Jessica Sell Chambers absent. The motion carried. The meeting adjourned at 7:00 p.m. Minutes: rt

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

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
328	842-NCBERS GROUP WYOMIN	842012023	PAYROLL DEDUCTIONS	12/01/2022	96.00	96.00	01/05/2023
Total 328:					96.00	96.00	
425	ACE EQUIPMENT & SUPPLY	174716	PARTS	12/23/2022	926.59	.00	
Total 425:					926.59	.00	
51	ACE HARDWARE	809240	WRENCH	12/14/2022	119.96	.00	
51	ACE HARDWARE	809428	SUPPLIES	12/15/2022	61.95	.00	
51	ACE HARDWARE	809572	SUPPLIES	12/16/2022	56.92	.00	
51	ACE HARDWARE	809586	BOLTS	12/16/2022	2.02	.00	
51	ACE HARDWARE	810087	HANDLE	12/21/2022	44.99	.00	
51	ACE HARDWARE	810267	PRIMER	12/22/2022	20.98	.00	
51	ACE HARDWARE	810557	MARKERS	12/27/2022	9.48	.00	
51	ACE HARDWARE	810614	TARPS	12/27/2022	56.98	.00	
51	ACE HARDWARE	810701	MARKERS	12/28/2022	1.99	.00	
51	ACE HARDWARE	810783	TOOLS	12/28/2022	36.98	.00	
51	ACE HARDWARE	810867	SUPPLIES	12/29/2022	115.93	.00	
51	ACE HARDWARE	810887	SUPPLIES	12/29/2022	26.34	.00	
51	ACE HARDWARE	810952	TAPE	12/30/2022	59.98	.00	
51	ACE HARDWARE	810980	SUPPLIES	12/30/2022	59.96	.00	
51	ACE HARDWARE	811092	LADDER	01/02/2023	189.99	.00	
51	ACE HARDWARE	811106	femace	01/02/2023	12.99	.00	
51	ACE HARDWARE	811147	CREDIT	01/02/2023	17.17-	.00	
51	ACE HARDWARE	811150	SUPPLIES	01/02/2023	14.48	.00	
51	ACE HARDWARE	811154	SUPPLIES	01/02/2023	25.96	.00	
51	ACE HARDWARE	811219	SUPPLIES	01/03/2023	68.94	.00	
51	ACE HARDWARE	811243	sprayer	01/03/2023	6.49	.00	
51	ACE HARDWARE	811367	PAINT	01/04/2023	7.49	.00	
51	ACE HARDWARE	811381	GLUE	01/04/2023	5.49	.00	
51	ACE HARDWARE	811494	SUPPLIES	01/05/2023	22.98	.00	
51	ACE HARDWARE	811614	BATTERY	01/05/2023	84.98	.00	
51	ACE HARDWARE	811635	SEALER	01/06/2023	19.99	.00	
51	ACE HARDWARE	G95734	SUPPLIES	12/09/2022	25.35	.00	
Total 51:					1,142.42	.00	
2269	AFLAC	276254	ACCOUNT #y9599	12/26/2022	2,980.26	2,980.26	01/05/2023
Total 2269:					2,980.26	2,980.26	
6900	ALDER ENVIRONMENTAL LLC	2988	THAW WELL 33	01/06/2023	543.75	.00	
Total 6900:					543.75	.00	
6686	Allegiance Benefit Plan Manage, I	010323	CLAIMS	01/03/2023	34,685.19	34,685.19	01/05/2023
6686	Allegiance Benefit Plan Manage, I	110323	PREMIUM	11/03/2023	59,394.10	59,394.10	01/05/2023
Total 6686:					94,079.29	94,079.29	
5726	AMAZON	117Y-3MQ3-1L	ROUND START	12/12/2022	15.95	.00	
5726	AMAZON	13FK-KC6W-L	WALL BASE	01/01/2023	53.86	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
5726	AMAZON	19GK-PP3K-G	STATION KIT	01/07/2023	44.99	.00	
5726	AMAZON	1FRW-46KQ-3	HOUSE NUMBERS	01/04/2023	39.80	.00	
5726	AMAZON	1HWV-9FMG-3	RESISTOR	12/12/2022	6.89	.00	
5726	AMAZON	1M14-6YXK-J9	FIRE SUPPRESION	01/08/2023	79.90	.00	
5726	AMAZON	1M14-6YXK-J9	FIRE SUPPRESION	01/08/2023	153.47	.00	
5726	AMAZON	1TDM-RQG6-1	THUNDERBOLT DOCK	01/05/2023	399.99	.00	
5726	AMAZON	1Y3V-W37Y-H6	CALENDAR	12/31/2022	19.11	.00	
Total 5726:					813.96	.00	
383	ANTLER MOTEL, INC.	36D50X	DECEMBER AND JANUARY RO	01/11/2023	12,000.00	.00	
Total 383:					12,000.00	.00	
7170	BADURA, KYLE	122222	DOT PHYSICAL	12/22/2022	100.00	.00	
Total 7170:					100.00	.00	
4774	BIG R RANCH & HOME	1556454	COATS	05/05/2022	159.99	.00	
4774	BIG R RANCH & HOME	1583726	MUCKBOOTS	10/04/2022	339.98	.00	
4774	BIG R RANCH & HOME	1598525	COAT	01/03/2023	71.99	.00	
4774	BIG R RANCH & HOME	1598525	MUCKBOOTS	01/03/2023	179.99	.00	
4774	BIG R RANCH & HOME	1598525	COAT	01/03/2023	72.00	.00	
Total 4774:					823.95	.00	
1560	BLUE SPRUCE CLEANERS,INC	010123	CLEANING	01/01/2023	150.29	.00	
Total 1560:					150.29	.00	
7077	BURKHOLDER, SHAWN	011123	FEBRUARY RENT	01/11/2023	1,850.00	.00	
Total 7077:					1,850.00	.00	
5	CARQUEST AUTO PARTS INC.	6090-594393	HOOK	12/04/2022	52.78	.00	
5	CARQUEST AUTO PARTS INC.	6090-596798	HEADLIGHT	12/27/2022	34.76	.00	
Total 5:					87.54	.00	
7089	CHARLIE'S PLUMBING OF JH	8898-1	MILLER PARK	12/16/2022	585.00	.00	
Total 7089:					585.00	.00	
7173	CHIROPRACTIC AND SPORTS	121422	LUMBAR CUSHIONS	12/14/2022	61.65	.00	
Total 7173:					61.65	.00	
514	CONRAD & BISCHOFF INC.	IN-230640-22	FUEL	12/22/2022	8,365.40	.00	
514	CONRAD & BISCHOFF INC.	IN-230902-22	FUEL	12/22/2022	23,181.89	.00	
Total 514:					31,547.29	.00	
4887	CONTROL SYSTEM TECHNOLO	10712	WATER SCADA	01/09/2023	300.00	.00	
Total 4887:					300.00	.00	
3272	COPYWORKS, LLC	41742	bulk scanner	12/09/2022	171.00	.00	
3272	COPYWORKS, LLC	50029	bulk scanner	01/05/2023	238.50	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 3272:					409.50	.00	
4918	DEAN'S PEST CONTROL LLC	76994	MONTHLY SERVICE	12/14/2022	100.00	.00	
4918	DEAN'S PEST CONTROL LLC	77291	MONTHLY SERVICE	12/23/2022	50.00	.00	
4918	DEAN'S PEST CONTROL LLC	77325	MONTHLY SERVICE	12/06/2022	100.00	.00	
Total 4918:					250.00	.00	
6883	DIVISION OF CHILD SUPPORT	011123	DCSE CASE #0005405448	01/11/2023	509.23	509.23	01/11/2023
Total 6883:					509.23	509.23	
3408	E.R. OFFICE EXPRESS	20521	Mailing labels	12/30/2022	32.48	.00	
3408	E.R. OFFICE EXPRESS	20535	FOLDERS and labels	01/05/2023	10.06	.00	
Total 3408:					42.54	.00	
6157	EFORCE	12332233	2 YEAR ANNUAL LICENSE	01/01/2023	10,404.16	.00	
Total 6157:					10,404.16	.00	
1134	ENERGY LABORATORIES INC.	491184	management and disposal fees	08/02/2022	102.00	.00	
1134	ENERGY LABORATORIES INC.	493390	INFLUENT AND EFFLUENT	08/09/2022	169.00	.00	
1134	ENERGY LABORATORIES INC.	527670	INFLUENT AND EFFLUENT	01/05/2023	437.00	.00	
Total 1134:					708.00	.00	
6552	ETNA TRADE PARK LLC	011123	FEBRUARY RENT	01/11/2023	4,062.00	.00	
Total 6552:					4,062.00	.00	
81	EVANS CONSTRUCTION INC	7906	SAND	12/14/2022	20,000.00	.00	
81	EVANS CONSTRUCTION INC	7916	SAND	12/22/2022	3,686.00	.00	
Total 81:					23,686.00	.00	
6802	FALL RIVER PROPANE	2504269	PROPANE	12/15/2022	463.24	.00	
6802	FALL RIVER PROPANE	2504270	PROPANE	12/15/2022	878.75	.00	
6802	FALL RIVER PROPANE	2509913	PROPANE	12/15/2022	1,850.00	.00	
6802	FALL RIVER PROPANE	2518524	PROPANE	12/21/2022	918.34	.00	
Total 6802:					4,110.33	.00	
3794	FISH CREEK VET CLINIC, LLC	86336	ANIMAL CARE	12/14/2022	187.41	.00	
Total 3794:					187.41	.00	
4709	FLEETPRIDE	104570518	SEAL LOK	12/23/2022	.00	.00	
4709	FLEETPRIDE	104599524	BRAKE	12/27/2022	1,282.90	.00	
4709	FLEETPRIDE	104601771	STRAIGHT THREAD	12/27/2022	44.24	.00	
4709	FLEETPRIDE	104605346	TENSIONER	12/27/2022	443.37	.00	
4709	FLEETPRIDE	104674094	COUPLER	12/30/2022	217.84	.00	
Total 4709:					1,988.35	.00	
6844	GE SOFTWARE	209435	ekos	12/30/2022	80.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6844:					80.00	.00	
4212	GILLIG LLC	40991487	CHAINWHEEL	12/29/2022	705.40	.00	
4212	GILLIG LLC	40991488	WINDOW	12/29/2022	3,264.36	.00	
4212	GILLIG LLC	40991489	ECU	12/29/2022	1,474.37	.00	
Total 4212:					5,444.13	.00	
4271	GRAND TARGHEE RESORT	010322	APRIL 22	01/03/2022	4,371.00-	4,371.00-	01/10/2023
4271	GRAND TARGHEE RESORT	011123	AUGUST 2022 REIMBURSEMEN	01/11/2023	7,884.00	.00	
4271	GRAND TARGHEE RESORT	011123	SEPTEMBER 2022 REIMBURSE	01/11/2023	4,375.00	.00	
Total 4271:					7,888.00	4,371.00-	
6913	H & R ENTERPRISES, LLC	538	UNIFORMS	12/06/2022	714.50	.00	
6913	H & R ENTERPRISES, LLC	538	UNIFORMS	12/06/2022	586.50	.00	
6913	H & R ENTERPRISES, LLC	538	UNIFORMS	12/06/2022	442.50	.00	
6913	H & R ENTERPRISES, LLC	538	DISCOUNT	12/06/2022	1,159.89-	.00	
6913	H & R ENTERPRISES, LLC	538	UNIFORMS	12/06/2022	556.50	.00	
6913	H & R ENTERPRISES, LLC	538	HATS	12/06/2022	1,200.00	.00	
6913	H & R ENTERPRISES, LLC	538	UNIFORMS	12/06/2022	324.00	.00	
6913	H & R ENTERPRISES, LLC	538	UNIFORMS	12/06/2022	1,219.00	.00	
6913	H & R ENTERPRISES, LLC	538	FREIGHT	12/06/2022	138.10	.00	
Total 6913:					4,021.21	.00	
96	HIGH COUNTRY LINEN	0350638	WATER	12/01/2022	19.16	.00	
96	HIGH COUNTRY LINEN	0350638	sUPPLIES SHOP	12/01/2022	15.55	.00	
96	HIGH COUNTRY LINEN	0350638	FACILITY	12/01/2022	19.95	.00	
96	HIGH COUNTRY LINEN	0350638	ADMIN	12/01/2022	5.85	.00	
96	HIGH COUNTRY LINEN	0350638	STREET	12/01/2022	24.64	.00	
96	HIGH COUNTRY LINEN	0350638	sEWER	12/01/2022	13.30	.00	
96	HIGH COUNTRY LINEN	0350638	ADMIN	12/01/2022	4.70	.00	
96	HIGH COUNTRY LINEN	0350638	BUILDING MAINTENANCE	12/01/2022	18.30	.00	
96	HIGH COUNTRY LINEN	0350638	WWTP	12/01/2022	17.20	.00	
96	HIGH COUNTRY LINEN	0350638	FLEET	12/01/2022	33.16	.00	
96	HIGH COUNTRY LINEN	0351684	ADMIN	12/08/2022	4.70	.00	
96	HIGH COUNTRY LINEN	0351684	WWTP	12/08/2022	17.20	.00	
96	HIGH COUNTRY LINEN	0351684	BUILDING MAINTENANCE	12/08/2022	17.04	.00	
96	HIGH COUNTRY LINEN	0351684	fACILITY	12/08/2022	19.95	.00	
96	HIGH COUNTRY LINEN	0351684	WATER	12/08/2022	17.21	.00	
96	HIGH COUNTRY LINEN	0351684	ADMIN	12/08/2022	5.85	.00	
96	HIGH COUNTRY LINEN	0351684	sUPPLIES SHOP	12/08/2022	6.85	.00	
96	HIGH COUNTRY LINEN	0351684	SEWER	12/08/2022	13.30	.00	
96	HIGH COUNTRY LINEN	0351684	FLEET	12/08/2022	33.16	.00	
96	HIGH COUNTRY LINEN	0351684	STREET	12/08/2022	22.69	.00	
96	HIGH COUNTRY LINEN	0352204	MATS @ 145 E PEARL	12/12/2022	16.54	.00	
96	HIGH COUNTRY LINEN	0352207	HOME RAMCH	12/12/2022	52.87	.00	
96	HIGH COUNTRY LINEN	0352784	sUPPLIES SHOP	12/15/2022	6.85	.00	
96	HIGH COUNTRY LINEN	0352784	FACILITY	12/15/2022	19.95	.00	
96	HIGH COUNTRY LINEN	0352784	WATER	12/15/2022	17.21	.00	
96	HIGH COUNTRY LINEN	0352784	STREET	12/15/2022	22.69	.00	
96	HIGH COUNTRY LINEN	0352784	ADMIN	12/15/2022	5.85	.00	
96	HIGH COUNTRY LINEN	0352784	BUILDING MAINTENANCE	12/15/2022	163.78	.00	
96	HIGH COUNTRY LINEN	0352784	WWTP	12/15/2022	17.20	.00	
96	HIGH COUNTRY LINEN	0352784	FLEET	12/15/2022	33.16	.00	
96	HIGH COUNTRY LINEN	0352784	SEWER	12/15/2022	13.30	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
96	HIGH COUNTRY LINEN	0352784	ADMIN	12/15/2022	4.70	.00	
96	HIGH COUNTRY LINEN	0353125	TOWN HALL	12/16/2022	9.46	.00	
96	HIGH COUNTRY LINEN	0353720	MATS	12/21/2022	79.09	.00	
96	HIGH COUNTRY LINEN	0353959	WWTP	12/22/2022	17.20	.00	
96	HIGH COUNTRY LINEN	0353959	ADMIN	12/22/2022	4.70	.00	
96	HIGH COUNTRY LINEN	0353959	SEWER	12/22/2022	13.30	.00	
96	HIGH COUNTRY LINEN	0353959	BUILDING MAINTENANCE	12/22/2022	17.04	.00	
96	HIGH COUNTRY LINEN	0353959	fACILITY	12/22/2022	19.95	.00	
96	HIGH COUNTRY LINEN	0353959	STREET	12/22/2022	22.69	.00	
96	HIGH COUNTRY LINEN	0353959	WATER	12/22/2022	17.21	.00	
96	HIGH COUNTRY LINEN	0353959	ADMIN	12/22/2022	5.85	.00	
96	HIGH COUNTRY LINEN	0353959	SHOP SUPPLIES	12/22/2022	6.85	.00	
96	HIGH COUNTRY LINEN	0353959	FLEET	12/22/2022	33.16	.00	
96	HIGH COUNTRY LINEN	0354506	MATS @ 145 E PEARL	12/26/2022	16.54	.00	
96	HIGH COUNTRY LINEN	0354511	HOME RAMCH	12/26/2022	22.87	.00	
96	HIGH COUNTRY LINEN	0354846	MAT AND TOWELS	12/28/2022	67.21	.00	
96	HIGH COUNTRY LINEN	0355070	WATER	12/29/2022	17.21	.00	
96	HIGH COUNTRY LINEN	0355070	shop SUPPLIES	12/29/2022	15.55	.00	
96	HIGH COUNTRY LINEN	0355070	fACILITY	12/29/2022	19.95	.00	
96	HIGH COUNTRY LINEN	0355070	ADMIN	12/29/2022	5.85	.00	
96	HIGH COUNTRY LINEN	0355070	STREET	12/29/2022	22.69	.00	
96	HIGH COUNTRY LINEN	0355070	SEWER	12/29/2022	13.30	.00	
96	HIGH COUNTRY LINEN	0355070	ADMIN	12/29/2022	4.70	.00	
96	HIGH COUNTRY LINEN	0355070	BUILDING MAINTENANCE	12/29/2022	17.91	.00	
96	HIGH COUNTRY LINEN	0355070	WWTO	12/29/2022	17.20	.00	
96	HIGH COUNTRY LINEN	0355070	FLEET	12/29/2022	33.16	.00	
96	HIGH COUNTRY LINEN	0355397	MATS @ TOWN HALL	12/30/2022	251.20	.00	
96	HIGH COUNTRY LINEN	0356000	MATS	01/04/2023	79.09	.00	
96	HIGH COUNTRY LINEN	0356247	ADMIN	01/05/2022	4.70	.00	
96	HIGH COUNTRY LINEN	0356247	FLEET	01/05/2022	33.16	.00	
96	HIGH COUNTRY LINEN	0356247	BUILDING MAINTENANCE	01/05/2022	17.04	.00	
96	HIGH COUNTRY LINEN	0356247	WWYP	01/05/2022	17.20	.00	
96	HIGH COUNTRY LINEN	0356247	SEWER	01/05/2022	13.30	.00	
96	HIGH COUNTRY LINEN	0356247	ADMIN	01/05/2022	5.85	.00	
96	HIGH COUNTRY LINEN	0356247	SHOP SUPPLIES	01/05/2022	6.85	.00	
96	HIGH COUNTRY LINEN	0356247	fACILITY	01/05/2022	19.95	.00	
96	HIGH COUNTRY LINEN	0356247	STREET	01/05/2022	22.69	.00	
96	HIGH COUNTRY LINEN	0356247	WATER	01/05/2022	17.21	.00	
96	HIGH COUNTRY LINEN	S0351843	TOWN HALL	12/08/2022	236.13	.00	
96	HIGH COUNTRY LINEN	S0353140	TOWELS @ TOWN HALL	12/16/2022	94.13	.00	
Total 96:					2,043.00	.00	
7172	HILL, DEENA	010523	REFUND SEWER SURCHARGE	01/05/2023	3,989.94	.00	
Total 7172:					3,989.94	.00	
36	IDAHO STATE TAX COMMISSIO	01042023	DECEMBER WITHHOLDINGS	01/04/2023	6,873.00	6,873.00	01/05/2023
Total 36:					6,873.00	6,873.00	
106	INTERSTATE BATTERY	22255665	BATTERY	12/27/2022	425.85	.00	
106	INTERSTATE BATTERY	22255745	BATTERIES	01/03/2023	144.95	.00	
Total 106:					570.80	.00	
6954	IVY OUTDOOR SERVICES LLC	0000028	DECEMBER TRASH	01/09/2023	4,785.75	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6954:					4,785.75	.00	
258	JACKSON HOLE COMMUNITY C	011123	JAN-MARCH2023	01/11/2023	43,102.50	.00	
Total 258:					43,102.50	.00	
131	JACKSON HOLE NEWS & GUID	348311	AD#413010	12/21/2022	72.00	.00	
131	JACKSON HOLE NEWS & GUID	348490	AD 413188	12/28/2022	126.00	.00	
131	JACKSON HOLE NEWS & GUID	348496	AD#413462	12/28/2022	49.50	.00	
131	JACKSON HOLE NEWS & GUID	348497	AD#413461	12/28/2022	40.50	.00	
131	JACKSON HOLE NEWS & GUID	348869	AD 413513	01/04/2023	410.40	.00	
131	JACKSON HOLE NEWS & GUID	348870	AD 413547	01/04/2023	410.40	.00	
131	JACKSON HOLE NEWS & GUID	348871	AD#413546	01/04/2023	410.40	.00	
131	JACKSON HOLE NEWS & GUID	348872	AD 413544	01/04/2023	547.20	.00	
131	JACKSON HOLE NEWS & GUID	348873	AD 413545	01/04/2023	410.40	.00	
Total 131:					2,476.80	.00	
114	JACKSON LUMBER INC	0000790379-0	NAILS	07/18/2022	.49	.00	
114	JACKSON LUMBER INC	0000820032-0	MITER SAW	10/17/2022	416.00	.00	
114	JACKSON LUMBER INC	0000822866-0	1X4 PINE AND NAILS	10/25/2022	266.36	.00	
114	JACKSON LUMBER INC	0000825139-0	cREDIT	10/31/2022	257.67-	.00	
114	JACKSON LUMBER INC	0000825140-0	NAILS	10/31/2022	11.55	.00	
Total 114:					436.73	.00	
123	JIM & GREG THE LOCKSMITHS	50091	KEYs	01/04/2023	32.00	.00	
Total 123:					32.00	.00	
7118	JONES SIMKINS	52482	AUDIT	12/31/2022	7,000.00	.00	
Total 7118:					7,000.00	.00	
4902	KOIS BROTHERS EQUIPMENT	56681	SCRAPER	12/09/2022	4,350.63	.00	
Total 4902:					4,350.63	.00	
6807	LANGUAGE TESTING INTERNA	L64906-IN	TOMA	01/07/2023	90.50	.00	
Total 6807:					90.50	.00	
6585	LAWNGEVITY	129695	SNOW REMOVAL	11/30/2022	97.50	.00	
6585	LAWNGEVITY	INV-129694	SNOW REMOVAL	11/30/2022	140.00	.00	
Total 6585:					237.50	.00	
2859	LEADERSHIP JACKSON HOLE	101	LEADERSHIP JH 2022-2023	12/02/2019	2,000.00	.00	
2859	LEADERSHIP JACKSON HOLE	101	LEADERSHIP JH 2022-2023	12/02/2019	2,000.00	.00	
Total 2859:					4,000.00	.00	
6847	LENAMOND, LYNSEY	011123	REIMBMENT	01/11/2023	25.50	.00	
6847	LENAMOND, LYNSEY	011123	REIMBMENT	01/11/2023	13.50	.00	
6847	LENAMOND, LYNSEY	011123	REIMBMENT	01/11/2023	9.76	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6847:					48.76	.00	
5691	LEPCO	50993	CHEM DELIVERY	01/04/2023	893.00	.00	
Total 5691:					893.00	.00	
156	LOWER VALLEY ENERGY INC	92050-002 12-	3150 S ADAMS CANYON DR, JA	12/30/2022	415.91	.00	
156	LOWER VALLEY ENERGY INC	92050-003 12-	SPRUCE DR PUMP HOUSE, JA	12/30/2022	354.93	.00	
156	LOWER VALLEY ENERGY INC	92050-008 12-	CEMETERY, JACKSON, WY 20	12/30/2022	16.24	.00	
156	LOWER VALLEY ENERGY INC	92050-010 12-	ELY SPRINGS RD WELL 6,7,8, J	12/30/2022	2,172.32	.00	
156	LOWER VALLEY ENERGY INC	92050-014 12-	135 E BROADWAY AVE HEAT TA	12/30/2022	18.18	.00	
156	LOWER VALLEY ENERGY INC	92050-017 12-	WASTE WATER TRTMT INTERM	12/30/2022	199.40	.00	
156	LOWER VALLEY ENERGY INC	92050-019 12-	RANGEVIEW DR LIFT PUMP CO	12/30/2022	115.40	.00	
156	LOWER VALLEY ENERGY INC	92050-021 12-	150 E PEARL AVE, JACKSON, W	12/30/2022	1,882.09	.00	
156	LOWER VALLEY ENERGY INC	92050-024 12-	1605 BERGER LN SEWER LIFT	12/30/2022	31.50	.00	
156	LOWER VALLEY ENERGY INC	92050-025 12-	450 W SNOW KING AVE NEW S	12/30/2022	827.73	.00	
156	LOWER VALLEY ENERGY INC	92050-026 12-	450 W SNOW KING AVE SHOP, J	12/30/2022	326.48	.00	
156	LOWER VALLEY ENERGY INC	92050-044 12-	SNOW KING ESTATES BOOSTE	12/30/2022	167.93	.00	
156	LOWER VALLEY ENERGY INC	92050-047 12-	WASTE WATER TRTMT UV BLD	12/30/2022	16.00	.00	
156	LOWER VALLEY ENERGY INC	92050-049 12-	WASTE WATER TRTMT PTB 545	12/30/2022	9,347.37	.00	
156	LOWER VALLEY ENERGY INC	92050-050 12-	2 MG TANK, JACKSON, WY 200	12/30/2022	25.62	.00	
156	LOWER VALLEY ENERGY INC	92050-051 12-	WELL #5 KARNS MEADOW DR,	12/30/2022	3,158.58	.00	
156	LOWER VALLEY ENERGY INC	92050-052 12-	675 E BROADWAY AVE WELL #1	12/30/2022	2,263.35	.00	
156	LOWER VALLEY ENERGY INC	92050-053 12-	WELLS #2 & #3, JACKSON, WY	12/30/2022	118.10	.00	
156	LOWER VALLEY ENERGY INC	92050-054 12-	CITY WELL ELK REF 1, JACKSO	12/30/2022	127.36	.00	
156	LOWER VALLEY ENERGY INC	92050-055 12-	CITY WELL ELK REF 2, JACKSO	12/30/2022	123.50	.00	
156	LOWER VALLEY ENERGY INC	92050-059 12-	440 W SNOW KING AVE POLICE	12/30/2022	356.47	.00	
156	LOWER VALLEY ENERGY INC	92050-060 12-	400 W SNOW KING AVE S GAR,	12/30/2022	1,343.53	.00	
156	LOWER VALLEY ENERGY INC	92050-061 12-	400 W SNOW KING AVE PUBLIC	12/30/2022	1,519.63	.00	
156	LOWER VALLEY ENERGY INC	92050-074 12-	CRABTREE LN THAW WELL #2,	12/30/2022	376.97	.00	
156	LOWER VALLEY ENERGY INC	92050-075 12-	HIGH SCHOOL RD THAW WELL	12/30/2022	228.07	.00	
156	LOWER VALLEY ENERGY INC	92050-078 12-	145 W HANSEN AVE FRONT, JA	12/30/2022	105.03	.00	
156	LOWER VALLEY ENERGY INC	92050-079 12-	145 W HANSEN AVE BACK, JAC	12/30/2022	177.51	.00	
156	LOWER VALLEY ENERGY INC	92050-082 12-	400 W SNOW KING AVE E STOR	12/30/2022	584.95	.00	
156	LOWER VALLEY ENERGY INC	92050-090 12-	955 MAPLE WAY, JACKSON, WY	12/30/2022	202.80	.00	
156	LOWER VALLEY ENERGY INC	92050-092 12-	3150 S ADAMS CANYON DR ANI	12/30/2022	759.68	.00	
156	LOWER VALLEY ENERGY INC	92050-102 12-	145 W HANSEN AVE FRONT, JA	12/30/2022	88.49	.00	
156	LOWER VALLEY ENERGY INC	92050-105-382	MULTIPLE STREET LIGHTS	12/30/2022	2,994.76	.00	
156	LOWER VALLEY ENERGY INC	92050-106 12-	940 SIMON LN, JACKSON, WY	12/30/2022	245.22	.00	
156	LOWER VALLEY ENERGY INC	92050-114 12-3	210 N CACHE ST HOME RANCH	12/30/2022	429.90	.00	
156	LOWER VALLEY ENERGY INC	92050-126 12-	SPRING WATER LN LIFT STATIO	12/30/2022	31.61	.00	
156	LOWER VALLEY ENERGY INC	92050-127 12-	3337 S CODY CREEK DR LIFT S	12/30/2022	356.31	.00	
156	LOWER VALLEY ENERGY INC	92050-131 12-	195 E DELONEY AVE RESTROO	12/30/2022	411.81	.00	
156	LOWER VALLEY ENERGY INC	92050-132 12-	160 S MILLWARD ST PARKING	12/30/2022	1,857.35	.00	
156	LOWER VALLEY ENERGY INC	92050-134 12-	160 S MILLWARD ST PARKING	12/30/2022	6.34	.00	
156	LOWER VALLEY ENERGY INC	92050-334 12-	JOSEPHINE LOOP LOT 15 LIFT	12/30/2022	144.09	.00	
156	LOWER VALLEY ENERGY INC	92050-341 12-	210 N CACHE ST HOME RANCH	12/30/2022	80.53	.00	
156	LOWER VALLEY ENERGY INC	92050-345 12-	930 SIMON LN, JACKSON, WY	12/30/2022	206.94	.00	
156	LOWER VALLEY ENERGY INC	92050-356 12-	55 KARNS MEADOW DR START	12/30/2022	6,932.77	.00	
156	LOWER VALLEY ENERGY INC	92050-357 12-	55 KARNS MEADOW DR START	12/30/2022	6,903.62	.00	
156	LOWER VALLEY ENERGY INC	92050-359 12-	MILLER PARK PARKING LOT CH	12/30/2022	157.41	.00	
156	LOWER VALLEY ENERGY INC	92050-361 12-	625 W BROADWAY AVE NEW P	12/30/2022	23.16	.00	
156	LOWER VALLEY ENERGY INC	92050-363 12-	455 VINE ST UTIL, JACKSON, W	12/30/2022	76.09	.00	
156	LOWER VALLEY ENERGY INC	92050-364 12-	65 VIRGINIAN LN #5, JACKSON,	12/30/2022	91.15	.00	
156	LOWER VALLEY ENERGY INC	92050-365 12-	65 VIRGINIAN LN #7, JACKSON,	12/30/2022	80.12	.00	
156	LOWER VALLEY ENERGY INC	92050-367 12-	455 VINE ST APT #3, JACKSON,	12/30/2022	88.29	.00	
156	LOWER VALLEY ENERGY INC	92050-368 12-	455 VINE ST APT #4, JACKSON,	12/30/2022	76.34	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
156	LOWER VALLEY ENERGY INC	92050-370 12-	2022 WILDFLOWER CT, JACKS	12/30/2022	177.37	.00	
156	LOWER VALLEY ENERGY INC	92050-371 12-	2022 WILDFLOWER CT, JACKS	12/30/2022	48.33	.00	
156	LOWER VALLEY ENERGY INC	92050-374 12-	455 VINE ST APT #1, JACKSON,	12/30/2022	121.63	.00	
156	LOWER VALLEY ENERGY INC	92050-375 12-	155 E PEARL AVE, JACKSON, W	12/30/2022	24.33	.00	
156	LOWER VALLEY ENERGY INC	92050-376 12-	149 E PEARL AVE, JACKSON, W	12/30/2022	285.12	.00	
156	LOWER VALLEY ENERGY INC	92050-378 12-	145 E PEARL AVE #A EAST, JAC	12/30/2022	124.25	.00	
156	LOWER VALLEY ENERGY INC	92050-381 12-	915 SIMON LN, JACKSON, WY	12/30/2022	193.06	.00	
156	LOWER VALLEY ENERGY INC	92050-383 12-	SNOW KING DR WATER TANK C	12/30/2022	22.13	.00	
156	LOWER VALLEY ENERGY INC	92050-385 12-	85 N SPRING GULCH RD SPRIN	12/30/2022	322.62	.00	
156	LOWER VALLEY ENERGY INC	92050-388 12-	121 SHERWOOD CT BLDG 2 BU	12/30/2022	31.63	.00	
156	LOWER VALLEY ENERGY INC	92050-389 12-	1640 MARTIN LN LIFT STATION,	12/30/2022	31.30	.00	
156	LOWER VALLEY ENERGY INC	92050-390 12-	400 W SNOW KING AVE HOUSI	12/30/2022	232.25	.00	
156	LOWER VALLEY ENERGY INC	92050-391 12-	400 W SNOW KING AVE PARK M	12/30/2022	1,332.21	.00	
156	LOWER VALLEY ENERGY INC	92050-392 12-	400 W SNOW KING AVE ADMIN,	12/30/2022	628.99	.00	
156	LOWER VALLEY ENERGY INC	92050-393 12-	400 W SNOW KING AVE EMPLO	12/30/2022	1,102.11	.00	
156	LOWER VALLEY ENERGY INC	92050-395 12-	145 E PEARL AVE #C LOFT, JAC	12/30/2022	107.11	.00	
156	LOWER VALLEY ENERGY INC	92050-396 12-	145 E PEARL AVE HSE/CMN, JA	12/30/2022	126.45	.00	
156	LOWER VALLEY ENERGY INC	92050-397 12-	145 E PEARL AVE #B WEST, JA	12/30/2022	88.18	.00	
156	LOWER VALLEY ENERGY INC	92050-398 12-	155 E PEARL AVE, JACKSON, W	12/30/2022	121.39	.00	
156	LOWER VALLEY ENERGY INC	92050-399 12-	155 E PEARL AVE, JACKSON, W	12/30/2022	99.83	.00	
156	LOWER VALLEY ENERGY INC	92050-401 12-	455 VINE ST APT #2, JACKSON,	12/30/2022	117.60	.00	
156	LOWER VALLEY ENERGY INC	92050-402 12-	6725 W HWY 22 APT 1, WILSON,	12/30/2022	53.92	.00	
156	LOWER VALLEY ENERGY INC	92050-405 12-	3585 S CANADIAN DR, JACKSO	12/30/2022	193.92	.00	
156	LOWER VALLEY ENERGY INC	92050-406 12-	3585 S CANADIAN DR, JACKSO	12/30/2022	22.12	.00	
156	LOWER VALLEY ENERGY INC	92050-407 12-	130 E KELLY AVE #23, JACKSO	12/30/2022	48.22	.00	
156	LOWER VALLEY ENERGY INC	92050-408 12-	445 VINE ST UNIT #201, JACKS	12/30/2022	48.53	.00	
156	LOWER VALLEY ENERGY INC	92050-409 12-	6905 W HWY 22 RENTAL, WILS	12/30/2022	187.03	.00	
156	LOWER VALLEY ENERGY INC	92050-410 12-	910 SMITH LN, JACKSON, WY	12/30/2022	234.14	.00	
156	LOWER VALLEY ENERGY INC	92050-413 12-	76 E CIRCLE DR, THAYNE, WY	12/30/2022	101.65	.00	
Total 156:					54,872.35	.00	
7112	MARKMAN, JASON	011123	FEBRUARY RENT	01/11/2023	1,900.00	.00	
Total 7112:					1,900.00	.00	
998	METROQUIP INC	P19002	PARTS	12/28/2022	305.61	.00	
Total 998:					305.61	.00	
257	NAPA AUTO PARTS INC.	108141	POWER TOOL	11/30/2022	232.99	.00	
257	NAPA AUTO PARTS INC.	113537	GAS CAP	12/27/2022	12.89	.00	
257	NAPA AUTO PARTS INC.	113597	FILTER	12/27/2022	53.28	.00	
257	NAPA AUTO PARTS INC.	113624	LAMP	12/28/2022	87.96	.00	
257	NAPA AUTO PARTS INC.	113647	CLEANER	12/28/2022	23.99	.00	
257	NAPA AUTO PARTS INC.	113706	IGNITION COIL	12/28/2022	64.73	.00	
257	NAPA AUTO PARTS INC.	113747	CIR BKRK	12/28/2022	55.99	.00	
257	NAPA AUTO PARTS INC.	113748	CORE CREDIT	12/28/2022	37.00-	.00	
257	NAPA AUTO PARTS INC.	113832	BATTERY CABLE	12/28/2022	164.00	.00	
257	NAPA AUTO PARTS INC.	113883	IRIDIUM	01/29/2022	53.94	.00	
257	NAPA AUTO PARTS INC.	113899	FILTER	12/29/2022	18.52	.00	
257	NAPA AUTO PARTS INC.	114110	LMAP	12/30/2022	95.36	.00	
257	NAPA AUTO PARTS INC.	114154	FILTERS	12/30/2022	29.54	.00	
257	NAPA AUTO PARTS INC.	114762	FILTER	01/03/2023	40.00	.00	
Total 257:					896.19	.00	
187	NELSON ENGINEERING	60504	21-060-01 THAW WELL	12/31/2022	911.75	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
187	NELSON ENGINEERING	60506	21-411-02 VINE STREET	12/31/2022	92.50	.00	
187	NELSON ENGINEERING	60593	21-411-03 VINE STREET	12/31/2022	10,801.50	.00	
Total 187:					11,805.75	.00	
3579	PINE NEEDLE EMBROIDERY	19400	LOGO	06/29/2022	45.00	.00	
Total 3579:					45.00	.00	
7066	R & A SAFETY LLC	41172	DOT	12/14/2022	80.00	.00	
7066	R & A SAFETY LLC	41221	DOT	12/22/2022	80.00	.00	
7066	R & A SAFETY LLC	41230	RANDOM	12/27/2022	105.00	.00	
Total 7066:					265.00	.00	
1839	RAFTER J IMPROV/SERV DIST	4693	WATER @ ANIMAL SLTR	01/01/2023	146.43	.00	
Total 1839:					146.43	.00	
2291	ROCKY MOUNTAIN APPRAISAL	TOJALLEY/A	APPRAISAL OF ALLEYWAY BLO	01/02/2023	2,500.00	.00	
Total 2291:					2,500.00	.00	
2850	RT1 INC	010623	SHIPPING CHARGES	01/06/2023	81.29	.00	
Total 2850:					81.29	.00	
3694	RUSH INTERNATIONAL TRUCK	3030561552	PARTS	12/15/2022	535.00	.00	
Total 3694:					535.00	.00	
4359	SHERWIN-WILLIAMS CO.	9278-1	PAINT	01/02/2023	47.57	.00	
Total 4359:					47.57	.00	
7175	SHLIM MD, DAVID R	010623	RABIES SHOTS FOR CORCORA	01/06/2023	1,200.00	.00	
Total 7175:					1,200.00	.00	
4931	SNOW KING HOTEL	342259	HOLIDAY PARTY	01/03/2023	542.17	.00	
4931	SNOW KING HOTEL	343408	HOLIDAY PARTY	01/03/2023	1,042.35	.00	
Total 4931:					1,584.52	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334603089	EXAMS	12/26/2022	43.05	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334603173	EXAMS	12/27/2022	20.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334603174	ANIMAL CARE	12/27/2022	20.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334603175	EXAMS	12/27/2022	20.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334603534	EXAMS	01/04/2023	224.19	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334603535	EXAMS	01/04/2023	206.85	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334603536	EXAMS	01/04/2023	20.32	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334603586	EXAMS	01/05/2023	370.75	.00	
Total 1505:					925.16	.00	
241	ST JOHN'S HOSPITAL	50000704	Blood draw	01/04/2023	195.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 241:					195.00	.00	
7088	STONE, KIRK	011123	FEBRUARY RENT	01/11/2023	2,800.00	.00	
Total 7088:					2,800.00	.00	
7177	STONES	124952	2021 TOYOTA RAV 4 HYBRID	01/09/2023	30,803.00	.00	
Total 7177:					30,803.00	.00	
245	SUBURBAN PROPANE	104888	PROPANE	12/15/2022	60.43	.00	
Total 245:					60.43	.00	
7174	SUNROC CORPORATION	85018*06	PIPE MATERIALS	06/30/2022	5,649.65	.00	
Total 7174:					5,649.65	.00	
7115	TETON COUNTY CLERK OF CO	010923	DECEMBER INTERPRETING	01/09/2023	40.00	.00	
Total 7115:					40.00	.00	
581	TETON COUNTY INTEGRATED	8105	CARBOARD PICKUP SERVICE	01/01/2023	327.00	.00	
Total 581:					327.00	.00	
55	TETON COUNTY SHERIFF'S-JAI	636	Inmates	01/05/2023	432.00	.00	
Total 55:					432.00	.00	
270	TETON RENTAL CENTER	121532	SHACKLE	12/23/2022	340.00	.00	
Total 270:					340.00	.00	
6992	TETON ROPE ACCESS AND SE	JAN23A	SNOW REMOVAL	01/02/2023	667.50	.00	
6992	TETON ROPE ACCESS AND SE	JAN23B	SNOW REMOVAL	01/02/2023	1,540.00	.00	
6992	TETON ROPE ACCESS AND SE	JAN23C	SNOW REMOVAL	01/02/2023	527.50	.00	
Total 6992:					2,735.00	.00	
3162	TETON TRASH REMOVAL, INC.	23 JAN 328	TRASH 145 west hansen 2a	01/01/2023	49.00	.00	
Total 3162:					49.00	.00	
154	THE CHILDREN'S LEARNING C	011323	QUARTERLY FUNDING	01/11/2023	29,252.75	.00	
Total 154:					29,252.75	.00	
6941	THE CONNOR E FIELD TRUST	011123	FEBRUARY RENT	01/11/2023	2,575.00	.00	
Total 6941:					2,575.00	.00	
6810	THE TIRE RACK, INC.	KC61998	TIRES	12/15/2022	670.00	.00	
6810	THE TIRE RACK, INC.	KD91473	TIRES	12/30/2022	1,452.71	.00	
6810	THE TIRE RACK, INC.	KD91482	TIRES	12/30/2022	207.53	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6810:					2,330.24	.00	
3955	THOMSON WEST	847588776	ONLINE SOFTWARE SUBSCIPT	01/01/2023	460.47	.00	
3955	THOMSON WEST	847588776	ONLINE SOFTWARE SUBSCIPT	01/01/2023	460.47	.00	
Total 3955:					920.94	.00	
6579	TITLE 22 CONSULTANTS	22-0045	plat review and copies	12/30/2022	542.08	.00	
6579	TITLE 22 CONSULTANTS	23-0046	copies and partial plat review	01/03/2023	360.94	.00	
Total 6579:					903.02	.00	
777	UPPER CASE PRINTING INK	19059	BEAR WISE FLYER	12/28/2022	898.50	.00	
Total 777:					898.50	.00	
7176	VICTOR VILLAGE, LLC	110123	FEB	11/01/2023	1,500.00	.00	
7176	VICTOR VILLAGE, LLC	110123	NOV-DEC RENT	11/01/2023	4,500.00	.00	
7176	VICTOR VILLAGE, LLC	110123	DEPOSIT	11/01/2023	1,500.00	.00	
Total 7176:					7,500.00	.00	
3420	VISA	0355 11/23/202	AMAZON-POLICE - PATROL	11/23/2022	24.37	.00	
3420	VISA	0355 11/23/202	UPS-POLICE - ADMINISTRATIO	11/23/2022	30.33	.00	
3420	VISA	0355 11/23/202	BOHEMIAN -POLICE - PATROL	11/23/2022	27.01	.00	
3420	VISA	0355 11/23/202	UPS-POLICE - ADMINISTRATIO	11/23/2022	10.57	.00	
3420	VISA	0355 11/23/202	WPY EDGE TACTICAL-POLICE -	11/23/2022	2,686.89	.00	
3420	VISA	1016 11/23/202	MISC CHARGES-COMMUNITY D	11/23/2022	160.03	.00	
3420	VISA	1064 11/23/202	EOD GEAR-POLICE SPECIAL O	11/23/2022	399.15	.00	
3420	VISA	1064 11/23/202	AMAZON-POLICE - ADMINISTRA	11/23/2022	50.66	.00	
3420	VISA	1064 11/23/202	WISEMENCOMP-POLICE SPECI	11/23/2022	752.50	.00	
3420	VISA	1064 11/23/202	IDEAL BLASTING-POLICE SPEC	11/23/2022	63.60	.00	
3420	VISA	1064 11/23/202	BLASTERS-POLICE SPECIAL O	11/23/2022	281.90	.00	
3420	VISA	1064 11/23/202	BOTACH-POLICE	11/23/2022	2,967.58	.00	
3420	VISA	1064 11/23/202	AMAZON-POLICE - PATROL	11/23/2022	262.50	.00	
3420	VISA	1064 11/23/202	AMAZON-POLICE - PATROL	11/23/2022	173.82	.00	
3420	VISA	1115 11/23/202	SMITHS-POLICE - PATROL	11/23/2022	31.98	.00	
3420	VISA	1115 11/23/202	PEARL STREET BAGELS-POLIC	11/23/2022	10.01	.00	
3420	VISA	1115 11/23/202	CREEKSIDE-POLICE - PATROL	11/23/2022	21.80	.00	
3420	VISA	1115 11/23/202	TRAVEL EXPENSES-POLICE - P	11/23/2022	760.66	.00	
3420	VISA	1115 11/23/202	ERAC-POLICE - PATROL	11/23/2022	6.72	.00	
3420	VISA	1123 11/23/202	DOLLAR TREE-POLICE SPECIA	11/23/2022	34.45	.00	
3420	VISA	1123 11/23/202	AXON-POLICE - PATROL	11/23/2022	375.00	.00	
3420	VISA	1123 11/23/202	BIG HOLE BBQ-POLICE SPECIA	11/23/2022	430.01	.00	
3420	VISA	1123 11/23/202	SMITHS-POLICE - PATROL	11/23/2022	320.00	.00	
3420	VISA	1123 11/23/202	ALBERTSONS-POLICE - PATRO	11/23/2022	91.65	.00	
3420	VISA	1123 11/23/202	STAPLES-POLICE SPECIAL OP	11/23/2022	38.13	.00	
3420	VISA	1123 11/23/202	ALBERTSONS-POLICE SPECIAL	11/23/2022	65.47	.00	
3420	VISA	1214 11/23/202	USPS-START	11/23/2022	74.40	.00	
3420	VISA	1214 11/23/202	COMMUNITY TRANSPORTATIO	11/23/2022	2,350.00	.00	
3420	VISA	1214 11/23/202	AMAZON-START	11/23/2022	103.87	.00	
3420	VISA	1214 11/23/202	SUBURBAN PROPANE-START	11/23/2022	15.99	.00	
3420	VISA	1214 11/23/202	AMAZON-START	11/23/2022	44.28	.00	
3420	VISA	1214 11/23/202	AMAZON-START	11/23/2022	29.19-	.00	
3420	VISA	1214 11/23/202	STAPLES-START	11/23/2022	199.09	.00	
3420	VISA	1214 11/23/202	AMAZON-START	11/23/2022	51.59	.00	
3420	VISA	1214 11/23/202	ULINE-START	11/23/2022	286.58	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3420 VISA		1214 11/23/202	STAPLES-START	11/23/2022	73.08	.00	
3420 VISA		1214 11/23/202	AMAZON-START	11/23/2022	84.79	.00	
3420 VISA		1214 11/23/202	AMAZON-START	11/23/2022	233.14	.00	
3420 VISA		1214 11/23/202	SIDEWINDERS-START	11/23/2022	111.32	.00	
3420 VISA		1214 11/23/202	BLANKS USA-START	11/23/2022	132.24	.00	
3420 VISA		1255 11/23/202	SMITHS-POLICE - INVESTIGATI	11/23/2022	41.32	.00	
3420 VISA		1255 11/23/202	AEGREAN-POLICE - PATROL	11/23/2022	500.00	.00	
3420 VISA		1255 11/23/202	BUBBA'S-POLICE - PATROL	11/23/2022	27.08	.00	
3420 VISA		1255 11/23/202	EL ABUELITO-POLICE - PATROL	11/23/2022	20.51	.00	
3420 VISA		1255 11/23/202	BLUE TO GOLD-POLICE - PATR	11/23/2022	278.83	.00	
3420 VISA		1255 11/23/202	SVMC-PERSONNEL/TOWN CLE	11/23/2022	100.00	.00	
3420 VISA		1255 11/23/202	STAPLES-POLICE - INVESTIGAT	11/23/2022	155.79	.00	
3420 VISA		2179 11/23/202	TRAVEL EXPENSES TO SLC-FIN	11/23/2022	540.94	.00	
3420 VISA		2344 11/23/202	ANIMAL SHELTER SUPPLIES-A	11/23/2022	633.14	.00	
3420 VISA		2344 11/23/202	ACE HARDWARE-ANIMAL SHEL	11/23/2022	15.89	.00	
3420 VISA		2344 11/23/202	PRO VET CLOTHING-ANIMAL S	11/23/2022	343.95	.00	
3420 VISA		2963 11/23/202	INDEED-PERSONNEL/TOWN CL	11/23/2022	22.37	.00	
3420 VISA		2963 11/23/202	INDEED-START	11/23/2022	502.97	.00	
3420 VISA		2963 11/23/202	JC JEWELERS-PERSONNEL/TO	11/23/2022	167.00	.00	
3420 VISA		2963 11/23/202	NAME BADGES-ADMINISTRATI	11/23/2022	10.97	.00	
3420 VISA		2963 11/23/202	INDEED-START	11/23/2022	501.71	.00	
3420 VISA		2963 11/23/202	PINKY G'S-PERSONNEL/TOWN	11/23/2022	70.04	.00	
3420 VISA		2963 11/23/202	TETON COUNTY CLERK-PERS	11/23/2022	49.50	.00	
3420 VISA		2963 11/23/202	COOLWORKS-START	11/23/2022	318.00	.00	
3420 VISA		2963 11/23/202	SIDEWINDERS-PERSONNEL/TO	11/23/2022	47.18	.00	
3420 VISA		2963 11/23/202	CROWN TROPHY-START	11/23/2022	21.49	.00	
3420 VISA		2963 11/23/202	WAM-PERSONNEL/TOWN CLER	11/23/2022	125.00	.00	
3420 VISA		4100 11/23/202	CREEKSIDE-START	11/23/2022	197.48	.00	
3420 VISA		4100 11/23/202	STAPLES-START	11/23/2022	215.19	.00	
3420 VISA		4100 11/23/202	DOLLAR TREE-START	11/23/2022	38.43	.00	
3420 VISA		4100 11/23/202	TARGET-START	11/23/2022	81.59	.00	
3420 VISA		4100 11/23/202	ALBERTSONS-PERSONNEL/TO	11/23/2022	37.53	.00	
3420 VISA		4100 11/23/202	WEBSTaurant-START	11/23/2022	212.48	.00	
3420 VISA		4100 11/23/202	ALBERTSONS-START	11/23/2022	32.00	.00	
3420 VISA		4100 11/23/202	ALBERTSONS-START	11/23/2022	185.18	.00	
3420 VISA		4100 11/23/202	ALBERTSONS-PERSONNEL/TO	11/23/2022	51.92	.00	
3420 VISA		4100 11/23/202	CREEKSIDE-START	11/23/2022	169.95	.00	
3420 VISA		4100 11/23/202	DOLLAR TREE-START	11/23/2022	18.55	.00	
3420 VISA		4100 11/23/202	ALBERTSONS-START	11/23/2022	432.98	.00	
3420 VISA		4100 11/23/202	TARGET-START	11/23/2022	79.02	.00	
3420 VISA		4100 11/23/202	TARGET-PERSONNEL/TOWN C	11/23/2022	131.83	.00	
3420 VISA		4142 11/23/202	CUTTY'S-STREET EXPENDITUR	11/23/2022	136.71	.00	
3420 VISA		4142 11/23/202	FATHOM-SEWER DEPARTMENT	11/23/2022	68.00	.00	
3420 VISA		4142 11/23/202	UPS STORE-WATER DEPARTM	11/23/2022	74.63	.00	
3420 VISA		4142 11/23/202	SUPER BRIGHT LEDS-PUBLIC	11/23/2022	308.90	.00	
3420 VISA		4142 11/23/202	OFFICE OF WATER-SEWER DE	11/23/2022	162.00	.00	
3420 VISA		4142 11/23/202	DOG-SEWER DEPARTMENT	11/23/2022	12.00	.00	
3420 VISA		4142 11/23/202	ALLIANZ-PUBLIC WORKS	11/23/2022	63.63	.00	
3420 VISA		4142 11/23/202	ZARATHON-SEWER DEPARTME	11/23/2022	19.90	.00	
3420 VISA		4142 11/23/202	CUTTY'S-STREET EXPENDITUR	11/23/2022	149.64	.00	
3420 VISA		4142 11/23/202	AMERICAN AIRLINES-PUBLIC W	11/23/2022	755.71	.00	
3420 VISA		4142 11/23/202	CEU PLAN-SEWER DEPARTME	11/23/2022	73.35	.00	
3420 VISA		6098 11/23/202	MAILCHIMP-COMMUNITY DEVE	11/23/2022	59.00	.00	
3420 VISA		6825 11/23/202	WESCO-POLICE SPECIAL OPE	11/23/2022	528.60	.00	
3420 VISA		6825 11/23/202	AMAZON-POLICE SPECIAL OPE	11/23/2022	.00	.00	
3420 VISA		6825 11/23/202	360 TRAINING-POLICE - PATRO	11/23/2022	499.00	.00	
3420 VISA		6825 11/23/202	MAGPUL INDUSTRIES-POLICE	11/23/2022	1,376.94	.00	
3420 VISA		6908 11/23/202	DOG-INFORMATION TECHNOL	11/23/2022	12.96	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3420 VISA		6908 11/23/202	IPHONE PAYMENT-INFORMATIO	11/23/2022	139.00	.00	
3420 VISA		6908 11/23/202	STAPLES-INFORMATION TECH	11/23/2022	74.97	.00	
3420 VISA		6908 11/23/202	DISH NETWORK-TOWN-WIDE S	11/23/2022	134.71	.00	
3420 VISA		6908 11/23/202	LOGI STORE-INFORMATION TE	11/23/2022	688.95	.00	
3420 VISA		6908 11/23/202	GARMIN-INFORMATION TECHN	11/23/2022	2.00	.00	
3420 VISA		6908 11/23/202	GO DADDY-INFORMATION TEC	11/23/2022	30.16	.00	
3420 VISA		6908 11/23/202	MICROSOFT-INFORMATION TE	11/23/2022	499.00	.00	
3420 VISA		6908 11/23/202	SPECTRUM-INFORMATION TEC	11/23/2022	99.99	.00	
3420 VISA		6908 11/23/202	THAI ME UP-INFORMATION TEC	11/23/2022	97.56	.00	
3420 VISA		6908 11/23/202	CBI-INFORMATION TECHNOLO	11/23/2022	21.19	.00	
3420 VISA		6908 11/23/202	RAM MOUNTS-INFORMATION T	11/23/2022	187.02	.00	
3420 VISA		6908 11/23/202	THE BISTRO-PERSONNEL/TOW	11/23/2022	317.94	.00	
3420 VISA		6908 11/23/202	AMAZON-INFORMATION TECHN	11/23/2022	184.99	.00	
3420 VISA		6908 11/23/202	PINKY G'S-INFORMATION TECH	11/23/2022	69.01	.00	
3420 VISA		6908 11/23/202	PORTLAND LABS-INFORMATIO	11/23/2022	180.00	.00	
3420 VISA		6908 11/23/202	AMAZON-INFORMATION TECHN	11/23/2022	78.99	.00	
3420 VISA		6908 11/23/202	KEEPER SECURITY-INFORMATI	11/23/2022	32.18	.00	
3420 VISA		9118 11/23/202	TETON COUNTY BAR-TOWN AT	11/23/2022	150.00	.00	
3420 VISA		9118 11/23/202	NATIONAL BUSINESS INST-TO	11/23/2022	229.00	.00	
3420 VISA		9118 11/23/202	WYOMING BAR-TOWN ATTORN	11/23/2022	355.00	.00	
3420 VISA		9126 11/23/202	THE LODGE @ JH-VICTIM SERV	11/23/2022	369.96	.00	
3420 VISA		9126 11/23/202	ALBERTSON-VICTIM SERVICES	11/23/2022	9.99	.00	
3420 VISA		9126 11/23/202	COCOA COLA-VICTIM SERVICE	11/23/2022	90.60	.00	
3420 VISA		9126 11/23/202	SMITHS-VICTIM SERVICES	11/23/2022	5.69	.00	
3420 VISA		9126 11/23/202	DOLLAR TREE-VICTIM SERVIC	11/23/2022	13.25	.00	
3420 VISA		9126 11/23/202	SMITHS-VICTIM SERVICES	11/23/2022	116.33	.00	
Total 3420:					28,664.23	.00	
244 WATTS STEAM STORE ROCKY		80292	ORINGS, PUMP NOZZLE	12/07/2022	918.61	.00	
Total 244:					918.61	.00	
563 WESTBANK SANITATION		4149003T022	910 SIMON LANE	01/01/2023	32.26	.00	
Total 563:					32.26	.00	
1640 WESTERN STATE		IN002252232	CAP O RONG	12/27/2022	88.34	.00	
Total 1640:					88.34	.00	
472 WHITE GLOVE CLEANING, INC.		8552	CLEAN PW	11/30/2022	1,380.33	.00	
472 WHITE GLOVE CLEANING, INC.		8620	JANITORIAL SERVICES	12/31/2022	350.00	.00	
472 WHITE GLOVE CLEANING, INC.		8621	JANITORIAL SERVICES	12/31/2022	1,380.33	.00	
472 WHITE GLOVE CLEANING, INC.		8622	JANITORIAL SERVICES	12/31/2022	204.00	.00	
472 WHITE GLOVE CLEANING, INC.		8624	JANITORIAL SERVICES	12/31/2022	100.00	.00	
472 WHITE GLOVE CLEANING, INC.		8641	SPICY CINN	12/30/2022	170.75	.00	
472 WHITE GLOVE CLEANING, INC.		8642	SPICY CINN	12/30/2022	11.00	.00	
472 WHITE GLOVE CLEANING, INC.		8643	SPICY CINN	12/30/2022	176.25	.00	
Total 472:					3,772.66	.00	
7081 WILMA D SORSBY TRUST		011123	FEBRUARY RENT	01/11/2023	3,000.00	.00	
Total 7081:					3,000.00	.00	
6117 WILSON, JOHN		011123	FEBRUARY RENT	01/11/2023	2,200.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6117:					2,200.00	.00	
5489	WRENCH IT PLUMBING & HEATI	10111	400 SNOW KING	12/26/2022	272.21	.00	
Total 5489:					272.21	.00	
3619	WY CHILD SUPPORT ENFORCE	0112023	case #209790	01/11/2023	146.76	146.76	01/11/2023
Total 3619:					146.76	146.76	
4139	WY WORKERS' SAFETY & COM	010423	JANUARY PREMIUM	01/04/2023	27,615.65	27,615.65	01/05/2023
Total 4139:					27,615.65	27,615.65	
329	WYOMING RETIREMENT SYST	01052023	DECEMBER CONTRIBUTIONS	01/05/2023	210,931.26	210,931.26	01/05/2023
Total 329:					210,931.26	210,931.26	
1764	WYOMING.COM INC	2121862	DOMAIN HOSTING	01/05/2023	5.00	.00	
Total 1764:					5.00	.00	
2842	YELLOW IRON EXCAVATION, LL	71958	455 VINE	06/30/2022	20.00	.00	
2842	YELLOW IRON EXCAVATION, LL	71958	455 VINE	06/30/2022	20.00	.00	
2842	YELLOW IRON EXCAVATION, LL	71958	455 VINE	06/30/2022	20.00	.00	
2842	YELLOW IRON EXCAVATION, LL	71958	455 VINE	06/30/2022	20.00	.00	
2842	YELLOW IRON EXCAVATION, LL	78183	TRASH REMOVAL	12/31/2022	50.00	.00	
2842	YELLOW IRON EXCAVATION, LL	7850	915 SIMON LANE	12/31/2022	40.00	.00	
2842	YELLOW IRON EXCAVATION, LL	78639	TRASH REMOVAL	12/31/2022	20.00	.00	
2842	YELLOW IRON EXCAVATION, LL	78639	TRASH REMOVAL	12/31/2022	20.00	.00	
2842	YELLOW IRON EXCAVATION, LL	78639	TRASH REMOVAL	12/31/2022	20.00	.00	
2842	YELLOW IRON EXCAVATION, LL	78639	TRASH REMOVAL	12/31/2022	20.00	.00	
2842	YELLOW IRON EXCAVATION, LL	78814	155 E PEARL	12/31/2022	120.00	.00	
Total 2842:					370.00	.00	
Grand Totals:					735,748.14	338,860.45	

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:	January 17, 2023	Meeting Title:	Regular Meeting
Submitting Department:	Joint Housing	Presenter:	April Norton
Agenda Item:	Special Restrictions for Workforce Ownership Housing and Workforce Rental Housing Located at 105 Mercill Avenue	Public Comment:	Yes

Purpose & Policy Considerations.

The Council will consider twelve (12) Special Restrictions for Workforce Rental Housing and eighteen (18) Special Restrictions for Workforce Ownership Housing, all located at 105 Mercill Avenue.

Requested Action.

Approval of the restrictions by the Council and signed by the Mayor.

Recommendations.

Staff recommends approval of the restrictions.

Background.

Mercill Condos located at 105 Mercill Avenue is a public-private partnership that will create 30 Workforce homes.

As part of the agreement between the developer and Teton County, up to 12 units may be sold with Workforce Rental Special Restrictions. These units may not be owner-occupied and must be rented to Qualified Households (work full-time locally, earn most of their household money locally, no ownership of residential real estate within 150 miles).

Also, as part of the agreement between the developer and Teton County, a minimum of 18 units must be sold with Workforce Ownership Special Restrictions. These units must be owner-occupied, and the owners must meet the qualifications of the Workforce Program. The developer has up to five years to sell these units and is required to lease to Qualified Households in the interim.

Analysis.

These restrictions meet the requirements of the Ground Lease, as amended, between Teton County and Mercill Partners LLC and are the template restrictions previously approved by Council with the five-year sales period addition.

Possible Alternatives.

Alternative One (Staff Recommendation): Approve as presented today.

Alternative Two: Amend to remove five-year timeframe to sell units. This will be in direct opposition of the Ground Lease negotiated by the Board of County Commissioners. Staff strongly recommends against this.

Comprehensive Plan & Priority Alignment.

- Principle 5.1: Maintain a diverse population by providing workforce housing.

Fiscal Impact.

No impact to the Town.

Staff Impact.

Housing staff have spent approximately 2 hours on this item.

Attachments or Links.

- Special Restrictions for Workforce Ownership Housing Located at 105 Mercill Avenue
- Special Restrictions for Workforce Condominium Rental Housing Located at 105 Mercill Avenue

Suggested Motion.

I move to approve the Special Restrictions for Workforce Ownership Housing Located at 105 Mercill Avenue and the Special Restrictions for Workforce Condominium Rental Housing Located at 105 Mercill Avenue and authorize the Mayor to sign.

**Special Restrictions
For Workforce Ownership Housing
Located at
105 Mercill Avenue**

These Special Restrictions for Workforce Ownership Housing (“Special Restrictions”) are made this ____ day of _____, 2023 (the “Effective Date”), by the undersigned Owner (“Owner”).

RECITALS:

WHEREAS, Owner holds fee ownership interest in that certain real property, located in the Town of Jackson, Wyoming, and more specifically described as follows:

Unit ____ of the Mercill Avenue Condominiums Addition to the Town of Jackson, Wyoming, according to that Plat recorded in the Office of the Teton County Clerk on _____, 2023 as Plat No. _____ and as further defined and described in that Declaration of Condominium for Mercill Avenue Condominiums recorded in the Office of the Teton County Clerk on _____, 2023 as Document Number _____, and any amendments and supplements thereto recorded in the Office of the Teton County Clerk of Teton County, Wyoming from time to time.

Temporary PIDN: _____ (the “Residential Unit” or “Unit”);

WHEREAS, in furtherance of the Town of Jackson, Wyoming’s goal of providing affordable housing to qualified Teton County residents who will occupy the housing as their primary residence, and as a condition of the Ground Lease executed by Owner and Teton County, Wyoming recorded in the Office of the Teton County Clerk on October 30, 2020 as Document Number 1002142, and all amendments thereto (the “Ground Lease”), Owner was required to develop and construct 30 residential condominium units and deed restrict each of the units.

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners resolved to form the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to W.S. §15-10-116, as amended, and its successors or assigns, known as the Jackson/Teton County Housing Authority (“JTCHA”);

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department (“Housing Department”) who are employees of Teton County and agents acting on behalf of the JTCHA, empowered to enforce these Special Restrictions;

WHEREAS, the Owner is also the developer of the Residential Unit. As a condition of the Approval, the Owner is required to record these Special Restrictions after construction of the Units, after recordation of the Plat and prior to issuance of a Certificate of Occupancy for the Residential Unit. While Owner desires to sell the Residential Unit in accordance with the terms and conditions contained herein, the

Owner may still hold title to the Residential Unit at the time these Special Restrictions are filed. To be clear, when used in this Agreement, the term "Owner" shall refer to the Owner signing these Special Restrictions or a lender succeeding by virtue of foreclosure to these restrictions and the term "owner" shall refer to any owner who owns the Residential Unit subsequent to the Owner.

WHEREAS, in furtherance of the goals, objectives, requirements and conditions of Approval, and consistent with the Town of Jackson's goal of providing decent, safe and sanitary housing to qualified employees working in Teton County, Wyoming, that is affordable, Owner agrees to restrict the use and occupancy of the Residential Unit to a "Qualified Household," which meets employment, income and asset ownership qualifications as set forth herein and as further defined in the Jackson/Teton County Housing Department Rules and Regulations;

WHEREAS, Owner desires to adopt these Special Restrictions and declare that the Residential Unit shall be held, sold, and conveyed in perpetuity subject to these Special Restrictions, which Special Restrictions shall be in addition to all other covenants, conditions or restrictions of record affecting the Residential Unit, and shall be enforceable by Housing Department and the Town of Jackson, Wyoming.

RESTRICTIONS:

NOW THEREFORE, in satisfaction of the conditions in the Approval, and in further consideration of the foregoing Recitals, which are by this reference incorporated herein, Owner hereby declares, covenants and agrees for itself and each and every person acquiring ownership of the Residential Unit, that each Residential Unit shall be owned, used, occupied, developed, transferred and conveyed subject to the following Special Restrictions in perpetuity.

SECTION 1. JACKSON/TETON COUNTY HOUSING DEPARTMENT RULES AND REGULATIONS. References made herein to the "Rules and Regulations" are references to the written policies, procedures and guidelines of the Housing Department, as the same may be amended, modified, or updated from time to time and which policies, procedures and guidelines are on file with the Housing Department or otherwise with the Town of Jackson, or if there are no such written policies, procedures or guidelines (or a written policy, procedure or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in these Special Restrictions shall be as set forth in the Rules and Regulations. In the case of a conflict between these Special Restrictions and the Rules and Regulations, these Special Restrictions shall apply.

SECTION 2. OWNERSHIP BY QUALIFIED HOUSEHOLD.

A. Qualified Household. The ownership, use, and occupancy of the Residential Unit shall be limited to natural persons who meet the definition of a Qualified Household for Workforce Housing, as set forth below and as may be further detailed in the Rules and Regulations ("Qualified Household"). Notwithstanding the foregoing, it is understood and acknowledged by the parties that upon recordation of these Special Restrictions the Owner may still hold title to the Residential Unit. If Owner still holds title to the Residential Unit at the time the Special Restrictions are recorded, the Owner is not required to be a Qualified Household. However, Owner understands and acknowledges that it is required to use

commercially reasonable efforts to sell the Residential Unit to a Qualified Household in accordance with the terms and conditions contained herein within 5 years from the date a certificate of occupancy is issued on the Residential Unit. Notwithstanding the foregoing, the parties acknowledge market and economic forces beyond the control of any parties to these Special Restrictions may impact Initial Sale of the Residential Unit. Therefore, in the event the Wyoming Cost of Living Index Northwest Region as published by the Wyoming Department of Administration & Information, Economic Analysis Division is negative for 3 quarters or more, the Owner's deadline to sell the Residential Unit shall be extended by 18 months. For any entity which is deemed a Qualified Mortgagee under Section 10(a) herein, that entity shall be entitled to an additional 2 years from the recordation of a foreclosure deed to sell the Residential Unit to a Qualified Household. If the Owner rents the Residential Unit to a tenant prior to Initial Sale (as defined herein), the tenant must be a Qualified Household.

1 Employment Requirement. At least one (1) member of the Qualified Household must maintain an average of thirty (30) hours per week employment on an annual basis, or a minimum of one thousand five hundred and sixty hours (1,560) per year, for a Local Business.

i.) A "Local Business" means (1) a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and (2) the business serves clients or customers who are physically located in Teton County, Wyoming, and (3) the employees/owners must work in Teton County, Wyoming to perform their job.

Or

ii.) A business physically located in Teton County, Wyoming who employs two or more Qualified Employees, which qualified employees must work in Teton County Wyoming to perform their job.

2 Income Requirement: The entire Qualified Household must earn at least seventy-five percent (75%) of the Household's income from a Local Business, as defined above.

3 No Teton County Residential Real Estate. No member of the Qualified Household may own or have any interest (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) in whole or in part in any other residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at any time during occupancy of the Residential Unit.

4 Determination by the Housing Department. The Housing Department shall determine whether a prospective occupant is a Qualified Household. In addition to any requirements set forth in the Rules and Regulations, such determinations shall be based upon written applications, representations, information and verification as are deemed by the Housing Department to be necessary to establish and substantiate eligibility.

5 Continuing Obligation to Remain a Qualified Household. Households residing in the Residential Unit shall satisfy the definition of a Qualified Household at all times during occupancy of the Residential Unit.

B. No Legal Action. No owner of the Residential Unit, prospective purchaser of the Residential Unit, Tenant, renter or occupant, or other party shall have the right to sue or bring other legal process against the Town of Jackson or Teton County, Wyoming or the Housing Department, or any person affiliated with the Town of Jackson or Teton County, Wyoming or the Housing Department arising out of these Special Restrictions, and neither shall the Town of Jackson nor Teton County, Wyoming nor the Housing Department have any liability to any person aggrieved by the decision of the Town of Jackson or the Housing Department regarding qualification of a Qualified Household or any other matter relating to these Special Restrictions.

C. Ownership by JTCHA. Notwithstanding the foregoing, JTCHA may purchase and own the Residential Unit.

SECTION 3. RESTRICTIONS ON OCCUPANCY, IMPROVEMENT AND USE OF RESIDENTIAL UNIT. The provisions contained in this Section apply before and after the Initial Sale of the Residential Unit. "Initial Sale" is defined in these Special Restrictions to be the sale of the Residential Unit from the Owner to a purchaser who shall subsequently become an 'owner'. While Owner is not a Qualified Household, if the Owner rents the Residential Unit to a tenant prior to Initial Sale, the tenant must be a Qualified Household. In addition to any restrictions included in the Rules and Regulations, occupancy and use of the Residential Unit shall be restricted as follows:

A. Occupancy.

1 Occupancy by Qualified Household. The Residential Unit may only be occupied by a Qualified Household, shall be such Qualified Household's sole and exclusive primary residence, and each Qualified Household occupying the Residential Unit shall physically reside therein on a full-time basis, at least ten (10) months out of each calendar year. Except for permitted guests, no person other than those comprising the Qualified Household may occupy the Unit, provided that such requirement does not violate federal or state fair housing laws.

2 Occupancy by Tenant. The Residential Unit occupied by a tenant shall be the Qualified Household's sole and exclusive primary residence, and each tenant of a Residential Unit shall physically reside therein on a full-time basis, at least eighty percent (80%) of the term of the lease. Except for permitted guests, no persons other than the members of the Qualified Household may occupy the Residential Unit. Only members of the Qualified Household may occupy a Residential Unit.

B. Business Activity. No business activities shall occur in a Residential Unit, other than a home occupation use that is allowed by applicable land development regulations and properly permitted.

C. Guests. No persons other than those comprising the Qualified Household shall be permitted to occupy the Residential Unit for periods in excess of thirty (30) cumulative days per calendar year.

D. Renting. Owner or an owner may rent the Residential Unit to a Qualified Household after verification

and qualification of eligibility by the Housing Department.

E. Rental Term. The Residential Unit shall be offered for rent in periods of not less than thirty-one (31) days.

F. Vacancies. The Residential Unit may be vacant intermittently between tenancies to allow for proper advertisement and verification for Qualified Households and reasonable maintenance. However, a Residential Unit shall not be vacant for a period greater than sixty (60) days, unless authorized by the Housing Department. If any Residential Unit remains vacant for more than sixty (60) days without approval, the Housing Department has the right, but not the obligation, to identify a Qualified Household to rent the Residential Unit.

G. Maintenance. Owner or an owner shall take good care of the interior of the Residential Unit and all other aspects of the Residential Unit not otherwise maintained by a homeowner's association and shall make all repairs and maintain the Residential Unit in a safe, sound, habitable, and good condition and state of repair. In case of damage to the Residential Unit, Owner or an owner shall repair the damage or replace or restore any destroyed parts of the Residential Unit, as speedily as practical.

H. Capital Improvements. Owner or an owner may only undertake capital improvements to the Residential Unit in accordance with the policies set forth in the Rules and Regulations, which policies may include but are not limited to, a limitation on the valuation of such improvements at Resale, requirements regarding the advance written approval of such improvements, and documentation of proposed and completed improvements.

I. Insurance. Owner or an owner shall keep the Residential Unit continuously insured against "all risks" of physical loss (not otherwise covered by a homeowner's association insurance), for the full replacement value of the Residential Unit.

J. Compliance with Laws, Declaration. The Residential Unit shall be occupied in full compliance with these Special Restrictions and the Rules and Regulations, along with all laws, statutes, codes, rules, or regulations, covenants, conditions and restrictions, and all supplements and amendments thereto, and any other rules and regulations of any applicable homeowner's association, as the same may be adopted from time to time.

K. Periodic Reporting, Inspection. In order to confirm compliance with these Special Restrictions, the Rules and Regulations and other covenants, regulations, ordinances, or rules governing the ownership, occupancy, use, development or transfer of a Residential Unit, an Owner or owner shall comply, and shall cause all occupants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to an Owner or owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with these Special Restrictions and to review the written records required to be maintained by an Owner or owner. An Owner or owner shall maintain such records for a period of two (2) years.

SECTION 4. TRANSFER LIMITATIONS. The Residential Unit may only be sold in accordance with Sections 5, 6 and 7 below or transferred in accordance herewith as follows:

- A. Divorce. The provisions contained in this Section apply only after the Initial Sale of the Residential Unit. In the event of the divorce of an owner, the Housing Department may consent to the transfer of the Residential Unit to the spouse of such owner, which spouse may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.
- B. Death. The provisions contained in this Section apply only after the Initial Sale of the Residential Unit. In the event of the death of an owner, the Housing Department may consent to the transfer of the Residential Unit to an heir or devisee of such deceased owner, which heir or devisee may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.
- C. Nonqualified Transferee. If title to the Residential Unit vests in a Nonqualified Transferee, as defined in the Rules and Regulations, the Residential Unit shall immediately be listed for sale in accordance with these Special Restrictions and the Rules and Regulations, or in the alternative, JTCHA may exercise its option herein to purchase the Residential Unit. The following shall apply when the Housing Department determines there is a Nonqualified Transferee:
- 1 The Housing Department shall provide the Nonqualified Transferee a reasonable period within which to qualify as a Qualified Household.
 - 2 If the Nonqualified Transferee does not qualify as a Qualified Household within such reasonable period, they shall cooperate with the Housing Department to effect the sale, conveyance or transfer of the Residential Unit to a Qualified Household and shall execute any and all documents necessary to such sale, conveyance or transfer.
 - 3 A Nonqualified Transferee shall comply with these Special Restrictions, the Rules and Regulations, the Declaration, zoning and all Laws governing the ownership, occupancy, use, development or transfer of the Residential Unit, and further may only occupy the Residential Unit with the prior written consent of the Housing Department.

SECTION 5. INITIAL SALE OF THE RESIDENTIAL UNIT. At Initial Sale, the Residential Unit may only be sold to a Qualified Household at a purchase price as Owner and prospective buyer may determine and subject to these Special Restrictions. After Owner and a prospective buyer enter into a purchase agreement for the purchase and sale of the Unit and at least thirty (30) days prior to purported closing of the purchase and sale, the prospective buyer shall provide such information as may be required by the Housing Department for it to determine if the prospective buyer is a Qualified Household. If the prospective buyer does not qualify as a Qualified Household, such buyer may not purchase the Unit. At all subsequent sales, the Housing Department will conduct a Weighted Drawing to identify a buyer.

SECTION 6. RESALE OF RESIDENTIAL UNIT. For the purposes of this Agreement, "Resale" shall mean all sales subsequent to the Initial Sale. At Resale, an owner desiring to sell a Residential Unit shall give written notice to the Housing Department of such desire (the "Notice to Sell"), and after receipt of such notice, the Housing Department shall determine the "Maximum Resale Price," as provided herein and in accordance with the Rules and Regulations. Upon the Housing Department's determination of the Maximum Resale Price, the resale of the Residential Unit shall be facilitated by the Housing Department and shall be completed in accordance with the procedure set forth in the Rules and Regulations, which

procedure may include, without limitation: a fee (not to exceed two percent (2%)) of the Maximum Resale Price paid to the Housing Department for such facilitation; requirements regarding listing the Residential Unit with the Housing Department and/or a licensed real estate agent, as the Housing Department may direct; standard terms for the sales contract; and procedure for the selection of the purchaser (which selection procedure may include a weighted drawing process). Any such Resale of a Residential Unit shall be subject to these Special Restrictions. Each purchaser of a Residential Unit shall execute a Buyer's Acknowledgment of Special Restrictions and Option, on a form to be provided by the Housing Department. Notwithstanding the foregoing, upon receipt of notice from an owner of such owner's desire to sell a Residential Unit, the Housing Department may purchase such Residential Unit. So long as such owner is not otherwise in default as defined herein, the purchase price in such case shall be the Maximum Resale Price as calculated below and subject to adjustment as provided herein. If an owner is in default, other provisions of these Special Restrictions may apply in determining the purchase price.

SECTION 7. MAXIMUM RESALE PRICE. This Section shall apply only to a Resale of the Residential Unit. To further the Town of Jackson's goal of providing affordable housing, after the Initial Sale, a Residential Unit may not be sold for a purchase price in excess of the "Maximum Resale Price." The Maximum Resale Price is the current owner's purchase price plus an increase in price of the Denver-Boulder-Greeley CPI (if such ceases to exist then a comparable CPI Index as determined in the sole discretion of the Housing Department) or three percent (3%), whichever is lower, per year of ownership compounded annually, plus the depreciated cost of pre-approved or government-required capital improvements, plus any other costs allowed by the Housing Department, less any required maintenance and/or repair adjustment, all as more fully described in the Rules and Regulations. Notwithstanding the determination of the Maximum Resale Price, the actual sales proceeds delivered to a selling owner may be reduced to account for restoration or repair of a Residential Unit (including without limitation, replacement of carpets, painting, roof repair, siding maintenance/replacement, etc.) determined necessary in the Housing Department's sole and absolute discretion. Finally, to ensure that the Resale price of any Residential Unit is limited to the Maximum Resale Price, no purchaser of a Residential Unit shall assume any obligation of a selling owner, nor shall such purchaser pay or provide to a selling owner any other form of consideration in connection with the sale of the Residential Unit. The calculation of the Maximum Resale Price, as made by the Housing Department, shall be final and binding on all parties.

NOTHING HEREIN SHALL BE CONSTRUED TO CONSTITUTE A REPRESENTATION OR GUARANTY THAT UPON THE RESALE OF A RESIDENTIAL UNIT, AN OWNER SHALL OBTAIN THE ENTIRE MAXIMUM RESALE PRICE.

SECTION 8. DEFAULT. Each of the following shall be considered a default ("Default") subsequent to notice and opportunity to cure that is consistent with the Rules and Regulations:

- A. A violation of any term of these Special Restrictions, the Rules and Regulations, the Declaration, or any laws affecting a Residential Unit.
- B. Vacancy of a Residential Unit for more than sixty (60) days continuously, unless authorized by the Housing Department.

- C. Failure to pay or default of any other obligations due or to be performed with respect to a Residential Unit which failure to pay or default could result in a lien against a Residential Unit, including without limitation, homeowner dues, property taxes, payment required by a promissory note or mortgage purporting to affect a Residential Unit. An Owner or owner shall notify the Housing Department in writing of any notification received from any lender or third party of past due payments or default in payment or other obligations due or to be performed within five (5) calendar days of an Owner or owner's notification.
- D. If the Residential Unit is taken by execution or by other process of law, or if an Owner or owner is judicially declared insolvent according to law, or if any assignment is made of the property of an owner for the benefit of creditors, or if a receiver, trustee or other similar officer is appointed to take charge of any substantial part of the Residential Unit or an Owner or owner's property by a court of competent jurisdiction.
- E. Fraud or misrepresentation by purchaser, the Owner, a subsequent owner and/or occupant in the provision of an application, reporting requirement, inspection requirement or any other informational requirement to the Housing Department.

In the event the Housing Department believes there to be a Default, the Housing Manager, or a designee of the Housing Department, shall send written notice to Owner or the then current owner of such violation, the required action to cure and the timing for such cure. If Owner or owner disputes the Housing Department's decision, Owner or owner shall proceed in accordance with the Rules and Regulations.

SECTION 9. DEFAULT REMEDIES. In addition to any other remedies the JTCHA may have at law or equity, in the event of a Default, the JTCHA's remedies shall include, without limitation, as an exercise of its regulatory authority, the following:

A. Purchase Option.

1 JTCHA shall have the option to purchase a Residential Unit for the lesser of the Maximum Resale Price, or the appraised value, subject to the restrictions of this Section and sections 6 and 7 herein ("Option"). If the Option is exercised on a Residential Unit prior to Initial Sale and a loan described in Section 10(A)(1) is outstanding, the purchase price for the Option shall be the outstanding principal, accrued interest and reasonable costs of such loan, regardless of any other provision of these Special Restrictions ("Purchase Price"). If the Owner has not completed the Initial Sale of all Residential Units and JTCHA exercises the Option against some of the remaining Residential Units (those which have not had an Initial Sale), the Option Purchase Price shall be prorated. In such event, the formula for establishing the Housing Authority's Purchase Price shall be Purchase Price multiplied by [# of units to which Option is exercised / (total built - # of Initial Sales)]. By way of example only, if 16 Residential Units are built and 4 have Initial Sales and the Housing Department exercises the Option on 6 units, the formula would be: Purchase Price x $[6/(16-4)]$...Purchase Price x .50.

2 If JTCHA desires to exercise its Option, the Housing Department shall provide written notice to Owner or owner of such election. Such notice shall include the purchase price and the timing for the closing of the purchase. The Option must be exercised within ninety (90) days from receipt of a

notification of borrower Default or the property foreclosure.

B. Forced Sale. JTCHA may require an owner to sell the Residential Unit in accordance with the Resale procedures set forth in these Special Restrictions and the Rules and Regulations. Such sale shall be subject to these Special Restrictions.

C. Whether JTCHA elects to exercise its Option or to force a sale in accordance herewith, all proceeds, unless otherwise required by statute, will be applied in the following order:

FIRST, to the payment of any unpaid taxes;

SECOND, to the payment of any Qualified Mortgage;

THIRD, to assessments, claims and liens on the Residential Unit (not including any mortgage or lien purportedly affecting the Residential Unit which is not a Qualified Mortgage);

FOURTH, to the payment of the closing costs and fees;

FIFTH, to the two percent (2%) facilitation fee to the Housing Department;

SIXTH, to the payment of any penalties assessed against Owner or owner by the Housing Department;

SEVENTH, to the repayment to the Housing Department or JTCHA of any monies advanced by it in connection with a mortgage or other debt with respect to a Residential Unit, or any other payment made on Owner or owner's behalf;

EIGHTH, to any repairs needed for the Residential Unit; and

NINTH, any remaining proceeds shall be paid to Owner or owner.

If there are insufficient proceeds to satisfy the foregoing, Owner or owner shall remain personally liable for such deficiency.

D. Appointment of Housing Department as Owner's Attorney-in-Fact. In the event the Housing Department exercises its Option or requires the Forced Resale, an owner hereby irrevocably appoints the Housing Manager as such owner's attorney-in-fact to effect any such purchase or sale on owner's behalf (including without limitation the right to cause an inspection of the Residential Unit and make such repairs to the Residential Unit as the Housing Department may reasonably deem necessary), and to execute any and all deeds of conveyance or other instruments necessary to fully effect such purchase or sale and conveyance.

E. Limitation on Appreciation at Resale. JTCHA may fix the Maximum Resale Price of a defaulting owner's Residential Unit to the Maximum Resale Price for the Residential Unit as of the date of an owner's Default (or as of such date after the Default as the Housing Department may determine), and in such event, the Maximum Resale Price shall cease thereafter to increase.

F. Price Reduction. If, after the period set forth in Section 2.A above, the Owner is unable to sell the Residential Unit(s), the JTCHA will have the right to order an appraisal that will be paid for by the Owner. Such appraisal will be done recognizing the deed restrictions on the Residential Unit. If the appraisal is less than the Owner's initial selling price, the Owner will be required to adjust the selling price accordingly, and the Housing Department will list the Residential Unit for sale according to the Sale and Resale Standards in the Rules and Regulations.

G. Equitable Relief. JTCHA shall have the right of specific performance of these Special Restrictions and the Rules and Regulations, and the right to obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction and permanent injunction to obtain such performance. Any equitable relief provided for herein may be sought singly or in combination with such other remedies as JTCHA may be entitled to, either pursuant to these Special Restrictions or under the laws of the State of Wyoming.

H. Enforcement. JTCHA may, for purposes of enforcing these Special Restrictions or the Rules and Regulations, seek enforcement through the Town or County Land Development Regulations, including but not limited to Division 8.9 Enforcement.

SECTION 10. QUALIFIED MORTGAGE.

A. Only a mortgage which is a "Qualified Mortgage" shall be permitted to encumber a Residential Unit. A "Qualified Mortgage" is a mortgage that:

- 1 Is the primary construction financing loan and mortgage for initial construction of the Residential Unit and related project, or any refinancing of such loan and mortgage, which are have a maximum loan to value ratio of One Hundred percent (100%); or
- 2 Is an owner's mortgage and the principal amount of such mortgage at purchase does not exceed ninety-six and one half percent (96.5%) of the purchase price, and thereafter the principal amount of such mortgage, any refinanced mortgage and/or additional mortgages combined do not exceed ninety-five percent (95%) of the then current Maximum Resale Price as the same is determined by the Housing Department at the time or times any such mortgage purports to encumber the Residential Unit; and
- 3 runs in favor of a "Qualified Mortgagee," defined as:
 - i. An "institutional lender" such as, but not limited to, a federal, state, or local housing finance agency, a bank (including savings and loan association or insured credit union), an insurance company, or any combination of the foregoing, the policies and procedures of which institutional lender are subject to direct governmental supervision; or
 - ii. A "community loan fund", or similar non-profit lender to housing projects for income-eligible persons (e.g., is not given to or acquired by any individual person); or
 - iii. A non-affiliated, legitimate, "finance company." In no event may such finance

company be an individual or any company that is affiliated with or has any affiliation with an Owner or owner or any family member of Owner or owner; or

- iv. JHTCA or Housing Department for any monies advanced by JHTCA or Housing Department in connection with a mortgage or other debt with respect to Residential Unit; or
- v. the provider of a loan as described in Section 10(A)(1)(i).

B. Any mortgage, lien, or other encumbrance executed or recorded against a Residential Unit that is not a Qualified Mortgage shall:

- 1 be deemed unsecured; and
- 2 only be a personal obligation of Owner or owner and shall not affect or burden, and shall not be enforceable against, such Residential Unit.

Additionally, the execution or recordation of such mortgage, lien or other encumbrance shall be deemed a default hereunder and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation the right of the Housing Department to purchase and to force a sale.

C. In the event Owner or an owner fails to make timely payment owed or otherwise breaches any of the covenants or agreements made in connection with any mortgage, lien or other encumbrance purporting to affect the Residential Unit, including without limitation a Qualified Mortgage, fails to timely make any other payment required in connection with the Residential Unit, including without limitation homeowner association dues and fees, assessments, payments to contractors, materialmen, or other vendors for work undertaken for which a lien could be filed against the Residential Unit, the Housing Department shall have (in addition to the any other remedies) the right to:

- 1. Cure such default and assume the payments and other obligations of Owner. In such event, Owner or owner shall be in default of these Special Restrictions, and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation its Option to purchase and its right to force a sale. In addition to such remedies, Owner or owner shall also be liable to the Housing Department for any amounts advanced.
- 2. Acquire the loan from the lender by paying the balance due together with accrued interest and reasonable costs, and the Housing Department shall thereafter have the right to foreclose upon the Residential Unit in accordance with the mortgage and other loan documents or take such other action as the Housing Department shall determine.
- 3. Purchase the Residential Unit at any foreclosure sale, and in such event, notwithstanding anything to the contrary herein, the Residential Unit shall remain subject to these Special Restrictions.

ANY LENDER BY ENTERING INTO A LOAN TRANSACTION WITH AN OWNER OF A RESIDENTIAL UNIT HEREBY CONSENTS TO THE FOREGOING AND ACKNOWLEDGES THAT ANY INTEREST ACQUIRED BY VIRTUE OF ITS LIEN OR MORTGAGE SHALL BE SUBJECT AND SUBORDINATE TO THESE SPECIAL RESTRICTIONS.

SECTION 11. TERMINATION, AMENDMENT AND CORRECTION OF SPECIAL RESTRICTIONS.

- A. Termination by the Town of Jackson. These Special Restrictions may be terminated after a determination by the Town of Jackson that these Special Restrictions are no longer consistent with the Town's goals for affordable housing.
- B. Termination Resulting from Foreclosure by a Qualified Mortgagee. These Special Restrictions as applied to a Residential Unit may be terminated by a Qualified Mortgagee in the event of a lawful foreclosure of the Residential Unit by such Qualified Mortgagee, as follows:
- 1 The Qualified Mortgagee provided to the Housing Department copies of all notices of intent to foreclose and all other notices related to the foreclosure contemporaneously with its service of such notices upon an owner.
 - 2 The Housing Department did not exercise its rights as provided in Section 10, Qualified Mortgage.
 - 3 Termination may occur only after expiration of all applicable redemption periods and subsequent recordation of a Sheriff's Deed (or other transfer document as approved by the Housing Department in its sole and absolute discretion) conveying title to a purchaser, who is not (i) Owner or an owner, (ii) a member of the Qualified Household, (iii) a person affiliated with or related to Owner or owner or any member of the Qualified Household, or (iv) the Housing Department.
 - 4 In the event of a foreclosure hereunder, the Qualified Mortgagee shall pay to the Housing Department all proceeds remaining, if any, after payment of the Qualified Mortgage loan amount, interest, penalties and fees, which proceeds would have been payable to Owner or owner of the foreclosed Residential Unit.
 - 5 Notwithstanding the notice requirements to the Housing Department in this Section, if a Qualified Mortgagee has failed to provide the Housing Department copies of all notices of intent to foreclose and all notices related to the foreclosure contemporaneously with its service on an owner, such Qualified Mortgagee, prior to foreclosing on the Residential Unit, shall provide the Housing Department with notice of its intent to foreclose ("Mortgagee Notice to the Housing Department"). The Mortgagee Notice to the Housing Department shall include all information relevant to Owner's or an owner's default and the actions necessary to cure such default. The Housing Department shall have forty-five (45) days from the date of the Mortgagee Notice to the Housing Department to exercise its rights under Section 10, Qualified Mortgage. If the Housing Department fails to exercise its rights within such 45-day period, the Qualified Mortgagee may foreclose on the Residential Unit as provided herein.
- Nothing herein shall limit or restrict Owner's or an owner's right of statutory redemption, in which

event, if Owner or an owner redeems, these Special Restrictions shall remain in full force and effect.

C. Amendment. These Special Restrictions may be amended by a signed, written amendment executed by both the Parties hereto and any subsequent owner of the Residential Unit, and recorded in the Teton County Clerk's Office against the title to the Unit.

D. Correction. The Housing Department may unilaterally correct these Special Restrictions to address scrivener's errors, erroneous legal descriptions or typographical errors.

SECTION 12. SPECIAL RESTRICTIONS AS COVENANT. These Special Restrictions shall constitute covenants running with the Residential Unit, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Residential Unit, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by JTCHA, the Housing Department, and the Town of Jackson.

SECTION 13. NOTICES. All notices required to be served upon the parties to these Special Restrictions shall be transmitted by one of the following methods: hand delivery; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail. Either party may change its address in the manner provided for giving notice.

To Housing Department

Jackson/Teton County Affordable Housing Department
P.O. Box 714 Jackson,
WY 83001

With a Copy to:

Town of Jackson
PO Box 1687
Jackson, WY 83001

To Owner or owner:

To the address of record in the Teton County Assessor/Clerk's office

SECTION 14. ATTORNEY'S FEES. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of these Special Restrictions, the prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney's fees and costs of litigation.

SECTION 15. CHOICE OF LAW, FORUM. These Special Restrictions and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District

for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving these Special Restrictions or its subject matter. Owner or owner by accepting a deed for the Unit hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Special Restrictions.

SECTION 16. SEVERABILITY. Each provision of these Special Restrictions and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provision(s) of such document.

SECTION 17. SECTION HEADINGS. Paragraph or section headings within these Special Restrictions are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

SECTION 18. WAIVER. No claim of waiver, consent or acquiescence with respect to any provision of these Special Restrictions shall be valid against any party hereto except on the basis of a written instrument executed by the parties to these Special Restrictions. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

SECTION 19. INDEMNIFICATION. Owner and any subsequent owner shall indemnify, defend, and hold the Housing Department and Town of Jackson, Wyoming, and each entity's directors, officers, agents and employees harmless against any and all loss, liability, claim, or cost (including reasonable attorneys' fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit or for Owner's or an owner's breach of any provision of these Special Restrictions. Owner or owner waives any and all such claims against the Housing Department and Town of Jackson, Wyoming.

SECTION 20. SUCCESSORS AND ASSIGNS. These Special Restrictions shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators and assigns.

SECTION 21. GOVERNMENTAL IMMUNITY. Neither the Town of Jackson, Wyoming nor the Housing Department nor JTCHA waives governmental immunity by executing these Special Restrictions and specifically retain immunity and all defenses available to them as government pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the Effective Date.

Owner:

By: Tyler Davis
Its: Manager

On this _____ day of _____, 2023, before me, the undersigned Notary Public, personally appeared Tyler Davis for Mercill Partners LLC, a Wyoming limited liability company, and known to me, or proven by satisfactory evidence, to be the Manager of the company that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the company, by authority of Statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that such person is authorized to execute said instrument on behalf of the limited liability company.

Notary Public

Town of Jackson, Wyoming

By: Hailey Morton Levinson, as Mayor

ATTEST:

By: Riley Taylor
Its: Town Clerk

STATE OF WYOMING)
) ss
COUNTY OF TETON)

On this _____ day of _____, 2023, 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.

NOTARY PUBLIC

Approved as to form:

JACKSON/TETON COUNTY AFFORDABLE HOUSING DEPARTMENT:

Stacy A. Stoker, Housing Manager

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

On the _____ day of _____, 2023, the foregoing instrument was acknowledged before me by Stacy A. Stoker, as Housing Manager of the Jackson/Teton County Affordable Housing Department.

Witness my hand and official seal.

Notary Public

**Special Restrictions
for Workforce Condominium Rental Housing
Located at 105 Mercill Avenue**

These Special Restrictions ("Special Restrictions") are made this _____ Day of _____, 2023 (the "Effective Date"), by Mercill Partners LLC, a Wyoming limited liability company ("Owner").

RECITALS:

WHEREAS, the undersigned Owner holds fee ownership interest in that certain real property in the Town of Jackson, Wyoming, more specifically described as follows:

Unit _____ of the Mercill Avenue Condominiums Addition to the Town of Jackson, Wyoming, according to that Plat recorded in the Office of the Teton County Clerk on _____, 2023 as Plat No. _____ and as further defined and described in that Declaration of Condominium for Mercill Avenue Condominiums recorded in the Office of the Teton County Clerk on _____, 2023 as Document Number _____, and any amendments and supplements thereto recorded in the Office of the Teton County Clerk of Teton County, Wyoming from time to time.

Temporary PIDN: _____ (the "Residential Unit" or "Unit");

WHEREAS, in furtherance of the Town of Jackson's goal of providing affordable housing to qualified Teton County residents who will occupy the housing as their primary residence, and as a condition of the Ground Lease executed by Owner and Teton County, Wyoming recorded in the Office of the Teton County Clerk on October 30, 2020 as Document Number 1002142, and all amendments thereto (the "Ground Lease"), Owner was required to develop and construct 30 residential condominium units and deed restrict each of the units.

WHEREAS, in furtherance of the goals, objectives, requirements and conditions of the Ground Lease, Owner was required to record these Special Restrictions for Workforce Condominium Rental Housing, and Owner and all subsequent transferees are required to comply with this restriction for the initial and all subsequent rentals of the Residential Unit, defined below, to a "Qualified Household";

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners voted to amend their 1990 Resolution creating the Teton County Housing Authority ("TCHA") and further amend the 1999 Resolution, to form a regional Housing Authority pursuant to Wyoming Statute §15-10-116(b) with the County of Teton and the Town of Jackson forming the regional housing authority known as the Jackson/Teton County Housing Authority ("JTCHA"), making the JTCHA the successor in interest to all deeds, documents, leases, and contracts of TCHA;

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department ("Housing Department") who will be employees of Teton County and agents acting on behalf of the JTCHA;

WHEREAS, Owner desires to adopt these Special Restrictions and declare that the Residential Unit shall be held, sold, and conveyed in perpetuity subject to these Special Restrictions, which Special Restrictions shall be in addition to all other covenants, conditions or restrictions of record affecting the Residential Unit, and shall be enforceable by the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to W.S. §15-10-116, as amended, and its successors or assigns, the Jackson/Teton County Affordable Housing Department (collectively "Housing Department") and Town of Jackson, Wyoming.

RESTRICTIONS:

NOW THEREFORE, in satisfaction of the conditions in the Ground Lease, and the foregoing Recitals, which are by this reference incorporated herein, Owner hereby declares, covenants and agrees for itself and each and every person acquiring ownership of the Residential Unit, shall be owned, used, occupied, developed, transferred and conveyed subject to the following Special Restrictions in perpetuity.

SECTION 1. JACKSON/TETON COUNTY HOUSING DEPARTMENT RULES AND REGULATIONS.

References made herein to the "Rules and Regulations" are references to the written policies, procedures and guidelines of the Housing Department, as the same may be amended, modified, or updated from time to time and which policies, procedures, and guidelines are on file with the Housing Department or otherwise with Town of Jackson, Wyoming, or if there are no such written policies, procedures or guidelines (or a written policy, procedure or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in these Special Restrictions shall be as set forth in the Rules and Regulations.

SECTION 2. RESTRICTIONS ON OCCUPATION AND USE OF RESIDENTIAL UNIT. In addition to any restrictions included in the current Housing Rules and Regulations, occupancy and use of the Residential Unit shall be restricted as follows:

A. Qualified Household. The rental, use and occupancy of the Residential Unit shall be limited to natural persons who meet the definition of a Qualified Household for Workforce Housing, as set forth below ("Qualified Household").

1. Employment Requirement. At least one (1) member of the Qualified Household must maintain an average of thirty (30) hours per week employment on an annual basis, or a minimum of one thousand five hundred and sixty hours (1,560) per year, for a local business.

i.) A local business means (1) a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and (2) the business serves clients or customers who are physically located in Teton County, Wyoming, and (3) the employees/owners must work in Teton County, Wyoming to perform their job.

Or

ii.) A business physically located in Teton County, Wyoming who employs two or more

Qualified Employees, which qualified employees must work in Teton County Wyoming to perform their job.

2. Income Requirement. The entire Qualified Household must earn at least seventy-five percent (75%) of the Household's income from a local business, as defined above.
3. No Teton County Residential Real Estate. No member of the Qualified Household may own or have any interest (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) in whole or in part in any other residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at any time during occupancy of the Residential Unit.
4. Initial Determination by the Owner. Owner shall require each prospective renter of a Residential Unit to provide information sufficient to show eligibility as a Qualified Household under the Workforce Housing Program pursuant to the requirements of this restriction and the Housing Rules and Regulations. The determination shall be based upon written applications, representations, information and verifications, including *at a minimum*, a W-2 for each adult renter or other IRS filing showing source of earnings, a signed and sworn statement regarding ownership of other real estate and a list of current employer(s), hours worked as well as contact information for each employer(s) and other such information reasonably requested by the Housing Department to verify and substantiate as a Qualified Household.
5. Continuing Obligation to Remain a Qualified Household. The occupants of the Residential Unit shall satisfy the definition of a Qualified Household at all times during the occupancy of the Residential Unit.
6. Occupancy. Each Residential Unit shall be occupied as the Qualified Household's sole and exclusive primary residence, and each tenant of a Residential Unit shall physically reside therein on a fulltime basis, at least eighty percent (80%) of the term of the lease. Except for permitted guests, no persons other than the members of the Qualified Household may occupy the Residential Unit.
7. Reporting Requirement – Housing Department Determination. Owner shall, by January 31 of each year, provide to the Housing Department a summary of the eligibility verification information contained above for each occupant of a Residential Unit as set forth on the Housing Department Template that will be provided to Owner. Upon written request by the Housing Department for supporting documentation, Owner shall provide the same within fifteen (15) business days of receipt of such written request. Additionally, Owner shall, by January 31 of each year, provide the Housing Department with its most current lease form for Residential Units. Each Residential Unit Lease must state, and it is a material consideration of this restriction, that the Housing Department has the ultimate and final authority to determine eligibility of households renting Residential Units. If the Housing Department, upon review of supporting documentation determines that an occupant of a Residential Unit does not qualify as a Qualified Household, the Housing Department shall have the authority to require the Owner to terminate the lease between Owner and the occupant of a Residential Unit pursuant to Sections 4 & 5 below.

- B. No Legal Action. No Owner of the Residential Unit, prospective purchaser of the Residential Unit, Tenant, renter or occupant, or other party shall have the right to sue or bring other legal process against the Town of Jackson, Wyoming or the Housing Department, or any person affiliated with the Town of Jackson, Wyoming or the Housing Department arising out of these Special Restrictions, and neither shall the Town of Jackson, Wyoming or the Housing Department have any liability to any person aggrieved by the decision of the Town of Jackson, Wyoming or the Housing Department regarding qualification of a Qualified Household or any other matter relating to these Special Restrictions.
- C. Household Composition. Only members of the Qualified Household may occupy a Residential Unit, except that Owner may restrict who may reside in a Residential Unit, provided that such owner-restriction does not violate Federal or state fair housing laws. Notwithstanding the foregoing, occupancy of the Residential Unit shall be in compliance with any and all building codes (or other relevant law, code, statute, ordinance or the like) regarding maximum occupancy standards or limitations.
- D. Written Lease Requirement. Occupancy of the Residential Unit shall be pursuant to a written lease, the form of which may be approved by Housing Department as it may require. Owner of the Residential Unit shall obtain written verification of income, asset ownership, and employment in Teton County, Wyoming for each Qualified Household proposing to rent the Residential Unit prior to such Household's occupancy, and upon each extension or renewal of any lease therefore.
- E. Rental Term. The Residential Unit shall be offered for rent in periods of not less than six (6) months.
- F. Rental Rate: Owner shall set the rent. There is no cap on rent or rent appreciation.
- G. Rental Unit: Except as provided herein, the Residential Unit shall remain a rental unit for Qualified Households.
- H. Guests. No persons other than those comprising the Qualified Household shall be permitted to occupy the Residential Unit for periods in excess of ten percent (10%) of the Rental Term in cumulative days per calendar year.
- I. Vacancies. The Residential Unit may be vacant intermittently between tenancies to allow for proper advertisement and verification for Qualified Households and reasonable maintenance. However, a Residential Unit shall not be vacant for a period greater than sixty (60) days, unless authorized by the Housing Department. If any Residential Unit remains vacant for more than sixty (60) days without approval, the Housing Department has the right, but not the obligation, to identify a Qualified Household to rent the Residential Unit.
- J. Business Activity. No business activities shall occur in a Residential Unit, other than a home occupation use that is allowed by applicable land development regulations and properly permitted.
- K. Compliance with Laws, Declaration. The Residential Unit shall be occupied in full compliance with these Special Restrictions and the Rules and Regulations, along with all laws, statutes, codes, rules, or regulations, covenants, conditions and restrictions, and all supplements and

amendments thereto, and any other rules and regulations of any applicable homeowner's association, as the same may be adopted from time to time.

- L. Insurance. Owner shall keep the Residential Unit continuously insured against physical loss for the full replacement value of the Residential Unit.
- M. Maintenance. Owner shall be responsible for the cost and expense to keep and maintain the interior of the Residential Unit and all other aspects of the Residential Unit not otherwise maintained by a homeowner's association in a safe, decent and sanitary condition. In the event Owner fails to maintain the Residential Unit in a safe, decent and sanitary condition and such condition continues for fourteen (14) days after notice from the Housing Department, the Housing Department shall have the right but not the obligation to enter the Residential Unit and repair such condition and Owner shall reimburse Housing Department for such reasonable repair costs. Payment to Housing Department from Owner shall be due upon receipt of invoice.
- N. Periodic Reporting, Inspection. In order to confirm compliance with these Special Restrictions, each owner shall comply, and cause its tenants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with these Special Restrictions and to review the written records required to be maintained by Owner. Owner shall maintain such records for a period of two (2) years.
- O. Preference. Owner may give first-priority to rent the Residential Unit to Qualified Households of which a member of the Household is an employee of Owner. In the event there are no persons directly employed by Owner to whom Owner desires to rent the Residential Unit, then Owner may rent to any Qualified Household.

SECTION 3. SALE OF THE RESIDENTIAL UNIT. The Residential Unit may be bought and sold as Owner may determine except that all reporting and record-keeping required herein shall be continuous and any new owner shall obtain the required records from the prior owner. Any such conveyance of a Residential Unit shall be subject to these Special Restrictions. Not less than ten (10) days prior to the closing of the sale or other transfer of the Residential Unit, Owner shall notify the Housing Department of the pending sale or transfer and, prior to closing, provide the Housing Department with contact information (including without limitation, mailing address, phone number and email) for the new owner.

SECTION 4. DEFAULT. Subject to the notice and cure provisions, if any, of the Housing Department Rules and Regulations, each of the following shall be considered a default ("Default"):

- A. A violation of any term of these Special Restrictions, the Rules and Regulations, the Declaration, or any laws affecting a Residential Unit.
- B. A violation of any term of these Special Restrictions or any laws affecting the Residential Unit.
- C. Vacancy of a Residential Unit for more than sixty (60) days continuously.
- D. Fraud or misrepresentation by Owner and/or occupant in the provision of an application, reporting requirement, inspection requirement or any other informational requirement to the

Housing Department.

- E. If the Residential Unit is taken by execution or by other process of law, or if Owner is judicially insolvent according to law, or if any assignment is made of the property of Owner for the benefit of creditors, or if a receiver, trustee or other similar officer is appointed to take charge of any substantial part of the Residential Unit, or Owner's property by a court of competent jurisdiction.

In the event the Housing Department believes there to be a Default, the Housing Manager, or a Designee of the Housing Department, shall send written notice to Owner of such violation, the required action to cure and the timing for such cure. If Owner disputes the Housing Department's decision, Owner shall proceed in accordance with the Rules and Regulations.

SECTION 5. DEFAULT REMEDIES. Subject to the notice and cure provisions, if any, of the Housing Department Rules and Regulations, in addition to any other remedies JTCHA may have at law or equity, in the event of a Default, after notice and opportunity to cure as set forth in the preceding section, JTCHA's remedies shall include, without limitation, as an exercise of its regulatory authority, the following:

- A. Specific Performance. JTCHA shall have the right of specific performance of these Special Restrictions and the Rules and Regulations, and the right to obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction and permanent injunction to obtain such performance.
- B. Equitable Relief. In addition to subsection A, any equitable relief provided for herein may be sought singly or in combination with such other remedies as JTCHA may be entitled to, either pursuant to these Special Restrictions or any other action authorized under the laws of the State of Wyoming.
- C. Revocation. JTCHA may, for purposes of enforcing these Special Restrictions or the Rules and Regulations, revoke or seek revocation of the rights to use or occupy the Residential Unit.
- D. Enforcement. The Housing Department may, for purposes of enforcing these Special Restrictions or the Rules and Regulations, seek enforcement through the Town or County Land Development Regulations, including but not limited to Division 8.9 Enforcement.

SECTION 6. TERMINATION, AMENDMENT AND CORRECTION OF SPECIAL RESTRICTIONS.

- A. Termination. These Special Restrictions may be terminated after a determination by the Town of Jackson, Wyoming that these Special Restrictions are no longer consistent with the Town of Jackson, Wyoming goals for affordable housing.
- B. Amendment. These Special Restrictions may be amended by a signed, written amendment executed by both the Parties hereto and recorded in the Teton County Clerk's Office against the title to the Residential Unit.
- C. Correction. The Housing Department may unilaterally correct these Special Restrictions to address scrivener's errors, erroneous legal descriptions or typographical errors.

SECTION 7. SPECIAL RESTRICTIONS AS COVENANT. These Special Restrictions shall constitute covenants running with the Residential Units, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Residential Units, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by the Housing Department and Town of Jackson, Wyoming. Where these Special Restrictions are silent, the Housing Rules and Regulations govern. These Special Restrictions shall be prior and superior to any mortgage or lien interest encumbering the Residential Unit.

SECTION 8. NOTICES. All notices required to be served upon the parties to this Special Restriction shall be transmitted by one of the following methods: hand delivery; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail. Either party may change its address and/or owner and/or other contact information in the manner provided for giving notice.

To Housing Department

Jackson/Teton County Affordable Housing Department
P.O. Box 714
Jackson, WY 83001

With a Copy to:

Town of Jackson
P.O. Box 1687
Jackson, WY 83001

To Owner or owner:

To the address on record in the Teton County Assessor/Clerk's Office

SECTION 9. ATTORNEY'S FEES. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of these Special Restrictions, the prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney's fees and costs of litigation.

SECTION 10. CHOICE OF LAW, FORUM. These Special Restrictions and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving these Special Restrictions or its subject matter. Owner by accepting a deed for the Residential Unit hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Special Restrictions.

SECTION 11. SEVERABILITY. Each provision of these Special Restrictions and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such

invalidity or prohibition without invalidating the remaining provision(s) of such document.

SECTION 12. SECTION HEADINGS. Paragraph or section headings within these Special Restrictions are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

SECTION 13. WAIVER. No claim of waiver, consent or acquiescence with respect to any provision of these Special Restrictions shall be valid against any party hereto except on the basis of a written instrument executed by the parties to these Special Restrictions. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

SECTION 14. INDEMNIFICATION. Owner shall indemnify, defend, and hold, the Housing Department and Town of Jackson, Wyoming, and its directors, officers, agents and employees harmless against any and all loss, liability, claim, or cost (including reasonable attorneys' fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit, or for an owner's breach of any provision of these Special Restrictions. Owner waives any and all such claims against the Housing Department and the Town of Jackson, Wyoming.

SECTION 15. SUCCESSORS AND ASSIGNS. These Special Restrictions shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators and assigns.

SECTION 16. GOVERNMENTAL IMMUNITY. Neither the Town of Jackson, Wyoming, JTCHA, nor the Housing Department waive governmental immunity by executing these Special Restrictions and specifically retain immunity and all defenses available to them as sovereigns pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the Effective Date.

Owner:

By: Tyler Davis
Its: Manager

STATE OF WYOMING)
) ss
COUNTY OF TETON)

On this _____ day of _____, 2023, before me, the undersigned Notary Public, personally appeared Tyler Davis for Mercill Partners LLC, a Wyoming limited liability company, and known to me, or proven by satisfactory evidence, to be the Manager of the company that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the company, by authority of Statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that such person is authorized to execute said instrument on behalf of the limited liability company.

WITNESS my hand and official seal.

Notary Public

By: Hailey Morton Levinson, as Mayor

ATTEST:

By: Riley Taylor
Its: Town Clerk

STATE OF WYOMING)
) ss
COUNTY OF TETON)

On this _____ day of _____, 2023, 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.

NOTARY PUBLIC

JACKSON/TETON COUNTY AFFORDABLE HOUSING DEPARTMENT:

Stacy A. Stoker, Housing Manager

STATE OF WYOMING)
)
COUNTY OF TETON) ss.

On the _____ day of _____, 2023, the foregoing instrument was acknowledged before me by Stacy A. Stoker, as Housing Manager of the Jackson/Teton County Affordable Housing Department.

Witness my hand and official seal.

Notary Public

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Regular Council Meeting
Submitting Department:	Town Clerk	Presenter:	Lynsey Lenamond
Agenda Item:	Get Loose LLC dba Roadhouse Eatery & Pub Additional Dispensing Area and Service Area	Public Comment:	Yes

Purpose & Policy Considerations.

Consideration of a request to add a dispensing area and expanded alcohol service area to Roadhouse Eatery & Pub's Restaurant/Microbrewery dual liquor license. The Town Council is the local licensing authority for all liquor licenses within the Town of Jackson and hears requests to alter liquor license conditions.

Requested Action.

For Council to consider the applicant's request to add a dispensing area and expand their current service area.

Recommendations.

Staff recommends approval of this request.

Background.

The applicant met with staff and the Wyoming Liquor Division on November 16, 2022 to discuss their plan to take on the space previously occupied by Starbucks and include the new space as part of their existing restaurant/microbrewery dual liquor license.

On December 16, 2022, the Clerk's office received architectural layouts and an updated plan of operations from the applicant, which are included as attachments to this report.

The Planning Director also met with the applicant and reviewed the plans for the new space. The downstairs space is not currently zoned for, and does not allow for, the preparation of full service food items. Additionally, the downstairs space is not zoned for, and does not allow for, patrons to order full service food items from the upstairs space to be consumed in the downstairs space. Staff has a recommended condition of approval that, should the applicant desire to prepare food in this space in the future or desire to allow patrons to order food from the upstairs kitchen to be consumed in this space, they would be required to apply for a Basic Use Permit, approval for which is not guaranteed.

Analysis.

The newly added service area would focus solely on prepackaged foods ready for takeout or for eating on premises with alcoholic beverages. If Council approves this request, they would be approving an additional dispensing area as presented in the attached renderings.

Wyoming Statutes 12-4-410 (b), Sale of alcoholic beverages for off-premises consumption prohibited; location, regulation and restrictions on dispensing of liquor; prohibiting certain activities, provides as follows:

(b) Alcoholic liquor and malt beverages shall be dispensed and prepared for consumption in the licensed building in areas approved by the local licensing authority. No consumption of alcoholic or malt beverages shall be permitted within the dispensing areas nor shall any person other than employees over eighteen (18) years of age be permitted to enter the dispensing areas.

Possible Alternatives.

1. Council could approve the request with added conditions.
2. Council could postpone action on this request until a future meeting.
3. Council could deny this request.

Comprehensive Plan & Priority Alignment.

Liquor licensing relates to the Comprehensive Plan Policy 8.1.a. the delivery of quality levels of service to the community.

Fiscal Impact.

If approved, the added dispensing area and extended service area will produce an undetermined amount of sales tax revenue.

Staff Impact.

Staff spent approximately 10 hours meeting with the applicant, the Wyoming Liquor Division, reviewing the plan of operations and layout, and preparing a staff report.

Attachments or Links.

Architectural Layout
Business Plan of Operations

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

I move to approve the request for an added dispensing area and expanded service area to the restaurant/microbrewery dual liquor license held by and as presented by Get Loose LLC with the following condition:

1. The applicant shall be required to apply for a Basic Use Permit for a "Restaurant/Bar" use if the proposed retail food and beverage service increases to a level of service that meets the definition of "Restaurant/Bar" in the Town Land Development Regulations.



Plan of Operations

Applicant: GET LOOSE, LLC

DBA: ROADHOUSE PUB & EATERY

Describe how the premises will be operated? *include nature of business (restaurant, bar, package store), any regular events or special events*

20 E Broadway will remain a retail space, using the existing Microbrewery /
restaurant liquor licenses. Please see attached for drawings
and details.

What type of alcoholic beverages will be available to customers?

Draft beer, and possibly wines by the glass.

Describe the process that a customer will follow to order alcohol or malt beverages, and how an employee will prepare and deliver an alcoholic beverage to the customer.

Customers will order at the counter. Beer will be
dispensed by an employee 21 years of age or older. Beer
is dispensed by the draft system behind the service counter.
The employee will hand the beer, to the customer on the
otherside of the counter, across

What is the official building capacity? 49

Do you plan to serve alcohol outside on a deck or patio? NO

If so, include a sketch or site plan showing the outside area.

If so, describe the outside area, including egress: _____

What is your plan to keep customers from leaving with open alcohol containers?

There will be signage indicating alcohol cannot be brought, nor consumed outside the building. All of ~~the~~ our managers and employees are TIPS trained to properly serve, dispense and monitor alcohol consumption.

Provide the names of up to three (3) people who should receive communication from the Town and Police Department related to liquor operations:

<u>Name</u>	<u>Position/Title</u>	<u>Email</u>
1) <u>GAVIN FINE</u>	<u>owner</u>	<u>gavin @ jhfinedining .com</u>
2) <u>NATALIE HAYES</u>	<u>assistant</u>	<u>natalie @ jhfinedining .com</u>
3) <u>JUSTIN HENRY</u>	<u>director of operations</u>	<u>justin @ jhfinedining .com</u>

Completed by: Gavin Fine Date: 12/15/2022

Plan of Operations

Applicant : Get Loose, LLC

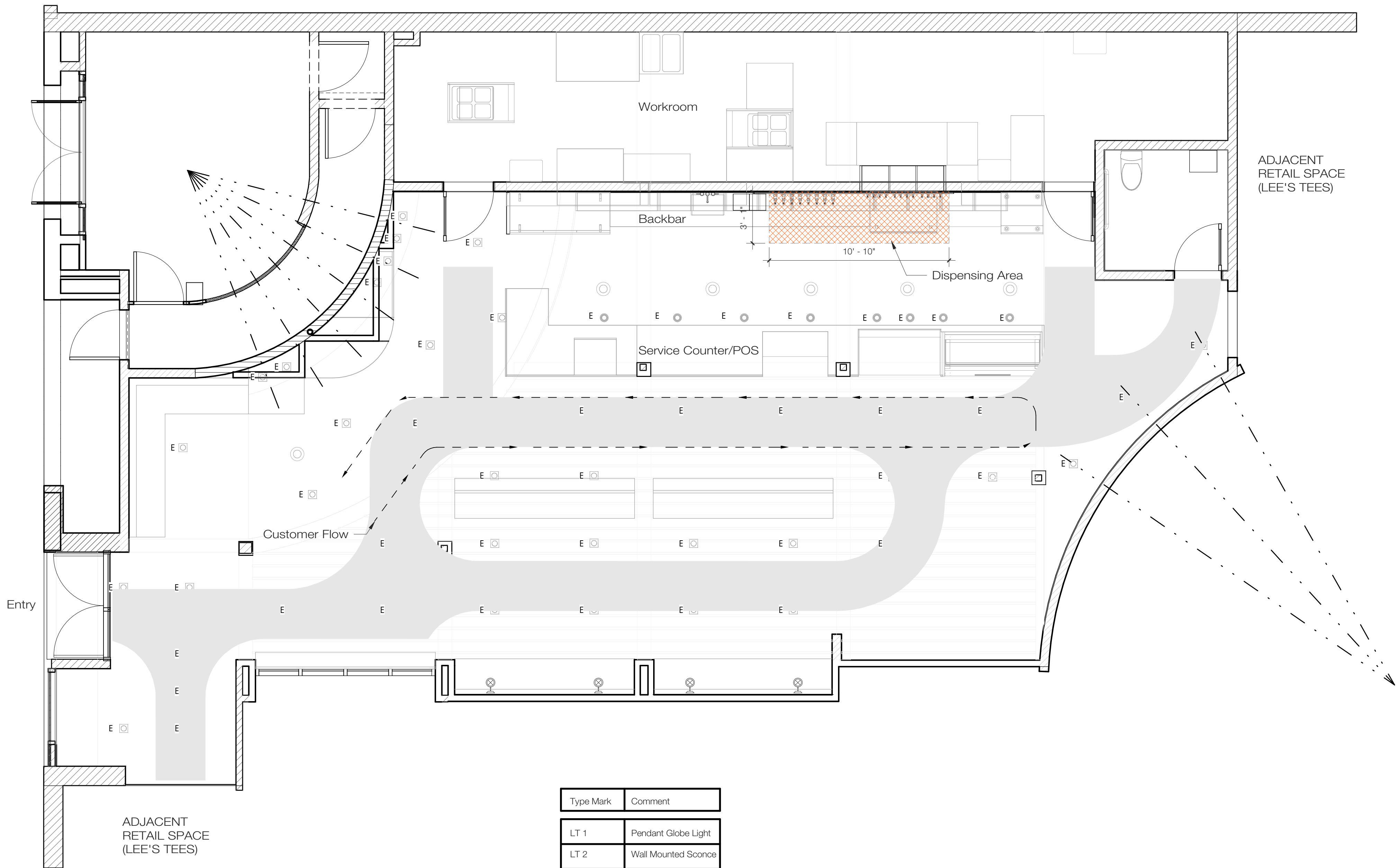
DBA : Roadhouse Pub & Eatery – 20 E Broadway

20 E Broadway will remain a retail space under its existing Microbrewery and Restaurant Liquor Licenses. This grab and go market will offer pre-made options for patrons to enjoy on the go. All items are available in disposable containers and are cooked and prepared off-site. There is limited seating available should customers want to sit down and enjoy their food on the premises. There will not be table service, nor servers. All patrons will order at the counter and pick-up at the counter. The menu will include coffee, burritos and pastries in the morning, and tortas, sandwiches and pozoles and salads in the afternoon and evening.

There will be a draft system to dispense and serve beer from. This dispensing area will be behind the ordering/serving counter and in front of the draft tap system. It is denoted on the attached plans. Please note that no one under 18 years old is allowed behind the counter in the dispensing area, and no alcohol can be consumed in this area. Employees serving alcohol will be at least 21 years of age.

A customer will order beer at the designated service counter. The employee, 21 years of age or older, will dispense the beer from the draft system behind them and serve the customer waiting at the counter.

There will be signage forbidding alcohol from being brought and/or consumed outside of the building. All of our managers and employees are TIPS certified to ensure proper knowledge and etiquette on serving, dispensing and monitoring alcohol consumption on this premise.



ELECTRICAL SYMBOL LEGEND:	
	Floor outlet
	Wall outlet
	GFCI Outlet
	Specialty Outlet
	Wall Outlet Switched
	Wall Outlet Quadruplex
	TV Outlet
	Data Outlet
	Wall Mounted Fixture
	Junction Box
	Surface Mounted Fixture
	Surface Mount Directional
	Recessed Can
	Recessed Can Directional
	Undercounter Lighting
	Exhaust fan
	Existing fixture
	New Fixture
	Existing fixture/switching/outlet, removed or capped
	USB ports

*Draft reflected ceiling plan, not for construction

PROJECT	CODE RED	
ADDRESS	10 E BROADWAY, JACKSON, WY 83001	
DATE	12/16/22	
ARCHITECT	GYDE ARCHITECTS PC 80 WEST BROADWAY P.O. BOX 4735 JACKSON, WY 83001 T 307.733.7303	
CONSULTANT		
CONSULTANT		
CONSULTANT		
REVISIONS		
NO.	DESCRIPTION	DATE
SHEET NAME		
REFLECTED CEILING PLAN		
SHEET NUMBER		
A1.2		

STAFF REPORT



Meeting Date:	January 17, 2022	Meeting Title:	Regular - Consent
Submitting Department:	Public Works	Presenter:	Johnny Ziem
Agenda Item:	Utility Financial Plan Update and Tiered Water Rate Review Agreement	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to approve a Scope of Services Agreement to update the Town Utility Financial Plan and to review the tiered water rate structure.

Requested Action.

To approve a Scope of Service Agreement with Raftelis to perform an update the Town Utility Financial Plan and to review the tiered water rate structure.

Recommendations.

Staff recommends approval of the Scope of Services Agreement with Raftelis.

Background.

On November 21, 2022, Council approved an expansion of the tiered water system for all In-Town and 3 Creek residential customers. Additionally, as part of the approved 2020 Rate Study, staff would work with Raftelis during the first two fiscal years to update the Town Utility Financial Plan as needed. The update to the Town Utility Financial Plan will address growth assumptions based in the 2020 Rate Study, including possible increases for inflation, operational fund expenses, cash reserves, and non-growth-related capital expenses. Once the Scope of Services tasks have been delivered, staff will present those findings for approval to Council as a draft update to Title 13 of the Jackson Municipal Code.

The Raftelis scope of work agreement, as presented herein, will update 1) the Town Utility Financial Plan and 2) perform a review of the tiered water rate structure.

Analysis.

The tasks that define Raftelis's approach and scope of work are included in the attached Scope of Services Agreement.

Possible Alternatives.

Council may consider the following alternatives:

1. Direct staff to not approve the Scope of Services Agreement with Raftelis, therefore keeping water and sewer rates at current dollar amounts.
2. Other.

Comprehensive Plan & Priority Alignment.

- **Chapter 2: Climate Sustainability**
 - Policy 2.5.a – Encourage water conservation
While our community is lucky to have abundant water supplies, water conservation should still be pursued to conserve energy and maintain water quality. As freshwater resources are depleted, the

energy required to provide potable water increases. Conservation of water saves aquifer supplies for future generations, protects habitat, and respects downstream users. To better encourage water conservation, municipal pricing should reflect the true long-term cost of production and encourage water conservation. The Town and County will also encourage practices that demand less water, such as landscaping with native species.

- Chapter 8: Quality Community Service Provision
 - Principle 8.1 – Maintain current, coordinated service delivery
The Town and County will coordinate and collaborate with independent service providers to ensure desired life-safety, educational, social, recreational, and cultural service levels are maintained consistent with the community's Common Values. Barriers to service delivery objectives will be identified, and the Town and County will budget sufficiently to meet desired service delivery objectives.

Fiscal Impact.

Raftelis proposes to complete the scope of services as outlined above on a time-and-material basis with a not-to-exceed cost of \$48,700. The cost for this project will split between water and sewer utility professional services.

Staff Impact.

Staff impact for this project will include staff assistance from Legal, Finance, and Public Works. It is estimated that roughly 30 – 40 hours of staff time will be needed in assisting Raftelis with the necessary data and to present findings to Council in the spring of 2023.

Attachments or Links.

- 2023 Financial Plan Update and Tiered Water Rate Review

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

I move to approve the Scope of Services Agreement with Raftelis in a not-to-exceed amount of \$48,700 and authorize the Mayor to execute all necessary contract documents, subject to any minor modifications by staff.

December 7, 2022

Mr. Johnny Ziem
Assistant Public Works Director
Town of Jackson
150 East Pearl Avenue
Jackson, WY 83001

Subject: 2023 Financial Plan Update and Tiered Water Rate Review

Dear Mr. Ziem:

Raftelis Financial Consultants, Inc. (Raftelis) assisted the Town of Jackson (Town) in completing a Comprehensive Water and Sewer Rate Study (Comprehensive Rate and Fee Study) with rates and connection fee adjustments implemented in 2021 and 2022, respectively. The Town has requested Raftelis' assistance in updating the water and sewer financial plan completed as part of the Comprehensive Rate and Fee Study for changes to revenues, expenses, and timing of planned capital improvements and projected overall rate revenue adjustments (2023 Financial Plan and Tiered Water Rate Review or 2023 Study). Additionally, Town Council directed Town staff to evaluate and update the tiered water rates implemented in 2021 and updated in 2022 to include an expansion of the tiered rates for In-Town residential water customers and for 3 Creek residential and irrigation-only customers. Council's intent is to enhance the water efficiency and conservation pricing signal delivered to larger water users (e.g., those using over 25,000 gallons per month). Other benefits are likely to include fostering a community conservation ethic and reducing peak irrigation season water use and resulting strain on the water system.

As part of the 2023 Study, Raftelis and Town staff will review and update as warranted, the previously projected water and sewer rate adjustments to be effective July 1, 2023. Raftelis will also provide on-call communications and customer outreach-related assistance. The outreach will focus on both price and non-price-based conservation efforts to promote a commonsense approach to water use.

This letter details the proposed scope of services, project team, schedule, and not-to-exceed fee for this assistance. Additional on-call services are always available. Should the level of services for additional requested resources exceed the amount included within the proposed budget, Raftelis will submit a contract amendment and provide those additional services subject to authorization and approval from the Town.

PROJECT TEAM

I will serve as the Project Manager, having served in a similar capacity during the Comprehensive Rate and Fee Study as well as subsequent assistance provided to the Town. I have 20 years of experience completing similar studies for municipalities throughout the mountain west. Matt Wittern will lead the on-call communications-related assistance, serving in a similar role as part of the Comprehensive Rate and Fee Study. Matt and I will be assisted by qualified Raftelis consultants in the delivery of the scope of services.

SCOPE OF SERVICES

The following tasks define our proposed approach and scope of work to complete the Scope of Services.

- Task 1 Project Management: This task will include overall project management and project coordination elements. Activities include project status reports, project coordination calls, and other project management activities.
- Task 2 Financial Plan Update: This task will include the review and update of the previously developed multi-year water and sewer utility financial plan updated in early 2022. Raftelis will work with Town staff to update revenues, expenses, and the multi-year capital plans for the fiscal year (FY) 2022-23 budget and/or estimated actual results, FY 2023-24 budget. We will evaluate the adequacy of utility base charge, volume rates, and one-time capacity fee revenues to fund annual expenses and exceed financial planning thresholds. We will then update the projected annual water and wastewater rate revenue adjustments over a five to ten-year planning period.
- Task 3 Rate Update: This task will include a review and update of proposed water and wastewater base and volume rates proposed to be effective July 1, 2023. As part of this task, we will work with Town staff to review more recent customer water use and expand the tiered water rates for In-Town residential and 3 Creek residential and irrigation-only customers adding additional tiers and enhancing the conservation pricing signals provided to larger residential water users.
- Task 4 Technical Memorandum: This task will include the development of a technical memorandum summarizing the results of Tasks 2 and 3. Proposed water and wastewater base and volume rates to be effective July 1, 2023 will be documented, along with an updated financial plan to model the five to ten-year planning period.
- Task 5 On Call Communication and Customer Outreach: This task will include on-call communication outreach and water rate and non-price conservation messaging assistance provided to Town staff. We have limited this to a not-to-exceed amount of \$10,000.

PROJECT SCHEDULE

Raftelis proposes to complete the scope of services with the project starting in December 2022 and Tasks 1 through 4 completed by April 2023 in advance of the anticipated Town Council presentation of study findings and recommendations in April or May 2023. Communication-related assistance included in Task 5 is anticipated to begin in January 2023 and continue through June 2023 following Council action and implementation of rate adjustments. Raftelis will complete additional on-call services in a timely manner.

NOT-TO-EXCEED FEE

Raftelis proposes to complete the scope of services outlined in our proposal on a time-and-materials basis with a not-to-exceed cost of **\$48,700**. No travel to the Town is anticipated as part of these services, and expenses are limited to a \$10 per hour technology fee. Attachment A summarizes the not-to-exceed fee, hourly billing rates by personnel grade, and project schedule by task.

We appreciate the opportunity to continue to assist the Town and are pleased to submit this proposal to the Town for consideration. Please contact me with any questions at 303.305.1137 or arheem@raftelis.com.

Sincerely,



Andrew Rheem
Senior Manager

The Town of Jackson accepts the terms of this engagement letter:

_____ Signature	_____ Date
_____ Title	_____ Name of Authorized Agent

Attachment A - Draft Proposal

Tasks	Web Meetings	In-person Meetings	Hours						Total Fees & Expenses
			AR	MW	AC	CS	Admin	Total	
1. Project Management			8	4	0	0	4	16	\$3,820
2. Financial Plan Update	2		24	0	16	0	0	40	\$10,280
3. 2023 W_WW Rate Update	2		24	0	60	0	0	84	\$18,420
4. Technical Memorandum	1		12	0	16	0	0	28	\$6,620
5. On-Call Communications			2	16	24	4	0	46	\$9,530
Total Meetings / Hours	5	0	70	20	116	4	4	214	
Hourly Billing Rate			\$295	\$230	\$175	\$150	\$95		
Total Professional Fees			\$20,650	\$4,600	\$20,300	\$600	\$380	\$46,530	
Total Fees									\$46,530
Total Expenses									\$2,140
Total Fees & Expenses									\$48,670

AR - Andrew Rheem
 MW - Matt Wittern
 AC - Associate Consultant
 CS - Creative Services
 Admin - Administration

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Regular - Consent
Submitting Department:	Public Works	Presenter:	Johnny Ziem
Agenda Item:	To Award Bid #23-03 for the Procurement of a New Police Department Vehicle	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to accept and award Bid #23-03 for the purchase of a new all-electric (EV) Chevy Bolt for the Community Service Officer Division (CSO).

Requested Action.

To approve and award Bid #23-03 for the purchase of a new all-electric (EV) Chevy Bolt for the Community Service Officer Division (CSO).

Recommendations.

Staff is requesting that Council review and approve the procurement of a new EV Chevy Bolt for the CSO Division within the Police Department.

Background.

The Public Works Department administers the bidding and purchasing of all new vehicles for the Town of Jackson. When tasked with the purchase of any new vehicle, Public Works will work directly with each submitting department to consider current and future vehicular needs, potential vehicle types, and how each vehicle will be used to provide public service. This information is important because each department has been challenged to look for efficiency gains when making new vehicle purchases (when possible).

Analysis.

This vehicle will be purchased for and used by the Community Service Officers Division. This division is responsible for providing a seamless and effective partnership across all levels of citizen/government interactions in order to enhance the quality of life for residents and visitors.

Possible Alternatives.

Possible alternatives for this item include:

1. Not approving and awarding Bid #23-03
2. Other

Comprehensive Plan & Priority Alignment.

- Chapter 2: Climate Sustainability
 - Principle 2.3 – Reduce greenhouse gas emissions through transportation
- Chapter 8: Quality Community Service Provision
 - Principle 8.1 – Maintain current, coordinated service delivery

Fiscal Impact.

We received one bid which is listed below. The one bid was from Teton Motors of Jackson, Wyoming. For the FY23 Budget, we show a budget of \$40,000 for the purchase of a new CSO vehicle. The Public Works Fleet

Division will be trading in a gas-powered vehicle, with a trade-in value of \$6,150, towards the purchase of the new EV vehicle.

<u>Vendor</u>	<u>Vehicle Type</u>	<u>Unit Cost</u>	<u>Trade-in Value</u>	<u>Final Cost</u>
Teton Motors, Jackson, WY	Chevy Bolt EV	\$ 28,820.00	\$ 6,150.00	\$ 22,670.00

Staff Impact.

Public Works staff will be impacted in additional labor hours, which are estimated to be 80 hours to complete build out of the new vehicle and make the vehicle ready for police service. The labor hours includes decals, installation of police equipment, installation of the license plate recognition system, cameras, and a ticketing system.

Attachments or Links.

- Bid #23-03 results

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

I move to approve the procurement of Bid #23-03 for the purchase of a new all-electric vehicle for the Community Service Officers Division, which includes a vehicle trade-in valued at \$6,150, and award the bid to Teton Motors of Jackson, Wyoming, in the amount of \$22,670.

BID NUMBER: 23-03

PROJECT NAME: All Electric Sedan

OPENING DATE &
TIME: Dec. 29, 2022

OPENED BY: Riley Taylor

	Name of Bidding Agency & City	Proof of WY Residency	Number of Addendums Acknowledged	Bid Bond / Check		Bid Amount	Returned Bid Bond / Check
1	Teton Motors		N/A	✓		\$ 28,820.00	
						AFTER TRADE \$ 22,670.00	
2							
3							
4							
5							
6							



PO Box 1824, 1020 West Broadway, Jackson WY 83001
Phone 307-733-6600 Fax 307-733-0065

Warranty service location:

Teton Motors, Inc.

1020 W. Broadway

Jackson, Wyoming 83001

The bid vehicle includes bumper to bumper warranty – 36 months or 36,000 miles, whichever comes first.

Drivetrain Coverage is 60 months or 60,000 miles, whichever occurs first.

David Auge'

President

The undersigned hereby certifies that he/she has examined the specifications and proposes to supply the vehicle(s) in accordance with said specifications.

Bid per Specification # 23-03: \$ 28,820.⁰⁰

Trade-in allowance: \$(6,150.⁰⁰)

Total purchase price less trade-in: \$ 22,670.⁰⁰

January 10 - 27
Proposed Delivery Date:

Teton Motors
Name of Firm:

David Ange
Authorized Name:

David Ange
Authorized Signature: Date:

david.ange@tetonmotors.com
E-mail:

307-733-6600
Area code and phone #:

8) WHEELS:

Y X N A. 17 inch painted aluminum wheels

9) TIRES:

Y N A. 17 inch Michelin Energy Saver A/S 215/50R17 tires (unsure)

10) ACCESSORIES AND CONVENIENCE ITEMS:

Y X N A. Enhanced drivers infotainment center
Y X N B. Front license plate bracket
Y X N C. Heated front driver and passenger seats
Y X N D. All-weather floor mats
Y X N E. Assist handles, 2, rear outboard with rear coat hooks
Y X N F. Cruise control
Y X N G. Aluminum sill plates
Y X N H. Instrumentation, digital with mph speedometer
Y X N I. Air conditioning front / high output heater.
Y X N J. Inflatable restraint system, driver and passenger
Y X N K. Power lock(s) and windows.
Y X N L. Remote keyless entry system, single key system, (3) three sets of keys, (2) two keyless remotes.
Y X N M. Power adjust heated outside mirrors
Y X N N. Rear vision camera
Y X N O. Tire inflator kit

11) PAINT:

Y X N A. Exterior paint color- Summit white.
Y X N B. Interior paint to match exterior.

12) DELIVERY INVOICE:

Y X N A. Bidder shall furnish a copy of factory invoice listing standard and optional equipment as bid, at time of vehicle delivery.
Y X N B. Manufacture shall provide warranty service for a minimum of (3) three years or 36,000 miles.
Y X N C. Enclose detailed letter with warranty coverage & address of dealer warranty shop.

13) SPECIFICATIONS:

Make: Chevrolet Model: Bolt Year: 2023
Wheel Base: 102.38 Inches Length: 163 inches.
Warranty Center: Teton Motors
Warranty Months: 36 Warranty Miles: 36,000

TOWN OF JACKSON
"ALL ELECTRIC SEDAN"
BID #: 23-03

1) GENERAL DESCRIPTION:

- Y ☒ N ☐ A. Current model, new and unused. All electric.
- Y ☒ N ☐ B. Wheelbase not to exceed 103 one hundred three inches.
- Y ☒ N ☐ C. Maximum length (165) one hundred sixty five inches.

2) ENGINE & ENGINE EQUIPMENT:

- Y ☒ N ☐ A. Electric propulsion system
- Y ☒ N ☐ B. (200) Two hundred horse power
- Y ☒ N ☐ C. (260) Two hundred sixty ft .lbs. of torque

3) TRANSMISSION:

- Y ☒ N ☐ A. Electric drive unit
- Y ☒ N ☐ B. Permanent magnetic drive motor
- Y ☒ N ☐ C. Single motor gear set

4) CHASSIS:

- Y ☒ N ☐ A. Independent front suspension with solid stabilizer bar
- Y ☒ N ☐ B. Compound crank (torsion beam) w/coil rear suspension

5) BRAKES:

- Y ☒ N ☐ A. Four wheel disc with ABS; electro-hydraulic; partially regenerative
- Y ☒ N ☐ B. 11" front vented and 10" solid rear rotors

6) ELECTRICAL SYSTEM:

- Y ☒ N ☐ A. 65 KWH Lithium-ion battery.
- Y ☒ N ☐ B. DC Fast Charging Capability
- Y ☒ N ☐ C. 240V full charge in 7 hours

7) STEERING:

- Y ☒ N ☐ A. Colum-mounted electric power steering

CASHIER'S CHECK

7386303470

0073863

11-24

Office AU #

1210(8)

Remitter: DAVID AUGE
Operator I.D.: k013701

December 23, 2022

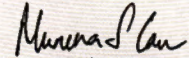
PAY TO THE ORDER OF ***TOWN OF JACKSON***

**One Thousand One Hundred Thirty-Three and 50/100 -US Dollars **

\$1,133.50

Payee Address:
Memo: BID BOND

VOID IF OVER US \$ 1,133.50

WELLS FARGO BANK, N.A.
50 BUFFALO WAY
JACKSON, WY 83001
FOR INQUIRIES CALL (480) 394-3122
CONTROLLER

⑈7386303470⑈ ⑆121000248⑆4861 513034⑈

0263702706

ENDORSE HERE

X

MP

☐ CHECK HERE IF MOBILE OR REMOTE DEPOSIT

AT

(FINANCIAL INSTITUTION NAME)

Chemical Wash
Detection BoxCOLOR INSIDE THIS BOX
SHOULD BE WHITEREPLICATING, FORGING OR ALTERING THIS HIGH SECURITY
CHECK IS EXTREMELY DIFFICULT DUE TO THESE FEATURES

SECURITY FEATURES

True Watermark Paper

Chemically Sensitive Paper

Heat Sensitive Ink

Chemical Wash Detection Box

Fugitive Ink on Back

Toner Adhesion

Invisible Fibers

VOID Indication

Security Weave[®] on Backer

DO NOT CASH IF:

• A distinctive pattern is **not** visible in the paper when held to light.

• Stains or colored spots appear on front or back.

• Pink icon does not fade and reappear when warmed with finger or breath.

• Stains or discoloration appear in this area.

• Ink on back looks pink or has disappeared.

• Printed information appears tampered with.

• White and blue fibers are not visible under ultraviolet light.

• "VOID" appears in this box.

• "ORIGINAL DOCUMENT" does not appear on back.

Security features listed and unlabeled exceed industry standards.
® Padlock design is a certification mark of Check Payment Systems Association.MobileMark[™]: Mobile Deposit check mark to indicate check has been deposited via mobile device.

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Regular Town Council Meeting - Consent
Submitting Department:	Jackson Police Department	Presenter:	Michelle Weber
Agenda Item:	Approval of the Jackson Police Department Policy & Procedure Manual	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to approve the Police Department Policy & Procedural Manual as outlined in the Jackson Town Municipal Code 2.32.080.

Requested Action.

Staff recommends Council approve the current Police Department Policy & Procedural Manual dated January 2023.

Recommendations.

Staff recommends approving the Police Department Policy & Procedural Manual as presented.

Background.

JMC 2.32.080 provides that "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."

The last time the Jackson Police Department Policy & Procedural Manual was approved in its entirety by the Town Council was 2014.

There have been several updates to the policy manual since 2014 to address the purchase of new technology and equipment that has been acquired and/or there have been updates to, thus best practices:

- Body Worn Cameras
- CEW (Conducted Energy Weapons) – i.e. – Taser
- BolaWrap; a low-level force option that is designed to restrict the movement of a subject's legs or arms.

The Jackson Police Department is currently working with the Legal Department to conduct a comprehensive review of the Jackson Police Department Policy & Procedural Manual.

Analysis.

The Legal Department provided a brief legal review of the current manual and provided the following edits:

- Making the entire document consistent throughout with the word "members" for those in the PD (i.e., redlining "police officer" and "officer" and the like). It used to be a combo of a couple terms. The legal team made it consistent throughout.
- "Articulated suspicion" and "probably cause" corrected.
- "Prisoner's" corrected to "arrestees"
- Gender neutrality – making he/she "they/them"
- Correcting "insure" to "ensure"

- Capitalizing “department” and making it “Department” throughout – i.e., eliminating the inconsistency of sometimes calling it “Jackson Police Department” and sometimes “agency”
- Making mounted patrol a consistent term in that section. (the intro to this section had some minor edits for grammatical purposes, with no change to content/substance).
- Added citation when appropriate (again without changing substance), for example, in 4.03(C)(4) – where Statute 6-2-319 was cited.
- Formatting. Section 9 (operations) has a lot of formatting corrections, but otherwise, it is only sprinkled throughout.

Staff views this as an interim step to have the Council approve the current policies as required while staff works to complete a comprehensive update for consideration by Council at a future date.

Possible Alternatives.

N/A

Comprehensive Plan & Priority Alignment.

This item aligns with the Comprehensive Plan Policy 8.1.a – the delivery of quality levels of service to the community.

Fiscal Impact.

N/A

Staff Impact.

Staff spent approximately 12 hours.

Attachments or Links.

Jackson Police Department Policy & Procedural Manual dated January 2023.

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

I move to approve the Jackson Police Department Policy & Procedural Manual dated January 2023.

1.0 RESPONSIBILITIES

1.01 DEPARTMENT MEMBER RESPONSIBILITIES

- A. The policies and procedures of the Jackson Police Department (Department) and of the Town of Jackson apply to all Department members (members), both sworn and non-sworn. Any violation of Department policies and procedures, or Town of Jackson policies and procedures may subject members to disciplinary action. If there is a conflict between the Departments policies and procedures and the Town of Jackson Policy Manual, or policies established by the Town Manager, the Town of Jackson Policy Manual, or policies established by the Town Manager, take precedence.
- B. Any violation of Federal, State, or Municipal law may be a violation of Department policy.
- C. Members of the Department are expected to be at their assigned post prepared to go on duty at the start of their shift.
- D. Uniforms and equipment are to be in clean and serviceable condition when reporting to work.
- E. Members are to be in physical and mental condition to deal with the rigorous and uncertain demands of police work.
- F. Members shall always conduct themselves, both on and off duty, in a manner that is not unbecoming, and reflects favorably upon the Department. Conduct unbecoming is any conduct which adversely affects the morale, operations, or efficiency of the Department, or any conduct which has a tendency to adversely affect, lower, or destroy public respect and confidence in the Department, or any member. Conduct unbecoming also includes any conduct which brings the agency or any member into disrepute or brings discredit upon the agency, or any member. Employees shall always conduct themselves, both on and off duty, in a manner which reflects favorably upon the Department.
- G. Members are to remain productive and active throughout their shift.
- H. Members are expected to comply with all lawful instructions and orders given to them by a supervisor. If an instruction or order conflicts with a previously given order, the member is to bring that to the attention of the supervisor giving the new order who is responsible for resolving the conflict.
- I. If requested by any individual, members shall identify themselves by providing their name, badge or employee number, and police identification.
- J. Members shall incorporate the Town of Jackson values and principles into their daily policing activities.
- K. Members are expected to meet the minimum requirements of their position as defined by their job description, performance plan, and evaluations. Failure to meet the minimum requirements may result in termination or demotion.
- L. Members suffering from an off-duty injury or illness that prohibits their ability to fulfill the duties of their job description must immediately notify their immediate supervisor. Members who are unable to perform their duties will not be allowed to return to full duty until cleared to return to duty in writing by a licensed physician.
- M. No member shall report to work or be on duty when their judgement or physical condition has been impaired by alcohol, medication, or other substances.

- N. Members must report the use of any substance, condition, or circumstance prior to reporting for duty that would likely impair their ability to perform as a law enforcement officer.
- O. Supervisors shall order a drug or alcohol screening test when they have reasonable suspicion that a member is using and/or under the influence of drugs or alcohol.
- P. Use of Alcohol
 - 1. Members shall not consume any intoxicating beverage while on duty unless authorized by a supervisor.
 - 2. No alcoholic beverage shall be served or consumed on Department premises or in vehicles owned by the Town of Jackson.
 - 3. No member who has a measurable amount of alcohol in their system may report for duty or be in physical control of a Town of Jackson vehicle.
- Q. Members shall not knowingly join or participate in any organization that advocates, incites, or supports criminal acts or subversion of government outside of an authorized Departmental criminal investigation.

1.02 SUBPOENAS, CIVIL SUITS, AND/OR CRIMINAL CHARGES

- A. Any member who receives a civil subpoena to appear as a defendant or witness in any civil action related to any circumstances arising from the performance of their duties shall immediately inform the Operations Lieutenant and the Chief of Police.
- B. Prior to any member initiating any civil action resulting from their employment with the Town, they shall notify the Chief of Police.
- C. Any member who is arrested, cited, or comes under investigation for any criminal offense, or is otherwise charged with any violation of Federal, State, or Municipal law must inform the Operations Lieutenant and/or the Chief of Police as soon as reasonably possible.
- D. Any member or division of the Department that receives a subpoena to produce documents related to any Department record shall immediately notify the Operations Lieutenant and provide a copy of the subpoena to the Operations Lieutenant, who will immediately notify the Town Attorney. The Town Attorney will make the determination as to whether the documents will be produced. No documents shall be released until authorized by the Town Attorney.

1.03 SUPERVISOR RESPONSIBILITIES GENERALLY

- A. Supervisors are expected to incorporate the principles learned in first-line supervision training into their leadership practices and into staff management and development.
- B. Supervisors are to work towards achieving the four main goals of supervisors:
 - 1. Achieving maximum productivity from members
 - 2. Maintaining high morale
 - 3. Developing members to do their jobs better and to assume leadership roles
 - 4. Serving as a communications conduit between administration and line members, between line members and administration, and amongst their peers
- C. Supervisors are to serve as role models as workers and leaders.
- D. Supervisors shall foster community-oriented policing practices within their subordinates and encourage, facilitate, and develop self-initiated problem-solving skills with them.
- E. Supervisors are to recognize members for their successes and correcting performance deficiencies. Supervisors are expected to focus on the behavior, rather than the person, to achieve maximum results.

1.04 SERGEANT RESPONSIBILITIES

- A. Sergeants are to ensure that subordinates are prepared to go on duty and that equipment is kept in serviceable condition. Cars, equipment, and uniforms should be routinely inspected for signs of damage or the need for replacement.
- B. Sergeants are to ensure that subordinates are conducting their affairs in a manner that meets the standards of the Department and follows the Department and Town values and principles.
- C. Sergeants are to conduct their supervisory and personal affairs in a manner that exceeds the standards of the Department and Town.
- D. Sergeants are expected to lead, coach, and support subordinates, provide backup when necessary, and to serve as an informational resource.
- E. Sergeants are to evaluate subordinates work product to ensure that reports are complete and accurate, to recommend changes, and to approve reports when complete.
- F. Sergeants shall document performance, training, and corrective measures for each subordinate under their supervision using the Supervisor Situation Reporting (SSR) program.
- G. Sergeants are to complete performance evaluations and performance plans on subordinates according to the schedule prescribed by the Chief of Police.
- H. Sergeants have primary oversight of the patrol schedule and are charged with ensuring minimum staffing levels are met while still providing paid time off when the schedule allows.
- I. Sergeants have primary responsibility to immediately notify the Chief of Police and the Operations Lieutenant of any high liability incidents or incidents that might cause increased scrutiny or media attention.

1.05 CORPORAL RESPONSIBILITIES

- A. Corporals are supervisors and are expected to conduct themselves as role models and leaders at all times.
- B. Corporals are team supervisors in the absence of the team Sergeant.
- C. Even when the team Sergeant is on duty, Corporals are expected to monitor, coach, and direct members with the goal of getting maximum quality and productivity from each member of the Department.
- D. Corporals shall act as the primary field training officer for the Department.
- E. Corporals shall work in conjunction with their team Sergeant to foster a cohesive, team-oriented approach to policing.
- F. Corporals shall perform other duties as assigned.

1.06 EVIDENCE TECHNICIAN RESPONSIBILITIES

- A. The Evidence Technician is responsible for the secure storage, release, and accurate record keeping of all evidence items booked into the Department.
- B. The Evidence Technician and the Investigations supervisor, or their designee, shall act as the Department Evidence Technicians. No other members of the Department or the public will be authorized to access secure evidence storage areas without an escort by an Evidence Technician.

- C. In an instance of a prolonged absence of both Evidence Technicians, a third member of the Department may be granted permission to act as a temporary Evidence Technician at the direction of the Operations Lieutenant or the Chief of Police.
- D. The door to the Department evidence room will be secured with an electronic lock that requires both a pass code and an access card to open. This door shall not be permitted to be unsecured when an Evidence Technician is not in the room. Evidence Technicians shall have their pass codes changed in intervals as determined by the Operation Lieutenant. At no time shall an Evidence Technician share their pass code or access card with another person.
- E. Upon the change of assignment of any Evidence Technician, the IT Department shall be immediately notified by the Operations Lieutenant to cancel the prior Evidence Technician's authorizations into the evidence room. This shall include both the pass code and the access card.
- F. At their discretion, the Chief of Police or the Operations Lieutenant may conduct an audit of the evidence room and the procedures related to it, to ensure compliance.

2.0 APPEARANCE AND EQUIPMENT

2.01 PROFESSIONAL APPEARANCE

- A. All members are expected to maintain a professional appearance, to adhere to appropriate appearance and grooming standards, and to dress appropriately for their assignments.
- B. Special circumstances, such as narcotics investigations, may allow the Investigative Supervisor to relax this policy as necessary.

2.02 UNIFORM

- A. The Department issued uniform shall be worn by all Department members assigned to uniformed patrol or any special detail requiring the uniform. The uniform shall be clean and properly pressed and tailored in a way to fit the member appropriately.
- B. Both long and short-sleeved shirts are authorized. The choice of which is worn will remain at the discretion of the member, unless otherwise directed by a supervisor.
- C. For uniformed patrol and community service officers (CSOs), Department patches shall be displayed on the shoulders of each sleeve. They shall be centered on the sleeve and one-half (1/2) inch below the top of the sleeve.
- D. A black or dark blue undershirt or turtleneck shall be worn with the issued patrol uniforms. A white undershirt or black turtleneck shall be worn with the issued CSO uniforms.
- E. All members assigned to a uniform detail shall display their badge and nametag on their uniform shirt. The badge shall be worn above the left breast pocket and the nametag shall be centered along the top of the right breast pocket.
- F. Duty Gear
 - 1. Unless otherwise authorized by the Chief of Police, uniformed members assigned to patrol shall utilize the issued duty belt and carry the issued firearm, handcuffs, pepper spray, collapsible baton, Taser®, three (3) handgun magazines, and a portable radio.
 - 2. Unless otherwise authorized by the Chief of Police, members assigned to the investigations unit shall carry the issued firearm, one (1) pair of handcuffs, two (2) handgun magazines, and shall have their badge in plain view when armed and in uniform.
 - 3. Community Service Officers assigned to patrol duties shall carry the issued portable radio, pepper spray, and baton. Other items may be carried at the discretion of the Chief of Police.
 - 4. The following items may be carried by any members if in black carriers:
 - a. Flashlight ring
 - b. Mini flashlight
 - c. Medical gloves
 - d. Cellular telephone
 - e. Multi-purpose type tool
 - f. Knife with a blade length of less than four inches
 - 5. Only items authorized by the Chief of Police may be worn on the uniform or carried on the duty belt.

6. Normal tailoring is the only authorized modification to uniform attire. Other modifications of the uniform or equipment must be approved by the Chief of Police.
7. Footwear
 - a. Uniform footwear will consist of black boots capable of being polished or black shoes appropriate for the assignment. The footwear shall present a professional appearance while serving to protect the member's feet. Footwear shall be clean and polished, but a high reflective polish is not required.
 - b. During inclement weather, members are encouraged to wear black colored footwear, but the Department places a higher standard on protection from the elements than on the color of the footwear. During these times, the warmth and protection offered by the footwear shall supersede the color requirement.
8. Headgear
 - a. Headgear is generally not required. Uniformed personnel are authorized to wear their choice of the following:
 - (1) A black knit cap (watchman type)
 - (2) A black baseball type cap issued by the Department with the Department logo or badge.
 - (3) During inclement weather, other headgear may be approved.
 - (4) No headgear displaying symbols or logos other than those of the Department will be approved unless the logo is subdued.
 - b. Supervisors may require uniform headgear for special events when headgear and uniformity are desired for ceremonial purposes.
9. Gloves
 - a. All members are authorized to wear gloves during their duty hours. The preferred color of glove is black; however, work gloves may be used when handling dirty objects and sharp or rough materials.
 - b. During inclement weather, the warmth and protection offered by the gloves shall supersede the color preference. Members are permitted to wear gloves which will keep them warm while still allowing them to perform essential job tasks.
10. Coat/Jackets
 - a. The Department will issue uniformed members a coat or jacket to be utilized at the member's discretion.
 - b. The coat or jacket will have the badge patch affixed over the left side of the chest and the Department patch on each shoulder.
 - c. A raincoat will be issued and can be worn at the member's discretion.
11. Inclement/Extreme Weather
 - a. Uniformed members are authorized to wear black snow pants during periods of inclement weather providing they do not prohibit the member's ability to safely access uniform equipment.
12. Service Stripes
 - a. Service stripes will be earned at a rate of one (1) stripe for every three (3) years of service as a Peace Officer regardless of agency.

- b. Service stripes are to be placed beginning one (1) inch above the cuff line on the left sleeve of the long sleeve uniform shirt with the outside edge aligned with the crease of the sleeve.
 - c. Service stripes are only required to be worn on the dress uniform but may be worn on all long-sleeved uniform shirts if the member desires.
- 13. Medals, insignia, or service ribbons may be worn as authorized by the Chief of Police.
- 14. Body Armor
 - a. The Department will provide every sworn member with body armor upon employment. Should a Department member desire body armor which costs more than the authorized allowance, that armor may be purchased. However, the member will bear the responsibility for the additional cost and must receive prior authorization for the purchase from the Chief of Police.
 - b. All sworn members will wear body armor while working a uniform assignment in public view. When a sworn member is in a non-uniform assignment, in public and readily identifiable as an officer, a supervisor will determine if body armor is required. Body armor shall be worn on other assignments as deemed necessary by a supervisor or written directive.
 - c. The Department recognizes some members may have a physical or medical condition restricting their ability to wear body armor. Any member claiming a restriction will obtain a detailed written justification from a licensed physician describing the condition which prevents the wearing of body armor. When presented with a physician's recommendation to exempt a member from wearing body armor, the Chief of Police will make the final determination as to whether or not the member is exempt from the body armor requirements set forth in this policy.
- 15. Attire for Court Appearances
 - a. Members may wear the Department issued uniform to court or dress professionally in appropriate plain clothes.
 - (1) Male members may wear a business suit or sport coat and slacks with a conservative tie along with suitable footwear.
 - (2) Female members may wear pantsuits, skirted business suits, dresses suitable for a business environment, conservative or understated jewelry, and suitable footwear.
 - (3) If a member has a question regarding what is professional or suitable, the member should seek an interpretation from a supervisor.
 - (4) On occasion, the prosecutor's office may specifically recommend a uniform is or is not to be worn for a specific court appearance. Members will comply with the prosecutor's recommendation.
- 16. Personal Grooming Standards
 - a. Hair
 - (1) Hair shall be neatly styled, clean, combed, off the ear, and of a length not to extend below the collar of the uniform shirt nor lower than three fourths ($\frac{3}{4}$) inch above the top of the eyebrow.

- (2) Longer hairstyles which would normally not conform to the standards outlined in this policy may be pinned up or secured in order to comply while on-duty. If pinned, the hair must be secured at all times while on-duty and shall not interfere with the proper wearing of uniform hats or protective equipment and shall not create a safety hazard. Ponytails are not authorized.
 - (3) No ribbons or ornaments shall be worn in the hair except for neat, inconspicuous bobby pins or conservative barrettes that blend with the hair color.
 - (4) Hair may not be dyed other than a natural hair color.
- b. Facial Hair
 - (1) Mustaches are authorized but may not be longer than the lower lip nor extend more than one-half (½) inch past the corner of the mouth.
 - (2) Sideburns may not extend below the earlobe.
 - (3) Goatees and beards are authorized but must be kept neatly trimmed and no longer than one-half (½) inch in length.
 - (4) Facial hair of any type is unauthorized while attending Peace Officer Basic Course at Wyoming Law Enforcement Academy.
 - (5) Facial hair of any type is unauthorized while in “Recruit” status. Upon completion of the Field Training Program, and subsequent promotion to full Peace Officer status, facial hair may be grown.
- c. Jewelry
 - (1) Uniformed members may wear conservative rings, watches, or metal/rubber/silicone “memorial” bracelets so long as they do not interfere with the member’s ability to perform their job.
 - (2) In addition, female members may wear one small conservative earring in each ear lobe.
 - (3) No other visible jewelry is authorized.
- d. Tattoos
 - (1) Tattoos are permitted, except on the neck, face, hands, or head.
 - (2) A “ring” tattoo is permitted on the hand for those who prefer not to wear a ring on duty.
 - (3) Tattoos deemed to be contrary to a professional appearance by the Chief of Police must be covered.

2.03 BODY WORN CAMERA

- A. The Department sees the value a body worn camera (BWC) provides to capture evidence, document crime scenes, to protect members and the Department against false claims of misconduct, to identify needs in training, and to ensure policies and procedures of this agency are adhered to while engaged in police services.
- B. Each member assigned to a uniform position will wear a BWC while on duty. Members working in plain clothes should utilize their cameras when the presence of the camera will not compromise the operation. Unless involved in undercover operations plain clothes members shall adhere to the list below.
 - 1. Members shall activate the BWC to “record” mode in the following incidences, providing the member can safely do so:

- a. DUI investigations
 - b. DRE investigations
 - c. Domestic violence investigations
 - d. Presentation of DUI search warrants commanding the suspect to submit to the warrant
 - e. DUI blood draws
 - f. Forced blood draws allowed by policy
 - g. Search warrant entries/clearing
 - h. High risk arrest warrant service
 - i. Any forced entry, if time allows
 - j. Death scenes
 - k. Breach of Peace complaints where citations are issued, or arrests are made
 - l. Prolonged, unwitnessed interviews with members of the opposite sex
 - m. Collisions that involve serious bodily injury
 - n. To document any injuries, or lack of injuries, to parties claiming to be injured by contact with members of the Department
 - o. Any area the member perceives to be high liability
 - p. Anytime a member believes their interaction with someone will lead to a complaint against them or the Department
 - q. When directed by a supervisor
 - r. While engaged in the arrest of a suspect
 - s. While engaged in traffic enforcement related interactions with the public (unless car-camera is recording the contact)
 - t. Any non-consensual contact with an individual who has been seized with reasonable suspicion
- C. Administration: The Department has adopted the use of the BWC to accomplish the following primary objectives:
 - a. BWCs allow for accurate documentation of police-public contacts, arrests, investigations, and critical incidents.
 - b. BWCs serve to enhance the accuracy of officer reports and testimony in court.
 - c. BWCs enhance the Department's ability to review probable cause for arrest, officer and suspect interaction, evidence for investigative and prosecutorial purposes, and to provide additional information for officer evaluation and training.
 - d. BWCs are useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
- D. Procedures for BWC Use
 - 1. BWCs are issued primarily to uniformed members as authorized by the Department. Members who are assigned BWC equipment must use the equipment unless otherwise authorized by a supervisor.
 - 2. Members shall use only BWCs issued by the Department while in the performance of their duties. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Department.

3. BWC equipment is the responsibility of individual members and will be used with reasonable care to ensure proper functioning, to include regular charging of the batteries of the unit. Equipment malfunctions shall be brought to the attention of the member's supervisor as soon as possible so that a replacement unit may be procured.
 4. Members shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems.
 5. If a member fails to activate the BWC as directed by this policy, fails to record the entire contact, or interrupts the recording, the member shall document why a recording was not made, was interrupted, or was terminated as part of the official police report.
 6. Civilians shall not be allowed to review the recordings at the scene nor without the consent of a supervisor.
 7. Members shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of Police or his or her designee. Members may duplicate recordings for evidentiary purposes and may distribute them to prosecutors when requested but shall not distribute or share recordings outside of the scope of their employment.
 8. Members shall mark all recordings appropriately to ensure the proper retention period on the servers.
 9. Members shall mark all evidentiary recordings as evidence as soon as practical, so they can be retained to assist in the prosecution of criminal cases.
 10. Members are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
 11. If a Member is suspected of wrongdoing, involved in an officer-involved shooting, or other serious use of force, the Department reserves the right to limit or restrict any members from viewing the video file.
 12. Members shall note in official police reports when recordings were made. BWC recordings are not a replacement for written reports.
- E. Restrictions on Using BWCs
1. BWCs shall be used only in conjunction with official law enforcement duties. BWCs shall not generally be used to record:
 - a. Communications with other law enforcement officers without the permission of the Chief of Police.
 - b. Encounters with undercover officers or confidential informants.
- F. Storage
1. All images and sounds recorded by BWCs are the exclusive property of the Department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
 2. Files should be securely stored in accordance with state records retention laws and no longer than useful for purposes of training, for use in an investigation, or prosecution.
- G. Supervisory Responsibilities
1. Supervisors shall ensure members equipped with BWCs utilize them in accordance with policy and procedures defined herein.
 2. At least on a monthly basis, supervisors will randomly review BWC recordings to ensure the equipment is operating properly, members are using the devices

appropriately and in accordance with policy, and to identify any areas in which additional training or guidance is required.

3. If a supervisor identifies a significant violation of policy while reviewing BWC recordings, the supervisor shall immediately document the incident in a memorandum and provide a copy of the recording to the Operations Lieutenant.

3.0 EMPLOYEE RECOGNITION

3.01 PURPOSE

- A. Awards have been established to publicly recognize and reward extraordinary, exceptionally meritorious, or conspicuously outstanding acts of valor and other acts or services which are above and beyond what is normally expected.
- B. The Department will also officially recognize private persons or Town employees who perform meritorious acts in aiding or attempting to aid individuals or members of the Department.

3.02 HONORS BOARD COMPOSITION

- A. The Honors Board shall be established and consist of not more than six (6) members from within the Department. A member will be designated by the Chief of Police to chair the board, which shall be comprised of the following:
 - 1. A Sergeant
 - 2. A Corporal
 - 3. A Police Officer
 - 4. A non-sworn employee

3.03 AWARD AND COMMENDATION SUBMITTAL

- A. Any member of the Department may recommend qualified persons for an award. The recommendation is to be in writing and, if available, should be supported by witness statements, videos, audio recordings, and/or other supporting evidence.
- B. The recommendation must include, in detail, the circumstances and actions surround the act and shall be submitted directly to the Honors Board chair.

3.04 CLASSIFICATION OF AWARDS

- A. **Medal of Valor** shall consist of a medal, uniform bar, and certificate presented to any member for the Department that:
 - 1. Exhibited extraordinary bravery far above and beyond that expected in the line of duty, where failure to take such action would not justify censure, where substantial risk to life existed and the Department member was able to perceive the risk, and where the objective is of sufficient importance to justify the risk. If the member is prevented from accomplishing the objective by incurring an injury or death, the act shall be treated as if the member had, in fact, completed the objective.
 - 2. Sustained serious bodily injury or death while saving or attempting to save the life of another person or while preventing or attempting to prevent injury or death to another person.
- B. **Blue Diamond** shall consist of a medal, uniform bar, and certificate presented to any member of the Department sustaining serious bodily injury or fatal wounds as the result of an assault.
- C. **Medal of Bravery** shall consist of a medal, uniform bar, and certificate presented to any member of the Department for an act of extraordinary bravery.
- D. **Medal of Merit** shall consist of a medal, uniform bar, and certificate presented to any member of the Department for an act of outstanding performance or service requiring extreme tenacity of purpose and devotion to duty.

- E. **Lifesaving Award** shall consist of a medal, uniform bar, and certificate presented to any member who renders medical care of a distinguished or unusually creditable nature to a person whose life is in immediate jeopardy and does so in a manner that most certainly sustained the person's life.
- F. **Critical Incident Pin** shall be awarded to any member of the Department who exemplifies Department values while serving during a traumatic, critical, or noteworthy incident. The Honors Board shall make recommendations to the Chief of Police as to which events may qualify. The Chief of Police shall then commission a pin for the event. Each pin will be unique in its design.
- G. **Multiple Medals**, in the event that a member has received two (2) or more of the same medal, a separate medal shall be issued for each award, which is to be centered on the original uniform bar.
- H. **Employee of the Quarter/Year** shall be presented to a member who contributed extraordinary service, who went above and beyond the call of duty, or who has shown consistent excellent performance. The award will be presented at a departmental meeting and will consist of a personalized item of recognition. In addition, the employee's name will be added to the Employee of the Quarter or Employee of the Year plaque, respectively, which is to be displayed in the Department.
- I. **Master Shooter Award** shall consist of a uniform pin awarded to a member of the Department who shoots ten (10) consecutive perfect scores with the issued handgun.
- J. **Expert Shooter Award** shall consist of a uniform pin awarded to a member of the Department who shoots five (5) consecutive scores of 90% or better with the issued handgun.
- K. **Chief's Special Award**
 - 1. The Chief of Police may, at their sole discretion, bestow special awards to Department members or community members.
 - 2. For Department members, the award shall consist of a certificate and uniform bar.
 - 3. For community members, the award shall consist of a plaque.
 - 4. This award may be presented in three categories:
 - a. **EXCELLENCE** may be given to a person who has demonstrated outstanding dedication to duty or community service.
 - b. **INNOVATION** may be given to a person who has demonstrated a level of originality and success in problem solving as it relates to Department operation or community quality-of-life issues.
 - c. **INTEGRITY** may be given to a person who demonstrates through specific, articulable actions an outstanding level of moral courage in resolving a police-related issue.

3.05 COMMENDATIONS FOR PRIVATE INDIVIDUALS

- A. Private individuals are eligible to receive the following awards:
 - 1. **Chief's Special Award** shall be awarded to eligible individuals as previously described in the Classification of Awards section (See 3.04.K).
 - 2. **Lifesaving Award** shall consist of a certificate presented to any individual who renders medical care of a distinguished or unusually creditable nature to a person whose life is in immediate jeopardy and does so in a manner that most certainly sustained the person's life.

3. **Police-Community Partnership Award** shall consist of a certificate presented to an individual to recognize their substantial commitment for the benefit of the Department.
4. **Community Service Award** shall consist of certificate presented to individuals whose actions, in cooperation with the Department and at great personal risk, resulted in the apprehension of crime suspects and/or the saving of life and property.

3.06 CHIEF OF POLICE'S CHALLENGE FOR EXCELLENCE

- A. The Chief of Police, Operations Lieutenant, and each Sergeant will be provided with ten (10) individual Challenge Coins each year, to recognize excellence in field performance. This award is to be used as an immediate reinforcement tool for exceeding the Department and Town values. Challenge Coins can be given to Department members or community members the supervisor wants to recognize for their exceptional performance.

3.07 SELECTION PROCESS

- A. The system established for the review and selection for the Valor, Bravery, Merit, Chief's Special, Employee of the Quarter/Year, Community Partnership, Community Service Awards and Departmental commendations shall be as follows:
 1. The Honors Board chair shall gather the names of individuals who are to be considered for awards and commendations by the Honors Board. Appropriate documentation attesting to the incident or circumstances will accompany the names of the nominated individuals.
 2. The Honors Board chair will forward the packages consisting of names and associated documentation to each Board Member or review prior to a scheduled meeting.
 3. The Honors Board chair will convene the Board at least once a quarter to review and vote on nominations and make recommendations to the Chief of Police.
 4. The voting on a nominee shall be by simple majority, with each board member having a single vote. All members of the Board must be present to make a recommendation to the Chief of Police for final approval. All voting and discussion by the Board shall remain confidential.

3.08 DISPLAY OF MEDALS

- A. Any awarded uniform bar will be worn above the right breast pocket and centered above the employee's name tag. Once a Department uniform bar is awarded to an employee, it becomes a part of their official uniform and the display of the bar is optional. In the event that a new employee (lateral transfer) has been the recipient of a medal from a previous department, that officer may display the uniform bar as a part of the Department uniform in a subordinate position to any Department bars.
- B. Veterans of the Armed Forces of the United States may wear their service ribbons on Veteran's Day only, and only if those employees are in uniform. These ribbons shall be worn centered over the right pocket flap, above the employee's nameplate.

3.09 LETTERS OF RECOGNITION

- A. All letters, memorandums, or other writings received by the Department which recognizes a member's efforts, will be displayed on the Department's bulletin board.

- B. The original will be given to the member with a copy forwarded to the Chief of Police, the member's immediate supervisor, and the Personnel Director for inclusion in the member's personnel file.

4.0 MEDIA RELATIONS

4.01 POLICY

- A. No member shall release any information that would jeopardize an active investigation, prejudice an accused person's right to a fair trial, or violate the law. Every effort should be made to release appropriate information to the news media in an impartial, accurate, and timely fashion.
 - 1. Responsibilities in releasing information
 - a. It is ultimately the responsibility of the Chief of Police to release information to the public. That responsibility is generally delegated to the following personnel:
 - (1) The Operations Lieutenant will act as the primary Public Information Officer (PIO) for the Department.
 - (2) Sergeants with responsibility for a specific case or incident may be the secondary contact for the news media in the absence of the Operations Lieutenant.
 - (3) Other Employees
 - (a) The Chief of Police or Operations Lieutenant may direct other employees to respond to media inquiries on a case-by-case basis.
 - b. The Shift Sergeant shall be responsible for ensuring that the Operations Lieutenant is informed of major incidents and all other events that are likely to generate media interest.

4.02 PROCEDURES

- A. Media Inquires
 - 1. The Department shall respond to all media inquiries in a timely and professional manner.
 - 2. Media inquiries shall be directed to the Operations Lieutenant.
 - 3. In the absence of the Operations Lieutenant, media inquiries should be directed to the Investigative Supervisor, and finally to the on-duty Sergeant if neither the Operations Lieutenant nor the Investigative Supervisor are available.
- B. Interviews
 - 1. The Operations Lieutenant shall be responsible for assisting the news media by conducting interviews or coordinating interviews with other qualified agency personnel.
 - 2. Members contacted directly by the media shall notify the Operations Lieutenant of any interview requests prior to making any statement related to the Department, cases under investigation, or cases formerly under investigation by the Department.
 - 3. All conversations with members of the news media should be considered "on the record" and subject to being quoted.
- C. News Releases/Press Releases

1. News or press releases shall be written and disseminated to the media and Department members on major incidents and events of community interest or concern.
 2. All news or press releases should be approved by the Chief of Police or the Operations Lieutenant or their designee and the designated Town Public Information Officer prior to dissemination.
- D. New Conferences
1. News conferences shall be held only in connection with major events of concern to the community.
 2. The Chief of Police shall be informed of all news conferences.
 3. The Operations Lieutenant, in conjunction with the designated Town Public Information Officer, shall facilitate the news conference, which may include the Chief of Police or their designee.
- E. Access to Crime Scenes and Critical Incidents
1. At crime scenes, Department members shall ensure that the media respect the established perimeter. Members of the media shall receive no more or less access to an incident scene than members of the general public.
 2. The Operations Lieutenant, with approval of the scene supervisor, may grant closer access to the media and their equipment as long as it does not interfere with or hinder law enforcement operations.
 3. Department members shall not prohibit the media from news-gathering practices, including photography and interviews, outside the established perimeter.
 4. Only the Operations Lieutenant or their designee shall release information to the news media at crime and critical incident scenes.
 5. At critical incident scenes, the Operations Lieutenant or their designee shall establish a media briefing area as close to the scene as safety and operational requirements allow.
 6. At critical incident scenes, Department members shall work in close cooperation with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel or the general public.
- F. Public Records
1. The Department and its members shall abide by all Local, State and Federal laws governing the release of public records.
- G. Access to Suspects
1. Department members shall not intentionally pose any suspect or person in-custody for photographs/video or make them available for media interviews.
 2. This policy does not prohibit the media, when participating on a ride-a-long, from taking photographs/videos in common areas normally open to the public.
- H. Joint Investigations or Operations Involving another Agency
1. In a multijurisdictional investigation, the lead Investigative Agency is responsible for providing or coordinating the release of public information.
 - a. In the event the Department is the lead agency, the Operations Lieutenant will share information with all involved agencies in advance of public disseminations, when practical.
- I. Public Service Announcements or Advertisements
1. Public service announcements or advertisements shall be approved by the Operations Lieutenant prior to public discussion.

4.03 INFORMATION RELEASE GUIDELINES

- A. The release of information is subject to restrictions placed by applicable Local, State, and Federal Laws. No member of the Department shall release any information which would compromise the successful conclusion of an investigation or jeopardize the safety of affected persons.
- B. Authorized Department members can release the following information:
 - 1. Basic information about a crime or incident
 - 2. Basic information about victims, except as excluded by law
 - 3. Descriptions of suspects
 - 4. Basic description of weapons and vehicles used
 - 5. Basic description of stolen items
 - 6. Basic description of injuries and condition of victims
 - 7. The name, age, and other basic information about adult arrestees and the charges against them
 - 8. Information contained in arrest affidavits and other public court documents
 - 9. Booking photographs
- C. Department members shall not release the following information:
 - 1. Names, addresses, and any other information that would identify the victim of any sexual assault crime
 - 2. Names, addresses, and any other information that would identify the victim of any juvenile victims
 - 3. Names, addresses, and any other information that would identify a juvenile arrestees, as governed by State Law
 - 4. Names, addresses, and any other information that would identify the suspect or charged individual of any sexual assault crime, unless otherwise allowed under Wyo. Stat. Ann. § 6-2-319
 - 5. Active criminal investigative information, active criminal intelligence information, and surveillance techniques
 - 6. Names of informants and information provided by them
 - 7. Supplemental or investigative reports until the case is closed or the Investigative Supervisor deems it permissible
 - 8. Any internal affairs investigations or any matter that is being investigated as a personnel matter by the Department or the Town
 - 9. Names, addresses, and any other information that would identify a witness
 - 10. The identity of critically injured or deceased persons prior to notification of next-of-kin
 - 11. Home address, telephone numbers, and any family related information of Department members
 - 12. Names of undercover members
 - 13. Any other information that could jeopardize the successful conclusion of an investigation and prosecution
 - 14. Any other information prohibited by State Law from public disclosure

4.04 MEDIA CREDENTIALS

- A. This Department acknowledges representatives from recognized media organizations who are affiliated with the Associated Press or the Wyoming Press Association which carry and display photographic identification issued by their employer.

- B. All others shall be considered a member of the general public and not a legitimate member of the press until determined otherwise.

4.05 ALTERNATIVE METHODS TO DISSEMINATE INFORMATION

- A. It is the policy of this Department to pursue alternative methods of disseminating information directly to the public.
- B. These methods may include but are not limited to:
 - 1. Web Sites
 - 2. NIXLE Releases
 - 3. Social Media Outlets
 - 4. Public Appearances by Department members
 - 5. Any other means approved of by the Chief of Police or the Operations Lieutenant

5.0 SOCIAL MEDIA

5.01 PURPOSE

- A. The Department endorses the secure use of social media to enhance communication, collaboration, and information exchange, streamline processes, and foster productivity.
- B. This policy establishes the Department's position on the utility and management of social media and provides guidance on its management, administration, and oversight.
- C. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

5.02 POLICY

- A. Social media provides a new and potentially valuable means of assisting the Department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory members.
- B. The Department also recognizes the role that these tools play in the personal lives of some Department members. The personal use of social media can have bearing on Department members in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by Department members.

5.03 DEFINITIONS

- A. **Blog:** A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web Log."
- B. **Page:** The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.
- C. **Post:** Content an individual shares on a social media site or the act of publishing content on a site.
- D. **Profile:** Information that a user provides about themselves on a social networking site.
- E. **Social Media:** A category of Internet-based resources that integrate user-generated content and use participation. This includes, but is not limited to:
 - 1. Social networking sites (Facebook, Instagram, MySpace)
 - 2. Microblogging sites (Twitter, Nixle)
 - 3. Photo and video sharing sites (Flickr, YouTube)
 - 4. Wikis (Wikipedia)
 - 5. Blogs
 - 6. News sites (Digg, Reddit)
- F. **Social Network:** Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- G. **Speech:** Expression or communication of thoughts or opinions in spoken words or in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

- H. **Web 2.0:** The second generation of the World Wide Web focused on shareable, user generated content, rather than static web pages. Some use this term interchangeably with social media.
- I. **Wiki:** Web page(s) that can be edited collaboratively.

5.04 ON-THE-JOB USE

- A. Jackson Police Department-Sanctioned Presence
 - 1. Where possible, the page(s) should link to the Department's official website to share current critical information with the public in an easily accessible format.
 - 2. Department social media page(s) shall be designed for:
 - a. Visitors
 - b. Residents
 - c. Crime victims
 - d. Volunteers
 - e. Recruitment purposes
 - f. Public service announcement information
 - 3. Procedures
 - a. All Department social media sites or pages shall be approved by the Chief of Police, or their designee.
 - b. Where possible, social media pages shall clearly indicate they are maintained by the Department and shall have Department contact information prominently displayed.
 - c. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies of the Town.
 - (1) Content is subject to public records laws.
 - (2) Relevant records retention schedules apply to social media content.
 - (3) Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
 - d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department.
 - (1) Pages shall clearly indicate that posted comments will be monitored and that the Department reserves the right to remove obscenities, off-topic comments, and personal attacks.
 - (2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
 - 4. Department members representing the Department via social media outlets shall do the following:
 - a. Conduct themselves at all times as a representative of the Department and, accordingly, shall adhere to all Department standards of conduct and observe conventionally accepted protocols and proper decorum.
 - b. Identify themselves as a member of the Department.
 - c. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including

photographs or videos, related to Department training, activities, or work-related assignments without authorization of the Chief of Police.

- d. Not conduct political activities or private business.
 5. The use of Department computers by members to access personal social media is permitted on a limited basis but shall not be abused.
 6. The use of social media related to police activities is permissible to further a legitimate criminal investigation or to gain legitimate police information or intelligence.
 7. If an employee uses personally owned devices to manage the Department's social media activities or uses the device in the course of official duties, the contents of the device will be discoverable, and the device will be subject to seizure to comply with court orders.
 8. Employees shall not knowingly violate copyright, trademark, and service mark restrictions in posting materials to social media.
- B. Potential Uses
1. Social media is a valuable investigative tool when seeking evidence or information.
 2. Social media can be used for community outreach and engagement.
 3. Social media can be used to make time-sensitive notifications.

5.05 MEMBERS PERSONAL USE OF SOCIAL MEDIA

- A. Effect on the Workplace – Generally. This policy covers member personal use of social media affecting the workplace and/or the Department's ability to perform its public mission. The Department recognizes the role that social media plays in the personal lives of some Department members. However, the personal use of social media can have bearing on members in their official capacity as they are held to a high standard by the community. Engaging in prohibited speech outlined in this policy may provide grounds for discipline and may be used to undermine or impeach an officer's testimony in legal proceedings.
- B. Members Shall Not Post Speech That Negatively Impacts the Department's Ability to Serve the Public. Members may express themselves as private citizens on social media sites as long as members do not:
1. Make, share, or comment in support of any posting that includes harassment, threats of violence, or similar conduct.
 2. Make, share, or comment in support of any posting that ridicules, maligns, disparages, expresses bias, or disrespect toward any race, religion, sex, gender, sexual orientation, nationality, or any other protected class of individuals.
 3. Make, share, or comment in support of any posting that suggests that Department members are engaged in behavior reasonably considered to be unlawful or reckless toward public safety.
 4. Otherwise violate any law or Department policy.
 5. Members shall make reasonable efforts to remove content appearing on their social media account that violates this policy upon learning of the offensive content.
- C. Members May Not Post Privileged Information or Represent the Department.
1. Members shall not post or otherwise disseminate any confidential information they have access to as a result of their employment with the Department.

2. Members may not make any statements, appearances, endorsements, or publish materials that could reasonably be considered to represent the views or positions of the Department.
- D. Members May Not Use Their Town of Jackson Email Address to Register a Personal Account on Social Media.
- E. Reporting violations:
 1. Any member becoming aware of or having knowledge of a post or of any website or web page in violation of the provisions of this policy shall notify their supervisor immediately for follow-up action.

6.0 ADMINISTRATION

6.01 OFF-DUTY EMPLOYMENT

- A. For the purposes of this policy, “employment” is defined as the provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer work for charitable organizations.
- B. Members are permitted to engage in outside employment, provided the employment:
 - 1. Does not adversely impact the reputation of the Town or the Department
 - 2. Does not adversely impact the member’s job performance
 - 3. Is not performed during assigned hours of duty
 - 4. Does not create a conflict of interest or undue liability for the Town or the Department
- C. Members are to notify the Chief of Police in writing prior to accepting outside employment. The purpose of this notification is not to overly regulate members’ off-duty activities, but to allow the Chief to review the employment for potential adverse impacts or conflicts of interest.
- D. Limitations on off-duty employment are as follows:
 - 1. In order to be eligible for off-duty employment, a member must be in good standing with the Department. Continued Department approval of a member’s off-duty employment is contingent on such good standing.
 - 2. Those members who have not completed their probationary period or who are on medical or other leave due to sickness, temporary disability, or an on-duty injury shall not be eligible to engage in off-duty employment if it interferes with the member’s ability to return to duty.
 - 3. Members are not to use Department issued equipment, uniforms, or supplies for outside employment.
 - 4. Work hours for all off-duty employment must be scheduled in a manner that does not conflict or interfere with the member’s on-duty performance.
 - 5. A member engaged in any off-duty employment is subject to call-out in case of emergency and will be expected to leave their off-duty employment in such situations.
 - 6. Permission for a member to engage in outside employment may be revoked where it is determined that such outside employment is not in the best interests of the Department.

6.02 TEMPORARY LIGHT-DUTY ASSIGNMENT

- A. Temporary light-duty assignments are not guaranteed and left to the discretion of the Chief of Police. Temporary light-duty assignments are used when a member is temporarily unable to perform their regular assignments because of injury, illness, or disability, but may be capable of performing alternative duty assignments. Use of temporary light-duty assignments can provide members with an opportunity to remain productive while recovering, as well as provide a work option for members who may otherwise risk the health and safety of themselves or others by remaining on duty when physically or mentally unfit for their regular assignment.
- B. General Provisions

1. Temporary light-duty assignments are limited in number and variety.
 - a. Members injured or otherwise disabled in the line of duty shall be given preference in initial assignment to light duty.
 - b. Assignments may be changed at any time if deemed in the best interest of the member or the Department.
 2. This policy in no way affects the privileges of members under provisions of the Family and Medical Leave Act, Fair Labor Standards Act, American with Disabilities Act, or other Federal or State Law.
 3. Assignment to temporary light duty shall not affect a member's pay classification, pay increases, promotions, retirement benefits, or other employee benefits.
 4. Light-duty assignments are governed by the Town of Jackson policy manual.
 5. Members on temporary light duty are prohibited from engaging in outside employment in which they may reasonably be expected to perform functions for which they have been determined physically or mentally unable to perform on behalf of the Department and that form the basis for their temporary light-duty assignment.
 6. Depending upon the nature and extent of the disability, a member on temporary light duty assignment may be prohibited or restricted from wearing the Department uniform, carrying a duty weapon, driving a Department vehicle, or otherwise limited in employing police powers as determined by the Chief of Police.
- C. Temporary Light-Duty Assignments
1. Temporary light-duty assignments may be drawn from a range of areas that include:
 - a. Administrative functions
 - b. Clerical functions
 - c. Desk assignments
 - d. Report taking (telephone or walk-in)
 - e. Other duties as deemed appropriate
 2. Decisions on temporary light-duty assignments shall be made based upon the availability of an appropriate assignment given the member's knowledge, skills and abilities, availability of light-duty assignments, and the physical limitations imposed on the member.
 3. Every effort shall be made to assign members to positions consistent with their rank and pay classification. When deemed appropriate, members may be assigned to positions designated for lower rank or pay classification. Members thus assigned shall:
 - a. Retain the privileges of their rank but shall answer to the supervisor of the unit to which they are assigned regarding work responsibilities and performance
 - b. Retain the pay classification and related benefits of the position held prior to their temporary light-duty assignment.
- D. Requests for and Assignment to Temporary Light Duty
1. Requests for temporary light-duty assignments shall be submitted to the Operations Lieutenant. Requests must be accompanied by a written statement by a licensed physician or other licensed health care provider in support of a light-duty reassignment. The statement must include an assessment of the nature and probable duration of the disability, prognosis for recovery, nature of work restrictions, an acknowledgment by the health-care provider of familiarity with the

light-duty assignment, and the fact that the member can physically assume the duties involved.

2. The request for temporary light duty and the physician's statement shall be forwarded to the Chief of Police and the Town Personnel Director, who shall make a determination regarding the assignment.
 - a. The Department may require the member to submit to an independent medical examination by a health-care provider of the Department's choosing. In the event the opinion of this second health-care provider differs from the initial health-care provider, the member may request a third opinion at the Department's expense.
 - b. The member and the Department shall cooperate and act in good faith in selecting any third health-care provider, and both parties shall be bound by that medical decision.
3. A member who has not requested temporary light duty may be recommended for such assignment by the member's immediate supervisor. Such a request shall be directed to the Operations Lieutenant and must be accompanied by a memorandum stating the facts that would lead a reasonable person to believe the member is not capable of performing regular duty activities.
 - a. Notice shall be provided to the member of the proposed temporary light-duty assignment together with justification for the recommendation.
 - b. The member shall be advised that the Town will pay for an initial evaluation to determine the member's fitness for duty in instances in which a temporary light-duty assignment is recommended by the Department rather than the member.
 - c. The member may challenge the proposed reassignment using established Town procedures.
4. As a condition of continued assignment to temporary light duty, members shall be required to submit monthly physical assessments of their condition to the Operations Lieutenant.

6.03 ELIGIBILITY FOR PROMOTION

A. Corporal:

1. All candidates must be in good standing with the Department as determined by the Chief of Police. This applies to both internal and external candidates.
2. A Corporal acts as the primary field training officer for the Department with the responsibility of teaching new recruits all elements of policing. All candidates for a Corporal position must be intimately familiar with the specific elements of the training program. (Examples: Teton County geography, WY Law, JPD arrest procedures, WY search and seizure laws, JPD officer safety protocols, JPD policies and procedures, JPD database and report writing protocols, JPD philosophies, TOJ community policing principles, etc.)
3. An ideal candidate would have completed at least two (2) consecutive years of employment as a certified peace officer with either a Federal, State, Municipal, or County Law Enforcement agency, but is not required.
4. Candidates for a Corporal position will typically be selected from internal candidates due to their specific knowledge about the Department which is required of a training officer. External candidates can be considered if they can show proficiency in this area.

5. Any combination of experience, training, and education will be considered on a case-by-case basis to determine qualification.
 6. The Chief of Police will determine if an applicant is qualified to hold the rank of Corporal.
- B. Sergeant:
1. All candidates must be in good standing with the Department as determined by the Chief of Police. This applies to both internal and external candidates.
 2. Either internal or external candidates may be considered for appointment to the position of Sergeant as determined by the Chief of Police and the Town Manager, on an as needed basis.
 3. An ideal candidate would have completed at least five (5) consecutive years of employment as a certified peace officer with either a Federal, State, Municipal, or County Law Enforcement agency, but is not required.
 4. Any combination of experience, training, and education will be considered on a case-by-case basis to determine qualification. An ideal candidate would have prior supervisory experience either in law enforcement or the private sector.
 5. The Chief of Police will determine if an applicant is qualified to hold the rank of Sergeant.
- C. Operations Lieutenant:
1. All candidates must be in good standing with the Department as determined by the Chief of Police. This applies to both internal and external candidates.
 2. Either internal or external candidates may be considered for appointment to the position of Operations Lieutenant as determined by the Chief of Police and the Town Manager, on an as needed basis.
 3. An ideal candidate would have completed at least ten (10) consecutive years of employment as a certified peace officer with either a Federal, State, Municipal, or County Law Enforcement agency, but is not required.
 4. Any combination of experience, training, and education will be considered on a case-by-case basis to determine qualification. An ideal candidate would have prior supervisory experience either in law enforcement or the private sector.
 5. The Chief of Police will determine if an applicant is qualified to hold the rank of Operations Lieutenant.

6.04 PROMOTION SELECTION PROCESS

- A. Corporal:
1. The Chief of Police will have oversight over the selection and the promotional process used.
 2. The selection process for Corporal shall be a four-step process and consist of the following:
 - a. A written job knowledge test (an 80% minimum score is required to pass and advance to the next phase for consideration).
 - b. Supervisor (Sergeants and Operations Lieutenant) evaluation of past performance and leadership potential. The Operations Lieutenant shall then forward a recommendation for each individual to the Chief of Police for consideration in the final decision. All applicants who passed the written job knowledge test will advance to the next phase of testing.
 - c. An oral interview with the Chief of Police to assess readiness for greater responsibility and fit for the position. The Chief of Police shall then send a

recommendation to the Town Manager making a recommendation of an individual(s) who should be promoted to the rank of Corporal.

d. Final approval is required by the Town Manager per Town policy.

3. The Chief of Police will fill vacancies at their discretion.

B. Sergeant:

1. The Chief of Police will have oversight over the selection and the promotional process used.

2. The selection process for Sergeant shall be a four-step process and consist of the following:

a. A written job knowledge test (an 80% minimum score is required to pass and advance to the next phase for consideration). Any applicant who already holds the rank of Corporal with the Department will not be required to take the written knowledge test again. All other candidates, internal and external, will be required to take the written knowledge test.

b. Supervisor (Sergeants and Operations Lieutenant) evaluation of past performance and leadership potential for internal candidates. The Operations Lieutenant shall then forward a recommendation for each individual to the Chief of Police for consideration in the final decision. All internal applicants will advance to the next phase of testing.

c. For external candidates, an oral board consisting of the Operations Lieutenant, one (1) Sergeant, one (1) supervisor with the rank of Sergeant or higher from another agency, the Town Personnel Director, and one (1) citizen shall be assembled to evaluate the candidate's potential for leadership. Successful applicants will also have to meet all hiring requirements for basic entry into the Department as required by the Wyoming POST Commission. The board shall make a recommendation to the Chief of Police for consideration in the final decision. Only applicants the board put forward will advance to the next phase of testing.

d. An oral interview with the Chief of Police to assess readiness for greater responsibility and fit for the position. The Chief of Police shall then send a recommendation to the Town Manager making a recommendation of an individual(s) who should be promoted to the rank of Sergeant.

e. Final approval is required by the Town Manager per Town policy.

3. The Chief of Police will fill vacancies at their discretion.

C. Operations Lieutenant:

1. The Chief of Police shall have oversight over the selection and the promotional process used.

2. The selection process for Operations Lieutenant shall be a two-step process and consist of the following:

a. The Chief of Police shall conduct an oral interview with applicants invited to participate in the testing process and make a recommendation to the Town Manager for hire or promotion of any individual the Chief of Police determines to be suitable fit for the position in the Department.

b. If the candidate is external, then the candidate must pass all requirements of the Wyoming POST Commission before appointment to the position.

c. Final approval is required by the Town Manager per Town policy.

3. The Chief of Police will fill vacancies at their discretion.

6.05 DEMOTION IN RANK OR TERMINATION OF EMPLOYMENT

- A. Operations Lieutenant, Sergeant, Corporal and Police Officer
 1. The Chief of Police may, at any time, and pursuant to the Town personnel policy, make a recommendation for demotion or termination to the Town Manager of any member who fails to appropriately carry out the duties required of a supervisory or police officer position.
 2. The Town Manager shall retain the final determination of demotion or termination of any individual.
 3. Any member reduced in rank may have their pay adjusted down to be commensurate with their ending rank.

6.06 FIELD TRAINING OFFICER (FTO) PROGRAM

- A. All new police officer members are required to successfully complete the Field Training Officer (FTO) Program prior to being certified as a Jackson Police Officer and prior to being deemed sufficiently fit and prepared to assume solo police officer responsibilities and duties.
- B. The Department shall use the “San Jose Model” of field training for all new trainee officers.
- C. The FTO Program shall include, but not be limited to, training in the Department’s policies and procedures, community driven policing, traditional and innovative policing tactics and skills, laws and ordinances, professionalism, ethics, and community and organizational values and expectations.
- D. Trainee officers shall be evaluated on a daily basis and their performance rated on a scale that is easily understandable. Trainee officers shall be made aware of learning or performance deficiencies in a timely manner and shall be provided reasonable time and methods to correct the deficiencies.
- E. Reckless actions or careless disregard for rules, regulations, or FTO direction by the trainee officer shall be evaluated and the trainee officer may be subject to dismissal from continuation in the FTO Program for such actions.
- F. Trainee officers shall remain in the FTO Program until they have successfully completed all phases of the FTO Program regimen and are deemed ready to move out of the training phases by the Operations Lieutenant.
 1. The Operations Lieutenant shall forward evaluations and recommendations to the Chief of Police relating to the trainee officer’s progress, deficiencies, and/or success or failure to complete the FTO Program.
 2. The Chief of Police shall make the final determination as to the fitness of the trainee officer to assume a position as a certified Jackson Police Officer and shall place a memorandum regarding the success or failure of each trainee officer in the trainee officer’s personnel file.
- G. Assignments:
 1. Corporals who have successfully completed a certified FTO course shall be utilized as the primary FTO. When staffing or assignment issues preclude the use of a Corporal as an FTO, Sergeants or Line officers who have completed certified FTO Training may be utilized as FTOs at the discretion of the Operations Lieutenant.
 2. The Operation Lieutenant shall make FTO/trainee assignments.
 3. Training officers shall be assigned to the training status based on their personal training abilities, current work assignments, and pending leave requests.
- H. Duration of Training

1. Entry-level trainee officers shall successfully complete the training program, as prescribed by the San Jose Model.
 2. Lateral-level trainee officers shall successfully complete the training program as prescribed by the San Jose Model unless the trainee officer can show proficiency in all aspects of the training program as demonstrated through an assessment process.
 3. Remedial-level field training terms may vary in length, dependent on the previous experience and expertise level of the trainee officer and the trainee officer's rate of successful progression.
 4. The critical overriding factor in the training of entry-level or lateral-level officers is the ability of the individual trainee officer to demonstrate high comprehension, skill and problem-solving abilities while conducting routine and non-routine policing and community service duties and responsibilities professionally, safely, effectively, efficiently ethically, responsively, and with a high degree of competence and compassion.
 5. All trainee officers, no matter their experience level, must satisfactorily complete all tasks and training assignments included in the FTO Program Manual and must do so within appropriate and reasonable time constraints as determined by the Operations Lieutenant.
 6. The trainee officer may be dismissed and their field training terminated at any time during the FTO process if it is determined the trainee officer has conducted themselves in a manner that is unethical or compromises the integrity of the Department or the profession or if the trainee officer demonstrates an inability to perform requirements of the training program.
- I. Limitations While on Training Status
1. No trainee officer, either entry-level or lateral-level, will be allowed to participate in any special programs or assignments until the completion of training. Trainee officers may be allowed to experience those assignments as observers, if the FTOs are involved as participants. Trainee officers shall not act solo in a special assignment until they have successfully completed the FTO Program.
 2. The FTO Program is an intense and demanding process that requires discipline, concentration, and continuous, though incremental, progression. It is critical that the training program is consistent, regimented, and absent intermission. Therefore, throughout the entirety of the training program, neither the trainee officer nor the trainer will be authorized to take an extended leave except for injury, sickness, or extreme emergency. All leave requests must receive authorization from the Operations Lieutenant and the Chief of Police.
- J. Methods of Training
1. The Field Training Trainee checklist will be the foundation for training the trainee officer. However, the list is not meant to be, nor should it be considered to be, all inclusive. FTOs are expected to provide the highest levels of training and content.
 2. The task areas are introduced to trainee officers by their trainers throughout four (4) separate training phases. Trainee officers must successfully demonstrate competency and be evaluated in all tasks and topic areas in each training phase before being allowed to continue to the next phase.
 3. FTOs are to document whether the trainee officer was tested verbally, tactically, and/or in writing for each area. FTOs are required to document and submit all

observations and testing results to the Operations Lieutenant for determination of the trainee officer's readiness to proceed to the next phase of the FTO Program.

4. Refer to the Jackson Police Department Field Training Officer Program Manual for more detailed descriptions of tasks and topic areas, training phases, and comprehensive FTO Program specifics.

6.07 WORK ENVIRONMENT

- A. In an effort to promote a positive workplace environment, where members can thrive and have the opportunity to achieve professional success, the following policies shall be strictly adhered to by all members of the Department. Additionally, all members of the Department shall strive to adhere to the core values set forth by the Chief of Police and the Town of Jackson.
- B. Protected Classes
 1. Members of the Department will not discriminate against new applicants or existing members on the basis of age, race, sex, color, religion, national origin, disability, or any other status protected by Federal, State, or Local Laws.
- C. Harassment
 1. Members of the Department will not engage in harassment, which includes, but is not limited to, verbal, written, electronic, telephonic, or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile or offensive work environment.
- D. Supervisory Oversight/Disciplinary Procedures
 1. Nothing in this policy shall be interpreted to suggest that supervisory oversight or disciplinary procedures taken against a member who violates any provisions of this policy manual or of the Town of Jackson policy manual, or fails to meet performance requirements of their position shall be construed as harassment.
 2. The command staff has the full authority to exercise reasonable disciplinary measures against any member to ensure adherence of the member to all policies and procedures adopted by the Department.
- E. Whistle blower Provision
 1. The Department prohibits retaliation against any member for filing a complaint under this policy or for assisting in a complaint investigation.
- F. Reporting Violations
 1. If an applicant or member of the Department believes there has been a possible violation of this policy or retaliation standard, they should follow the complaint procedure contained in the Town of Jackson Personnel Rules and Regulations Manual. Every member is expected to and has a duty to report known violations of this policy.
- G. Joint Departments
 1. If the member has a legitimate reason to feel they cannot report a violation to their immediate supervisor or to the Town, the member should consider reporting the complaint to the Teton County Human Resources Department if the division is a jointly funded department.

6.08 PHYSICAL TRAINING (WORKOUTS)

- A. Workouts on Airport Assignment
 1. Members must place an emphasis on public safety when considering working out at the airport. If the facility is busy or has a sizeable number of occupants in or

around the airport, the member should not work out until things have significantly slowed before leaving the high occupancy areas.

2. If the TSA checkpoint is open, a member shall not work out. Working out might not be possible on every shift, especially in the summer.
 3. Members are expected to be in the immediate area where inbound flights will arrive within 15 minutes of the expected arrival time of the flight when possible. All workouts should be completed before that window of time and allow ample time for the member to travel to the incoming passenger area or to address a backflow alarm.
 4. Workouts should not exceed 1-hour in duration, to include uniform dress down and dress up activities.
 5. Members are not permitted to completely dress down at any time while working the airport detail. Members may remove their uniform shirt, protective vest, and duty belt, but may not remove their uniform pants, under black t-shirt, or duty boots while working out.
 6. Officers are expected to have their portable radios in the immediate area while working out and monitor the radio for activity that would dictate returning to duty.
- B. Workouts on in Town Assignment
1. Members, sworn and non-sworn, shall be permitted to work out at any time their immediate supervisor gives them approval to do so.
 2. Supervisors should not grant permission to work out when public safety would be compromised, needed service would be inhibited, or minimum staffing levels would not be maintained without other arrangements being made for coverage.
 3. Supervisors should not grant permission to work out at times when it is busy, such as morning and afternoon school zone activity, rush hours, special events, DWUI peak enforcement hours, etc. A common-sense approach is the expectation.
 4. Members are permitted to completely dress down to work out attire when permission is granted by a supervisor to work out, unless otherwise directed based upon an evolving environment suggesting it would not be feasible.
 5. Members who take radio calls for service should advise dispatch they will be 10-6 training in the basement and available by landline, cellular, or radio if needed.
 6. Members who take radio calls for service are expected to have their portable radio in the immediate area and to monitor call activities. Members should self-initiate returning to duty if calls for service dictate doing so or when directed by a supervisor. A common-sense approach is expected.
 7. Uniform members, sworn or non-sworn, are not permitted to work out on duty at any location other than the Town gym unless doing so as a sanctioned training event or exercise that is approved by a supervisor.
 8. Workouts should not exceed 1-hour in duration, to include uniform dress down and dress up activities.
 9. Non-uniform members who work away from the main Town Hall campus may be granted permission on a case-by-case basis to work out at alternate locations if pre-approved by the Operations Lieutenant.

7.0 INVESTIGATIONS OF COMPLAINTS AND ALLEGED MISCONDUCT

7.01 COMMUNITY RELATIONSHIP

- A. The confidence in the ability of the Department to fairly investigate incidents, determine facts, and correct deficiencies in policy or in officer conduct is crucial to the Department's relationship with the community.

7.02 PRIMARY GOAL

- A. The Chief of Police has the responsibility under the Municipal Code to discipline employees whose conduct discredits or impairs the Department or constitutes a violation of Department procedure or law. In so doing, the rights of employees and members of the public must be preserved while investigations are conducted in a fair and objective manner with the truth as the primary goal.

7.03 ACCOUNTABILITY

- A. Complaints are investigated to provide accountability to the public, provide protection for falsely accused members, reveal training needs, facilitate re-evaluation, and point out the need for new Departmental policies and procedures.

7.04 PROCEDURE

- A. The Department will openly accept complaints against its members and will fully investigate each complaint.
- B. Disciplinary action may be taken against those members whose conduct is found to discredit the Department, impair its effective operation, or constitute a violation of Departmental policy and procedure, Town of Jackson policy or procedure, or Federal, State, or Municipal Law.
- C. Investigation of an incident may fall into one of the following categories of conduct:
 - 1. Intentional
 - 2. Malicious
 - 3. Negligent
 - 4. Unethical or unprofessional
 - 5. Immoral
 - 6. Illegal
 - 7. Mistake due to human error

7.05 EXONERATION

- A. When a member is exonerated, the Department shall explain facts and circumstances.

7.06 FILING A COMPLAINT

- A. Any individual who wishes to file a complaint concerning the conduct of a member of the Department shall be courteously and promptly informed of the manner this may be done, which includes the following:

1. Generally, complainants will be referred to a supervisor (Sergeant or Corporal) who will attempt to resolve complaints which fall within their scope of authority, are considered minor in nature, and can be resolved through mediation or redirection with the member. However, any member of the Department, regardless of rank, may accept a complaint in the absence of a supervisor to provide better customer service to the complainant. No complainant shall be requested to lodge their complaint at a later time unless an emergency situation exists.
2. Complaints may be received by telephone, letter, email, or in person. Members shall not attempt to dissuade any person from filing a formal complaint against any member of the Department.
3. Complaints made by persons who wish to remain anonymous will be accepted but will be forwarded to the Operations Lieutenant or Chief of Police prior to the commencement of any active investigation into the matter to determine if adequate information was provided by the complainant to justify further investigation.
4. In all cases, complainants will be encouraged to provide a written statement concerning the complaint, but it is not required to proceed with filing of a complaint.
5. Complaints about officer conduct from persons not a party to a police action who have no direct involvement in the alleged incident will be accepted and investigated according to the merits of the complaint. In these cases, the identity of the complainant and witnesses, and the addresses and telephone numbers of each, will be requested. If requested, confidentiality of the complainant will be maintained to the extent consistent with the rights provided to the member(s) who may be the subject of the complaint.
6. Matters which experience and judgment dictate are minor in nature and capable of being resolved through counseling, training, or redirection may be handled and documented at the supervisory level (Sergeant or Corporal) and are considered a “supervisory review” and do not require a more formal investigation.

7.07 FACT FINDING

- A. Any member receiving a complaint shall, without delay, forward the complaint to the member’s immediate supervisor (Sergeant or Corporal) who may make preliminary inquiries into the allegation prior to the commencement of any formal investigation. This process is only for the purpose of asking pertinent questions concerning an incident in order to place sufficient facts before the Operations Lieutenant or the Chief of Police to permit a decision to be made on whether or not the opening of a more formal investigation is warranted. During this initial investigation, the Sergeant or Corporal shall determine if the complaint appears to merely warrant a “*supervisory review*” or if it rises to the level of a more formal investigation (*Administrative Review or Internal Affairs Investigation*).
- B. For those allegations which appear to rise to the level of requiring a more formal investigation (*Administrative Review or Internal Affairs Investigation*), the complainant shall be requested by the supervisor to complete and sign a Witness Statement Report Form but shall not be mandated to do so. The supervisor will assist in the completion of the form if required and will ensure that relevant facts are included in the statement. When appropriate, a supervisor may write a statement based on an interview with the complainant and add it as an addendum to the Witness Statement Report Form. Should

the complainant decline to complete and sign the statement, the Supervisor shall note that fact and shall complete a report detailing the information given by the complainant in memorandum form that shall include a recommendation from the Supervisor that the complainant move forward for consideration for a more formal investigation (*Administrative Review or Internal Affairs Investigation*). The results of the fact-finding process should be forwarded to the Operations Lieutenant along with the Witness Statement Report Form or Supervisor's Memo, any crime reports associated with the incident, and any Supervisor reports generated on the incident.

- C. The Operations Lieutenant shall review all documents provided by the supervisor and determine if in fact the complaint justifies a more formal investigation. If the Operations Lieutenant does not believe a more formal investigation is necessary, the Operations Lieutenant shall return the complaint to the Sergeant or Corporal to be handled as a "supervisory review." However, if the Operations Lieutenant agrees that a more formal investigation is appropriate, they shall, in memorandum form, send an advisement to the Chief of Police summarizing the incident with a more formal recommendation for a more formal investigation to occur (*Administrative Review or Internal Affairs Review*).
- D. If the Chief of Police receives a recommendation from the Operations Lieutenant suggesting a more formal investigation is required (*Administrative Review or Internal Affairs Review*), the Chief of Police shall review the documents and determine whether an Administrative Review or Internal Affairs Review is most appropriate to conduct. If the Chief of Police believes the incident could result in suspension or termination, the Chief of Police shall order an Internal Affairs Investigation commence. Otherwise, any lesser anticipated disciplinary action than suspension or termination shall warrant an Administrative Review to commence and shall be ordered by the Chief of Police.

7.08 NON-NATIVE SPEAKER COMPLAINTS

- A. Persons who do not speak English and who wish to lodge a complaint about an employee will be afforded the aid of an interpreter.
- B. If an interpreter is not immediately available, the supervisor may opt to delay the interview until an interpreter can be present to assist in the interview.
- C. All further contacts with the complainant in relation to the incident should be made with the assistance of an interpreter.

7.09 LOG DOCUMENTATION

- A. Supervisors shall document the receipt of all citizen complaints in a log designated for such a purpose on the "I" drive under the Command Staff Folder.
- B. Informal or minor complaints addressed at the supervisory level shall also be included on the log along with the disposition of the complaint.
- C. The information in the log shall be used by the Chief of Police for evaluating the complaint process and as an early warning device.

7.10 COMPLAINTS INITIATED BY A MEMBER OF THE DEPARTMENT

- A. Any member of the Department who has reason to believe that another member has conducted themselves in a manner contrary to law, policy and procedure, the public interest, or to the effective operation of the Department, may discuss the matter with any supervisor within the Department and may submit an incident report in memorandum form and related materials as appropriate to that Supervisor.

- B. The Supervisor receiving the complaint shall forward the complaint to the Operations Lieutenant for review, who in turn shall forward the complaint to the Chief of Police. Members of the Department always have the opportunity to speak with the Human Resources Department regarding employment concerns.

7.11 PROCESSING COMPLAINTS

- A. The Chief of Police will review all complaints forwarded to them by the Operations Lieutenant to determine how the complaint will be processed. There are three (3) possible formats for processing a complaint in the following order:
 - 1. Supervisor Review
 - 2. Administrative Review
 - 3. Internal Affairs Review
- B. Definitions:
 - 1. **Supervisory Review** involves allegations of a very minor nature, but do not rise to the level of blatant policy violations or deviations from Department procedures. Most incidents of this type are typically due to a miscommunication between the officer and the complainant and would not lead to disciplinary action beyond oral counseling or an SSR.
 - 2. **Administrative Review** involves allegations of minor policy or procedural infractions by members of the Department. Administrative Reviews focus on matters that supervisory experience and judgment indicate are subject to resolution at lower levels of discipline, correction, or retraining and are unlikely to lead to disciplinary action that could result in suspension or termination of an employee.
 - 3. **Internal Affairs Review** is conducted when there are allegations of more serious misconduct or illegal acts, and when the allegation, if sustained, is likely to result in disciplinary action that could lead to suspension or termination.
 - a. All Internal Affairs Investigations and any documentation pertaining thereto shall be treated as confidential and stored in a location separate from an member's personnel file.

7.12 SUSPENSION OR REASSIGNMENT

- A. At the discretion of the Chief of Police, members may be placed on suspension with pay or reassigned to administrative duties during the conduct of any Internal Affairs Review.
- B. This action is solely administrative and does not constitute disciplinary action.

7.13 PROCEDURE FOR ADMINISTRATIVE REVIEW

- A. Members assigned to conduct an Administrative Review shall analyze the complaint and make such inquiries as may be required. Upon completion, the supervisor can either take non-disciplinary action to resolve the complaint or may make a recommendation to the Chief of Police for disciplinary action.
- B. If, during the course of an Administrative Review, an investigator develops a reasonable suspicion that the matter is more serious than originally determined or could lead to disciplinary action more stringent than counseling or an oral reprimand, the investigator shall cease the investigation and notify the Chief of Police. The Chief of Police may cause the investigation to continue, reclassify the matter to an Internal Affairs Investigation, or reassign the investigation to an assisting agency.

7.14 PROCEDURE FOR INTERNAL INVESTIGATION

- A. When an allegation is determined to merit an internal investigation, the Chief of Police shall cause the accused member to be notified in writing of the investigation and to be provided with a copy of the complaint, provided that the allegations are not criminal in nature and that such notification would not hinder the investigation.
- B. When the matter under investigation could result in disciplinary action against the accused member, the investigator shall advise said member of the following:
 - 1. The accused member may suggest witnesses and evidence which would tend to exculpate the accused member or mitigate the investigation.
 - 2. A tape recording will be made of the interview and a copy will be made available to the accused member.
 - 3. Failure to cooperate with the investigation may, in and of itself, result in disciplinary action.
- C. Department members will answer all questions asked during an internal investigation completely and truthfully and will cooperate fully in the internal investigation process. All interviews will be conducted under conditions conducive to obtaining an accurate account of the incident under investigation. Investigators will exercise due regard for the physical and emotional needs of the member being interviewed.
- D. No employee shall be deprived of any rights afforded by the Constitution of the United States, the laws of the State of Wyoming, or the Personnel Rules of the Town of Jackson.

7.15 ALLEGATIONS OF CRIMINAL ACTIVITY

- A. Allegations of criminal activity against any member of the Department will be handled at the discretion of the Chief of Police. Internal investigations may be conducted concurrent to the criminal investigation or may begin upon the completion of any criminal investigation.
- B. The separate and distinct nature of criminal and internal investigations is intended to protect the member's rights and to prevent the compromise of a criminal investigation by information or evidence developed during the course of an internal investigation for administrative purposes, during which the member must truthfully answer all questions and cooperate in the investigation at the risk of administrative discipline.

7.16 ADVISEMENT OF RIGHTS

- A. If an incident or event contains possible criminal violations in addition to potential policy violations, the two investigations must be conducted separately. Information gleaned from a policy investigation cannot be shared with criminal investigators without a waiver from the member. However, information gleaned in the criminal investigation can be shared with the policy investigators.
- B. For a criminal investigation, the case law pertaining to *Miranda* advisements apply and shall be followed when questioning the member regarding the potential criminal violation.
- C. For a criminal matter also being investigated as a Departmental policy violation, prior to the questioning of any Department member regarding the potential policy violation, the investigator will read into the record an advisement of the member's *Garrity* rights. The *Garrity* decision affirmed the protection of an member's Constitutional rights, and the advisement informs the member that the failure to truthfully answer questions will expose the member to separate disciplinary action.

- D. Refer to the *Garrity Advisement* in appendix.

7.17 INVESTIGATIVE REPORT

- A. All information developed during an investigation is to be treated by the investigator with the strictest confidence. Upon completion of the investigation, the investigator shall submit a complete written report.
- B. The completed report will be submitted to the Operations Lieutenant, who will forward it to the Chief of Police with their recommendations.

7.18 DISCIPLINARY PROCEDURE

- A. Based upon the results of the investigation, disciplinary actions may be instituted by the Department. Such actions will be carried out according to the procedures found in the Personnel Rules of the Town of Jackson.

8.0 BACKGROUND INVESTIGATIONS

8.01 PROCESS ON ENTRY LEVEL APPLICANTS

A. Authority

1. The Operations Lieutenant, or their designee, is responsible for conducting background investigations for entry level applicants. The purpose of the background investigation is to examine the personal history behavior patterns and conduct of entry level applicants to determine if patterns exist which would affect:
 - a. The applicant's ability to meet legal requirements set forth by the State of Wyoming P.O.S.T. commission regulations
 - b. The applicant's ability to meet Department guidelines as set by internal rejection criteria
 - c. The public trust
 - d. The applicant's fitness to perform the duties of the position

8.02 SCOPE OF INVESTIGATION

A. The background investigation may include, but is not limited to the following:

1. An interview with the applicant
2. Criminal history check
3. Personal information
4. An interview with the applicant's spouse
5. An interview with the applicant's relatives, references, and acquaintances
6. Education
7. Residence history
8. Employment experience
9. Military service
10. Financial history
11. Criminal history
12. Motor vehicle operation
13. General information
14. Drug use
15. Optional information
16. Johnson and Roberts results
17. Honesty
18. Investigator's summary
19. Operations Lieutenant's review
20. Polygraph
21. Medical examination
22. Psychological examination

8.03 FINAL HIRING DECISION

- #### A. The Chief of Police, or their designee, shall have the final hiring decision and authority to accept or reject an applicant.

8.04 REPORTING

- A. The Operations Lieutenant is responsible for ensuring that complete reports of pre-employment background investigations are prepared and submitted in accordance with this policy.

8.05 COMPLETED BACKGROUND FILES

- A. Background investigation report files are to be maintained by the Personnel Department. These reports are confidential and are to be inspected or reviewed only by the Chief of Police, Lieutenant, and their designee. The files and reports are not public information.
- B. The files should be maintained as follows.
 - 1. Successful applicant's files shall be kept by the Town of Jackson Personnel Department according to State Statute and best practice.
 - a. Unsuccessful applicant's files shall be kept by the Town of Jackson Personnel Department for two (2) years then destroyed.
 - 2. All information discovered during the background investigation shall remain confidential and treated as a personnel matter.

9.0 OPERATIONS

9.01 OPERATIONS DEFINED

- A. The “Operations” of the Department is comprised of six (6) separate and unique divisions within the Department that work in tandem with one another to achieve law enforcement goals for attaining a safe community. The divisions are as follows:
1. Patrol - responsible for responding to radio calls for service, crime prevention, criminal investigation, evidence collection and storage, arrest and apprehension, case reporting, and educational programs.
 2. Investigations – responsible for crime scene investigation, evidence collection and storage, criminal investigation, arrest and apprehension, and proactive details to reduce problem crime concerns within the community, such as the trafficking of narcotics.
 3. Community Services - responsible for animal control enforcement and education, abandoned vehicle removal, parking enforcement, special event preparation, VIN inspections, ground transportation compliance checks, and collateral duties as assigned.
 4. Administration and Support Services - responsible for first point of contact with the public, records management and retention, records requests and release, data-entry, public relations programs, VIN inspections, child car seat educational programs, budgets, management of all divisions, recruitment, and policies and procedures.
 5. Animal Shelter - responsible for the care and housing of unwanted, at-large, or abandoned animals within Teton County, adoption programs, public outreach programs, and animal licensing.
 6. Victim Services - responsible for general assistance to victims of crime, including but not limited to, assistance with:
 - a. Temporary housing
 - b. Compensation
 - c. Application for protection orders
 - d. Crisis intervention
 - e. Victim Impact Statements, and
 - f. Public Notifications regarding offender status

9.02 PATROL – TRAFFIC ENFORCEMENT GENERAL REQUIREMENTS

- A. Whenever a member observes a criminal offense or has reasonable suspicion to suspect a person(s) violated the law, the member may conduct a traffic stop at the member’s discretion based upon the totality of the circumstances known to the member at the time. If the member opts to initiate a traffic stop of the person(s), the following shall occur to ensure the safety of the officer and the safety of the person(s) being contacted.
- B. The member shall utilize safety equipment installed on the vehicle, to include, but not limited to, rear flashing amber lights or equivalent that shall remain activated for the duration of the traffic stop to help reduce the likelihood of rear end collisions.
- C. When possible, the member shall notify dispatch of the traffic stop or enforcement action as soon as practicable, and upon initiating contact, shall provide dispatch:
1. The stop location,
 2. The license plate number and State of the vehicle stopped, and

3. If the stop involves a bicyclist or pedestrian, the officer shall provide a basic description of the person.
- D. Members should utilize officer safety tactics when choosing a location for a traffic stop. High density areas with traffic congestion and where it is unsafe to conduct a U-turn on offender vehicles should be avoided when possible. Members should also avoid blocking traffic that creates traffic flow problems unnecessarily, especially during peak traffic periods. When possible, members should take measures to move traffic stops to side streets or parking lots to avoid this situation from occurring. Members should also park their patrol cars using a method that enhances safety to the member, such as blading the vehicle and/or turning the vehicles front tires outward.
- E. Officer discretion may be used in issuing either a citation or warning for traffic violations, except in the case of traffic accidents where special policies apply. Additionally, members are encouraged to issue citations during times when high visibility enforcement grants are being worked and to focus on enforcement of Wyoming's seatbelt laws and speed laws.
- F. The purpose of traffic enforcement is to stop driving behaviors that may endanger the driver or the public, to educate the driver to the laws and proper driving behavior, and to bring the violator into compliance with the laws.
- G. Warnings are sometimes just as effective of an educational tool as are citations. Warnings may be given verbally or in writing.
- H. Members are reminded that compliance with the law is the goal of enforcement. If the member feels a warning is not likely to change a person's future driving behavior, then a citation should be issued.
- I. Members shall notify violators of the court date and disposition alternatives for the citation, such as the method of paying the citation prior to the court date, and the process for contesting the citations and requesting a hearing. Traffic offenders are not required to sign a citation as a promise to appear in court, as such, officers cannot arrest individuals who refuse to provide a signature.

9.03 TRAFFIC COLLISIONS

- A. When investigating traffic accidents requiring a State accident report be completed (total damage in excess of \$1,000 or injury), members shall make every effort to determine the most human contributing cause of the accident.
- B. If there is probable cause to support a violation of the traffic laws, a citation charging the appropriate violation will be issued to the driver(s) causing the accident. Exceptions to mandatory citations:
 1. Accidents where very minor property damage exists and there are no injuries.
 2. Accidents involving on-duty law enforcement personnel.
 3. Accidents where extenuating circumstances exist, but otherwise would meet the criteria to issue a citation. In such cases, officers shall notify a supervisor and make a notation in the narrative of the CR-1 indicating the reason a citation was not issued.
- C. When members are investigating a traffic collision where serious bodily injury is present, the officer should notify a supervisor. Supervisors in turn should consider calling out appropriate resources. Consideration should be given to whether the injury could later result in loss of life or not.
- D. Members shall always answer all reasonable questions posed by individuals involved in collisions. Members should provide accurate information about how the individual can obtain a copy of the police report by providing a case number and the contact information

for WYDOT. Additionally, officers should make individuals aware that copies of collision reports shall generally be available to them via the ReportBeam website. However, the agency will provide copies of collision reports to involved parties when necessary.

9.04 ISSUANCE OF CITATIONS

- A. Members are encouraged to forward cases into the Town of Jackson Municipal Court for prosecution when appropriate to do so. Considerations in determining appropriateness should include:
 - 1. Whether the offender is a first-time offender
 - 2. If the offender would benefit from being on supervised probation
 - 3. If the offender lives in the region
 - 4. If the offender is a juvenile (juveniles cannot be processed into Municipal Court for criminal violations)
 - 5. If the offense is domestic violence related, as those cases are more appropriately handled in Circuit Court
 - 6. If a possession of marijuana case
 - 7. Is the offender a repeat offender where enhanced penalties may apply?
 - 8. Are there extenuating circumstances that lead the officer to believe Circuit Court is a better fit for handling the matter?

9.05 OFFICER SERIOUS INJURY OR FATALITY

- A. The Department and its members recognize the inherent risks associated with police work and the real possibility of another member being critically injured or killed in the performance of his or her duties.
- B. This Department will extend tangible and emotional support to the immediate family, other members, and extended family as much as feasibly possible.
- C. In the event of a serious injury or death, immediate personal notification is essential to keep family members from learning about the injury or death from a friend or the media.
- D. In the case of a critical injury or death, the safety of on-scene members is paramount. All first aid and lifesaving procedures should be conducted without delay or concern for outside factors, other than the safety of all members. Only after the individual member(s) are cared for, will efforts to preserve the scene and evidence be conducted.
- E. The name of the deceased or critically injured member shall not be released to the media or any other parties outside law enforcement before notifications have been made to immediate family and survivors in the area. Moreover, all communications regarding the name of the member injured or killed should be conducted utilizing devices other than the police radio to maintain confidentiality.
- F. If the media discovers the member's name prematurely, the ranking member present should make direct contact with media representatives and request the information not be used until the family and survivors can be notified.
- G. The Department maintains on file a document for each member indicating the member's "last requests" (critical incident form) relating to notification of family members. This document should be utilized prior to notification to grant those last requests of the member, if possible.
- H. When the notification is made, it will be obvious to the family member that there is a serious situation. Therefore, the use of any delaying tactics is not appropriate. Although it is natural for the notifying member to attempt to help resolve the grief, well-meaning comments are often offensive to the spouse and are usually counterproductive.

- I. The spouse should be provided with an accurate account of the events surrounding the incident and the current medical condition of the member. There are few exceptions to this rule because if the family learns they have not been told the whole story, the family will usually feel resentment, anger, and betrayal.
- J. Immediately after notification, the spouse will usually want to be taken to the hospital, and this request should be honored.
- K. Sometimes well-meaning members will want to protect the spouse from seeing the injured member while the member is under intensive care or the deceased member until the body has been prepared at the funeral home. Both of these, too, will likely create feelings of resentment, anger, and betrayal and will result in long-term negative feelings toward the Department.
- L. Moreover, such visits allow the spouse closure. For example, it helps them begin to accept the fact that something tragic has happened to the member. Until they see the member, there is an element of denial and a belief that the Department has made a big mistake about the identity of the member involved.
- M. If the spouse wishes to see the body at the hospital, this should be allowed. If the body is mutilated or burned, the spouse should be informed of that fact; however, if the spouse insists upon seeing the body, the request should be considered.
- N. As soon as practical after the incident, the Chief of Police, Operations Lieutenant, the Investigative Supervisor, the County Attorney, and a Victim Services representative shall be notified. In cases involving death, the County Coroner shall also be notified.
- O. The on-duty supervisor or his designee shall utilize the injured/deceased member's critical incident notification form and attempt to have the member(s) and clergy named in the form as part of the notification team. Should the chosen member(s) not be available in a timely manner, the responsibility shall fall to the Chief of Police or in the Chief's absence, to the Operations Lieutenant. If neither the Chief nor the Lieutenant can be located, the senior member working shall assume the responsibility for notifications.
- P. The family notification shall be made in person, if possible. The notification detail should consist of a team of two. One to transport the spouse and one to remain at the home to be with the children, to answer the telephone, to contact additional persons and/or clergy, as requested, and to perform other duties, as needed and appropriate.
- Q. The Chief of Police or Operations Lieutenant shall conduct a news conference or issue a media release as soon as practical, providing information, as appropriate.
- R. As time permits, yet in a timely manner, the Mayor, Town Administrator, Finance Director, County Sheriff, and all department supervisors shall be notified.
- S. The Chief of Police shall determine the appropriate investigation necessary in any line-of-duty death or critical injury including the need to utilize outside agencies, such as the Department of Criminal Investigation (DCI) or the Wyoming Highway Patrol.
- T. From the time of the death until the funeral, the agency should offer continued appropriate support services such as childcare, telephone answering, notifications, assistance in dealing with the response from the public and other agencies, meal assistance, and transportation. Some of these support services will continue to be needed for some time following the funeral.
- U. It is essential for the family to be actively involved in planning the funeral arrangements and their wishes fully considered. A common complaint from families is that the agency determined the funeral to be the agency event to coordinate and plan, and as a result, the agency disregard the wishes of the survivors. Sometimes this is the result of a misguided belief that the family should not be burdened with such matters.

- V. If a suspect has been charged in the death, it is important to keep the family advised during the trial process. It is essential to provide the family with a complete briefing just prior to the start of the trial to ensure they will be aware of the procedures of the trial process and the critical issues of the case before learning of them through the media.
- W. If during the trial, additional issues are to be raised, the family should be so advised in advance. In addition, the family should be briefed on and given help in dealing with the media.

9.06 SUPERVISORY RESPONSIBILITIES AT THE SCENE OF AN OFFICER SERIOUS INJURY OR FATALITY

- A. First aid to survivors
- B. First set of notification
 - 1. Chief and Lieutenant
 - 2. Coroner
 - 3. Investigative Sergeant
 - 4. County Attorney
 - 5. Victim Services Representative
- C. Maintain police radio frequency confidentiality
- D. Should the media learn the member's identity prematurely, the ranking member present should make direct contact with the media representative requesting confidentiality until the family notification is completed.
- E. Assign responsibility to obtain member's confidential notification form
- F. Make assignments, following the member's notification preferences.
- G. Assist Police Chief, ensuring the chief's personal contact with the member's family.
- H. As directed by the Chief of Police and as time permits, notify the Mayor Town Administrator, Finance Director, Teton County Sheriff, and all department supervisors.

9.07 VEHICLE INVENTORIES

- A. Whenever a member of the Department removes the occupants of a vehicle, (typically due to an arrest of the individual) from the vehicle involuntarily and subsequently has the vehicle towed, so as to take custody of the vehicle, a vehicle inventory is to be performed. It should be noted that inventories do not apply to vehicles towed under the "snow tow" ordinance, as the vehicle is not typically occupied.
- B. The inventory shall be made using digital photographs of the vehicle and its contents, including closed containers.
- C. Inventory photographs shall be attached to the RMS report.
- D. Items of significant value or those that pose a potential public safety risk, such as a firearm, should be given consideration to be booked-in as a "safe keeping" item if deemed necessary by the shift supervisor. At a minimum, if the item is not retained for safekeeping, then the member should photograph the item and make a special notation in the report that the item was present at the time the vehicle was inventoried so as to account for the items whereabouts.

9.08 SPANISH LANGUAGE STIPEND

- A. The Jackson Police Department offers a Spanish Language Stipend as outlined in a policy approved by the Town Manager.

Monthly Stipend Amounts								
	Full Time Personnel				Variable Hour Personnel			
	Max Available	Oral Proficiency	Written Proficiency	Reading Proficiency	Max Available	Oral Proficiency	Written Proficiency	Reading Proficiency
Advanced High	\$ 400.00	\$ 200.00	\$ 100.00	\$ 100.00	\$ 200.00	\$ 100.00	\$ 50.00	\$ 50.00
Advanced Mid	\$ 350.00	\$ 175.00	\$ 87.50	\$ 87.50	\$ 175.00	\$ 87.50	\$ 43.75	\$ 43.75
Advanced Low	\$ 300.00	\$ 150.00	\$ 75.00	\$ 75.00	\$ 150.00	\$ 75.00	\$ 37.50	\$ 37.50
Intermediate High	\$ 250.00	\$ 125.00	\$ 62.50	\$ 62.50	\$ 125.00	\$ 62.50	\$ 31.25	\$ 31.25
Intermediate Mid	\$ 200.00	\$ 100.00	\$ 50.00	\$ 50.00	\$ 100.00	\$ 50.00	\$ 25.00	\$ 25.00
Intermediate Low	\$ 150.00	\$ 75.00	\$ 37.50	\$ 37.50	\$ 75.00	\$ 37.50	\$ 18.75	\$ 18.75
Novice High	\$ 50.00	\$ 25.00	\$ 12.50	\$ 12.50	\$ 25.00	\$ 12.50	\$ 6.25	\$ 6.25
This breakdown provides recognition and value for employees that excel and not only speak, but write and read in Spanish as well.								
Non-Office or Non-Police employees are only eligible for the Oral Proficiency amount as those personnel would not have the opportunity to use reading and writing skills. Examples of these positions include but are not limited to Transit Operators, Equipment Operators, Street Operators.								
For Example: Full time employee scoring IM for Oral, AL for Written, and NH for Reading would receive \$187.50/mo.								
Spanish Fluency Stipend amounts are subject to change.								
Employees receiving stipends are required to recertify every two years in July. Newly hired employees qualifying for a stipend will be required to recertify every two years on their hire date anniversary.								

9.09 CROWD MANAGEMENT

A. PURPOSE

1. The purpose of this policy is to establish guidelines for effectively managing crowds and preserving the peace and welfare of the community during demonstrations or during civil disturbances.

B. POLICY

1. This agency will strive to effectively manage crowds during demonstrations or during civil disturbances to prevent loss of life, prevent injury to persons and to prevent property damage from occurring when possible.
2. This agency will strive to effectively manage crowds during demonstrations or during civil disturbances to prevent loss of life, prevent injury to persons and to prevent property damage from occurring when possible.
3. Additionally, this agency will strive to minimize disruption to inhabitants of the area that are directly impacted by the event and effectively address safety and/or ingress and egress concerns relating to the motoring public, pedestrians, bicyclists or other users of the public right-of-way.
4. Members encountering such incidents shall adhere to this policy to protect life, property, and the exercise of First Amendment rights guaranteed to all individuals by the Constitution of the United States.
5. In rare circumstances involving emergencies, and in widespread highly volatile civil unrest with the potential for widespread violence, the Incident Commander (IC) may temporarily suspend any policy, provision, or guideline contained herein when such action is determined to be the only reasonable alternative for the prevention of loss of life or major property damage.

C. DEFINITIONS

1. Civil Disturbance: A gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. Such a gathering may also be referred to as a riot or unlawful assembly.
2. Crowd Control: Techniques used to address civil disturbances, to include a show of force, crowd containment, dispersal equipment and tactics, and preparations for multiple arrests.

3. Crowd Management: Techniques used to manage lawful assemblies before, during, and after the event for the purpose of maintaining their lawful status through event planning, pre-event contact with group leaders, issuance of permits when applicable, information gathering, personnel training, and other means.
4. Demonstration: A lawful assembly of persons organized primarily to engage in First Amendment activity. These may be scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention to a particular cause or issue.
 - a. *NOTE*: Lawful demonstrations can devolve into civil disturbances that necessitate enforcement action when unlawful acts occur. It is also recognized that isolated individuals may become engaged in unlawful acts that require enforcement action, when the larger assembly remains lawful and requires no enforcement action.
5. Impact Projectiles: Projectiles designed and intended to deliver non-penetrating impact energy from safer than contact range distances. These may include direct fire or non-direct skip-fired rounds.
 - a. The latter are projectiles that are discharged toward the ground in front of a target, theoretically delivering the energy to the subject following contact with the ground in an attempt to stop unlawful activities and disperse individuals engaged in those activities to preserve the peace of the community and restore order.
6. Incident Commander: (IC) person responsible for overall control of a demonstration or civil disturbance.

D. PROCEDURES

1. General Management and Organization Principles
 - a. Government may impose reasonable restrictions on the time, place, and manner in which persons engage in First Amendment activity. The department shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and order and, to the degree possible, facilitate uninhibited commerce and freedom of movement.
2. Organization of responsibilities shall be as follows:
 - a. The Chief of Police will designate an Incident Commander (IC) responsible for overall control of a demonstration or civil disturbance.
 - b. In the case of a widely dispersed demonstration or disturbance, or an event with multiple locations, multiple ICs may be assigned at the discretion of the Chief of Police.
 - c. The IC shall be responsible for preparing tactical plans and management details associated with planned demonstrations.
3. The primary objectives of the IC at a civil disturbance will be as follows:
 - a. Protect persons, regardless of their participation in the disturbance; and protect property.
 - b. Disperse disorderly or threatening crowds in order to eliminate the immediate risks of continued escalation and further violence.
 - c. Arrest law violators and remove or isolate persons inciting violent behavior.

4. Members shall be briefed on what to expect and appropriate responses. They shall be informed that the IC or his designee shall be responsible for ordering any response deemed appropriate.
 5. It is the policy of this department to avoid making mass arrests unless absolutely necessary to preserve peace.
 6. All event proceedings shall be photographed and audio and video recorded.
- E. Use of Force
1. All use of force shall be regulated by the “Force Response” policy of this agency.
 2. Unless exigent circumstances justify immediate action, members shall not independently make arrests or employ force without command authorization.
 3. All officers providing assistance to this agency through mutual aid agreements, contracts, or related means shall be informed that they are under the direction and control of this Department’s command and supervisory personnel.
 4. The following restrictions and limitations on the use of force shall be observed during demonstrations and civil disturbances. In all cases, weapons should be carried and deployed only by trained and authorized officers:
 - a. Canine teams may respond as backup when appropriate but shall not be deployed for crowd control (i.e., containment or dispersal). Canines shall remain in patrol vehicles or other secure locations and, whenever reasonably possible, out of the view of the crowd. Canines may be deployed in appropriate circumstances related to bomb detection, pursuit of suspects in buildings, and related situations.
 - b. Horses may be used to create a perimeter, direct movement of crowds and control groups in nonviolent demonstrations as appropriate. They shall not be used against passively resistant demonstrators who are sitting or lying down. Horses shall not be utilized when the use of chemical agents is anticipated or deployed, nor shall they be used in icy or snow conditions or when similar lack of footing may jeopardize the animal, rider, or others.
 - c. Motor vehicles may be used to create a perimeter and direct movement of crowds as appropriate, but shall not be brought into physical contact with persons unless deadly force would be justified.
 - d. Impact weapons may only be used in civil disturbances or to overcome resistance of an individual(s) engaged in unlawful acts that may actively resist arrest.
 - e. Impact projectiles shall not be fired indiscriminately into crowds.
 - (1) Non-direct (skip-fired) projectiles and munitions may be used in civil disturbances where life is in immediate jeopardy, or the need to use the devices outweighs the potential risks involved.
 - (2) Direct-fired impact munitions, to include beanbag and related projectiles may be used in civil disturbances and have a proven track record of safe and effective use in public order management, when deployed in a manner that recognizes the unique factors involved, including the potential risk of hitting an unintended target due to officer-subject range and crowd density. Accordingly, direct-fire munitions can generally be used during civil disturbances against specific individuals who are engaged in conduct that poses an immediate threat of death or serious injury or significant levels of property damage.

- (3) A verbal warning should be given prior to the use of impact projectiles when reasonably possible and when directed by the Incident Commander (IC).
 - f. Electronic control devices (ECDs) shall be used during civil disturbances only for purposes of arrest of actively resistant individuals posing an immediate threat to the officer(s) or the public and when alternative less forceful means of control are not available or are unsuitable and only when the individual can be accurately targeted. ECDs shall not be fired indiscriminately into crowds.
 - g. Oleoresin capsicum (OC) may be used in civil disturbances against specific individuals engaged in unlawful conduct or actively resisting arrest, or as necessary in a defensive capacity when appropriate. OC spray shall not be used indiscriminately against groups of people where bystanders would be unreasonably affected, or against passively resistant individuals. High-volume OC delivery systems (such as MK-9 and MK-46) are designed for and may be used in civil disturbances against groups of people engaged in unlawful acts or endangering public safety and security when approved by the IC. Whenever reasonably possible, a warning shall be issued prior to the use of these systems.
 - h. CS (2-chlorobenzalmalononitrile) and CN (phenacyl chloride) chemical agents may not be used in any instance.
 - i. A baton or similar device can be used in civil disturbances primarily as a defensive weapon; as a means of overcoming resistance (e.g., used in the two-hand horizontal thrust on a police line); as a show of force; or as a means to contain or to disperse a crowd engaged in unlawful activities.
- F. Use-of-Force Reporting and Investigation
- 1. Because of the unique logistical and safety concerns presented by civil disturbances, the department's command staff shall comply with the following protocols during such events:
 - a. A member of the Department's command staff shall be assigned to the command post of the IC during a declared civil disturbance to coordinate and record force-related information and complaints.
 - b. The designated supervisor shall investigate serious uses of force, as defined by the Department, and complete a use-of-force report.
 - c. The supervisor conducting the use of force investigation shall have full access to video and photographic records documenting law enforcement and crowd actions.
- G. Demonstrations—Preparation, Planning and Response
- 1. The Chief of Police shall confer with the Town Manager on objectives of police activities for maintaining peace and order for the community.
 - 2. The IC or a designee, shall prepare a written action plan subject to the approval of the Chief of Police.
 - 3. Every effort shall be made to make advance contact with the leaders of a demonstration and to gather information about the event to ensure accurate assignment of personnel and resources. Necessary information includes:
 - a. What type of event is involved?
 - b. When is it planned?

- c. Will the event coincide with other routine, large scale events (e.g. special events)?
 - d. Is opposition to the event expected?
 - e. How many participants are expected?
 - f. What are the assembly areas and movement routes?
 - g. What actions, activities, or tactics are anticipated, to include use of demonstrator devices designed to thwart arrest (e.g., dragon sleeves and u-locks)?
 - h. What if any critical infrastructures are in the proximity of the event?
 - i. Have permits been issued?
 - j. Have other agencies such as Fire/EMS been notified?
 - k. Is there a need to request mutual aid?
 - l. Will off-duty personnel be required?
 - m. What is the history of conduct at such events and whether group leaders are cooperative?
- 4. The action plan shall address provisions for the following and be distributed to all affected members:
 - a. Command assignments and responsibilities
 - b. Personnel, unit structure, and deployment
 - c. Liaison with demonstration leaders
 - d. Liaison with outside agencies
 - e. Release of information to the news media
 - f. Transportation, support, and relief of personnel
 - g. Staging points for additional resources and equipment
 - h. Traffic management
 - i. Demonstrator devices, extrication teams, and equipment
 - j. First aid stations established in coordination with emergency medical service providers
 - k. Transportation of prisoners
 - l. Prisoner detention areas
- 5. Members shall be deployed to monitor crowd activity. Sufficient resources to handle multiple unruly persons shall be available, depending on the fluidity of the situation and degree of actual or likely disruption.
- 6. Members shall wear their badges and nametags or other identification in a visible location on their person at all times.
- 7. Members shall be positioned in such a manner as to minimize contact with the assembly.
- 8. Members shall not engage in conversations or be prompted to act in response to comments from demonstrators. Members shall maintain a courteous and neutral demeanor with an overall objective towards maintaining peace and order for the community.
- 9. Persons who reside, are employed, or have emergency business within the area marked off by a police line shall not be prevented from entering the area unless circumstances suggest that their safety would be jeopardized or their entry would interfere with law enforcement operations.
- 10. Unit leaders shall establish and maintain communication with demonstration leaders and relay information on crowd mood and intent to the IC.

11. Supervisors shall maintain close contact with their assigned members to ensure compliance with orders, monitor behavior and disposition, and ensure that they are aware of any changes in crowd behavior or intent.
- H. Response to Spontaneous Civil Disturbances
1. The first member to arrive on the scene of a spontaneous civil disturbance shall:
 - a. Observe the situation from a safe distance to determine if the gathering is currently or potentially violent;
 - b. Notify dispatch of the nature and seriousness of the disturbance, particularly the availability of improvised or deadly weapons, the location, estimated number of participants, current activities (e.g. blocking traffic), direction of movement, and ingress and egress routes for emergency vehicles;
 - c. Request the assistance of a supervisor and necessary backup;
 - d. If approaching the crowd would not present unnecessary risk, instruct the gathering to disperse; and
 - e. Attempt to identify crowd leaders and agitators engaged in criminal acts.
 2. The first member or supervisor in charge at the scene shall:
 - a. Deploy members at vantage points to report on crowd actions;
 - b. Establish a perimeter sufficient to contain the disturbance and prohibit entrance into the affected area;
 - c. Ensure that, to the degree possible, uninvolved civilians are evacuated from the immediate area of the disturbance;
 - d. Establish a temporary command post; and
 - e. Provide ongoing assessment to dispatch.
 3. In the area outside the perimeter, the IC shall ensure that the following actions are taken:
 - a. Move and reroute pedestrian and vehicular traffic around the disorder.
 - b. Control unauthorized ingress and egress by participants.
 - c. Prevent attempts to assist or reinforce the incident participants from outside the area.
 4. The IC shall also ensure that:
 - a. Adequate security is provided to fire and EMS personnel in the performance of emergency tasks;
 - b. Support and relief of personnel are available;
 - c. A secure staging area for emergency responders and equipment is designated;
 - d. Liaison and staging points for media representatives are established and available information is provided as appropriate;
 - e. An event log is staffed for documenting activities and actions taken during the course of the incident;
 - f. Photographs are taken and video recordings of event proceedings are made;
 - g. Photographs are taken of any injuries sustained by law enforcement officers or the public; and
 - h. The need for full mobilization of sworn officers and the recall of off-duty officers is determined.
- I. Crowd Dispersal

1. Before ordering forced dispersal of a civil disturbance, the IC shall determine whether lesser alternatives may be effective. These alternatives include the use of containment and dialogue as follows:
 - a. Establish contact with crowd leaders to assess their intentions and motivations and develop a mutually acceptable plan for de-escalation and dispersal.
 - b. Communicate to the participants that their assembly is in violation of the law and that the department wishes to resolve the incident peacefully, but that acts of violence will be dealt with swiftly and decisively.
 - c. Negotiate with crowd leaders for voluntary dispersal, or target specific violent or disruptive individuals for arrest.
2. Prior to issuing dispersal orders, the IC shall ensure that all potentially necessary law enforcement, fire, and EMS equipment and personnel are on hand to successfully carry out tactical operations and that logistical needs for making mass arrests are in place.
3. When the IC has determined that an unruly gathering is present and crowd dispersal is required, he or she shall direct members, where time and circumstances permit, to issue warnings prior to taking action to disperse the crowd.
 - a. The warning shall consist of an announcement citing the offenses or violations being committed, an order to disperse, and designated dispersal routes. A second and a third warning shall be issued at reasonable time intervals before designated actions are taken to disperse the crowd. Where possible, the warnings shall be audio or video recorded and the time and the names of the issuing members recorded in the event log.
 - b. Specific crowd dispersal tactics shall be ordered as necessary where the crowd does not heed warnings. These include, but are not limited to, any one or combination of the following:
 - (1) Display of forceful presence to include police lines, combined with motorcycles, law enforcement vehicles, mounted units, and bicycle units
 - (2) Crowd encirclement
 - (3) Multiple simultaneous arrests
 - (4) Use of aerosol crowd control chemical agents
 - (5) Law enforcement formations and the use of batons for forcing crowd movement

J. Mass Arrest

1. In a civil disturbance it may be necessary to make arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following shall be observed:
 - a. Mass arrests shall be conducted by designated squads.
 - b. An adequate secure area shall be designated for holding prisoners while awaiting transportation.
 - c. Arrest teams shall be advised of the basic offenses to be charged in all arrests, and all arrestees shall be advised of these charges.
 - d. Arrestees who are sitting or lying down but agree to walk shall be escorted to the transportation vehicle for processing; two or more officers shall carry those who refuse to walk.

- e. Prisoners shall be searched incident to arrest for weapons, evidence of the crime of arrest, and contraband.
- f. Photographs shall be taken of the arrestee and any prisoner property.
- g. Injured prisoners and those who request medical attention shall be provided medical attention prior to transportation to the detention facility. Photographs shall be taken of all injuries.

K. Deactivation

- 1. When the disturbance has been brought under control, the IC shall ensure that the following measures are taken:
 - a. All personnel engaged in the incident shall be accounted for and an assessment and documentation made of personal injuries.
 - b. Witnesses, suspects, and others shall be interviewed or questioned.
 - c. All necessary personnel shall be debriefed as required.
 - d. All written reports shall be completed as soon as possible after the incident. Comprehensive documentation of the basis for the incident, the department's response to the incident, with a statement to include the costs of equipment, personnel, and related items shall be completed.

9.10 CRIME SCENES

- A. On multi-agency incidents the member assigned to the scene, must assume Incident Command of the scene (IC) immediately upon arrival and must retain command until relieved or until the investigation is completed. The member should notify dispatch that they have assumed this role.
- B. The first responsibility of the IC is to ensure scene safety. If a crime scene, the IC should do a sweep of the location to eliminate the possibility of immediate threats to responding personnel.
- C. If the scene is determined to be free of threats, the IC should immediately switch their efforts to life saving measures if there are injured person(s) present.
- D. Once all life-saving responsibilities have been addressed appropriately, the IC should immediately establish a crime scene perimeter to limit access and the destruction of possible evidence.
- E. If a traffic collision with injuries, members of the Department will render medical assistance to injured persons to the extent they are trained to do so and as deemed necessary by the members present.
 - 1. It is likely that Fire and EMT services personnel will assist in performing any lifesaving effort if injured persons are found at the scene, and such personnel will not be hampered by law enforcement personnel until their task is concluded.
 - 2. However, if a cold crime scene, the IC shall determine if it is necessary, or not, to allow EMT services personnel access to bodies to check for signs of life on obviously deceased persons if the IC has already established beyond a reasonable doubt that no signs of life are present and that no advanced life saving measures would likely change the outcome. This determination will be based upon training and experience. If in doubt, the IC should immediately escort EMT services personnel to the body and allow EMT services personnel access to the body to determine if signs of life exist or not. Special care should be given to preserve evidence that may be present, to include but not limited to all EKG pads attached to the body.

- F. The IC will then re-establish restricted access to the scene. The names of all emergency personnel, including ambulance attendants, will be recorded in an incident report.
- G. Scene Security and Access
 - 1. No persons will be permitted within a crime scene, except personnel involved in a lifesaving role and except those whose presence will directly further the investigation being conducted.
 - 2. Although the media cannot be prevented from recording or photographing a crime scene, it has no right to greater access than the public. As such, the media cannot enter a secured scene without permission but may freely enter and take photographs from any place open to public access.
 - 3. All persons should report to the IC or the IC's designee before entering the scene.
 - 4. All personnel entering the scene and their assigned functions will be identified and recorded when they report to the IC. The IC will be responsible for the delegation and direction of all personnel.
 - 5. All law enforcement personnel permitted within a crime scene should submit a supplemental report providing details, of their activity and function at the scene.
 - 6. Scenes involving establishments, grounds, or parking lots open to the public will be closed if access to any portion thereof interferes with the security of the scene.
- H. Identification, Preservation, and Collection of Evidence.
 - 1. No physical object will be moved, or evidence collected, other than for safety reasons or to prevent its destruction, until directed by the IC.
 - 2. Depending upon the type of crime(s), complexity of the scene(s) and the level of expertise required to process the scene, the IC may personally process the scene or may request assistance from Investigations and/or other members or divisions, as appropriate. However, on large scale incidents, no outside agency shall be utilized without the consent of the Operations Lieutenant or the Chief of Police.
 - 3. The IC will ensure that all crime scene processing activities are documented and that all collected evidence is properly collected, logged, packaged, transported, and secured. Written documentation may be supplemented by photography and sketching, as needed. Written documentation will also include all the tasks performed even if the results of the evidence search and processing were negative.

9.11 FORCED BLOOD SAMPLES

- A. Officers may forcibly remove blood from arrestees in the following instances:
 - 1. If a person refuses to provide a blood sample after they have been arrested for a violation of Wyo. Stat. Ann. 31-5-233, and where serious bodily injury or death has resulted to someone other than the arrestee.
 - 2. Any other felony crime for which a blood sample from the arrestee is needed for evidentiary purposes.
 - 3. With a valid search warrant for a felony.
- B. The use of physical force to remove blood must be authorized by the on-duty Sergeant. If a Sergeant cannot be located, the shift's Corporal may be utilized as the authorizing supervisor. When in doubt regarding using force to obtain a blood draw, contact the on-call county prosecutor.
- C. All forced blood draws will be video recorded and the video booked as evidence.
- D. Members must meet four conditions before blood can be forcibly removed from a person.
 - 1. A lawful arrest;

2. Probable cause for the seizure; and
 3. The sample must be removed in a medically approved manner utilizing a reasonable force response, and
 4. The person taking the sample must be a physician, registered nurse, qualified clinical or laboratory technician or other person who routinely does venipuncture.
- E. Officers must first attempt to seek and receive voluntary compliance from the subject for the medical removal of blood samples. Obtaining the blood sample through the use of force should be considered only as a method of last resort.
- F. A hospital is obviously the most practical setting for forcibly drawing blood. However, if transportation to a hospital is not feasible, qualified technicians from a department approved medical laboratory service may be called to do the blood draw.
- G. If the use of physical force is necessary to remove a blood sample, officers should carefully articulate in their arrest reports the facts of the incident. The report should include:
1. The exigent circumstances necessitating the need for a blood sample;
 2. The attempts and methods to gain voluntary compliance from the subject for the blood draw;
 3. The nature of the resistance;
 4. The number of officers required to subdue the arrestee;
 5. Each officer's actions; and,
 6. The names, credentials, and contact information of all health care professionals participating in the blood draw.

9.12 UNATTENDED DEATHS AND DEAD BODIES

- A. In the event the scene involves an unattended death or the presence of a dead body, the scene shall be treated as a homicide and processed accordingly, until such time that sufficient information or evidence proving otherwise is achieved. At which time, the level of investigation may be downgraded, except in suspected suicide cases, which shall be treated in the same manner as a homicide case until an autopsy reveals a manner of death.
- B. Scenes involving an unattended death or dead body where the deceased suffered from a critical illness or was currently being treated by a physician for a terminal illness that is common knowledge to witnesses and can be confirmed through a physician, do not need to be treated as a homicide case, but rather treated as a natural death and the only requirement is to collect basic information sufficient to document the death adequately in a police report.

9.13 SEXUAL ASSAULT INVESTIGATION

- A. If a member responds to a call and determines it to be a sexual assault or child sex abuse, the member is to contact the investigative supervisor as soon as practical to consult about the case facts known to that point. In the absence of the investigative supervisor, another detective should be contacted. The supervisor or the detective may give direction to the member about how to best proceed with the case.
- B. In all sexual assault cases, the first responding member should conduct the initial investigation to gather basic information about the case (see letter "F" below for direction on cases involving juveniles.)
- C. The member should arrange for a sexual assault examination at St. John's Hospital, preferably by a Sexual Assault Nurse Examiner (SANE) qualified nurse.
- D. In some circumstances, the victim may go to the hospital on their own accord and request that a sexual assault kit be collected by hospital staff. The victim may also choose at that

time not to have law enforcement contacted. In this event, the member should only respond to the hospital, collect the kit, and place it into the RMS property room as an item for safekeeping. The kit will then be sent to the Wyoming State Crime Lab for processing.

- E. If the assault involves an adult victim, the Community Safety Network (CSN) should be notified and a volunteer asked to meet with the victim at the hospital, if so desired by the victim. In cases where the victim and/or law enforcement has already been working with Victim Services, CSN need not be contacted unless requested by the victim.
- F. If the assault involves a juvenile victim, the same procedures are utilized; however, Victim Services should be notified in lieu of the CSN, and the scope of the victim interview should be limited to establishing that a crime probably occurred, as the child will be later interviewed by a trained child forensic interviewer.
- G. The notified detective shall arrange for a pediatrician to conduct a medical examination of the child and for a child forensic interview to take place at the Hirschfield Center following the medical examination, if possible.
- H. All victims of sexual assault shall be treated with dignity and respect by members of the Department regardless of the circumstances of the case. The responding members should avoid re-victimizing the victim and should not place judgment on the circumstances leading to the assault. However, this does not preclude a member from confronting a victim who is believed to have made a false report if the evidence supports that is what occurred. This type of challenging interview is typically best performed by a detective at a later date rather than challenging the alleged victim on the day they choose to report.
- I. Members investigating sexual assault cases should remember to collect the victim's clothing if the assault recently occurred. Additionally, bed linens should be collected if the assault occurred on a bed, however, search warrant considerations should be given if the bedroom does not belong to the victim. If the victim has changed clothing since the assault occurred, officers should inquire if the soiled clothing still exists for collection. The officer should collect all material believed to contain biological evidence of the assault.
- J. No members should release the names or identities of victims or suspects involved in a sexual assault case according to State Law.
- K. In cases involving juvenile victims or suspects, dates of birth shall be omitted from probable cause affidavits and affidavits in support of warrants. In addition, victim's names shall be omitted from these documents as well.

9.14 JUVENILE CUSTODY, DETENTION, AND SHELTER CARE

- A. The Department is committed to a philosophy that decisions concerning custody and detention of juveniles are based upon what is best for the child and the community at the time the action is taken. In addition, Wyoming State law provides statutes concerning juvenile custody that helps direct that philosophy to create consistency in application of the environment appropriate to the situation, realizing that some instances call for incarceration when the child may be a danger to themselves or others.
- B. The Department is committed to enhancing our working relationship with the county attorney's office who will ultimately be responsible for the juvenile's progression through the courts. To that end, members shall consult with the county attorney on all cases involving juveniles as suspects, victims, runaways, or who might otherwise be a candidate for shelter care or detention.
- C. State statutes and court orders direct when a juvenile can be taken into custody. The statute that directs when a juvenile may be taken into custody without a warrant or court order is Wyo. Stat. Ann. § 14-6-205.

- D. Although statutes and court orders provide broad authority for taking a child into custody, taking a child into custody should reflect a decision based upon the philosophy that the custody was in the best interest of the child and/or the public at the time.
- E. Child in Need of Supervision (C.H.I.N.S.)
 - 1. Officers may also come into contact with juveniles in a non-criminal setting.
 - 2. A “child in need of supervision” (C.H.I.N.S.) is defined in Wyo. Stat. Ann. § 14-6-402(a)(iv).
 - 3. A status offense is defined in Wyo. Stat. Ann. § 14-6-4-2(a)(xx).
 - 4. State statutes and court orders direct when a juvenile can be taken into custody as a C.H.I.N.S. The statute that directs when a juvenile may be taken into custody without a warrant or court order is Wyo. Stat. Ann. § 14-6-405. This statute covers runaway situations.
- F. Detention/Shelter Care
 - 1. The County Attorney’s Office and the Department of Family Services shall be immediately notified of a juvenile that is taken into custody, and as is reasonably practical should be consulted when evaluating whether to take a juvenile into custody. The County Attorney’s Office and Department of Family Services will assist in organizing a placement for the juvenile after they are taken into custody.
 - 2. Any person taking a child into custody shall, as soon as possible, notify the child’s parent, guardian or custodian. Unless the child’s detention or shelter care is authorized by court order or required for any of the reasons delineated in Wyo. Stat. Ann. § 14-6-206(a) and Wyo. Stat. Ann. § 14-6-406(a), the child shall be released to the custody of his parent, guardian, custodian or other responsible adult upon that person’s written promise to present the child before the court upon request.
 - 3. Anytime an officer takes any enforcement action where the suspect is a juvenile, the procedures outlined below are to be followed. These procedures do not apply to traffic related citations, and only apply to a criminal or a status offense crime in which a juvenile (under 18 years of age) is the suspect.
 - a. The officer shall conduct a Juvenile Detention Risk Assessment. This assessment shall use the form created for this by the Wyoming Association of Sheriffs and Chiefs of Police. This may be done at the scene with the juvenile or at the station, but will be done before any detention or release option is implemented. Every attempt should be made to notify the custodial parents of this interaction at the earliest time practical.
 - b. After completing the assessment, an officer shall make the necessary arrangements for the detention option indicated. Note: that in the event the officer decides to override the assessment recommendation, the County Attorney’s Office must approve.
 - c. If it is decided the juvenile will be provided shelter care or placed in detention, the County Attorney’s Office shall be notified without delay and as per directive. Please call the County Attorney and fax the notification using the Juvenile Arrest Notification form created for this.
 - d. The assessment form will be made an attachment to the written report of the incident.
 - 4. Below is a list of available “levels of supervision” options:
 - a. Release to parent/guardian-no restrictions - low risk
 - b. Home detention – limited restrictions apply - low risk

- c. Voluntary placement in the Van Vleck Group home by parent/guardian - low to intermediate risk
 - d. Teton County Juvenile Holding Facility, which is administered by Van Vleck - intermediate risk
 - e. Five-County Detention and Youth Rehabilitation Center, Rexburg, Idaho - intermediate to high risk
 - f. Teton County Jail – See below restrictions
- 5. The general rule is that juveniles are not to be taken to the Teton County Jail, an adult detention facility except for in the following limited circumstances:
 - a. If it appears detention in the adult facility is a safer environment overall, then a juvenile can be held in the jail for no longer than six (6) hours, provided the juvenile is accused of a delinquent act, such as an actively violent juvenile who cannot be adequately controlled other than in the jail and provided they can be housed out of sight and sound of adults. In the event this exception is exercised it calls for an immediate hearing and approval of the Teton County Sheriff.
 - b. If the County Attorney indicated they are charging a juvenile as an adult and requests the juvenile be booked into the Jail.
- G. Admission to Teton County Juvenile Holding Facility
 - 1. In the event the juvenile is to be held at the holding facility, the detention staff must be notified immediately so staffing of the facility can be arranged.
 - 2. Any items a member finds during the search of a juvenile will be stored by the detention center, unless they are contraband or evidence, provided the items may be released to a parent or guardian so long as they are not contraband or evidence.
 - 3. The member taking custody of the juvenile shall ensure that arrangements for transportation to the holding facility are complete.
 - 4. The arrest report shall be completed prior to the arresting officer going off duty.
 - 5. In the event the member has reason to believe the juvenile is under the influence of alcohol or other drugs:
 - a. The member shall attempt to administer a portable breath test if alcohol is suspected.
 - b. If other drugs are suspected, the member shall attempt to secure a urine test.
 - c. If the juvenile refuses to submit to any test, it will be noted in the officer's report.
 - d. Members shall articulate in the report all objective symptoms related to the specific drug for possible additional charges.
 - e. This does not preclude a member from forcing a blood or urine sample as evidence from a juvenile pursuant to department policy regarding obtaining forced blood samples from suspects when serious bodily injury or death has occurred.
 - 6. If the level of influence or intoxication is such that it appears the juvenile is in need of medical attention; the member shall call for an ambulance to transport the juvenile to the hospital for treatment.
 - a. The member needs to ensure the juvenile is properly supervised while undergoing treatment.
 - b. In such cases, a doctor's release must be obtained prior to the admission of a juvenile to the holding facility. In the event a doctor's release is

secured but the juvenile is still under the influence, the juvenile can still be released to the holding facility but is to be monitored closely and transported back to the hospital, if needed.

- c. Members with a candidate for high-risk detention should first check to see that a bed is available at the facility.
 - d. Members should constantly monitor the welfare of the juvenile during transport.
 - e. Members should arrive at the facility with a pre-written affidavit supporting the need for the detention and provide it to their staff.
 - f. Members should fax a copy of the affidavit to the Teton County Prosecuting Attorney's office.
 - g. Members should complete all police reports prior to ending their shift.
7. During contacts with juveniles resulting in the potential for fines or other penalties, reasonable attempts shall be made to notify the juvenile's guardian.

9.15 MENTAL HEALTH DETENTION (TITLE 25)

- A. Ensuring safe, sensitive, effective and due process care while dealing with mentally ill persons can be complex, problematic, and high-risk for officers. The Department is committed to providing all mentally ill persons with dignity and respect and assisting with their care to the degree that is permitted by law. It is also understood that not all persons that law enforcement will come into contact with and suffer from mental illness are subject to detention, in fact most are not under commonly encountered circumstances.
- B. Title 25 of Wyoming State Statutes prescribes legal requirements before a person can be detained against their will for mental health reasons. Abuses of the protections provided by Title 25 can result in criminal penalties.
- C. If the patient is brought to the emergency room by a peace officer:
 1. The officer must have reasonable cause to believe a person is mentally ill is dangerous to himself/herself or others, as defined in Wyoming statutes.
 2. The officer must notify the on-call gatekeeper to complete the examination. This number can be obtained through the ER or Dispatch.
 - a. The examiner shall conduct an examination as appropriate, but in any event no later than 24 hours after initial detention.
 - b. The examiner will consult with the peace officer that completed the Form 3-81 part of the examination.
 - c. If the examiner does not plan to hold the patient, the peace officer has the right to request a consultation with the on-call manager.
 - d. If an examination does not take place, the patient shall be released.
 3. The officer is to complete and sign Form 3-81, leave a copy with the patient for the gatekeeper to review, notify the County Attorney's Office via fax, and personally notify the County Attorney's Office via phone.
 4. The on-call gatekeeper will conduct a preliminary examination and serve as the "examiner."
 5. The examiner must find one of the following:
 - a. If the patient is found not to be mentally ill, then the patient shall be released immediately.
 - b. If the examiner finds the patient was mentally ill, but is no longer dangerous to himself/herself or others, the patient shall be released immediately.

- c. If the examiner finds that the patient is mentally ill, the patient may be held for up to seventy-two (72) hours from the initial detention, excluding weekends and holidays, and an emergency detention hearing will be scheduled.
- D. If the patient arrives at the emergency room voluntarily, the officer may be called for security purposes, but is not involved in the Title 25 process other than to keep the peace. In the event a person attempts to leave the facility and the attending physician has not yet done a Title 25 on the individual, flight alone does not constitute authority to detain the individual. The responsibility lies with that of the attending physician who has been treating the individual to determine if the person is to be held on a Title 25 or not and may declare that the person is a threat to themselves or others and request the assistance of law enforcement to return the person to the hospital for an examination by the gatekeeper. In these cases it is not the peace officers responsibility to complete the Form 3-81.
- E. If the patient arrives at the emergency room voluntarily and is determined to be a Title 25 hold by the attending physician but then becomes violent, St. John's Medical Center will call to request assistance from law enforcement to control the individual. Security staff employed by the hospital will also be called to respond and assist law enforcement with the detention.
 - 1. The officer shall control the situation and discuss patient issues with the physician and staff. The role of the law enforcement officer is to maintain the peace until Jackson Hole Community Counseling Center personnel arrive.
 - 2. If the officer has to physically restrain the individual prior to a qualified person completing a Form 3-81, thus constituting a forced detention, then the officer will complete the Form 3-81 and notify the County Attorney's office via phone and fax, regardless of whether or not the attending physician decides to do a Title 25 hold or not. The officer may be required to testify if there is an emergency detention hearing.
- F. If the patient is referred to the emergency room or is admitted by a private provider, such as a psychiatrist, attending physician, or licensed independent practitioner, an officer may be called for security purposes but is not involved in the Title 25 process other than to keep the peace.
- G. Regardless of who institutes a Title 25 hold, the peace officer or a physician, the police officer shall remain on the scene to keep the peace until it is reasonable to assume that no immediate risk is present. At which time the officer may turn security of the scene to security officers employed by the hospital. If the individual again becomes violent, police officers shall immediately respond back to the hospital to assist both hospital staff and security officers employed by the hospital.
- H. Emergency detention hearings are conducted pursuant to W.S.S. 25-10-109, and the County Attorney represents the State. The officer may be expected to testify.
- I. Involuntary hospitalization hearings are conducted pursuant to W.S.S. 25.10.110, and the County Attorney represents the State. The officer may be expected to testify.
- J. Overview of the Title 25 process:
 - 1. The Jackson Hole Community Counseling Center (JHCCC) acting as the gatekeeper will examine the patient, complete the 3-81, and testify at the 109 hearing and will almost always be the examiner.
 - 2. Whoever completes the 3-81 must be willing and prepared to testify in court at the 109 hearing that the patient being detained was mentally ill and a danger to himself/herself or others and to follow the patient until discharge.

3. If JHCCC completes the examination and the 3-81, JHCCC will follow the patient on a daily basis to assist with case follow-up, treatment and discharge planning through the 109 hearing and/or 110 hearing.
4. If a private provider initiates a Title 25 hold, the private provider must complete and sign the Form 3-81. The private provider will remain the examiner until such time as the Court appoints another examiner. In the event the examiner wishes to utilize the services of JHCCC, the attending physician must contact the JHCCC for a mental health consultation.
5. Law enforcement officers may be asked to provide secured transportation for potential Title 25 patients. In this situation, the private provider will call JHCCC to examine the patient and complete the 3-81.
6. If the peace officer signs the 3-81 form, it allows the examiner twenty-four (24) hours to complete the examination. If the provider (not an officer) completes the 3-81, then the examination has occurred and the 109 hearing is scheduled.
7. When someone is detained under 109, law enforcement shall immediately notify the person responsible for the care and custody of the detained person, if known, of the time and place of detention.
8. The peace officer who initially detained the person must give a copy of the 3-81 form to the patient and the gatekeeper who conducts the examination.
9. Individuals who complete a 3-81 will fax the form to the County Attorney's Office and will have dispatch notify the County Attorney's Office.
10. The law requires that if the examiner is not a physician, then the examiner's findings must be reviewed by a physician and a report be made to the court. The County Attorney will contact the patient's attending physician to appear at the 110 involuntary hospitalization hearing.
11. The County Attorney will file the application with the Clerk of Court. The Clerk of Court shall be responsible for locating a bailiff, District Court Commissioner, and an attorney for the patient.
12. The Court Commissioner will consult with the County Attorney, patient's attorney, and the examiner to discuss possible times for the court hearing.
13. The 109 hearing will be completed as expeditiously as possible after the completion of the 3-81, preferable within 12-36 hours, excluding weekend and holidays.
14. Even if the 3-81 hearing is conducted, the court may determine the patient is not mentally ill and may release the patient.

9.16 MISSING PERSONS/CHILD ABDUCTIONS

- A. The Department will accept any report of a missing person or runaway, including those received by telephone. Priority should be given to the handling of such reports, which are a higher priority than crimes involving property.
- B. The agency having jurisdiction over the missing person's place of residence generally has ultimate investigative responsibility for the missing person case. If the agency having jurisdiction is incapable of dealing efficiently with the investigation due to the distance between jurisdictions, the Department may opt to handle the investigation and forward a copy of the investigation to the outside agency as a courtesy report.
- C. Reasonable discretion may be used in determining if the report of the missing person is a valid one, but if there is any reasonable basis to believe that a missing person report is valid, an investigation shall be initiated.

D. Initial Response

1. The reporting party and any witnesses shall be interviewed to determine:
 - a. The type of missing person case (i.e. runaway, parental abduction, etc.);
 - b. If there are indications the person is at risk and/or the existence of any suspicious circumstances; and
 - c. The description of the missing person.
2. Information regarding missing persons less than 18 years of age or where there is evidence the missing person is at risk, should be entered into the NCIC missing person's system immediately. In other cases, the information should be entered as soon as practical.
3. NCIC/WCJIN policy defines the categories and criteria for entry of a missing person to include:
 - a. Disabilities: a person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting him/herself or others to personal and immediate danger.
 - b. Endangered: a person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.
 - c. Involuntary: a person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, such as abduction or kidnapping.
 - d. Juvenile: person under the age of 18 who is missing and does not meet any of the entry criteria set forth in any of the previous categories.
 - e. Catastrophe: a person of any age who is missing after a catastrophe.
 - f. Other: a person over the age of 18 not meeting with the criteria for entry in any other category who is missing and for whom there is a reasonable concern for his/her safety.
4. When a report is taken on a missing person or runaway who resides outside our department's jurisdiction, the agency having jurisdiction over the missing person's residence address and where the missing person was last seen should receive a copy of the report without delay.
5. If it is determined the person is at risk, a victim of a crime or foul play, or in any case, under the age of 18, the case shall be handled with urgency. Based upon the circumstances of such report, appropriate action by officers or designated personnel may include:
 - a. Making a "Be on the Lookout" (BOLO) broadcast via police radio.
 - b. Consider sending out a NIXLE alert requesting assistance from the public.
 - c. Identifying persons at the scene.
 - d. Preserving the scene, if necessary.
 - e. Searching the area. With missing children, it is especially important to conduct a thorough search of the child's home, yard, neighborhood hangouts, parks, playgrounds and sources of obvious danger such as sewer access points, ponds, creeks, irrigation ditches, and livestock areas.
 - f. Calling a supervisor to the scene.
 - g. Examining court orders regarding custody matters.
 - h. Notifying other agencies.
 - i. Securing a recent photo.
 - j. Making a referral to local agencies or support groups.

- k. Utilizing additional resources (i.e. request additional personnel, arrange logistics, etc.)
 - l. Attempting to locate the missing person based on information obtained from witnesses
 - m. Beginning an activity log
 - n. Notifying the Investigative Supervisor.
 - o. Requesting the reporting party give written authorization for the release of dental/skeletal X-rays, or both, including instruction on where to obtain these.
 - 6. When a child is at risk or missing under suspicious circumstances, contact shall be made with the County Attorney's Office to facilitate obtaining dental/skeletal X-rays and medical records. Once obtained, these records should be submitted into NCIC-WCJIN through the Communications Center without delay.
 - 7. The following conditions should be considered regarding the nature and level of response to a report of a missing person.
 - a. Age.
 - b. Background on missing person (i.e. check "Alliance").
 - c. Missing person's knowledge of the area.
 - d. Suspicious circumstances.
 - e. Mental or physical condition.
 - f. Medical or physical condition.
 - g. Weather.
 - h. Time of day.
 - i. Resources available to missing person.
 - j. Length of time missing.
 - k. Custody status.
- E. Follow-up Investigation: Based on the circumstances of each report, the member assigned follow-up to the case should consider the following:
 - 1. Re-interviewing the witnesses.
 - 2. Monitoring search efforts.
 - 3. Obtaining copies of all related reports.
 - 4. Identifying resources.
 - 5. Preparing fliers.
 - 6. Utilizing media.
 - 7. Notifying the Federal Bureau of Investigation (FBI).
 - 8. Submitting the dental/skeletal X-rays into WCJIN/NCIC through the Teton County Communications Center when any missing person has not been found within 45 days.
 - 9. Conferring with the Coroner for comparison to unidentified deceased persons, when any missing person has not been found within 45 days.
- F. When a missing person is found, the Department must submit the information to the Communications Center and should inform other agencies as appropriate.
- G. Child Abduction Cases
 - 1. Non-Family Abduction Cases:
 - a. The investigation shall receive priority status
 - b. Follow the steps as outlined above for missing person
 - c. Immediate response:

- (1) Notify the On-duty Supervisor, the Investigative Supervisor, Lieutenant, and the Chief of Police.
 - (2) Preserve the crime scene
 - (3) Initiate an area search.
 - (a) Call out appropriate department personnel
 - (b) Request additional officers from surrounding agencies
 - (c) Send out a NIXLE alert requesting assistance from the public
 - (d) Utilize available town staff (i.e. Fire Department, and Public Works)
 - (e) Utilize police department volunteers (i.e. Citizen's Mounted Patrol)
 - (f) Request the services of a state-certified tracking dog
 - (g) A log of all locations searched and persons contacted shall be maintained
 - d. With approval of the Lieutenant or the Chief of Police, contact the Division of Criminal Investigation (DCI) for initiation of the LOCATOR system. This may be used to provide and disseminate an electronic poster to the news media, law enforcement, the National Center for Missing and Exploited Children (NCMEC), and other entities via fax and email. The system is available twenty-four (24) hours a day.
 - e. With approval of the Lieutenant or the Chief of Police, contact DCI requesting that an Amber Alert be initiated.
 - (1) If all criteria have been met, DCI will issue a statewide Amber Alert via the Emergency Alert System (EAS).
 - (2) Once the Amber Alert has been issued, radio and television stations are asked to broadcast the pertinent facts for the next several hours and the Wyoming Department of Transportation (WYDOT) will provide the information to state troopers, rest stops, ports of entry, maintenance and other state personnel; and the information will be available on the state's electronic interstate/highway sign system.
 - (3) Issuance of an Amber Alert does not preclude use of the LOCATOR system.
 - (4) Criteria for an Amber Alert include:
 - (a) Law enforcement confirms a child has been abducted. (Child is defined any person less than 18 years of age.)
 - (b) Law enforcement believes there is a serious threat of injury or death to the child.
 - (c) There must be enough descriptive information about the child, abductor, and suspect vehicle to believe an immediate broadcast would help.
 - f. Notify the FBI.
2. The Initial Investigation
 - a. The Investigative Supervisor shall respond and assume tactical command.
 - b. Initiate a two-track investigation.
 - (1) The first track should focus on the immediate family and include polygraph or similar examinations. If a polygraph is not available

- within the department, outside assistance should be sought. Obviously, this track must be handled with tact and empathy.
 - (2) The second track should focus on all other possible suspects and leads.
 - (3) The two tracks should run concurrently until family members are eliminated as suspects or suspicious persons.
 - (4) Once the family is absolved, a member should be assigned as liaison to the family. A psychologist and/or chaplain may be assigned, if appropriate.
 - c. Assign a member to the victim's residence with the ability to record and trap and trace all incoming calls. Utilize a cellular telephone for agency use.
 - d. Compile a list of known sex offenders in the region.
 - e. Develop a profile of the possible abductor (FBI).
 - f. Consider use of polygraph for other key individuals.
 - g. In cases of infant abduction, investigate claims of home or surprise births made in the area.
 - h. Fully complete and submit an NCIC Missing Person File (involuntary category) with complete descriptive, medical, and dental information.
 - i. Distribute a Missing Flyer via LOCATER system and send out updated NIXLE alerts to request assistance from the public.
 - j. The establishment of a reward should be considered.
3. The Prolonged Investigation
- a. Review all existing evidence and leads, including;
 - (1) Revisit the crime scene.
 - (2) Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone identified in the investigation.
 - (3) Review Department of Family Services (DFS) records for reports of child abuse.
 - (4) Develop timeline and other visual exhibits.
 - (5) Re-interview key individuals.
 - b. Interview delivery personnel, employees of gas, water, electric, and cable companies, taxi drivers, post office personnel, garbage handlers, etc.
 - c. Consider a media release asking the public to come forward with information
4. Recovery and Case Closure
- a. Arrange for a comprehensive physical examination of the victim.
 - b. Conduct a careful interview of the child, document the results of the interview, and notify all appropriate agencies of the child's recovery.
5. Family Abduction Cases
- a. Follow steps as outlined in the missing persons section of this policy.
 - b. The Initial Investigation
 - (1) Conduct background investigation on both parents
 - (2) Interview family and friends of suspect-parent
 - (3) Enter information about the child (Involuntary Category) and suspect-parent (Wanted Person File) into NCIC Missing Person File.

- (4) Obtain and evaluate all information that may indicate location of suspect-parent.
- (5) Coordinate the issuance of an arrest warrant against suspect-parent with prosecutor.
- (6) Assure and confirm entry of warrant information into NCIC Missing Person File (Child) and Wanted Person File (suspect-parent).
- (7) Contact the FBI for immediate assistance.
- c. The Prolonged Investigation
 - (1) Secure Federal Unlawful Flight to Avoid Prosecution (UFAP) warrant, if facts support issuance.
 - (2) Identify and flag all pertinent sources of information about both the child (school, medical, birth, etc.) and the suspect-parent (employment, education, professional, etc.).
 - (3) Utilize information sources such as credit bureaus, database systems, motor vehicle bureaus, and the Federal Parent Locator Service (FPLS) to search for the suspect-parent through identifiers such as Social Security number, name date of birth, credit card, etc.
 - (4) Request U.S. Postal Service authorities to provide a mail cover on selected family members or friends of the suspect-parent.
 - (5) Identify and evaluate other information about the suspect-parent that may provide whereabouts information such as employment records, occupational licenses, organization memberships, social interests, hobbies, and other lifestyle indicators.
 - (6) Assist left-behind parent in the preparation and distribution of missing child posters.
- d. Recovery and Case Closure
 - (1) Arrest suspect-parent away from child, if possible.
 - (2) Notify the Department of Family Services (DFS) about possible need for temporary shelter care until left-behind parent or investigator arrives.
 - (3) Conduct interview of the child and abductor and involve all appropriate agencies.
 - (4) Notify all appropriate agencies of the child's recovery.

9.17 WINTER MAINTENANCE (SNOW TOW ORDINANCE)

- A. The snow tow ordinance is in effect from November 1 - April 15th. During this period any vehicle parked on the public right-of-way from 3 a.m. to 7 a.m. is in violation of the ordinance and is subject to citing and/or towing. This includes streets, alleys and public parking lots.
- B. To be enforceable, the area must be clearly posted and should be verified by the officer performing the enforcement.
- C. The police department will place public advisory notices on all windshields of vehicles parked on the public streets and public parking lots beginning October 15th of each year. Advisory notices will continue to be placed on all vehicles parked on the streets and public parking lots until the first significant snow event occurs. A significant snow event shall be

defined as - *any snowfall that accumulates on the ground covering the majority of the ground surface*. Defining a significant snow event is not an exact science and should be applied in the spirit of its intent, knowing that it may be interpreted differently by each individual assessing it.

- D. The police department will not issue citations or tow vehicles until the first significant snow event occurs regardless of date. Once a significant snow event occurs, then vehicles parked on the streets or in public parking lots may be cited until advised by command staff to discontinue doing so.
- E. The Public Works Department will always prioritize the area within two (2) blocks of the Town Square for street maintenance each evening. Vehicles parked in this area should be prioritized by the police department for enforcement.
- F. Vehicles within two (2) blocks of the Town Square should be towed if the Public Works Department intends to plow the streets or do removal of snow that has accumulated on the area immediately adjacent to the streets, otherwise the vehicles should only be cited if no maintenance is to occur that evening. Any vehicle towed should also be cited.
- G. Vehicles in all other areas of town outside of two (2) blocks from the Town Square will only be cited, not towed. However, if the Public Works Department indicates to the officer that special maintenance operations will occur that evening in a specified area, vehicles impeding that operation should be towed and cited as necessary.
- H. The contracted towing company should take the vehicle to their tow yard. The member requesting the tow should provide the tow company with a list of vehicles to be towed that includes description, license plate, color, and specific location. It is the member's discretion as to whether or not to accompany the tow company to each location.
- I. The member requesting the tows should also request a single event number be pulled by Dispatch. In the event notes, a description and license plate number of all vehicles towed should be logged.
- J. The member requesting the tows should deliver a parking citation and receipt of service to the tow company for each vehicle towed.
- K. The following streets do not come under the snow tow ordinance, and as such, vehicles **should not** be towed from them under any circumstance: MacLeod Drive, Henley Drive, Nelson Drive Loop Road (Forest Service Housing area), Tribal Trails (it is a county road), Cedar Lane, Daisy Bush Subdivision, Shelby Lane, Wildflower Court, and Dandelion Court.
- L. Any questions that arise about which streets the Town maintains should be directed to the Public Works Department.
- M. Releasing vehicles towed under the Snow Tow Ordinance:
 - 1. Vehicle owners will be directed to the tow company to recover their vehicles per the tow company's procedures and must pay the tow bill prior to release.
 - 2. Prior to releasing the vehicle, the tow company will deliver to the vehicle owner their copy of the parking citation and the tow company will fill out the receipt of service form indicating the vehicle owner was given the citation. The tow company will not accept bond for the citation.
 - 3. The vehicle owner should follow the directions of the back of the citation for resolving the parking citation.

9.18 SURREPTITIOUS AUDIO AND VIDEO RECORDING OF EMPLOYEES

- A. No member of the Department, or their designee, shall surreptitiously audio or video record any other member without first notifying the member that the conversation is being

recorded and making a copy of any recording made immediately available to the Chief of Police if requested.

- B. The only exception to this policy would be if a member is suspected of being involved in criminal activity and the surreptitious recording is pursuant to the criminal investigation.

9.19 CELL PHONES

- A. Each required member (as determined by the Chief of Police), shall receive a department issued cell phone.
- B. Each member shall carry their Department issued cell phone with them during their regular work hours and during off-duty hours, except when on pre-arranged PTO. This allows for contact during emergencies or for call out purposes. Off-duty carry does not qualify the member for additional compensation per FSLA rules and regulations.
- C. Each member receiving a Department issued cell phone shall immediately obtain the free NIXLE mass notification service provided by Teton County Emergency Management and receive those NIXLE messages (both voice and text) on their cellular phone for use during large scale incidents or natural disasters.
- D. Each member may use their Department issued cell phone for both personal and business related activities. The member should understand that the Department has a vested interest in the phone service and shall make the phone available for inspection when requested by a supervisor for work related matters. Personal business during on-duty time should be kept to a minimum and not interfere with work related activities or performance.
- E. Due to the fact that cellular phones used by members for both personal and business related purposes could have data from their phones obtained through a subpoena or warrant if requested, it is imperative that members NOT use their cell phone to communicate any information to or from their cellular phone relating to the arrest of any individual. Only police radio or MDC communications should be used under these circumstances. This includes all communications with dispatch or fellow officers.
- F. Cellular phones shall be used in a hands-free mode while operating any motor vehicle owned by the Town of Jackson or the Department, except during emergencies that may necessitate the need to use other means and methods of operation.

9.20 GROUND TRANSPORTATION

The Department has general oversight and enforcement responsibilities regarding Ground Transportation (GT) vehicles that operate in the Town of Jackson and limited enforcement requirements at the Jackson Hole Airport. The purpose of the Ground Transportation regulations is to enhance safety for the public who utilize Ground Transportation services and to ensure that the fees charged are equally applied.

- A. The Department is responsible for conducting general background investigations on applicants for GT business licenses, operator permits and to inspect GT vehicles for compliance with basic safety standards. It is also the responsibility of the Department to do random inspections of GT operators and vehicles to ensure continued compliance with GT ordinance requirements and regulations.
- B. The Department will strive to process all applications within ten (10) business days from the date of application, not including weekends and holidays. It is imperative that the Department be efficient in the processing of applications to support the local economy and to provide a positive customer service experience for GT business owners and operators who rely heavily upon adequate staffing levels to be viable in the GT industry.

- C. The background process shall be the responsibility of the Investigative Division of the Department. All general backgrounds completed on business owners and operators making application shall be kept confidential and only released to those parties who have a legitimate purpose in knowing the details of the background, such as the Town Council, the Town Manager, and the Chief of Police, or their designee.
- D. Each general background completed shall be done in a standardized method and no elements of the background standards shall be omitted or skipped.
 - 1. The background investigator shall prepare a memo on letterhead stating the outcome of the investigation as to whether the applicant meets the requirements set forth in the GT ordinances, and make a recommendation to the Chief of Police, or their designee, as to whether the investigator believes the applicant is eligible to have a permit issued.
 - 2. Any recommendation for denial shall be supported with documentation as to why the applicant should be denied a permit, as well as a denial letter to the applicant requiring the signature of the Chief of Police.
- E. It shall be the responsibility of the Chief of Police to make the ultimate decision regarding the issuance of a permit or denial of a permit to any person based upon the findings of the background.
- F. If the Chief of Police approves the permit, the application shall be signed by the Chief, or their designee, and returned to the Information Coordinator for final processing as expeditiously as possible. If the Chief denies the permit, he shall cause to be sent a denial letter to the applicant stating the reason for the denial and fully explain to the applicant the process for appealing to the Town Council his decision.
- G. The Department shall maintain electronic lists of those individual approved to operate a GT vehicle, GT vehicles approved for operation, and of all operator permits that are denied, revoked, or suspended.
- H. Department members, as directed by the Chief of Police, or their designee, shall cause to occur random roadside inspections of GT vehicles and drivers as deemed necessary and at intervals deemed necessary, to help ensure adherence to all GT ordinances.
- I. Inspections may occur at the Jackson Hole Airport property or within the Town limits. It is encouraged that members inspect vehicles and drivers who do not have a customer within the GT vehicle so as to not delay the customer from arriving at their destination in an expeditious manner.
- J. Each GT vehicle and driver undergoing inspection for compliance with GT ordinances shall have a GT inspection form filled out by the inspecting member and filed with the Information Coordinator to remain on file for consideration when permits are renewed.
- K. Members are encouraged to issue citations for safety and equipment violations relating to GT vehicles and for non-compliance with operator permit requirements. It is the goal of the Department to maintain a safe and secure environment for all users of GT services and strict adherence to the GT requirements by operators help to achieve that goal.
- L. When GT operators are issued citations or arrested, the Chief of Police should be notified of the violation via memorandum.

9.21 ROBBERY ALARM RESPONSE

- A. Robbery alarms require a unique response to ensure the safety of Department members and the public. All alarms of this nature should be treated as valid until on scene members have proven otherwise, regardless of additional information received by dispatch after the call has been aired.

- B. No matter what the alarm is titled by the alarm company, “Panic,” “Hold Up,” “Distress,” members should always assume that the alarm is a robbery alarm and respond accordingly.
- C. When dispatch airs an alarm at a location such as a bank, the responding members should, upon arrival at the location, state their position in reference to the building. Upon the arrival of the first member, “10-33” traffic should be initiated on the primary channel.
- D. Once the primary officer feels that a sufficient perimeter has been established, the primary officer should request for dispatch to attempt to contact the occupants of the building and have a responsible person step outside to meet with a member. The dispatcher should get the employees description, and relay this information to the primary officer.
- E. Once the primary officer is satisfied that the alarm is false, and no further investigation is needed, the “10-33 traffic” should be lifted and the call completed.

9.22 BURGLARY ALARM RESPONSE

- A. All burglar alarms require a timely response. If additional information is gleaned by dispatch that would suggest the alarm was accidentally triggered or is false, the member should take that information into consideration when deciding what type of response if any is warranted.
- B. In instances where the alarm appears to be false, members should make a reasonable effort to contact a responsible party. If a responsible party is responding to the scene, members should remain on scene when reasonable until the responsible person arrives and it is confirmed the alarm is false.
- C. If no responsible party can be reached, members may clear the scene once they confirm it is secured, however, if the alarm is valid no location should be left unsecured until reasonable measures have been taken to re-secure the facility.
- D. Members are encouraged to leave a business card at the premises notifying the property owner that they responded to an alarm in instances where no responsible party responded.
- E. Members should determine the most likely contributing cause of the alarm and advise dispatch of the likely cause upon clearing the location.
- F. In instances in which frequent false alarms are received from a location, the Operations Lieutenant should be advised via memo so that follow-up can be done with the property owners to resolve the matter of the false alarms.
- G. Members are expected to respond to all alarms unless they are otherwise directed by a supervisor to not respond.
- H. Locations experiencing frequent false alarms may be placed on a temporary hold in which members would not be dispatched to the alarm until it can be repaired. If a member encounters a location that should be considered to be placed on a hold status, they should notify their immediate supervisor via memo, who in turn shall notify the Operations Lieutenant. No hold shall be placed on an alarm unless reasonable steps have been taken to notify the property owner or responsible party.

9.23 DUI OR IMPAIRED DRIVING

The Department recognizes the inherent risk to the public caused by impaired drivers. Therefore, the Department will proactively enforce DWUI (Driving While Under the Influence) laws.

- A. Detection
 - 1. Members will adhere to the most recent National Highway Traffic Safety Administration (NHTSA) standards to detect possible impairment and to establish probable cause when making a DWUI arrest.

2. The Department will respond and attempt to locate REDDI (Report Every Drunk Driver Immediately) reports within the Town of Jackson. REDDI reports alone, do not serve as reasonable suspicion to initiate a traffic stop.
 3. REDDI reports in which a caller wishes to sign a complaint for a traffic violation that occurred within the Town of Jackson can serve as reasonable suspicion to make a traffic stop for a violation that occurred outside the member's presence.
- B. Post Arrest Procedures
1. Once a driver is placed under arrest for DWUI, members shall read them the Wyoming Implied Consent Advisement as required by law. Members should consider the totality of the circumstances when determining the most appropriate type of chemical test to request.
 2. If the DWUI incident involves serious bodily injury or death, a forced blood draw shall occur if the arrestee refuses to submit to chemical testing according to Wyoming state statute.
 3. If a arrestee is dead, unconscious, or otherwise in a condition rendering them incapable of cooperating with the administration of the tests, they are deemed to have given their consent and a blood draw shall occur according to Wyoming state statute.
 4. The use of physical force to remove blood must be authorized by the on-duty Sergeant. If a Sergeant cannot be located, the shift's Corporal may be utilized as the authorizing supervisor.
 5. When in doubt regarding using force to obtain a blood draw, contact the on-call county prosecutor.
 6. If the DWUI incident does not involve serious bodily injury or death and the arrestee refuses to submit to a chemical test, the officer shall advise the arrestee that a search warrant will be sought in order to obtain a blood sample. If the arrestee still refuses to submit to a chemical test, a search warrant shall be sought from the appropriate court.
 7. Once a DWUI search warrant is obtained, the member will present the arrestee with the warrant and demand they comply. If the arrestee complies with the warrant, collect the sample with the assistance of medical personnel at St. John's Medical Center and book the sample as evidence.
 8. If the arrestee refuses to allow the sample to be collected after being served with the warrant and commanded by the member to comply, a member will not forcibly take the sample. Instead, the member will inform the arrestee that they will be charged with additional crimes if they refuse to allow the sample to be collected.
 9. The members should give detailed information in their report regarding the arrestee's actions or statements that prevented the warrant from being served. If the charges are to be in Circuit Court, an additional charge of interference with a peace officer should be added to the arrestee's charges. If the charges are to be in Municipal Court, provide details of the refusal to cooperate in the Probable Cause Affidavit.
 10. When a member obtains a DWUI search warrant, the arresting officer should complete a search warrant return and provide the suspect with a copy of the return and the service copy of the warrant in their property at the jail.
 11. The arresting officer will provide the original affidavit, warrant, and warrant return to the Department records staff along with the other relevant DWUI paperwork so that the documents can be properly processed with the court.

9.24 AIRPORT OPERATIONS

- A. The Department is responsible for basic public safety at the Jackson Hole Airport (JAC) facility via a memorandum of understanding (MOU) established between the Town of Jackson and the Jackson Hole Airport Board.
- B. Federal Law requires that law enforcement officers be present during most operating hours and thus it is imperative that Jackson Police Officers be present at the airport during the hours agreed upon in the most current contract.
- C. Upon arriving at JAC for duty, members are required to clock in to record their presence. In return, members are also required to clock out at the end of their shift.
- D. All members are to be in full uniform while on duty at JAC. In addition, they must have their current SIDA card on their person and in view at all times while on duty at JAC.
- E. Members are expected to be visible and proactive in crime prevention while on duty at JAC.
 - 1. Required duties include alarm response, vehicle and SIDA badge inspections, taxi inspections and taxi operator permit inspections, a physical presence in and around the terminal, sterile area, screening area, and general calls for service.
 - 2. Anytime a citation is issued or an arrest is made on JAC property, the JAC Airport Security Coordinator must be notified.
- F. At times members will be given potentially dangerous contraband that is surrendered to or seized by TSA employees that is not suitable for disposal in a trash receptacle.
 - 1. In this event, members shall create an event and document the fact that the item(s) were collected for destruction. It is imperative that members secure the items collected until they can be brought to the Department for destruction.
 - 2. Members should bring the seized items to the Police Department and surrender them to the bomb team leader who will determine the best way to destroy them. It will be the responsibility of the bomb team leader to properly dispose of or destroy the seized item and once the item is destroyed the bomb team leader shall note such in the original event
 - 3. All other items that are seized as evidence or for safekeeping shall be booked into evidence at the Department.
 - 4. Lost and found items given to members at JAC should be turned over to JAC lost and found for follow-up unless the member determines there is an extenuating circumstance that would necessitate booking it into the Department evidence room for safekeeping until it can be returned.

9.25 PRESCRIPTION DRUG DROP BOX

- A. The Department will have a prescription drug drop box to assist in collecting unwanted or unneeded medications. This box shall be the collection spot for medications surrendered to the Department for destruction from the public.
- B. The surrender of the medications is anonymous and no questions shall be asked of individuals dropping medications into the box.
- C. If members collect medications on the street for surrender (not as evidence), they shall create an event with the weight of the surrendered medications and the fact that they were deposited in the drop box for future destruction.
- D. The drop box shall be securely fastened to a permanent structure so that it cannot be removed. The lock box shall be a securely locked, substantially constructed container with a permanent outer shell and a removable inner liner.

1. The outer container shall include a small opening that allows contents to be added to the inner liner, but does not allow removal of the inner liner's contents.
 2. The outer container shall prominently display a sign indicating that only non-controlled drugs and Schedule II, III, IV, or V controlled substances are acceptable. In addition, the sign shall note that only drugs in pill or tablet form will be accepted; no liquids, creams, pastes, gels, patches, or needles will be accepted.
- E. It shall be the duty of the evidence custodians to monitor the contents of the drop box on a routine basis and to empty it when appropriate. All drugs collected in the drop box shall be turned over to the DEA in conjunction with the National Take Back Initiative that the Department and DEA jointly participate in.
1. Anytime the drop box is emptied an information report will be generated and the weight of the collected drugs will be documented in the report.
 2. The collected drugs will be held in evidence until turned over to the DEA for destruction.
 3. All drugs collected in the drop box are considered abandoned property and thus can be released to DEA for destruction without a court order.

9.26 COURT SECURITY

A. PURPOSE

1. To define the duties and responsibilities of members while providing court security for the Municipal Court of the Town of Jackson.

B. POLICY

1. The Department will assign sworn peace officers to maintain the safety and security of the Municipal Court of the Town of Jackson.

C. PROCEDURES

1. Court Security

- a. Members assigned to provide court security will be responsible for:

- (1) Providing overall security of the court room.
- (2) Carrying out court orders.
- (3) Managing inmates and making in-court arrests.
- (4) Managing juries and trial materials.
- (5) Setting up and inspecting court rooms.

- b. Members assigned to court security will maintain custody of any inmate in his or her charge and any person remanded to the custody of the Teton County Detention Center by the judge. Persons remanded to the Detention Center by the judge will remain in the custody of the court security officer until a detention officer arrives to assume custody.

- c. If a detention officer is not available, the court security officer may transport the inmate to the detention center. If the person remanded cannot be taken to the detention center immediately, they will be placed in the courtroom's holding cell until transport to the detention center can be arranged.

2. Escorting Inmates

- a. When there is more than one inmate being escorted to or from court, there shall be at least two (2) members present during the escort.
- b. Members escorting inmates to or from court will be armed. Armed members will remain at a distance that prevents the possibility of losing their firearm to an inmate.

- c. Inmates transported to court shall be belly chained and chained to each other (Daisy Chain) while being escorted to court. Individual inmates may also need to be leg restrained as necessary. Restraints will not be removed unless the court requests they be removed.
- 3. Holding Cells
 - a. At times it may be necessary to place inmates in holding cells within the courthouse.
 - b. Inmates in holding cells shall be checked on at 15-minute intervals to ensure inmate safety and security is being maintained.
 - c. Only sworn officers shall enter the cell or immediate area. All other civilian access while inmates are present is prohibited.
 - d. Female inmates will be kept separate from male inmates at all times.
 - e. Juveniles will not be escorted with adults at any time and never placed in the same holding cell together with adult inmates.
 - f. When a court security officer takes a person into custody, the person shall be placed in handcuffs and searched outside the courtroom near the holding cell. The court security officer will either place the person in the holding cell or escort them to the detention center for booking. Another officer or detention deputy may conduct the escort if the court security officer cannot escort the inmate due to courtroom responsibilities.
- 4. Courtroom Procedures for Inmates
 - a. Inmates will not wear handcuffs or leg irons while in the presence of a jury unless ordered to do so by the judge (*Knott v. State of Maryland*).
 - b. Inmates are not allowed any contact with anyone other than their attorney or court staff. The judge may order a courtroom visit. The court security officer will observe both parties to ensure there is no touching or exchange of any kind between the two parties.
 - c. No person will be allowed to give money, clothing, or packages of any kind to an inmate while in court.
 - d. It is the responsibility of the court security officer to ensure inmates are delivered to the courtroom prior to the commencement of court proceedings.
- 5. Courtroom Conduct
 - a. Photographing, recording, broadcasting, cell phone use and telephone equipment are not permitted in the courtroom unless authorized by the judge.
 - b. Loud or disruptive behavior, noise, or blocking of passageways of the courthouse or within the courtroom by anyone is prohibited, (Wyo. Stat. Ann. §§ 6-6-302 and 6-6-303).
- 6. Courtroom Security
 - a. During a normal court session, one (1) court security officer shall be present in the courtroom at any time the judge is present. More court security officers may be needed on a case-by-case basis, i.e. high-risk inmate or high-profile inmate.
 - b. The court security officer shall maintain order and decorum in the courtroom, carry out directives and orders of the court, and make in court arrests when so ordered by the court.

- c. Court security officers will assist members of the public and other court participants as necessary.
- d. Court security officers will patrol the interior areas of the courthouse and the outside perimeter for potential threats to the overall security of the courthouse.

9.27 FORCED ENTRY

A. PURPOSE

- 1. At times it is necessary for members to legally force entry into a building. Typically, this is the result of a violent crime in progress, welfare check, someone in need of immediate medical assistance, or in cases in which evidence is being destroyed.

B. POLICY

- 1. Members are authorized to force entry into a structure or vehicle to save human life, when in fresh pursuit of a fleeing suspect, or to preserve a crime scene that would otherwise be destroyed.

C. PROCEDURES

- 1. If a member of the Department forces entry into a structure or vehicle, the following procedures shall be followed:
 - a. Notify a supervisor as soon as practical. If a supervisor is not on-duty, make the notification by telephone.
 - b. Photographing the scene is imperative. Photos should be taken of the building starting from the front and working in, showing street numbers or some other identifying information. Take a sufficient number of photo's to accurately show any damage, or the fact there was little or no damage. These photos shall be attached to the report for documentation purposes. Upon approval, the supervisor shall forward a copy of the report to the Operations Lieutenant for review.
 - c. In the event there is no crime report (i.e., forced entry was made to allow EMS access on a medical incident) the member forcing entry will complete an "information-only" report in the RMS system to document the incident. The narrative in the report should contain the names of any Fire/EMS/Sheriff or other personnel present and describe the damage or lack of damage. Photos will be taken and attached to the evidence section of the report with estimates of the extent of the damage based upon the member's best judgement. The member shall also be required to send a memo to their sergeant advising, that forced entry occurred with reference to the case number for the incident. After sergeant review of the case occurs, this memorandum will be forwarded to the Operations Lieutenant for final policy review and follow-up on replacement costs for damaged property, as applicable.
 - d. Members should make every attempt to notify a responsible party to respond and secure the location if the damage causes the location to be unsecured. If no responsible party can be reached, the member will make every effort to secure the location. In the event the location cannot be secured and there is a compelling need to secure the building, Public Works personnel shall be asked to respond to secure the building. An officer or CSO will stand by at the location until Public Works personnel arrives and secures the building.

- e. In all cases where forced entry was made, the member will leave a business card with his/her name and the event number written on the card. The card will be left in an obvious location inside the building or given to the responsible party on scene.
- f. The same protocols will be followed anytime forced entry is made to gain access to a vehicle, regardless of the circumstances.

9.28 NCIC AND RMS REQUIREMENTS

- A. SECURITY TRAINING: The Department shall ensure that all members who have access to the NCIC database receive training within six (6) months of hire, and every two (2) years thereafter.
- B. CLEARANCE: All employees of the Town of Jackson or members of the JPD who have access to NCIC or the RMS system shall undergo a complete and thorough background to include fingerprint clearance before being granted access to either database. No person convicted of a felony may be permitted access to either database without the written consent of the Director of the Wyoming Division of Criminal Investigation.
- C. RESTRICTED USE: Members who have access to the NCIC and RMS database shall only use the information contained therein for official criminal justice purposes.
- D. CONFIDENTIALITY: Members shall maintain strict confidentiality of all information obtained from the NCIC and RMS database, to include the contents of criminal histories. Confidentiality must be maintained while employed and after employment ends.
- E. MEDIA PROTECTION: Members shall closely guard all physical and digital media of CJIS (Criminal Justice Information System) data. Members may summarize criminal histories in a supplemental report within the RMS and destroy the original hard-copy once complete. Members shall document in the report that the original hard copy was destroyed and when. All other physical and digital media shall be destroyed in a manner sufficient to preclude recognition or reconstruction of information.
- F. ACCESS CONTROL: All hardware and software that processes, stores, or transfers CJI (Criminal Justice Information) shall be physically protected through access control measures to include, but not limited to physical barriers, physical locks, electronic locks controlled by badge readers, or direct supervision by Department members. The Department shall maintain a visitor's log of all non-authorized persons who enter the facility with an escort, as required by NCIC rules and regulations.
- G. MOBILE DATA TERMINALS: Members equipped with an MDT in their vehicle shall ensure that their vehicle is locked at all times when the vehicle is not occupied. Members must take basic measures to ensure that their MDT screen is not visible to the public where it is likely that information on the screen could be read by non-authorized personnel.
- H. UNAUTHORIZED RELEASE: Unauthorized release of NCIC or RMS data for non-criminal justice purposes may result in civil and/or criminal penalties. Members may also receive disciplinary action, including but not limited to, termination of employment for the unauthorized release of NCIC or RMS data for non-criminal justice purposes. Additionally, any activities which result in unauthorized modification or destruction of system data, loss of computer system processing capability, or loss by theft of any computer system media including chip ROM memory, optical or magnetic storage medium, hardcopy, printout, etc., may also receive disciplinary action, including but not limited to, termination of employment.

- I. **PASSWORDS:** All employees of the Town of Jackson or members of the Department who have access to NCIC or the RMS system shall follow the secure password attributes, below, to authenticate an individual's unique ID. Passwords shall:
 - 1. Be a minimum length of eight (8) characters on all systems.
 - 2. Not be a dictionary word or proper name.
 - 3. Not be the same as the User-ID.
 - 4. Expire within a maximum of 90 calendar days.
 - 5. Not be identical to the previous ten (10) passwords.
 - 6. Not be transmitted in the clear outside the secure location.
 - 7. Not be displayed when entered.
- J. **DISPOSAL:** All fixed storage media, e.g., hard disks, RAM disks, removable media back-up devices, etc., containing CJIS data shall be disposed of in a method sufficient to preclude recognition or reconstruction of information and a method of verification the procedures were successfully completed. Additionally, IT storage media that will be reused by another entity shall be sanitized. The steps taken to sanitize this media shall be documented via email to the Chief of Police.
- K. **IDENTIFICATION/USER-ID:** Town of Jackson IT personnel shall validate system accounts on a regular basis to insure accuracy and deactivate accounts immediately upon employee separation from employment.
- L. **ADVANCED AUTHENTICATION:** Town of Jackson IT personnel shall use advanced authentication procedures when providing remote maintenance for the direct access information system from non-secure locations.
- M. **AUDIT LOGS:** Town of Jackson IT personnel shall review system audit logs, at a minimum of once a week, for inappropriate, unusual, or suspicious activity.
- N. **INCIDENT RESPONSE:** Any security incidents that may arise shall be reported immediately to a supervisor. The supervisor will immediately report the security incident to the TCSO Dispatch Terminal Agency Coordinator. A memo will be completed and submitted to the TCSO Dispatch Terminal Agency Coordinator and copied to the Operation's Lieutenant.
- O. **NCIC EXIT BRIEFING:** Purpose. All Members must understand that the confidentiality of NCIC derived information must be maintained, even after a separation in employment. The Department must take all reasonable precautions to ensure the integrity of the NCIC system. This procedure will outline exit briefing procedures to accomplish these tasks. Procedure. Prior to a member's final day of employment, that member shall read and sign the "JPD NCIC/CJIS EXIT BRIEFING" form. This form must be signed by the members, a representative of the Department (preferably a Supervisor or Lieutenant), and a witness to both signatures. The Department Communications Supervisor or their designee shall ensure that the "REMOVAL OF OPERATOR" section of the "TERMINAL OPERATOR LOGON ACTIVATION/DELETION REQUEST FORM" (available from the Division of Criminal Investigation Control Terminal (DCI)) is completed with the departing member's information and sent to DCI. The person completing this form shall confirm the receipt of the form with DCI, and then complete the bottom section of the "JPD NCIC/CJIS EXIT BREIFING" form.

9.29 LICENSE PLATE READER TECHNOLOGY (LPR)

- A. The Department recognizes the importance of utilizing law enforcement technology in a manner that is both legally defensible and responsible, considering the protective nature of data to be collected. The Department also recognizes that law enforcement technology

can be a force multiplier and assist the Department in its mission to provide efficient and effective police services to our community.

- B. Therefore, the Department shall utilize license plate reader technology (LPR) in a manner that is consistent with those philosophies and furthers the intent of providing cost effective and efficient parking enforcement solutions to the Town of Jackson.
- C. LPR camera technology shall only be equipped in vehicles assigned to the Community Service Division of the Department.
- D. The intended use of LPR technology is to assist in the parking enforcement program, to include scofflaw violator identification, and shall not be used in any non-authorized manner by any member of the Department, except that it is understood that LPR technology will give notification on a license plate of a vehicle associated with a stolen vehicle, stolen license plate, or other valid NCIC entry (such as a missing person, wanted person, at-risk individual, dementia patient etc.) In these instances, the Community Service Officer shall immediately notify a sworn police officer via dispatch to investigate the matter further to determine validity of the NCIC hit per NCIC rules and regulations.
- E. All non-criminal data collected by LPR technology during parking enforcement rounds shall be stored in the records management system (RMS), not less than seven (7) nor more than fourteen (14) days and shall then be purged if not associated with a criminal case. Only data collected on vehicles where a criminal citation was issued shall the data be maintained in the RMS for periods that are consistent with the State of Wyoming Records Retention Laws, allowing for adequate time for all cases to be adjudicated in the appropriate courts before data may be purged from the RMS. No non-criminal data collected by LPR technology shall be released to any person or entity without a valid subpoena or warrant unless determined to be legally required by the Town Attorney.
- F. Parking enforcement rounds shall be conducted at intervals as determined necessary by the Chief of Police, based upon the need for enforcement activities to achieve the goal of creating a turnover in limited time parking spaces and no parking zones in the downtown district and public parking facilities. "Limited time parking spaces" are defined as parking spaces where a vehicle may only park for a limited duration of time (i.e. two (2) hour zone, three (3) hour zone, fifteen (15) min zone, forty-eight (48) hour zones, seventy-two (72) hour zones, fire zones, handicap zones etc.).

9.30 SUSPECTED OPIOID DRUG OVERDOSE TREATMENT POLICY

A. PURPOSE

- 1. To establish policy and procedure for the utilization, storage, and reporting the use of Naloxone (or another opioid antagonist) by trained members within the Department. Naloxone is used to reduce injuries and fatalities due to opioid-involved overdoses and/or exposures.

B. POLICY

- 1. It is the policy of the Department to aid any person(s) who may be suffering from an opioid overdose. Members of the Department trained in accordance with this policy should make every reasonable effort, to include the use of Naloxone combined with rescue breaths, to revive the victim of any apparent drug overdose.

C. PROCEDURE

1. TRAINING

- a. All Department officers are required to be trained in the proper use and reporting of Naloxone.
- b. The training should include the following:

- (1) An overview of Wyoming State Statutes §§ 33-24-158 and 35-4-903 through 35-4-906.
- (2) Basic patient assessment, including signs and symptoms of an opiate related overdose.
- (3) Universal precautions.
- (4) Rescue breathing.
- (5) Seeking advanced medical assistance.
- (6) Administration of Naloxone.
- (7) Potential side effects of Naloxone.
- (8) Proper reporting procedures established by the Wyoming Department of Health when utilized.

2. ADMINISTRATION

- a. Officers shall request Emergency Medical Services (JHFEMS) to respond to the scene where any person(s) is believed to be in a potential overdose situation.
- b. Officers should use universal precautions for protection from blood borne pathogens and communicable diseases when administering Naloxone.
- c. Officers should assess the need for treatment with Naloxone by evaluating the person and the circumstances of the incident per training protocols. If the person is unresponsive with decreased or absent respirations officers should administer Naloxone following the established training guidelines.
- d. Officers should remain with the person until EMS personnel arrive on scene when practical to do so. Upon the arrival of EMS, officers shall inform EMS personnel that Naloxone has been administered.

3. MAINTENANCE AND REPLACEMENT

- a. Naloxone kits shall be carried and/or kept in a manner consistent with proper storage guidelines for temperature and sunlight exposure.
- b. A monthly inspection of the Naloxone kit is the responsibility of the officer assigned to monitor the kits.
- c. Used, lost, damaged, or expired Naloxone kits shall be reported to a supervisor who shall determine if a replacement is necessary.
- d. Expired Naloxone kits shall be disposed of properly. The supervisor who determines the Naloxone kit is no longer serviceable, shall turn over the kit to the Evidence Technician, who in turn shall destroy the kit utilizing approved procedures for destruction of drugs collected or seized by the Department.

4. DOCUMENTATION AND REPORTING:

- a. A member shall be designated by the Department to maintain a record for Naloxone distributed by the Department. The records shall note the lot number, expiration date, issued date, date returned/used or destroyed.
- b. Following the administration of Naloxone to any person by a Department member, the member shall notify their supervisor as soon as possible after the incident has stabilized. Documentation shall consist of a report in the RMS system. The report shall include the following information:
- c. The nature of the incident, which shall include a narrative of the facts, date, time, and explanation of why Naloxone was administered. Complete

identity of all people involved, to include witnesses, person who received Naloxone and EMS personnel as practical.

- d. The general medical care received prior to, during, and after the administration of naloxone.
- e. The member assigned to monitor and report the administration of Naloxone shall report its use through the web-based reporting system established by the Wyoming Department of Health. This electronic reporting system is available at <https://opiurescue.com/report>.

9.31 FOUND PROPERTY

- A. In the instance of found property, if the member assigned to the case can return the property to the owner in a timely manner, the information can be captured in the event notes, including:
 1. A list of items returned, along with the manner that the items were returned and to whom they were returned
 2. The name of the shipping company and a tracking number, if the items were shipped to the owner.
- B. If a member has made reasonable attempts to return the property but was unable to do so, or the owner cannot be identified, a Case/Crime Report shall be generated and the items will be booked into evidence as either “found” or for “safekeeping” until they can be returned to the owner.
 1. A short narrative should explain how the member came into possession of the items and any information on the owner if known.
 2. Once the items are booked into an evidence locker they become the responsibility of the evidence technician to store and to return to the owner if possible.
 3. Upon returning the items to the owner a release authorization receipt shall be scanned to the report and the release shall be noted on the property page.
 - a. If the items are shipped to the owner, the name of the shipping company and a tracking number shall be entered into the report.

10.0 ARRESTS

10.01 DOCUMENTATION

- A. All arrests are to be documented with an arrest report.

10.02 DECISION TO ARREST

- A. The decision to make an arrest is to be based upon professional judgment and reasonable, articulable probable cause and not on emotion or coercion. Arrests may also be based on a valid arrest warrant. All arrestees are to be treated as humanely as circumstances will allow.
 - 1. Probable cause may be based on any combination of a member's observations, information gathered from a citizen if the citizen is deemed by the member to be credible, information obtained by other law enforcement sources, or information gathered during an investigation.
 - 2. Prior to making an arrest based on an arrest warrant, a member must first verify the warrant is valid, that the issuing jurisdiction will extradite the suspect from this jurisdiction and that reasonable efforts have been made to ensure the person to be arrested is the same as the person the warrant is issued for. The member must take care to follow any restrictions placed on the warrant such as time and place the warrant can be served.

10.03 SECURING ARRESTEES

- A. Generally, all arrestees are to be handcuffed behind their backs and transported in a secure manner to prevent escape, prevent injury to the arrestee or officer, and to prevent the destruction of evidence.
- B. The Department recognizes there may be unique circumstances with some arrestees that require that alternative methods of handcuffing be considered. Sick, injured, previously injured, frail, or disabled arrestees (i.e., those with casts, prosthetic devices, etc.) shall be handcuffed in a manner deemed appropriate by the arresting officer to accommodate the unique circumstance the arrestee may have. In these unique circumstances, additional methods of handcuffing may be considered (i.e., handcuffing in the front; no handcuffing of the very elderly if thoroughly searched and appropriate; use of additional pairs of handcuffs to lengthen restraint distances, second officer observation in cage). The arresting officer is responsible for giving due consideration to the totality of the circumstances when deciding if additional methods of handcuffing are necessary or not in any given case.
- C. Handcuffs shall be double locked and checked for proper tightness (per training standards) at the time they are placed on a subject or as soon thereafter as it can be safely achieved.
- D. The use of belly chains and/or ankle irons is permitted for prolonged transports or for court, medical care, in custody interviews, or other unique circumstances as approved by a supervisor.
- E. Members shall be required to re-evaluate any restraints used for proper fit, as necessary, during prolonged transports or if the arrestee complains of pain from the restraints. Members shall document in their arrest report if restraints are adjusted and the reason for adjusting them. As a standard practice, anytime handcuffs are applied to an arrestee, members shall note in their arrest report that the handcuffs were double locked and checked for proper tightness.

10.04 RESTRAINT DEVICES

- A. Only Department approved restraint devices will be utilized when available.

10.05 SEARCHING ARRESTEE

- A. Reasonable efforts will be made to search arrestees and those taken into protective custody prior to being transported by or under the supervision of Department members. If the transporting officer is different from the arresting officer, the transporting officer shall also conduct a search of the arrestee prior to transport.
- B. All searches will meet best practice standards based upon the member's training and experience. More than one search may be necessary as determined by the situation and the member. Members should video record searches when practical.

10.06 CAVITY SEARCHES

- A. Cavity searches are prohibited unless there is a substantial risk of harm to the member or others. If the member suspects an arrestee has concealed contraband within the arrestee's body and the arrestee refuses to surrender the contraband or it is not feasible to allow the arrestee the freedom to retrieve it, the member shall:
 - 1. Obtain a search warrant, and
 - 2. Utilize appropriate medical personnel to retrieve the suspected contraband.

10.07 TRANSPORTATION OF ARRESTEES

- A. The arrestee should be seat belted while in the patrol vehicle, if their behavior will allow.
- B. An officer may transport more than one arrestee.
- C. The transporting officer(s) shall supervise the arrestee at all times.
- D. For all transports, the officer shall advise communications that he or she is in route and give the destination. Upon arriving at the destination point, the transporting officer shall advise the communications center of his/her arrival.
- E. All officers shall search their assigned unit prior to and immediately after transporting an arrestee.
- F. Officers shall activate the in car video or officer worn video cameras during all transports to record audio/video and to provide an accurate account of the transport.

10.08 EMERGENCY SITUATION WHILE TRANSPORTING ARRESTEES

- A. While transporting an arrestee, the officer shall not respond to calls for service unless the transporting officer witnesses an emergency situation and swift, immediate action is necessary to protect life.
- B. Even in an emergency situation, the transporting officer must ensure that the safety and security of the arrestee being transported is maintained.

10.09 ESCAPE OF ARRESTEE BEING TRANSPORTED

- A. Any time an arrestee escapes from the custody of a Department member, the member shall immediately notify the communications center.
- B. The involved member shall also immediately notify or request communications to immediately notify the shift supervisor of the circumstances surrounding the incident.
- C. The member shall prepare all necessary crime/supplemental reports documenting the incident prior to the end of his/her shift.

10.10 TRANSPORTATION OF DISABLE, SICK OR INJURED ARRESTEES

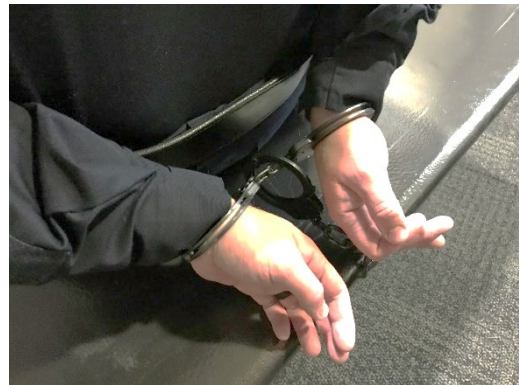
- A. If the arrestee's handicap is such that he can be safely transported in a police vehicle, then the transporting officer can do so. If the handicap is such that special transportation is required, an ambulance shall be utilized.
- B. If an arrestee is sick or injured and requires immediate medical treatment, an ambulance shall be called to the scene. If the arrestee is transported by the ambulance, a member should accompany the arrestee.
- C. If the arrestee requires non-emergency medical treatment, the transporting officer shall take the arrestee to a medical facility. The transporting officer shall maintain custody/control of the arrestee at all times while at a medical facility.
- D. If the arrestee's illness or injury requires hospitalization, the arrestee should be served a citation in lieu of arrest, if appropriate. If the arrest is for an offense for which the arrestee cannot be served a citation, arrangements will be made to provide continued custody at the hospital. Arrangements will be made by way of coordinating with hospital staff and Teton County Detention staff.

10.11 OFF-DUTY ARRESTS

- A. Members have arrest authority, within our area of primary jurisdiction, 24 hours a day, whether they are on or off-duty. It is not recommended a member make an arrest when off-duty. However, a member may encounter criminal activity and they may take enforcement action while off-duty. A member should take all information into account before deciding to make an arrest or to summon on-duty law enforcement when practical.
- B. If an off-duty member observes criminal activity that does not pose an immediate threat to public safety, the member should act as a professional witness and summon on-duty law enforcement.
- C. Members are permitted to carry department approved firearms while off-duty. If a member is carrying a firearm off-duty, they should have a badge and Department credentials in their possession before attempting to affect an arrest. If a member does not have these items, they should not make an off-duty arrest.
- D. If a member takes enforcement actions off-duty, they should display their badge in a conspicuous manner so as to identify themselves to the public and responding officers. Once an arrest is made, the member should summon on-duty law enforcement to assist. (This should be done prior to taking enforcement action if possible.) If an off-duty member is approached by an officer in uniform, the off-duty member is to submit to the commands or direction given by the officer in uniform.
- E. If an off-duty member is in another jurisdiction and observes criminal activity, they should not take enforcement action. However, this does not preclude an off-duty member from choosing independently to take actions that may be permitted by the laws of the state. If the violation does not meet this standard, on-duty law enforcement should be summoned. If the member decides they must act, the member should detain the suspect(s), summon on-duty law enforcement, and relay all pertinent information to them so they can make the final judgment on what enforcement action should be taken.
- F. If off-duty enforcement action is taken in any jurisdiction, the member should notify an on-duty Supervisor as soon as possible.

10.12 USE OF AIRPORT CUSTODY BENCH

- A. The airport custody bench, located in the airport law enforcement officer (LEO) office, is intended to provide an alternative holding position for an arrestee when it is inadvisable to place the arrestee in a patrol vehicle.
- B. It is the decision of the arresting officer when to utilize the airport custody bench. Use of the airport custody bench is optional. Factors to consider when deciding if use of the airport custody bench is necessary include:
 - 1. Amount of resistance and compliance from the arrestee
 - 2. Likelihood of attempted escape
 - 3. Number of officers on scene
 - 4. Time until backup arrives
 - 5. Severity of crime
 - 6. Ability of officer to maintain control
 - 7. Amount of time until it is safe to transport arrestee
 - 8. Likelihood of injury to officer and/or arrestee
 - 9. Probable interference while moving the arrestee through the terminal
 - 10. Extreme weather conditions
 - 11. Whether the arrestee needs medical attention
- C. When the decision is made to use the airport custody bench:
 - 1. Clear the area around the bench of any objects which could become projectiles/weapons
 - 2. Have the arrestee sit in the middle of the bench with their back toward the wall
 - 3. While controlling the arrestee, apply the bench cuff around the middle portion of the handcuffs.



- 4. Ensure the bench cuff is secure and double locked around the middle portion of the handcuffs.
 - 5. Do not leave the arrestee unattended or unsupervised.
- D. When utilizing force, including handcuffing and securing an arrestee, the arresting officer shall apply the objectively reasonable standard and follow current policy and procedure (see sections 10.03 Securing Arrestees and 11.02 Force Response Policy).

11.0 FORCE RESPONSE

11.01 PURPOSE

- A. The purpose of this policy is to provide Department members with guidelines for the use of force.

11.02 POLICY

- A. It is the policy of the Department to value and preserve human life.
- B. It is the policy of the Department for members to use force when necessary to protect life and property, affect arrests, overcome resistance, prevent escapes, and in defense of their person.
- C. Members are not required to retreat but neither are they prohibited from doing so. The decision to retreat or delay an arrest until it is safe or tactically sound to act is a discretionary decision based on an individual member's training, experience, expertise, and assessment of immediately available information and situational conditions. Likewise, members are not required to stand their ground and/or advance. The decision to stand one's ground or advance is also based upon the member's training, experience, expertise, and assessment of the situation given the facts known to the member at the time the incident occurred. Whether a member retreats, stands their ground, or advances, in no situation does the member lose the right to defend themselves, or others, from potential injury or death from all aggressors.
- D. Members shall use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of the member and others.
- E. Members shall use force only when there is a lawful objective and shall use only the level of force which a reasonably prudent officer would use under the same or similar circumstances. The decision to use force "requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officer or others, and whether he is actively resisting arrest or attempting to evade arrest by flight." In addition, "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight...the question is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them," at the moment the force was used.
- F. The evaluation of the force will not be based on any sort of use of force continuum.
- G. This policy is to be reviewed regularly and any questions or concerns should be addressed to the immediate supervisor for clarification.

11.03 DEFINITIONS

- A. **Active Resistance:** The use of non-assaultive physical measures by an unarmed person, including flight, to resist and or prevent an officer from gaining control.
- B. **Choke Hold:** A physical maneuver that restricts an individual's ability to breathe or the circulation of blood to the head for the purposes of incapacitation.
- C. **De-escalation:** Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may

include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

- D. **Deadly Force:** Any use of force that creates a substantial risk of causing death or serious bodily injury.
- E. **Elevated Risk Population Groups:** Individuals who are potentially at greater risk of injury or death following a use of force, including those who reasonably appear or are known to be elderly, medically infirm, physically disabled, pregnant, users of internal cardiac devices, or who have low body mass, such as small children.
- F. **Exigent Circumstances:** Those circumstances that would cause a reasonable person to believe that action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.
- G. **Excited delirium:** A medical disorder generally characterized by observable behaviors including extreme mental and physiological excitement, intense agitation, hyperthermia (elevated body temperature) often resulting in nudity, hostility, exceptional strength, endurance without apparent fatigue, and unusual calmness after restraint accompanied by a risk of sudden death.
- H. **Less-lethal force:** Any use of force other than that which is considered deadly force that involves physical efforts to control, restrain, or overcome the resistance of another.
- I. **Passive Resistance:** A refusal by an unarmed person not reasonably perceived to be an immediate threat or flight risk to comply with an officer's verbal commands or physical control techniques that does not involve the use of physical force, control, or resistance of any kind.
- J. **Objectively Reasonable:** The determination that the necessity for using force and the level of force used is based upon the officer's evaluation of the situation in light of the totality of the circumstances known to the officer at the time the force is used and upon what a reasonably prudent officer would use under the same or similar situations.
- K. **Serious Bodily Injury:** Injury that involves a substantial risk of death, protracted and obvious disfigurement, or extended loss or impairment of the function of a body part or organ.
- L. **Warning Shot:** Discharge of a firearm for compelling compliance from an individual, but not intended to cause physical injury.

11.04 GENERAL PROVISIONS

- A. Use of physical force should be re-evaluated when resistance ceases or when the incident is under control.
- B. Physical force shall not be used against individuals in restraints, except as objectively reasonable, based on the totality of the circumstances, to prevent their escape or prevent imminent bodily injury to the individual, the member, or another person.
- C. Once the scene is safe and as soon as practical, a member shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.
 - 1. Members and supervisors should generally avoid transporting the suspect(s) in police vehicles to the hospital unless extenuating circumstances warrant otherwise.

- D. Members shall be aware of the general concerns present in regard to known individuals of an elevated risk population group as defined. Members are not prohibited from using force on such persons but shall weigh the benefit and the enhanced risks involved.
- E. A member, regardless of rank, has a duty to intervene to prevent or stop the use of any force being used by another member that would not be legally permissible to use when it is safe and reasonable to do so.
- F. All uses of force shall be documented and investigated pursuant to this agency's policies.

11.05 DE-ESCALATION

- A. A member should use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training whenever feasible.
- B. Whenever feasible and when such delay will not compromise the safety of the member or another, and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, a member shall allow an individual time and opportunity to submit to verbal commands before force is used.

11.06 USE OF LESS LETHAL FORCE

- A. When de-escalation techniques are not effective or feasible, a member may consider the use of less-lethal force to control a non-compliant or actively resistant individual. A member is authorized to use agency-approved, less-lethal force techniques and issued equipment:
 - 1. To protect the member or others from immediate physical harm,
 - 2. To restrain or subdue an individual who is actively resisting or evading arrest, or
 - 3. To bring an unlawful situation safely and effectively under control.

11.07 USE OF DEADLY FORCE

- A. A member is authorized to use deadly force when it is objectively reasonable under the totality of the circumstances. Use of deadly force is justified when one or both of the following apply:
 - 1. To protect the member or others from what is reasonably believed to be an immediate threat of death or serious bodily injury.
 - 2. To prevent the escape of a fleeing subject when the member has probable cause to believe that the person has committed, or intends to commit a felony involving serious bodily injury or death, and the member reasonably believes that there is an imminent risk of serious bodily injury or death to the member or another if the subject is not immediately apprehended.
- B. Where feasible, the member shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.
- C. Deadly Force Restrictions
 - 1. Deadly force should not be used against persons whose actions pose only a threat to themselves or property.

11.08 TRAINING

- A. All members shall receive regular training on this agency's use of force policy and related legal updates.
- B. In addition, training shall be provided on a regular basis and designed to:
 - 1. Provide techniques for the use of and reinforce the importance of de-escalation; simulate actual shooting situations and conditions; and enhance officers'

discretion and judgment in using less lethal and deadly force in accordance with this policy.

2. All use-of-force training shall be documented.
- C. No member shall use any use of force technique or equipment without first receiving the appropriate training.

11.09 DEPARTMENTAL APPROVED FORCE RESPONSES

- A. Handcuffs
- B. Leg restraints
- C. Hobbles
- D. Soft-hand techniques
- E. Hard-hand techniques
- F. Chemical agents
- G. Impact tools
- H. Improvised tools
- I. Less-lethal munitions
- J. Knife
- K. Firearms
- L. Vehicles
- M. Approved vehicular stopping devices, such as Stop Sticks
- N. Conducted Energy Weapon (CEW)
- O. BolaWrap100

11.10 PROCEDURES FOR APPROVED FORCE RESPONSES

- A. Handcuffs
 1. Only Department approved handcuffs shall be used.
 2. Handcuffs may be chain and/or hinged, stainless or black in color. Department issued flex-cuffs may also be used when handcuffs are not available or practical.
 3. Generally, all persons are to be handcuffed behind their backs and secured to prevent escape, prevent injury to the prisoner, public or officer and to prevent damage to police equipment or the destruction of evidence.
 - a. The Department recognizes there may be unique circumstances requiring that alternative methods of handcuffing be considered. Sick, injured, previously injured, frail, or disabled arrestees (i.e., those with casts, prosthetic devices, etc.) shall be handcuffed in a manner deemed appropriate by the arresting officer to accommodate the unique circumstance the arrestee may have.
 - b. In these unique circumstances, additional methods of handcuffing may be considered (i.e., handcuffing in the front; no handcuffing of the very elderly if thoroughly searched and appropriate; use of additional pairs of handcuffs to lengthen restraint distances on large-framed subjects, second officer observation in cage). Members are responsible for giving due consideration to the totality of the circumstances when deciding if additional methods of handcuffing are necessary or not in any given situation.
 4. Handcuffs shall be double locked and checked for proper tightness as trained at the time they are placed on a subject or as soon thereafter as it can be safely achieved.

5. The use of belly chains and/or ankle irons are permitted for prolonged transports or for court, medical care, in custody interviews, or other unique circumstances as approved by a supervisor.
6. Members are required to re-evaluate any restraints used for proper fit, as necessary, during prolonged transports or if the arrestee complains of pain from the restraints. Members shall document in their arrest report if restraints are adjusted and the reason for adjusting them. As a standard practice, anytime handcuffs are applied to an arrestee, members shall note in their arrest report that the handcuffs were double locked and checked for proper tightness.

B. Leg Restraints

1. Only Department approved leg restraints are to be used.
2. Leg restraints are any strap, rope, chain, leg cuff, or other device designed for and used to secure the legs or ankles of an arrestee as approved by the Department.
3. Leg restraints may be used at the member's discretion for violent and combative subjects in order to prevent escape, prevent injury to the prisoner or officer and to prevent damage to police equipment.
4. Leg restraints shall be applied in such a way as they do not deliberately restrict blood flow. Members are required to re-evaluate leg restraints used for proper fit, as necessary, during prolonged transports or if the arrestee complains of pain from the restraints. Members shall document in their arrest report if restraints are adjusted and the reason for adjusting them. As a standard practice, anytime leg restraints are applied to an arrestee, members shall note in their arrest report that leg restraints were used and checked for proper tightness.

C. Hobbles

1. Only Department approved hobbles are to be used.
2. Hobbles are defined as any rope, strap, or chain used to bind the legs or a leg restraint to handcuffs attached to a subject's wrists.
3. Hobbles may be used at the member's discretion for violent and combative subjects in order to prevent escape, prevent injury to the prisoner or officer and to prevent damage to police equipment.
4. The separation between the wrist and ankle shall be no less than fourteen (14) inches.
5. At no time should a hobbled subject be left alone.
6. A hobbled subject should be placed upon his/their side as soon as possible to reduce pressure on the chest. No person shall be intentionally placed on their stomach in a prone position during transport.
7. Members should use extreme care when applying a hobble and should have EMS respond to the scene if the subject is displaying behavioral cues indicating potential medical problems that could lead to cardiac or respiratory arrest. If any change in medical condition occurs, such as labored breathing or a period of sudden tranquility, the member shall immediately release the hobble and request EMS services without undue delay.

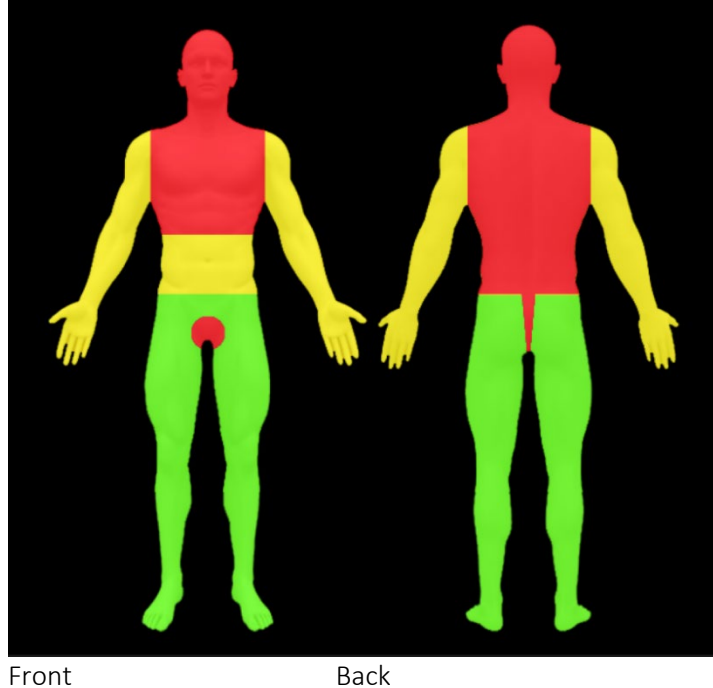
D. Soft-hand techniques

1. Soft-hand techniques are defined as physical restraint and control holds and include ground and/or fixed surface stabilization. Soft-hand techniques may be used to accomplish a lawful police objective when it is objectively reasonable based on the totality of the circumstances.
 - a. Choke holds are prohibited unless deadly force is legally justified.

2. A member's use of a Department approved physical restraint or control hold to gain compliance or effect an arrest does NOT require a Use of Force report, so long as the suspect does not require medical attention, complains of injury, or the incident is likely to be controversial, (see use of force reporting requirements).
- E. Hard-hand techniques
1. Hard-hand techniques are defined as strikes, kicks, and throws. Hard-hand techniques may be used to accomplish a lawful police objective when it is objectively reasonable based on the totality of the circumstances.
 2. Members shall not intentionally target the throat unless deadly force is legally justified.
 3. Members shall be aware of the general concerns present when using hard-hand techniques on a known member of an elevated risk population group. Members are not prohibited from using hard-hand techniques on such persons when necessary but shall limit use to those exceptional circumstances where the potential benefit reasonably outweighs the enhanced risks involved.
- F. Chemical agents
1. General use
 - a. Only chemical agents issued by the Department will be used.
 - b. Chemical agents shall be used in accordance with current training standards and the directions provided by the manufacturer.
 - c. Chemical agents are irritating to the eyes, nose, and skin. Members using a chemical agent will ensure that persons exposed to such agents receive first aid treatment as soon as practical. When booking subjects exposed to chemical agents, jail personnel will be advised of this fact to prevent contamination of other jail occupants and/or custodial personnel.
 2. Chemical agents shall not be used:
 - a. On individuals who are only passively resisting and/or are not reasonably perceived as an immediate threat or flight risk.
 - b. On individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the member, or another person.
 - c. On a person who is in physical control of any vehicle (to include motorcycles, bicycles, scooters, skateboards, etc.) in motion or about to become in motion except when deadly force would be justified.
 - d. When the member has a reasonable belief that deployment may cause serious injury or death from situational hazards including falling, or because it may be ignited by a close ignition source, except when deadly force would be justified.
- G. Impact tools
1. General use
 - a. Only Department approved impact tools will be used: ASP (Armament Systems and Procedures) baton or straight baton.
 - b. Members shall not intentionally target a suspect's head and neck unless deadly force is authorized.
 2. Impact Weapons shall not be used:
 - a. On individuals who are only passively resist and/or are not reasonably perceived as an immediate threat or flight risk; excepting that it may be used as a leveraging tool or as an instrument for a control hold.

- b. On individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the member, or another person.
 - c. When the member has a reasonable belief that deployment may cause serious injury or death from situational hazards including falling, except when deadly force would be justified.
- H. Improvised tools
 - 1. May be used in sudden defensive encounters and are subject to the same guidelines as other impact tools.
 - a. Citation book
 - b. Flashlight, etc.
- I. Less-lethal munitions
 - 1. Only Department issued, projectile impact munitions shall be used.
 - 2. Because projectile impact weapons have the potential to cause serious injury or death, this type of weapon will only be used in the following circumstances:
 - a. Members shall consider whether the potential benefit of using less lethal munitions reasonably outweighs the risks involved.
 - b. At all times the less-lethal operator should have lethal cover from at least one other officer. Less lethal munitions should be deployed from a position of cover whenever possible.
 - c. Members shall issue verbal and visual warnings consistent with training prior to deploying less lethal munitions, and allow a reasonable amount of time for the subject to comply unless doing so would increase the risk of injury to officers or the subject involved.
 - d. Members shall notify assisting officers that they intend to deploy the less lethal munitions, unless doing so would increase the risk of injury to officers or the subject involved.
 - e. The less lethal operator shall not intentionally target the head, throat, face, arms, spine, or groin area of a suspect unless deadly force would be justified.
 - 3. The preferred target area and distance considerations for Safariland drag stabilized bean bags issued to officers are as follows:
 - a. 0-20feet: Less Lethal Munitions are NOT allowed at this distance unless deadly force would be justified.
 - b. 20 feet or more: Less Lethal Munitions minimum safe distance for use on a subject. ONLY Primary Target Areas, in Green (legs and buttocks), should be intentionally targeted due to the high likelihood of causing serious injury to more sensitive soft tissues due to the close proximity to the subject.
 - c. 50 feet or more: Less Lethal Munitions are optimal at these ranges due to accuracy of targeting zones and effect of energy delivered upon impact. Secondary Target Areas, in Yellow (arms and front lower abdomen) are viable target areas at these ranges, but the greater potential of causing lacerations or penetration of soft tissue should be taken into consideration during targeting.
 - d. 75 feet or more: Less Lethal Munitions maximum effective range. Targeting is more difficult at this range due to the distance and the loss of

energy from the Less Lethal Munitions. All engagements are recommended to be within 75 feet.



4. Targeting areas described in detail (referencing the attached image):
 - a. Green represents the Primary (preferred) targeting areas and are ideal for closer range engagements. This consists of large muscle groups and the least number of vital organs.
 - b. Yellow targeting areas are considered Secondary targets for further distances due to the potential to cause lacerations or fractures. This consists of the waist to just below the ribs, comprised of medium muscle groups (which cover the lower abdominal organs), and the arms. The arms are viable targeting areas but should be carefully considered due to their mobility and the chances of missing desired target, causing unintentional strikes to other areas or misses.
 - c. Red areas are NOT targeting areas due to the high likelihood of causing serious injury. From the front: the head, face, neck, chest, and groin shall NOT be intentionally targeted from the front, unless deadly force would be justified. From the back: the head, spine and kidneys shall not be intentionally targeted unless deadly force would be justified.
 - d. The Department recognizes that under tense, uncertain, and rapidly evolving situations that determining exact distances may be impossible. Therefore, all targeting ranges shall be based on the Officer's best estimates under the specific circumstances at the time of deployment. It is recognized that subjects also may be actively mobile (i.e., pacing, walking, flailing, etc.), and unintentional strikes to other zones may occur as a result of subject movement.
5. When engaging a target, the deploying member should evaluate the effectiveness of each round during the volley. Compliance and/or incapacitation is the desired

goal and alternative target areas should be considered when rounds are not effective (within the guidelines listed above).

6. All suspects struck with less lethal munitions shall be taken to St. John's Medical Center for evaluation and treatment as soon as practical, prior to being taken to the jail.

J. Knives

1. Members are authorized to carry knives while on-duty for utilitarian purposes. They are not to be used as a force option unless deadly force is authorized.
2. Knives shall meet the following requirements:
 - a. Folding Blades: The cutting edge may be straight and/or serrated with a blade length of not more than 4.5 inches.
 - b. Fixed Blades: The cutting edge may be straight and/or serrated with a blade length of not more than 4.5 inches.
3. Member's knives shall be secured in either a scabbard (for fixed blades) or folded and secured by a fastening device so as to ensure officer safety, knife retention, and concealment. The blade and securing device shall be carried in a concealed manner.

K. Firearms

1. Only Department authorized firearms shall be used. (See JPD Policy 26.0 Firearms for guidelines)
2. A member may use a firearm as a deadly force option when it is objectively reasonable based on the totality of the circumstances in self-defense or in defense of another person's life.
3. Warning shots are allowed, but there is no legal obligation to do so. The member shall not fire a warning shot unless:
 - a. There is a defined target.
 - b. The use of deadly force is justified.
 - c. The warning shot will not pose a substantial risk of injury or death to the member or others.
4. Firearms shall not be discharged at a person in a moving vehicle unless:
 - a. A person in the vehicle is threatening the member or another person with deadly force by means other than the vehicle.
 - b. The vehicle is operated in a manner deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted (or are not present or practical), which includes moving out of the path of the vehicle.
5. Firearms shall not be discharged at a moving vehicle for purposes of stopping the vehicle except where deadly force is authorized.
6. Firearms shall not be discharged from a moving vehicle except in exigent circumstances. In these situations, an officer must have an articulable reason for this use of deadly force.
7. A member's deployment of a firearm, whether pointed at a suspect or not, is NOT considered a Use of Force so long as the firearm is not discharged or used as an impact weapon.

L. Vehicles

1. A police vehicle may be used as a force option when deadly force is authorized and other means have been exhausted or are not practical. In these situations, a member must have an articulable reason for this use of deadly force.

M. Approved vehicular stopping devices

1. See JPD Policy 12.14.P for use guidelines.

N. Conducted Energy Weapon (CEW)

1. Only Department issued CEWs will be used.
2. Weapon Readiness
 - a. The CEW shall be carried in an approved holster.
 - (1) As carried on gun belts: on the side of the body opposite the service handgun for weak hand draw.
 - (2) As carried on vests: on the side of the body opposite the service handgun for cross draw or on the same side of the body as the service handgun for weak-hand draw.
 - b. Modifications or repairs to the device shall be performed only by a trained technician and consistent with the manufacturer's guidelines and directions.
3. General considerations for use
 - a. The CEW is authorized to be used
 - (1) To protect the member or others from reasonably perceived immediate threat of physical harm,
 - (2) To restrain or subdue an individual who is actively resisting or evading arrest by flight,
 - b. The CEW shall not be used
 - (1) On individuals who are only passively resisting and/or are not reasonably perceived as an immediate threat or flight risk;
 - (2) When the member has a reasonable belief that deployment may cause serious injury or death from situational hazards including falling, drowning, or igniting a potentially explosive or flammable material or substance, except when deadly force would be justified; or
 - (3) On a person who is in physical control of any vehicle (to include motorcycles, bicycles, scooters, skateboards, etc.) in motion or about to become in motion except when deadly force would be justified.
 - c. Members shall not intentionally activate more than one CEW against a subject at one time.
 - d. Members shall energize a subject no longer than objectively reasonable to overcome resistance and bring the subject under control and shall not be permitted to have more than three (3) successive discharges before considering alternative control techniques. Each justification for a discharge shall stand alone and require the member to have a new justification for the need for an additional discharge.
 - e. Members shall issue verbal and visual warnings consistent with training prior to deploying the CEW, when feasible, and allow a reasonable amount of time for the subject to comply unless doing so would increase the risk of injury to officers or others.
 - f. When practical, members should also notify assisting officers that they intend to deploy the CEW.
4. Primary Deployment

- a. The CEW is most effective at overcoming resistance and gaining subject control when used in the probe mode. Accordingly, this is the preferred method of deployment.
 - b. The CEW shall be aimed at a preferred probe target location, consistent with training and manufacturers' recommendations.
 - c. The CEW shall not be intentionally aimed at a sensitive area, which includes the subject's face, eyes, head, throat, chest area, female breasts, groin, genitals, or known pre-existing injury areas, unless deadly force is authorized.
 - d. Members should consider the totality of circumstances, including suspect movement, limited sighting capability, and their ability to accurately deploy the device, to reduce the risk of accidental probe contact to an unintended body part.
 - e. Due to the potential for independent drive-stuns (drive-stuns not used in conjunction with probe deployment) to cause permanent scarring, members shall consider whether the potential benefit of using a drive stun reasonably outweighs the risks involved and minimize their use.
 - f. The CEW shall be discharged for an initial five-second cycle.
 - g. During and immediately after this cycle, the member should verbally give resistance control instructions to the subject when practical to do so.
 - h. The member should be aware that an energized subject might not be able to respond to commands during or immediately following exposure.
 - i. The member should allow a reasonable amount of time to assess the effectiveness of the cycle, and to give the subject the opportunity to comply with the instructions given.
 - j. The member should evaluate, under the totality of circumstances presented, whether additional cycles are reasonably necessary and whether additional cycles appear reasonably likely to be effective in accomplishing the officer's lawful objectives. The evaluation shall include consideration of the enhanced risks to subjects exposed to multiple and/or prolonged CEW cycles.
 - k. The member should consider deploying a second cartridge if using a two-cartridge CEW, or deliver a follow-up drive-stun, or transitioning to alternative force options if the officer reasonably perceives that the subject has not responded to the CEW in the anticipated manner based on training and experience.
 - l. To reduce the number of cycles and duration of exposure, the subject should be secured as soon as practical while exposed to the CEW cycle or immediately thereafter.
5. Secondary Deployment
 - a. All secondary deployment techniques are subject to the same guidelines and restrictions as initial deployments.
 - b. The CEW may also be used in close-range and self-defense in the drive-stun mode with the cartridge removed, or expended cartridge in place. When the device is used in the drive-stun mode it is primarily a coercive control tool, and less effective than when probes are deployed with adequate probe spread.

- c. A preferred method of close-range secondary deployment with a single-shot CEW involves firing the probes at close range with the cartridge on, then applying the device in drive-stun mode consistent with training to an area of the body away from the probe location. When using a multi-shot device, the second set of probes can be deployed as a follow-up in a manner that is consistent with training to create an effective “probe spread.”
- 6. Post-Deployment
 - a. If the probes penetrate the flesh, photographs of the contact area shall be taken before and after they are removed when practical.
 - b. The member shall remove the probes from the subject as soon as practical after deployment and control, unless a probe has contacted a sensitive area, such as the eyes, face, neck, genitals, or breasts of a female. Members will not remove probes that have contacted a sensitive area.
 - c. The probes shall be treated as a biohazard risk.
 - d. Members shall request emergency medical response for all deployments.
 - e. Subjects will be transported to St. John’s for advanced medical treatment as soon as possible prior to being taken to jail if any of the following occurs:
 - (1) A probe has contacted a sensitive area, such as the eyes, face, neck, genitals, or breasts of a female.
 - (2) There is difficulty removing the probes.
 - (3) The subject does not appear to be recovering in a manner consistent with training and experience.
 - (4) The subject is part of an elevated risk population group.
 - (5) The subject has been exposed to more than three CEW cycles or 15 seconds of discharge.
 - (6) The subject has been simultaneously exposed to the effects of more than one CEW device.
 - (7) The subject has exhibited signs of excited delirium as described in training, prior to or during CEW exposure.
 - (8) The subject reasonably appears to be affected by mental illness or is in medical distress.
- 7. Auditing
 - a. CEWs will be subjected to periodic and random data downloading. Regular downloading that is consistent with the manufacturer’s recommendations will ensure that weapons have up-to-date firmware and a synced time clock. The data obtained will be reconciled with existing use-of-force reports for accountability.
- O. Restraint Device (BolaWrap 100)
 - 1. This policy provides guidelines for the issuance and use of the BolaWrap 100 devices in order to minimize the risk of injury to suspects, subjects, and officers.
 - 2. The Department authorizes the use of the BolaWrap 100 device in accordance with this policy and department training. The BolaWrap 100 device is a handheld device intended to immobilize and control resistive/non-compliant persons and persons with known or suspected mental health issues that may affect the person's ability to understand and follow instructions.
 - 3. Issuance and carrying BolaWrap 100 devices

- a. Only a Department approved BolaWrap 100 device that has been issued by the Department shall be utilized by personnel.
 - b. Only members who have successfully completed Department-approved training may be issued and can carry the BolaWrap 100 device.
 - c. All BolaWrap 100 devices shall be clearly distinctly marked to differentiate them from the duty firearm.
 - d. Members who have been issued the BolaWrap 100 device shall ensure the device is securely attached on their person or safely secured in their patrol vehicle.
 - e. Members shall be responsible for ensuring that their issued BolaWrap 100 device is properly maintained and in good working order.
 - f. Members should not hold both a firearm and the BolaWrap 100 device at the same time.
 - g. Members shall ensure that the BolaWrap 100 devices are secured in a manner that will keep the device inaccessible to others.
4. Verbal and visual warnings

A verbal warning of the intended use of the BolaWrap 100 device should precede its application unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances.

The purpose of the warning is to:

 - a. Provide the individual with a reasonable opportunity to voluntarily comply.
 - b. Provide other officers and individuals with a warning that the BolaWrap 100 device may be deployed.
 - c. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.
 - d. The fact that a verbal warning or other warning was given or the reasons it was not given shall be documented by the officer deploying the BolaWrap 100 device in his or her report.
5. Use of the BolaWrap 100 device

The BolaWrap 100 has limitations and restrictions requiring consideration before its use. The device should only be used when its operator can safely approach the subject within the operational range of the device. Although the BolaWrap 100 device is generally effective in controlling most individuals, members should be aware that the device may not achieve the intended results and should be prepared to employ other options.
6. Application of the BolaWrap 100 Device

The BolaWrap 100 device may be used in any of the following circumstances, the circumstances perceived by the member at the time indicate that such application is reasonably necessary to control a person.

 - a. The subject is violent or is physically resisting
 - b. The subject has demonstrated by words or actions, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.
 - c. The subject has demonstrated physical non-compliance with a lawful investigative detention and/or probable cause arrest.

When deciding whether to use the BolaWrap 100 device, members should carefully balance officer safety concerns with factors that include, but are not limited to:

- a. The circumstances of the crime leading to the arrest or detention.
- b. The demeanor and behavior of the arrested or detained person.
- c. The age and health of the person.
- d. Whether the person is known to be pregnant.
- e. Whether the person has any other apparent physical disability.

The BolaWrap 100 device shall not be used to psychologically torment, elicit statements or to punish any individual.

2. Special Deployment Considerations

The use of the BolaWrap 100 device on certain individuals should be avoided unless the totality of the circumstances indicates that other available options would likely be ineffective or would present greater danger to the member, the subject to others, and the member reasonably believes that the need to control the individual outweighs the risk of using the device. These individuals include:

- a. Individuals who are known to be pregnant.
- b. Elderly individuals.
- c. Obvious juveniles.
- d. Individuals detained in a police vehicle.
- e. Individuals in danger of falling or becoming entangled in machinery or heavy equipment, which could result in death or serious bodily injury.
- f. Individuals near any body of water that may present a drowning risk.
- g. Individuals whose position or activity may result in collateral injury (e.g., running, possible fall from high location, operating a motor vehicles or heavy machinery)

3. Target Considerations

Reasonable efforts should be made to target the lower legs (from the ankles to the upper thighs) and area of the mid torso (from the elbows to the wrist), and to avoid the head, neck, and eyes. If the dynamics of a situation or officer safety factors do not permit the member to limit the application of the BolaWrap 100 device to a precise target area, members should monitor the condition of the subject if it strikes the head, neck, and/or eyes until the subject is examined by paramedics or other medical personnel.

4. Multiple Applications to BolaWrap 100 Device should be recommended to increase the Bola Wrap's remote restraint efficacy with the goal of deployment, the neutralization of a suspect's ability to flee or cause further harm or injury to others.

5. Actions Following Deployment

Following the use of the BolaWrap 100 device:

- a. Members should quickly secure the suspect and shall use a more secure and permanent restraint device, such as handcuffs to a suspect who has been wrapped.
- b. Members shall request a supervisor to the scene.
- c. The supervisor or deploying member should determine whether transporting the person to a medical facility is necessary to remove the hooks from the wrapped suspect.

d. If the hooks become too entangled in the suspect's clothing, the Kevlar line should only be cut with medical sheers or a seat belt cutter. Members shall never use a pocketknife to cut the Kevlar cords off of a suspect.

d. Once removed the barbs and cord shall be photographed and the photos placed into evidence.

6. Reporting The Use of the BolaWrap 100

a. Any deployment of the BolaWrap 100 device by a member of this Department shall be considered a force response like a ground stabilization and shall be documented in accordance with this policy.

7. BolaWrap 100 report writing.

Items that shall be included in the member's report after deployment of the BolaWrap 100.

- a. The BolaWrap 100 device and cartridge serial numbers.
- b. Date, time, and location of the incident.
- c. Whether any display or laser deterred a subject and gained compliance.
- d. The number of BolaWrap 100 device activations and the duration between activations.
- e. The approximate range at which the BolaWrap was used.
- f. The location of the BolaWrap restrained.
- g. Whether medical care was provided to the subject.
- h. Whether the subject sustained any injuries.
- i. Whether any officers sustained any injuries.

8. Medical Treatment

Any individual who falls under any of the following categories should be examined by paramedics or other qualified medical personnel as soon as is practicable:

- a. The person may be pregnant.
- b. The person reasonably appears to need medical attention, or requests medical treatment.
- c. The BolaWrap 100 device pellets/barbs are lodged in a sensitive area (e.g., groin, female breast, eyes, head, face, neck).
- d. The BolaWrap 100 pellets/barbs have penetrated the skin and caused bleeding.

If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording if possible.

9. Supervisor Responsibilities

A supervisor should respond to all incidents where the BolaWrap 100 device was activated. A supervisor should review each incident where a person has been exposed to an activation of the BolaWrap 100. Photographs should be taken, including if the skin is penetrated, and witnesses interviewed.

10. Off Duty Considerations

Members are not authorized to carry Department BolaWrap 100 devices while off-duty.

11. Training

Members who are authorized to carry the BolaWrap 100 device shall be permitted to do so only after successfully completing the initial Department approved training. Proficiency training for members who have been issued a BolaWrap 100

device should occur every year. A reassessment of a member's knowledge and/or practical skill may be required at any time if deemed appropriate by the Operations Lieutenant.

All training and proficiency for BolaWrap 100 devices will be documented in the member's training file.

Command staff, supervisors, and investigators should receive BolaWrap 100 device training as appropriate for the investigations they conduct and review. All training and proficiency for BolaWrap 100 devices will be documented in the member's training file.

Members who do not carry a BolaWrap 100 device shall receive training that is sufficient to familiarize them with the device and with working with members who use the device.

The Support Sergeant is responsible for ensuring that all members who carry a BolaWrap 100 device have received initial and proficiency training. Periodic audits shall be used for verification.

Application of BolaWrap 100 devices during training could result in injury to members and should not be mandatory for certification.

The Support Sergeant should ensure that all training includes:

- a. A review of this policy.
- b. A review of the Force Response Policy.
- c. Target area considerations, to include techniques or options to reduce the unintentional application of pellet/barbs near the head, neck, eyes, chest, and groin.
- d. Handcuffing a subject during the application of the BolaWrap 100 device and transitioning to other force options.
- e. De-escalation techniques.
- f. Restraint techniques do not impair respiration following the application of the BolaWrap 100 device.

11.02 SUPERVISOR NOTIFICATION REQUIRED

- A. Members shall notify a supervisor as soon as practical anytime force is applied under the following circumstances:
 1. Anytime any person is injured or killed during an incident (officer or others).
 2. Anytime force is used.
 3. Anytime an arrestee makes a claim of injury.
 4. For any incident which is likely to be viewed as controversial.
- B. Supervisor notification shall be made while still at the scene, assuming it is safe to do so.
- C. Members shall also notify a supervisor under the following circumstances:
 1. A subject is ground stabilized.
 2. A subject claims a handcuffing injury.
 3. There is a non-UOF injury while in contact with the member.
 4. A subject claims injury by members for an injury that was pre-existing.

11.03 OFFICER RESPONSIBILITY, SUPERVISOR RESPONSE, AND DOCUMENTATION REQUIREMENTS

- A. Member Responsibilities
 1. Members shall make every attempt to secure the scene, protect any evidence, and request all witnesses to remain until a supervisor responds to the scene. In

situations where this is not practical, members shall request the full names, dates of birth, and contact information of any witness for later follow-up.

2. Members shall complete a police report documenting the use of force prior to the end of their shift unless otherwise directed by their supervisor.

B. Member Reporting

1. All reports documenting a use of force shall be comprehensive and provide the degree of specificity necessary to fully document and evaluate the member's force response.
2. Members should ensure that their police report accurately relates what the member knew, observed, or believed at the time of the incident.
3. At a minimum, reports shall include the following information.
 - a. Location, date, and time.
 - b. Information on the subject, including age, sex, race, and ethnicity.
 - c. Reason for initial contact between the subject and member, including any suspected unlawful or criminal activity.
 - d. Whether the member was:
 - (1) Readily identifiable as law enforcement, including whether they were in uniform or plainclothes.
 - (2) Operating a marked or unmarked law enforcement vehicle or on foot patrol.
 - (3) On or off duty.
 - (4) Accompanied by other officers.
 - e. Whether a supervisor or a senior member acting in a supervisory capacity was present or consulted at any point during the incident.
 - f. Whether backup was requested and if so, when it arrived.
 - g. Whether witnesses were present at the time.
 - h. Whether there was any cause to believe the subject was armed or hostile.
 - i. The subject's general demeanor, including any known or apparent impairments.
 - j. Any verbal exchange that transpired.
 - k. The full circumstances that supported a detention or arrest decision, where applicable, to include the severity of the crime or evidence discovered prior to the detention or arrest attempt by officer(s).
 - l. Any threat to the member or another person.
 - m. Type, intensity, and duration of resistance to arrest by the subject to include any threat to others.
 - n. Any de-escalation attempts made.
 - o. Any force options available to the member and the reason for the level of force response employed.
 - p. Specific justification is required for UOF on an elevated risk population group.
 - q. Any subject and officer injury or complaint of injury, medical treatment request/received, or refusal of medical treatment.
 - r. Photographs of subject and officer injuries.
 - s. Video and audio recordings made of the incident, including those made by body-worn cameras.
 - t. If a CEW was deployed, specific justification shall be provided when the device has been used in any of the following manners:

- (1) It was used in drive-stun mode.
- (2) The subject was exposed to CEW discharge more than three (3) cycles or longer than 15 seconds.
- (3) The subject was exposed to more than one simultaneous CEW exposure.
- (4) It was used on an individual in an elevated risk population group.
- u. If a CEW was deployed, the member shall collect the cartridge, wire leads, darts, and some of the anti-felon identification markers (AFIDs), and secure them as evidence,
- v. If a CEW was deployed, the member will make a request to the Department CEW instructor to have the CEW data downloaded and included with the report,
- w. If less-lethal munition was deployed, the member shall collect the less lethal munition projectile(s) and spent shell(s) and secure them as evidence in compliance with the agency's policy. Prior to packaging the member shall determine if the projectile has bio-hazardous material on it and package it accordingly.
- x. If less-lethal munition was deployed, specific justification shall be provided for its use in any of the following manners:
 - (1) The head, throat, face, arms, spine, or groin area of the suspect were intentionally targeted,
 - (2) The less lethal projectile was used on an individual in an elevated risk population group,

C. Supervisor Responsibilities

- 1. Upon receiving notification of a use of force, a supervisor shall respond as soon as is practical and do the following:
 - a. Verify the scene is secure.
 - b. Ensure that medical assistance for officer(s), suspect(s) and/or other persons has been summoned.
 - c. Contact the involved members and ascertain what occurred,
 - d. Notify the Operations Lieutenant or Chief of Police.
- 2. A supervisor shall ensure all involved members complete a detailed police report per this policy and that the following items are completed:
 - a. The member's and subject's statements of actions are taken, and injuries sustained, and medical treatment needed or requested is obtained and documented.
 - b. Witnesses are identified and interviewed, as appropriate.
 - c. The scene of the incident is documented, as appropriate.
 - d. Health care providers are interviewed concerning the injuries sustained and that those injuries are consistent with the reported uses of force.
- 3. A supervisor will ensure the members' police reports are to be completed by the end of shift except under the following circumstances:
 - a. Deadly force encounters.
 - b. Injury to member that prevents them from completing the report,
 - c. Approval of Operations Lieutenant.
- 4. A supervisor should avoid investigating a use of force if they are directly involved in the application of force used unless their role was minor.

D. Supervisor Reporting

1. The assigned supervisor shall complete a use of force report prior to the end of their shift unless otherwise directed by the Operations Lieutenant.
2. Supervisors shall fully investigate the following to document the incident, ensure compliance with policy and identify training needs. The information will be reported to the Operations Lieutenant in memo form with any recommendations, (any video/photos shall be included):
 - a. A subject is ground stabilized,
 - (1) If a supervisor's investigation reveals a person was injured as the result of ground stabilization, a full use of force investigation shall be conducted,
3. A subject claims a handcuffing injury:
 - a. The supervisor investigation shall ensure adherence to the guidelines in JPD policy 10.3.
 - b. If a supervisor's investigation reveals a person was injured as the result of handcuffs applied in a manner outside of Department policy, a full UOF investigation shall be conducted when:
 - (1) There is a non-use of force injury while in contact with the member, and/or
 - (2) A subject claims injury by members for an injury that was pre-existing.

11.04 POST DEADLY FORCE RESPONSE

- A. Members shall do the following:
 1. Administer appropriate first aid as soon as it is objectively reasonable to do so.
 2. Remove the individual or officer to the hospital if any possibility of life exists.
 3. Notify immediate supervisor, Chief of Police, and Operations Lieutenant.
- B. Supervisors shall do the following:
 1. The Chief of Police and/or the Operations Lieutenant will make a request for the Division of Criminal Investigation (DCI) to investigate.
 2. The Chief of Police and/or the Operations Lieutenant will designate a supervisor to conduct a Use of Force Investigation which will be completed separately from the DCI investigation.
 3. Supervisors are encouraged to use the Patrol Supervisor's Checklist for Officer Involved Shootings to document the initial response.
 4. A supervisor will ensure the scene(s) are secure. The supervisor at the scene, or in cases where there is no supervisor on duty, the senior member at the scene, is immediately responsible for crime scene protection. Every effort should be made to preserve the scene(s) in its original condition. All items of evidence, weapons, patrol vehicles, etc., should be left in place. Crime scene protection shall be maintained until the DCI team can respond.
- C. Involved members shall be separated and removed from the scene as soon as it is practical to do so. Involved members should be assigned a peer support member with orders not to talk to anyone about the incident, except with counsel and to answer questions involving immediate public safety concerns. Involved members will be given a minimum of two (2) sleep cycles before being required to give a statement unless they choose to do so sooner. They shall be given an opportunity to review video of the event prior to giving a statement.
- D. Where possible, the member will maintain possession of their firearm until the arrival of the DCI team. The peer support member shall ensure the involved member maintains their

weapon in its condition, making no changes to the weapon, except to insure it's safely secured until relinquished to the appropriate investigator. The peer support member will arrange to provide the involved member a replacement weapon. The supervisor assigned to the member shall note this exchange in their report.

- E. All members at the scene shall proceed at the direction of the DCI team in charge of the criminal investigation.

11.05 USE OF FORCE REVIEWS

- A. All member police reports and supervisor use of force reports will be forwarded to the Operations Lieutenant for review. The Operation's Lieutenant will review the incident to determine if it met legal standards and policy/procedure, and to identify potential training issues. Where further documentation or investigation is warranted, he/they shall assign the appropriate members.
- B. The Operations Lieutenant shall forward all member police reports and supervisor use of force reports to the Chief of Police with their recommendations. The Chief of Police may except or reject those recommendations in whole or in part, with amendments at their discretion. The matter shall be considered closed upon completion of those recommendations.
- C. Any training issues that are noted shall be addressed with the member and documented in an SSR.

12.0 OPERATION OF VEHICLES

12.01 COMPLIANCE OF LAWS

- A. Members are expected to comply with all state statutes and Town ordinances when operating Department vehicles.

12.02 SAFETY BELT USE

- A. Safety belt use is mandatory for all persons riding in a Department vehicle, except prisoners who cannot be safely restrained due to their violent behavior or when circumstances require a member to transport more persons than available safety belts will allow, such as the need to transport several family members at one time when additional units are not available.

12.03 OPERATION OF EXTRANEIOUS EQUIPMENT WHILE DRIVING

- A. Members are to use due regard when operating other equipment, such as cell phones, radars, radios, and mobile data terminals while a vehicle is in motion, taking into account the member's limitations and traffic conditions.

12.04 VEHICLE IDLING

- A. Members should avoid unnecessary idling of vehicles.

12.05 RESPOND TO CALLS FOR SERVICE

- A. Members are expected to respond to calls for service and emergency situations in a safe and reasonable manner.

12.06 CHOOSING LEVEL OF RESPONSE

- A. Upon receiving a request for service, individual members have the responsibility of choosing an appropriate level of response.
- B. Field supervisors are charged with monitoring levels of response and may change that level based upon their discretion.

12.07 LEVEL OF RESPONSE OPTIONS

- A. Level of response options shall be dictated by the nature of the call, seriousness of the offense, danger to the public, and totality of the circumstances. The level of response options is the following:
 - 1. Code One: Driving within the speed limit with no emergency equipment activated or disregard for traffic devices.
 - 2. Code Two: Driving with only emergency lights activated at or above the speed limit with due regard for public safety. Members are not authorized to disregard traffic control devices while driving code two.
 - 3. Code Three: Driving with emergency lights and audible signals activated. Members are authorized to disregard traffic control devices and exceed posted speed limits with due regard to public safety. Code three response is authorized only when the member believes there is an imminent threat to human life or serious bodily injury.
 - 4. Tactical responses and approaches: When the totality of the circumstances dictate that a member should not use emergency equipment due to a unique emergent situation that exists that would compromise the apprehension of a suspect who

poses an imminent threat to the public, or may endanger the responding officers. Tactical responses require a supervisor approval if possible.

5. Rear amber lights may be utilized in any capacity that increases the safety of the public or the member.

12.08 EMERGENCY LIGHTS AND SIRENS

- A. During an emergency response, members will use overhead emergency lights and sound the siren when reasonably necessary to warn pedestrians and other drivers of their approach.
- B. Members proceeding through a controlled intersection against the traffic control device will slow to a safe speed or stop, if necessary, to determine if opposing traffic will yield to the emergency vehicle.

12.09 ADJUST RESPONSE PER CHANGING NATURE OF CALL

- A. Members should bear in mind that these situations are fluid and what may have begun as a non-emergency may escalate into an emergency and vice versa, where a call begins as an emergency and changes to a non-emergency response. Consequently, members are expected to adjust their response based upon the changing nature of a call.

12.10 OFFICER RESPONSIBILITY WHILE DRIVING IN RESPONSE TO AN EMERGENCY

- A. Under specified conditions, Wyo. Stat. Ann. § 31-5-106 exempts an drivers of an authorized emergency vehicle from obeying certain motor vehicle laws when responding to an emergency call, when in pursuit of an actual or suspected violator of the law, or when responding to but not returning from a fire alarm. Members must still drive with due regard for the safety of all persons under these circumstances. Neither state statute nor this policy relieves members from this duty, nor shall it protect the member from the consequences of their reckless disregard for the safety of others.

12.11 PERSONALLY ASSIGNED VEHICLE (PAV) GUIDELINES

- A. Personally assigned vehicles are designated to members of this Department in order to enhance public safety through increased visibility of police vehicles in the community, permit rapid response of off-duty members to designated emergencies, and enhance the ability of officer subject to frequent callback to do so more effectively.
- B. In the event the Department has the resources to provide members with a Personally Assigned Vehicle (PAV) the following guidelines shall be followed for their use.
 1. *Personally Assigned police Vehicle (PAV)*: A marked or unmarked police vehicle for use by one member that, when not in use, is parked at the assigned member's primary place of residence.
 2. When the Department does not have sufficient PAVs to issue to individual members, it may be necessary to issue a PAV to more than one (1) member and require members to share that vehicle until additional vehicle(s) can be acquired.
 3. Effective April 15, 2017, all sworn members are eligible to take their PAV to and from their residence within a restricted zone- as defined by the Chief of Police.
 - a. Members having a residence outside of Teton County, Wyoming shall park their vehicles at their primary place of residence only, or at a fellow member's residence in the area (if approved by the Operations Lieutenant). No other locations are authorized for storage.
 - b. Members living south of the Town of Thayne, Wyoming shall not be permitted to drive their vehicle home unless approved by the Chief of Police.

- c. Members living north of the Town of Teton, Idaho shall not be permitted to drive their vehicle home unless approved by the Chief of Police.
 - d. Members living south of the Town of Daniel, Wyoming shall not be permitted to drive their vehicle home unless approved by the Chief of Police.
 - e. Members, sworn or non-sworn, living in Teton County, Wyoming are not restricted geographically where they can take their car home.
4. All safety and use provisions applicable to the use of marked fleet vehicles are applicable to the operation of PAVs unless otherwise stated in this policy.
5. Only the assigned member, or under reasonable circumstances, another Department member, or Town Employee, may operate a PAV.
6. Whenever operating a PAV, members shall carry their badge and identification card, an authorized sidearm, and handcuffs, and either wear or have ready access to soft body armor and marked attire that will allow them to be identified and function as a police officer.
7. Off-duty members operating PAVs shall routinely monitor assigned police radio channels. Members must notify communications whenever responding to a call for service while off-duty.
8. Vehicles may be used for off-duty travel (non-commuter travel) in the Teton County jurisdiction only. However, members are encouraged to use common sense and only use the vehicle for reasonable activities when doing so, such as traveling to the gym to work out. Operation of a Department vehicle outside the Teton County jurisdiction shall be for commuting to and from work related activities only. No personal or off-duty use of the vehicle is authorized outside of the Teton County jurisdiction for any purpose unrelated to their commuter route to Teton County, Wyoming.
9. Except for commuting to and from work from out of Teton County, long-distance travel using PAVs is prohibited unless connected with official Departmental business, such as training or prisoner transportation, and authorized in advance by a supervisor.
10. Officers using a PAV to commute from outside the Teton County, Wyoming jurisdiction are permitted to allow other Town of Jackson and Teton County, Wyoming employees to ride with them when pre-approved by the Operations Lieutenant.
11. Though discouraged from doing so on a regular basis, members from time to time may use PAVs for off-duty transportation of civilians, to include but not necessarily limited to, family members or motorists in need of assistance out of Teton County that members may happen upon while on their commuter route, and members shall ensure that civilians abide by the following rules:
 - a. Passengers shall be appropriately attired when being transported in a PAV.
 - b. Passengers shall use seat belts or other legal restraints.
 - c. Passengers shall comply with appropriate Departmental regulations while in the vehicle, including appropriate behavior and conduct for children and the nonintervention of adults in instances involving official police business.
 - d. Passengers shall abide by instructions on actions that must be taken in the case of emergency response. If an off-duty member must respond to a call for service, for instance, then civilians being transported in the vehicle shall first be dropped off at a safe location.

12. While off-duty, in civilian attire, members operating PAVs should not take traffic enforcement action unless the violation is hazardous.
 - a. Pending arrival of other jurisdictionally appropriate marked units, members should stop and lend assistance at accident scenes where personal injury is apparent or reasonably likely. In other motor vehicle collisions, members may engage in traffic control management at an accident scene. Members commuting from out of Teton County in a PAV should offer assistance to disabled motorists as practicable upon their commuter route.
 - b. Members should request an on-duty officer in the appropriate jurisdiction to handle vehicular violations by providing information on the nature and location of the offense, direction of travel, the vehicle description, and the offender description if the offense is egregious enough to justify notification of the proper agency, but common sense should rule.
13. While off-duty in civilian attire, members operating PAVs shall render assistance when observing or summoned to a violent or other incident that reasonable represents a threat of serious bodily harm or death.
14. Unless authorized, members shall not leave unsecured firearms or ammunition in PAVs when they are off-duty and the vehicle is not in use.
15. No alterations, unauthorized equipment, or accessories shall be installed on PAVs without prior approval, to include but not limited to decals, stickers, or political advertising and like items.
16. Members assigned a PAV retain no expectation of privacy in those vehicles. The Department retains the right to enter and inspect PAVs at any time without prior notice, with or without cause.
17. PAVs shall be kept clean at all times and shall be made available for scheduled maintenance and inspections.
18. All members using a PAV to commute to and from work shall have their in-dash video camera power turned on for the duration of the trip (when so equipped).
19. All off-duty PAV use shall comply with applicable traffic laws. Members are expected to act as a role model for other motorists to follow.
20. In accordance with Departmental procedures, disciplinary action may be taken for violations of these guidelines for use of PAVs. The Chief of Police at their discretion, may revoke the privilege and use of an assigned PAV of any member who violates any of these policies.
21. Members using a PAV to commute outside of Teton County shall be required to reimburse the TOJ for all fuel utilized from the Teton County line to their driveway, and back. Members will complete a “*vehicle utilization form*” monthly to report their number of round trips to the finance department. Members will then have the determined reimbursement deducted from their second paycheck each month.

12.12 UNMARKED POLICE VEHICLES TRAFFIC STOPS

- A. Non-uniformed members operating unmarked police vehicles with concealed emergency lights and siren should not normally make vehicle stops for traffic violations (See Wyo. Stat. Ann. § 31-5-928 (e)). In situations where failure to act would create unreasonable risks of injury, death, or significant property damage, such members may use emergency lights and siren to make a traffic stop.
- B. Non-uniformed members assigned to the Investigations Division may utilize lights and sirens to make traffic stops where subjects who have outstanding warrants may be apprehended,

or for which the detectives have probable cause to believe subject has committed a crime other than a traffic offense.

12.13 IN-CAR VIDEO CAMERAS

- A. All marked patrol vehicles shall have an installed and operable in-car video system with no less than one camera facing the front of the vehicle.
- B. Video cameras shall be equipped with wireless microphones capable of recording conversation outside of the police vehicle for the purposes of evidence collection and liability mitigation.
- C. Members shall use due diligence to utilize the camera system and wear the wireless microphone at all times when conducting routine patrols and vehicle stop operations.
- D. In the event any part of the in-car camera system fails to function properly, the member responsible for that unit must immediately notify his supervisor as well as the supervisor responsible for the police fleet.
- E. Members using a PAV to commute to and from work shall have their in-dash video camera power turned on, but not in record mode, for the duration of the trip (when so equipped).

12.14 PURSUITS

- A. Vehicular pursuits of suspected or known violators expose innocent citizens, law enforcement officers, and fleeing violators to the potential danger of serious injury or death. Consequently, members must exercise a high degree of professionalism, common sense, and sound judgment before deciding to pursue suspected or know violators. A member's conduct during the course of a pursuit must be objectively reasonable.
- B. In recognizing the potential danger to public safety created by vehicular pursuits, no member or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where Department policy would permit the initiation or continuation of the pursuit.
- C. Definitions:
 - 1. **Boxing in:** A technique designed to stop a moving vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.
 - 2. **Caravanning:** The presence of law enforcement vehicles other than the primary and secondary units, actively involved in the pursuit on the same roadway.
 - 3. **Due Regard:** Taking into consideration existing circumstances to determine the reasonableness of one's actions as they relate to the totality of the circumstances.
 - 4. **Paralleling:** Participating in a pursuit by proceeding in the same general direction as the fleeing vehicle and maintaining approximately the same speed while traveling on an alternate roadway that is adjacent to the pursuit route.
 - 5. **Pursuit:** The actions of a law enforcement officer to apprehend an offender operating a motor vehicle who is attempting to avoid arrest as demonstrated by speeding and/or evasive driving.
 - 6. **Ramming:** The contact between a law enforcement vehicle and the pursued vehicle with the intent to disable the pursued vehicle.
 - 7. **Channeling:** A technique where objects or vehicles are positioned in a manner intended to direct or redirect the path of a fleeing vehicle, but does not include utilization of a roadblock.
 - 8. **Temporary Roadblock:** Establishing an impediment to traffic as a means of stopping a fleeing vehicle by using actual physical obstructions or stationary barricades. (Refer to Wyo. Stat. Ann. §§ 7-17-101 - 103 for statutory requirements.)

- D. A member may initiate a pursuit when the member has reason to believe a crime has been committed and when the suspect of that crime is in a vehicle that is failing to stop for the member's emergency lights and sirens.
- E. When in a pursuit, members shall activate emergency lights and sirens.
- F. The following factors, individually and collectively, shall be considered when deciding whether to initiate pursuit:
 - 1. Seriousness of the offense and its relationship to community safety.
 - 2. Apparent nature of the fleeing suspect and whether they represent a serious threat to public safety.
 - 3. Whether the identity of the suspect is known such that they can be apprehended at a later time under safer conditions.
 - 4. Safety of the public in the area of the pursuit, including the terrain, the amount of vehicular and pedestrian traffic in the area, and the speed of the pursuit relative to public safety.
 - 5. Weather, traffic, and road conditions that substantially increase the danger of pursuit beyond the worth of apprehending the suspect.
 - 6. The training, capabilities, and condition of the member.
 - 7. Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
 - 8. The presence of others in the member's vehicle (such as citizen ride-along, prisoners, etc.)
 - 9. The availability of other resources.
 - 10. Other persons in or on the pursued vehicle.
 - 11. The age of suspect and/or occupants (if known).
- G. Nothing in this policy is designed to prevent a member from continuing to follow a vehicle that is merely failing to yield.
- H. Pursuit units shall be limited to two (2) law enforcement vehicles: the primary pursuit unit and the secondary pursuit unit. The only exception will be if a supervisor authorizes the use of additional units.
 - 1. Only fully marked patrol vehicles will participate in a pursuit, except in extraordinary circumstances.
 - 2. The primary pursuit unit will be responsible for conducting the pursuit. The primary unit will:
 - a. Advise dispatch that a pursuit is in progress and its location, direction of travel, speed, the specific reason for the pursuit including known laws violated, vehicle description including license plate number if known, and the number and description of occupants in the fleeing vehicle, and provide updated information as the pursuit progresses.
 - b. Insure where applicable, that a supervisor is notified.
 - c. Terminate or turn over the primary unit responsibility to another unit when the member is not able to remain close enough to the violator's vehicle to prevent losing contact.
 - 3. The secondary pursuit unit will:
 - a. Notify dispatch of their involvement in the pursuit as a secondary unit.
 - b. Remain a safe distance behind the primary unit unless directed to assume the role of primary unit by the primary member or supervisor or if the primary unit is unable to continue the pursuit.

- c. Broadcast the continuing pursuit progress upon joining the pursuit where practical.
- I. A vehicle pursuit will be immediately discontinued:
 - 1. When the level of danger created by the pursuit outweighs the risk to the community or the pursuing officer(s).
 - 2. When instructed to terminate by a supervisor.
 - 3. At the discretion of the pursuing member.
- J. When a pursuit is discontinued, the 135members involved in the pursuit will turn off all emergency equipment, and the dispatch center will be advised that the pursuit has been terminated. If the member chooses to continue following the vehicle, it shall be done without emergency lighting and at a reasonable speed. Dispatch and the supervisor shall be kept informed of the ongoing situation.
- K. Supervisory Responsibilities
 - 1. The supervisor shall monitor the pursuit and continually assess the situation and ensure the pursuit is conducted within established department guidelines.
 - 2. If necessary, the supervisor shall assert control by directing specific units out of the pursuit, reassigning the primary or secondary units, or canceling the pursuit.
 - 3. The supervisor may also authorize forcible stop procedures, if circumstances warrant them.
 - 4. If the pursued vehicle is stopped, a supervisor shall designate the incident commander and respond to the scene.
- L. When it is imminent that a pursuit will be entering another agency's jurisdiction, the dispatcher will notify that agency. The primary member or the supervisor should advise the dispatcher as to what assistance is needed.
- M. Idaho law permits Wyoming peace officers to continue a fresh pursuit into Idaho when the officer is in pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony. In cases of a misdemeanor offense, officers shall discontinue the pursuit and must obey all traffic laws once crossing the state line.
- N. When another agency's pursuit extends into this Department's jurisdiction:
 - 1. The jurisdiction that initiates a pursuit shall be responsible for the progress of the pursuit. Units from this Department should not join a pursuit unless specifically requested to do so by the agency whose officers are in pursuit or a Department supervisor.
 - 2. This Department's assistance to a pursuing agency will terminate at the Town's jurisdiction line, provided that pursuing officers have sufficient assistance from their own agency. If not, assistance from this Department may continue only until sufficient assistance is present.
 - 3. If two (2) or more vehicles are already in pursuit, members will not become involved unless special circumstances dictate otherwise (e.g., forced vehicle stops, spike strips, number of suspects versus officers, etc.) or unless directed to do so by a Department supervisor.
 - 4. When a request is made for this Department to assist or take over a pursuit from another agency that has entered the Town's jurisdiction, the supervisor should consider the following individually and collectively:
 - a. The reason for the pursuit and if it meets the requirements of this policy.
 - b. Whether circumstances are serious enough to warrant continuation of the pursuit.
 - c. Availability of adequate staffing to continue the pursuit.

- d. The needs for the Department to participate in the pursuit.
- O. Procedures for units not involved in the pursuit:
 1. Members should monitor and maintain awareness of the progress and circumstances of the pursuit.
 2. While obeying applicable traffic laws, members may maneuver on routes parallel to and in advance of the pursuit in order to provide advance warning and traffic control to increase the probability of safe passage of the pursuit and safety for the pursuing officers and the public. This does not allow members to parallel the pursuit itself.
 3. Trailing or caravanning a pursuit, even while obeying rules of the road, is in most circumstances not a useful tactic and is, therefore, discouraged unless directed to do so by a supervisor.
 4. Members, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicles.
- P. Pursuit intervention
 1. Use of pursuit intervention tactics should be employed only after approval of a supervisor. In deciding whether to use intervention tactics, members and supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the suspect, public, and the officers.
 2. A police unit may be used to block a suspect's vehicle that has been stopped, as long as the danger of injury or potential damage would be minimal. However, members should consider the potential for exposure to weapons fire in the event firearms are utilized by suspects or officers.
 3. Channeling may be used to redirect or stop a pursued vehicle. The selection of the best method and area in each circumstance should be preceded by an evaluation of all factors surrounding the pursuit. It is allowable to use stationary objects such as traffic cones, barricades, and vehicles to channel the suspect vehicle toward a specific goal, such as across a tire deflation device, and/or away from specific areas, such as those with pedestrians or heavy vehicle traffic, as long as a roadblock is not utilized.
 4. Tire deflation devices such as spike strips and stop sticks are approved for use in pursuits when:
 - a. The vehicle is one for which the device is designed to be used, and
 - b. The member using the device has been trained in its deployment.
 5. Boxing-in is strongly discouraged due to potential exposure to firearms from suspects and other officers and the potential of being pushed into other objects, oncoming vehicles, or pedestrians. It is only to be used at slow speeds or where the obvious risk can be eliminated or appreciably reduced. Boxing-in a suspect vehicle will not be used at high speeds or when the suspect has demonstrated the willingness to assault officers or for motorcycles.
 6. Ramming is prohibited unless:
 - a. The circumstances would warrant the use of deadly force.
 - b. There does not appear to be another reasonable alternative method, and
 - c. The suspect is driving in willful or wanton disregard for the safety of persons.
 7. Temporary Roadblocks with no escape route are prohibited unless the circumstances would warrant the use of deadly force. Temporary Roadblocks should

only be established with a supervisor's approval and must comply with Wyo. Stat. Ann. §§ 7-17-101 - 103. Spike strips are not considered roadblocks.

8. Shooting at, or from a moving vehicle, is generally prohibited and is considered the use of deadly force. Firearms are not to be used in an attempt to disable or stop a vehicle unless deadly force is authorized.

Q. Pursuit Review

1. Members shall report the pursuit to the shift Sergeant immediately after the incident occurs, or as soon as practical (assuming the shift Sergeant is not already aware). Sergeant notification shall be made while still at the scene, assuming it is safe to do so. While waiting for the Sergeant (or his designee) to respond, members shall maintain the scene, protect any evidence, and hold any witnesses.
2. Upon receiving notification that a pursuit has occurred, the supervisor shall immediately respond to the scene and commence a policy review investigation. In the event the supervisor is off-duty and unable to respond, the supervisor shall cause an available supervisor to respond to the scene. An immediate supervisor response is imperative as a pursuit review is a priority situation that cannot be left for a later time.
3. A pursuit review can be done by either a Sergeant or a Corporal with preference being on the Sergeant. In the event both shift supervisors are involved in the pursuit, an off-duty supervisor will be called out to complete the review.
4. In ALL cases of the pursuit where officer(s) or suspect(s) are injured, regardless of the severity of injuries, the supervisor investigating the incident shall notify the Operations Lieutenant and/or the Chief of Police as soon as practical after receiving notification of the incident.
5. The Pursuit Review investigation report shall be documented on a JPD Memorandum, addressed to the Chief of Police through the Operations Lieutenant. The subject of the report shall be titled "Pursuit Review" with the event number following. Do not add names of the involved officers or suspects, or any other information in this section.
6. Supervisors investigating a Pursuit Review are responsible for conducting a thorough investigation and should NOT delegate any portion of the investigation without first conferring with the Operations Lieutenant.
7. Upon arrival at the scene, the supervisor shall personally contact the involved members, and witnesses, and ascertain what happened. The supervisor shall ensure that any medical assistance for members, other officers, or suspects has been summoned. Any member or supervisor deciding that medical attention is necessary for a suspect shall call for an ambulance to respond to the scene. Members and supervisors should generally avoid transporting the suspect to the hospital, unless extenuating circumstances warrant otherwise.
8. The supervisor shall interview and take a detailed written statement separate from the CR-1 crime report, from each member who was directly involved in the pursuit, and from any members who was present when the pursuit occurred. Members who were not involved or did not witness the pursuit are not required to write a statement, however the supervisor will record their names in the report and indicate what their involvement was. The supervisor shall pay particular attention to the proper documentation regarding which members witnessed and/or participated in the pursuit.

9. The supervisor shall personally contact all witnesses to the pursuit and take, or cause to be taken, a detailed written statement from each witness, if they can be located. Prior to releasing the witness, the supervisor shall review the statement and pose questions to the witness to clarify any portion of the statement.
10. Supervisors conducting a Pursuit Review investigation shall include the following information in their report:
 - a. Date, time, and circumstances surrounding how the supervisor was notified of the incident and the time the supervisor arrived at the scene.
 - b. A detailed summary of all statements taken from members and witnesses, with the original written statements attached to the report.
 - c. Photographs and/or video and audio recording taken at the scene; detailed photographs of the suspects to include photographs of any injuries as well as photographs to show a lack of injuries. If a suspect refuses to cooperate with the taking of photographs, the supervisor shall video record the suspect's refusal and any other pertinent actions by the suspect, i.e., the suspect yelling obscenities, acting irrational, etc. Photographs of injuries sustained by members and any damage to the member's uniform and/or equipment. Detailed photographs and/or video of the scene where the pursuit ended. Supervisors should proceed under the theory that it is better to take too many photographs than not enough. Photographs and video shall be downloaded to a disc with the original attached to the report. Do not make copies of the disc. Additionally, all video from in-dash cameras, contour cameras, etc. shall be included in the report compiled by the supervisor conducting the investigation and submitted as part of the final report.
 - d. Supervisors shall obtain a statement from any responding medical personnel who may have treated members and/or suspects. The supervisor shall record the information in the report.
11. The investigating supervisor will conclude the report with facts obtained in the investigation. Except in cases of deadly force, a summary regarding tactics employed by the involved members and whether or not the members acted reasonably under the circumstances and within policy shall be included.

12.15 CRASHES INVOLVING TOWN VEHICLES

- A. All collisions or damage to Department or Town vehicles are to be reported to the member's supervisor as soon as possible.
- B. The member driving the vehicle shall write a signed memorandum addressed to their supervisor detailing the circumstances resulting in the collision or damage. The supervisor shall view the damage as soon as possible and ascertain what happened. The supervisor shall take photographs of the damage to include identifying characteristics (License plate and unit number if applicable). The supervisor shall prepare a separate memorandum addressed to the Operations Lieutenant detailing the incident. The memorandum shall include the supervisor's observations and a recommendation as to whether the damage was preventable or non-preventable. The member's memorandum will be attached to the supervisor's memorandum along with the photographs, and forwarded to the Operations Lieutenant.
- C. For crashes resulting in total damages less than \$1,000:
 1. A police report (event) shall be made.

2. Unless extenuating circumstances exist, the collision is to be investigated by a Department member.
3. A copy of the event shall be forwarded to the Chief of Police.
- D. For crashes resulting in total damages exceeding \$1,000:
 1. A police traffic investigation shall be conducted and a police traffic collision report shall be completed. A Copy of the report shall be submitted to the Chief of Police.
 2. Unless extenuating circumstances exist, the collision is to be investigated by a Department member.
- E. For crashes resulting in real or potential injuries to or the death of any person:
 1. A police traffic investigation shall be conducted and a police traffic collision report shall be completed. A copy of the report shall be submitted to the Chief of Police.
 2. The collision should be investigated by an outside agency, if possible.

13.0 RADAR AND LIDAR

13.01 GOAL

- A. It shall be the goal of the Department to maintain all **RADAR (RADio Detection And Ranging)** and **LIDAR (LigHt Detection And Ranging)** speed measuring devices in serviceable condition.
- B. This will be accomplished by establishing and maintaining a Department liaison who will oversee the speed measuring device program and equipment.

13.02 LIAISON

- A. The Departmental liaison shall be selected and appointed by the Chief of Police.
- B. The liaison shall acquire training necessary to achieve a teaching certification in RADAR and LIDAR basic operation.

13.03 TRAINING

- A. The Department shall require that all sworn police officers attend a sixteen (16) hour RADAR and LIDAR basic operations course. An additional update and re-familiarization course of four (4) hours shall be required every two (2) years to maintain proficiency in the use of speed measuring devices utilized by the Department.
- B. Members that utilize RADAR and LIDAR speed measuring devices for probable cause to issue criminal citations are required to follow all protocols for operation as presented to them in training.

13.04 MAINTENANCE

- A. All RADAR and LIDAR units at three (3) years of service life shall be inspected by the Department liaison to ensure that the unit is working properly and shall continue to be inspected annually thereafter. The Department liaison shall pull from service any unit that, in the opinion of the liaison, is in need of repair or re-calibration and take steps necessary to accomplish these corrections.
- B. No member shall utilize a speed measuring device to issue a criminal citation if the device does not pass calibration tests or is malfunctioning. Members with a known malfunctioning unit shall immediately stop utilizing the device and report the problem to the Department liaison so that the unit can be inspected.

14.0 TACTICAL TEAM

At the discretion of the Chief of Police and the Town Manager, Department members may participate in a special response team to address high-risk calls for service that require special tactical skills beyond those associated with routine calls for service.

The command structure of the team will be determined by the Chief of Police in conjunction with the Sheriff(s) and Chief(s) of Police of other participating agencies. The Chief(s) and Sheriff(s) on participating agencies will guide the selection of tactics and procedures to be employed by the team.

14.01 AVAILABILITY OF TEAM MEMBERS

- A. Since calls for which the team may be deployed may occur at any time, team members are expected to respond for assistance 24 hours a day and should let the Law Enforcement Communications Center know when they will be out of the area and/or otherwise unavailable to respond.

14.02 WIDE RANGE OF SERVICES

- A. The team provides a wide range of services, including the resolution of barricaded suspect situations, hostage rescue, high-risk warrant service and surveillance, and other high risk calls for service as determined by the command staff of the participating agencies.

14.03 PHYSICAL FITNESS

- A. Due to the demanding nature of assignments, each team member is responsible for maintaining a high level of physical fitness on his/her own time.

14.04 SELECTION PROCESS

- A. Department members will be selected from members who have successfully completed the field-training program and have an additional two (2) years of patrol service.
- B. Selection criteria include consideration of the candidate's judgment, common sense, decision-making and enthusiasm for the mission, team orientation adaptability to difficult and stressful circumstances, physical fitness, and firearms proficiency.
- C. Each candidate will be objectively assessed as to the general level of physical fitness with particular attention to cardiovascular capacity and upper body strength.
- D. Assignments of Department members to the team will be made by the Chief of Police.

14.05 EVALUATIONS

- A. All Department members assigned to this team are subject to periodic fitness for duty evaluations by a psychologist or physician hired by the Department to ensure their continued ability to withstand the rigorous nature of this assignment.
- B. Such periodic evaluations may occur at the discretion of the Chief of Police.

14.06 PARTICIPATION

- A. When participating on this team, all members of this Department shall be bound by the policies and procedures of this agency regardless of the jurisdiction in which they are operating.

15.0 POLICE MARKSMAN/OBSERVER TEAM

15.01 PURPOSE

- A. The purpose of this policy is to establish rules and regulations for the Department's Police Marksman/Observer Team for deployment, training, qualifications, and use of members.
- B. The Department policy is to ensure that the Department's Police Marksman Team adheres to the proper procedures in accordance with the use of force policy.

15.02 POLICY

- A. The Department has at its disposal members specially trained to be Police Marksman/Observers. The Department utilizes these members to preserve life during a response to high-risk situations that exceed those immediately available to the agencies first responders through special weapons and tactics, containment, de-escalation, and control. The utilization of the Police Marksman/Observer Team requires strict adherence to procedures that guide the Marksman in the use of force during response to a critical incident where force may be necessary. The use of force by the Marksman is only authorized when it is objectively reasonable and for a lawful purpose. The use of force by Department members is governed by Federal Law, Wyoming State Statute, the U.S. Constitution, Wyoming Constitution, and applicable case law.

15.03 DEFINITIONS

- A. Police Marksman/Observer (Marksman) - a sworn law enforcement officer who is trained and certified in the use of special weapons and tactics who is utilized in various capacities.
- B. Team Leader - The first line Supervisor who plans missions, training and standard achievements, team control, logistics, equipment recommendations, and liaison between the team members and command staff.
- C. After-Action Report - A written report detailing the results of the operation where Department Marksman are deployed.

15.04 PROCEDURES

- A. General
 - 1. The purpose of this policy is to establish for the role, responsibilities of and selection process for members of the Department Police Marksman/Observer Team.
 - a. The Department Marksman will use specialized training and sight enhanced equipment to observe and report real-time intelligence to the appropriate level of command when deployed on an incident.
 - b. The Department Marksman will provide protective over-watch to emergency personnel, civilians, and/or hostages during critical incidents by bringing precision rifle fire against designated human targets, with the intent to immediately neutralize or suppress the dangers and life-threatening actions of those designated targets.
- B. Rules of Engagement
 - 1. The Police Marksman will be authorized to use deadly force in the following circumstances:
 - a. To defend themselves or others from what they reasonably believe is the imminent threat of deadly force by a suspect.

- b. To prevent the escape of a suspect from a critical incident's containment perimeter, if the Marksman reasonably believes such suspect's escape would seriously endanger human life or subject the public to the risk of great bodily harm.
- C. Command Authority
 1. It is a fact that tactical situations are fluid and ever evolving and subject to rapid change. A command officer may be forced to order a Marksman to use deadly force when the Marksman does not have personal knowledge of the imminent use of deadly force by a suspect and that all other options to immediately neutralize or suppress the dangerous and life-threatening actions of a suspect have been precluded.
 2. The collective knowledge doctrine allows an officer to rely on information gathered by other officers. The command officer has the collective intelligence and makes the decision to employ deadly force against a suspect. The command officer issuing such an order will:
 - a. Issue the command in clear, plain language.
 - b. Will confirm with the Marksman that the target has been positively identified and the Marksman is in a position to engage the intended target.
 - c. Will include in his order a provision to abort the command to employ deadly force should the tactical situation warrant such a change.
- D. Tactical Disarmament
 1. Members of the Department Marksman Team will not engage in tactical disarmament or the intentional attempt to disarm suspects by shooting weapons from the hands of suspects.
- E. Target Identification
 1. When identifying pre-designated targets, Marksman will rely upon permanent facial features of a suspect when making any such identification.
- F. Call out and Deployment of Department Police Marksman
 1. Police Marksman should be called out by a Supervisor when there is any critical incident where there is protracted threat to human life where Marksman capabilities may have a positive outcome on the results.
 2. Whenever staffing and the critical incident allows, Operational Marksman will be deployed in two-man Marksman/Observer teams.
 3. In such situations, the role of Marksman and Observer will be interchangeable. When fatigue becomes a factor, the Marksman and Observer will alternate their respective roles.
- G. Selection of Personnel
 1. The selection and training of members is the single most important aspect in forming the Marksman team. The following are criteria that will be used as a basis in the selection process. The Chief of Police, Operations Lieutenant, or Police Marksman Team Leader may expand these standards.
 2. Police Marksman members must:
 - a. Be a Department member in good standing.
 - b. Volunteer for the team.
 - c. Be in good medical condition.
 - d. Be emotionally mature and stable.
 - e. Have demonstrated an above average proficiency with firearms and marksmanship.

- f. Have at least two (2) years minimum experience in a solo assignment post field training.
 - g. Do not have a record of excessive illness or tardiness.
 - h. Must agree to serve a minimum of three (3) years after selection unless removed from the team for cause.
 - 3. Selection Criteria
 - a. For those applicants who meet the above criteria, the Team Leader or his designee will:
 - (1) Review the applicant's personnel folder
 - (2) Interview the applicant
 - (3) Seek input from active Marksman Team members
 - b. Selected candidates will join the team in a probationary status.
 - c. Regular status will be achieved after the candidate has graduated from a formal police sniper school, has passed qualification, and has a minimum of six (6) documented cold bore shots.
- H. Equipment
 - 1. Weapons
 - a. Only weapons and rifle scopes issued by the Department will be used by Marksman members in the performance of their duties.
 - b. Marksman will be responsible for cleaning their rifles after use and maintaining their rifles and scopes in serviceable condition.
 - c. Only the authorized Marksman Team armorer will perform any service, repair, or make any modification to the weapons system that goes beyond basic field cleaning.
 - d. Any request for service, repair, or modification to any weapons system will be made in writing to the Team Leader. No service, repair, or modification will be allowed to a weapon system without the approval of the Department Marksman Team Leader. All service or repair records will be provided to the Team Leader and retained on file.
 - 2. Data Book
 - a. All Marksmen will maintain a data book in which is recorded data on previous engagements, commonly referred to as "dope" that is pertinent to the performance of the individual's weapon system at varying distances, under different climatic conditions, with different ammunition lots.
 - 3. Ammunition
 - a. Only .308 Winchester factory Federal Gold Medal match loaded with a Sierra 168 gr. Boat Tail Hollow Point is authorized to engage targets.
- I. Qualification
 - 1. All Marksmen shall meet qualification standards as set forth by the Team Leader.

16.0 BOMB TEAM

16.01 DUTIES AND RESPONSIBILITIES

- A. Render safe and/or remove improvised explosive devices, incendiary devices, explosives, explosive chemicals (as currently defined by the Bureau of Alcohol, Tobacco, Firearms and Explosives) pyrotechnics and ammunition.
- B. Provide safe transportation, disposal and/or storage of explosives and other items as referred to above.
- C. Conduct post bomb/blast crime scene investigations.
- D. Collect and preserve evidence.
- E. Prepare and provide courtroom testimony.
- F. Store, maintain, and inventory bomb squad equipment.
- G. Provide technical support to other agencies.
- H. Provide dignitary protection.
- I. Prepare and participate in explosive related training programs.
- J. Maintain and be familiar with a technical library of Bomb Data Center publications and other explosive related reference materials.
- K. Maintain professional liaison with other state and local Bomb Squads, Military Explosive Ordinance (EOD) units, Federal Agencies and Professional Associations, i.e., International Association of Bomb Technicians and Investigators (IABTI).
- L. Compile and report technical data on explosive devices and incidents.
- M. Develop Department response plans for a bomb threat, actual improvised explosive device and bomb crime scene incidents.
- N. Report found or recovered military ordinance to Military EOD units.
- O. Fireworks disposal.
- P. Respond to marijuana grows.
- Q. Respond to drug labs.
- R. Swat support.
- S. Respond to special searches/canines.
- T. Public Relations demonstrations.

16.02 ASSIGNMENTS

- A. The Jackson/Teton County bomb squad works directly for the local, applicable authorities and for the State of Wyoming under Region 8.
- B. Members of the Jackson/Teton County bomb squad must be in good standing with their departments and maintain this standard.
- C. Members are selected through a process that includes:
 - 1. A letter of interest when an opening is announced,
 - 2. An oral board with members from the team and department staff from both agencies,
 - 3. Fitness testing (to determine ability to wear and function in a bomb suit), and
 - 4. An explosives handling test.
- D. Upon admittance to the team, the member shall begin training for the position and then begin making preparations to attend a Hazardous Material Technician Course followed by the Hazardous Devices School (HDS) in Huntsville, Alabama. See:
<http://www.fbi.gov/about-us/cirg/hazardous-devices>

- E. Any member can and will be released from the team at the discretion of their department if they fail to maintain good standing or otherwise show poor decision making issues as identified through their departments.
- F. No member shall be allowed to make a down range approach on a suspected IED or other dangerous device or object until they have attended and completed the course at HDS. These uncertified members may assist with calls for service in a support capacity only.

16.03 TRAINING

- A. Hazardous Materials Tech Level.
- B. HDS Basic and any necessary Re-Certification.
- C. In-service Training.
- D. Squad Level Training.

17.0 TERRORISTIC THREATS

17.01 PURPOSE

- A. The purpose of this policy is to provide guidelines in the event of a bomb or terroristic threat within the Town of Jackson. It should be noted each situation is different and it is impossible to make a plan that fits every scenario.
- B. The following is a guideline for how a terroristic threat is handled in Teton County Schools. This guideline can be interchangeable with other similar incidents.

17.02 BOMB OR TERRORISTIC THREAT RECEIVED

- A. In the event a bomb or terroristic threat is received by a member of the school staff:
 - 1. School Staff should *immediately* contact the Law Enforcement Communications Center at 911 or 733-2331.
 - 2. School staff should contact the principal, superintendent, or highest-ranking school official available, as soon as possible.
 - 3. School staff shall implement the school's response plan without delay.
 - 4. The Law Enforcement Communications Center should contact the Chief of Police and the Teton County Sheriff as soon as practical.
 - 5. All cellular phones and electronic devices should be turned off *immediately*.

17.03 INCIDENT COMMAND

- A. The Incident Command Team should consist of the highest ranking law enforcement officers or designee(s) in whose jurisdiction the school is located, the superintendent of schools, and the school principal and the Fire Chief, where appropriate.
- B. In the absence of the superintendent and/or principal, the two (2) highest-ranking school officials or designees shall serve on the team.
- C. The incident command team will consider the totality of the circumstances available and make decisions as to what action(s), if any, should be taken.
- D. In the event evidence of a crime or potential crime is located, law enforcement will take charge of that area.

17.04 NON-SPECIFIC THREAT

- A. A non-specific threat is a threat that lacks detail, such as a note in a bathroom stall, a note on a desk that suggests a bomb is in the school, or an anonymous phone call. A non-specific threat does not give specific information about times, locations, explosive material, motive, targets, etc. It is in essence a "generic" threat.
- B. If a non-specific threat is received, the school staff members on the incident command team will determine if the school should go into a state of lock-down or if evacuation is necessary.
- C. If it is a hard-wired system, the school intercom system may be used to notify teachers and school staff if the school is to be locked down or evacuated.
- D. During a lock-down, students should not be permitted to leave the classroom.
- E. Each teacher, counselor, administrator, and school employee should inspect their own rooms and areas of familiarity and responsibility for any items that seem suspicious or out of place. If something suspicious is located, see section below labeled "Suspicious Package."

- F. Common areas in the school should be inspected by a law enforcement officer teamed with a member of the school staff.
- G. If nothing is found, the incident command team members will determine if further searching of lockers or other areas is necessary. They will also consider if additional resources, such as a K-9 or bomb technician, are needed. If a bomb technician is needed, law enforcement will arrange for one to be called to the scene.
- H. It should be noted that since the school district is ultimately responsible for the safety of students and school district property, they can decide to evacuate the school at any time.

17.05 SPECIFIC THREAT

- A. A specific threat is a threat that gives specific information about an explosive device or felony to be committed, such as type of explosive, location, motive, time frame, targets, or any other information that gives credibility to the threat.
- B. In the event a specific threat bomb or terroristic threat is received, the school should be evacuated as soon as practical by both students and faculty.
- C. The decision to evacuate may not be immediate. If an immediate evacuation is necessary, the school may use its intercom system (if it is a hard-wired system) to make the announcement or to give other pertinent information.
- D. Each counselor, administrator, school employee, and teacher not assigned to be with students shall gather in a common area as established by the school's response plan.
- E. At the direction of the Incident Command Staff, the faculty will be escorted back into the building to inspect their own rooms and areas of familiarity and responsibility for any items that seem suspicious or out of place. If something suspicious is located, see section below labeled "Suspicious Package."
- F. Common areas in the school should be inspected by a law enforcement officer teamed with a member of the school staff.
- G. If nothing is found, the incident command team members will determine if further searching of lockers or other areas is necessary. They will also consider if additional resources, such as a K-9 or bomb technician, are needed.
- H. If a bomb technician is needed, law enforcement will arrange for one to be called to the scene.
- I. If a specific threat gives a time the bomb will go off the school should not be occupied until at least one hour after the time stated in the threat has passed.

17.06 SUSPICIOUS PACKAGE

- A. If a suspicious package or item is located, it should not be touched, examined, or evaluated. The immediate area around the item should be evacuated and no one should be permitted to enter the area.
- B. Complete evacuation should be an immediate consideration.
- C. A bomb technician should be contacted immediately by a member of the Department and nothing will be done with the suspicious item until the technician arrives.
- D. Upon arrival, the bomb technician will be included in the incident command team. After the bomb technician handles the situation and renders the suspicious package or item safe, the incident command team will determine if further action is necessary.

17.07 POINTS TO REMEMBER

- A. Remain calm. Do not panic.
- B. Do not use cell phones, radios, or other wireless communication devices.

- C. Watch for suspicious items in your work area.
- D. If suspicious packages or items are found, **evacuate the area immediately**. Do not pick up or move suspicious packages or items.
- E. Know the school's response protocol.
- F. Knew the evacuation plan and routes.

17.08 IDENTIFYING AND ASSESSING BIOLOGICAL THREATS

Personnel safety is the number one priority in handling any suspected bioterrorism event.

- A. First Responders must:
 - 1. Perform a scene survey (size-up) that includes a risk assessment of the threat for an improvised explosive device (IED) prior to approaching any suspicious package.
 - 2. If an explosive threat exists, or an explosion has occurred, evaluate the scene for a secondary IED.
 - 3. If an explosive threat exists, it will take precedence over any biological threat until rendered safe.
- B. Do Not Touch
 - 1. Do not touch, move, or open any suspicious package until a risk assessment on the package can be performed in coordination with hazardous materials (HAZMAT) personnel!
- C. Notify Appropriate Personnel
 - 1. Notify appropriate personnel when a potential threat is identified. Other agencies have many resources to aid in the event. Dispatch has the contact information for all agencies. This should include:
 - a. Chief of Police
 - b. FBI
 - c. Teton County Emergency Management
 - d. Teton County Public Health
 - e. Jackson Hole Fire/EMS
- D. Assess the hazard by:
 - 1. Gathering information from the reporting party, bystanders, witnesses, and any other first responders.
 - 2. Determine who has physically had contact with the package and detain them as appropriate.
 - 3. Conducting an initial evaluation of the package. Consider using binoculars while standing a safe distance away from the suspicious package.
- E. Determine the answers to the following questions:
 - 1. Was the package accompanied by a verbal or written threat?
 - 2. Is the package opened, leaking, giving off an odor, or have any suspicious marking?
 - 3. If the package is open, was any substance released from the package?
 - 4. Is anyone who touched the package feeling ill?
 - 5. Is the package making noise?
 - 6. Are there any wires protruding?
- F. **If the answers to all assessment questions are "NO".**
 - 1. Law enforcement should appraise the incident and determine the removal or disposal of the package.
 - 2. The package should be placed in a sealable plastic bag and double-bagged.
 - 3. Anyone who touched the package should thoroughly wash hands or affected area with soap and water.

G. If the answers to all assessment questions are “YES”.

1. Establish incident command and ensure notifications to FBI, Hazmat, Public Health, and EMS are initiated.
2. Request special assistance (i.e., Bomb Squad, Regional Response Team or Civil Support Team)
3. Control the scene and preserve evidence.
4. Shut down the building ventilation system if there could have been a substance release.
5. Use barrier tape to cordon off open areas.
6. Isolate those who have been exposed or potentially exposed and consider shelter-in-place as an initial tactical consideration. Do not evacuate the building unless an immediate threat is evident.
7. Identify and list the names of anyone who may have been exposed to the suspicious substance so they may be contacted when the laboratory test results are available or if there is other additional information.
8. Consider location and well-being of those unexposed or unlikely exposed. Non-victims may need to be gathered for interviews, or to receive information from public health or other officials to inform and allay fears.
9. Consider assigning a Public Information Officer (PIO).

17.09 POTENTIAL THREAT SCENARIOS

- A. Letter/container with unknown powder-like substance and threatening communication.
 1. Since there is an articulated threat, it is likely that the substance was intentionally introduced into the package in an effort to validate that threat.
 2. An articulated threat itself (with or without the presence of a suspicious substance) may be a Federal crime and may also constitute a violation under State and Local statutes.
- B. Under NO CIRCUMSTANCES should an unprotected responder, such as a law enforcement officer, attempt to open a package of an unknown substance.
 1. If this incident involves an unopened container such as a box, it must be evaluated by certified bomb technician/explosives ordinance disposal personnel prior to being handled by HAZMAT.
- C. Letter/container with a threat but no visible powder or substance present.
 1. Merely threatening the use of a chemical or biological agent may be a violation of Federal law and merits investigation.
 2. Although no powder may be visible to the eye, there could be trace amounts of material present that could represent a health risk and also provide critical forensic evidence required to further the investigation and prosecution.
- D. Letter/container with unknown powder but no articulated threat.
 1. If a reasonable and defensible explanation can be given as to the source of the substance, that there is no articulated threat, and that no one is ill, then no further actions are necessary.
- E. Letter/container arrives with no powder, no threat but the recipient is concerned about the package.
 1. No investigative actions are necessary in this matter.
 2. However, if other threat indicators are present such as excess postage, misspelled names, unusual odors/colors, etc., the United States Postal Inspection Service should be notified to evaluate it for potential hazards.

17.10 DECONTAMINATION***Decontamination Guidelines for Personnel Exposed to a Suspicious Package Containing Substance or Accompanied by a Threat***

- A. Package unopened:
 - 1. Thoroughly wash hands or affected area with soap and water
 - 2. Public Health Department may be notified for further assistance
- B. Package unopened, but leaking:
 - 1. Thoroughly wash hands or affected area with soap and water
 - 2. Shower with soap and water
 - 3. Launder clothes separately in hot water with soap
 - 4. Public Health Department may be contacted for further assistance
- C. Package opened, no obvious exposure:
 - 1. Thoroughly wash hands or affected area with soap and water
 - 2. Public Health Department must be notified
- D. Package opened, obvious exposure:
 - 1. Hands only
 - a. Thoroughly wash hands or affected area with soap and water
 - b. Change and place clothes in a sealed plastic bag
 - c. Shower with soap and water, and shampoo hair
 - d. Launder clothes separately in hot water with soap
 - e. Public Health Department must be notified
 - 2. Hands and clothes
 - a. Remove clothes and seal in plastic bag onsite
 - b. Gross decontamination by emergency service that is based on and justified by the hazard assessment
 - c. Transport to medical facility for evaluation after decontamination
 - d. Leave contaminated clothes onsite for later pick-up by Public Health or another appropriate agency.

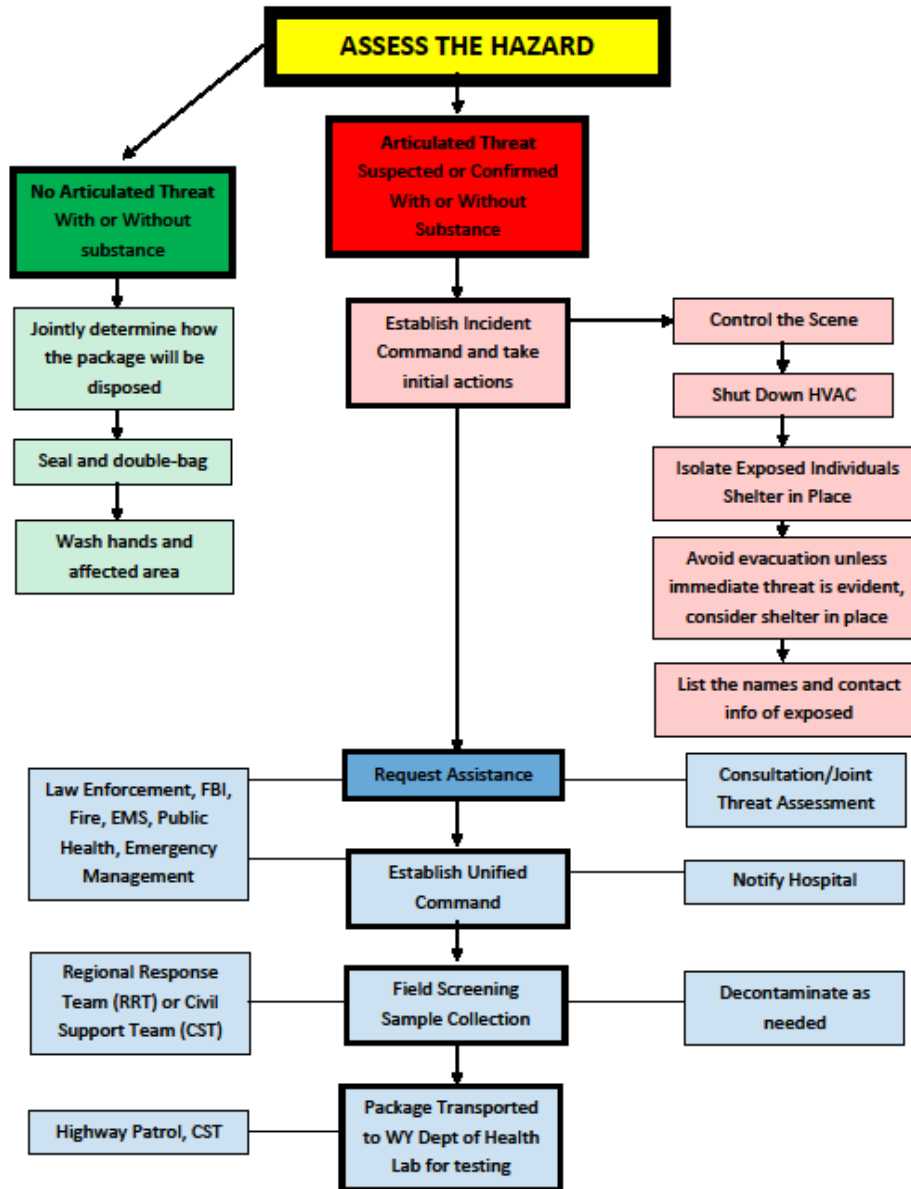
TERRORISTIC THREAT QUICK REFERENCE GUIDE

- 1. School staff should *immediately* contact the Law Enforcement Communications Center at 911 or 733-2331.
- 2. School staff should contact the principal, superintendent, or highest-ranking school official as soon as possible.
- 3. School staff shall implement the school's response plan.
- 4. Law Enforcement Communications Center should contact the Chief of Police and/or the Teton County Sheriff, as soon as possible.
- 5. All cellular phone and electronic devices should be turned off immediately.
- 6. The incident command team shall meet, as soon as possible, and determine if the threat is specific or non-specific.
- 7. If the threat is non-specific, the designated school representative will determine if the school should be evacuated or if locking the school down is sufficient.
- 8. If the threat is specific, the school should be evacuated as soon as practical.
- 9. If the threat gives a time a bomb will go off, the school should not be occupied until at least one hour (1 hr.) after the time stated in the threat.

10. If directed to do so by the Incident Command Team, school faculty will look at areas of familiarity and responsibility for anything suspicious or out of place, law enforcement and school staff will look together in common areas for suspicious items.
11. If a suspicious package is located, it should not be touched, examined or evaluated. Law enforcement should be notified immediately and the designated school and law enforcement representatives should reconsider the evacuation/lock down status.
12. A bomb technician will be contacted by a member of the Department and nothing should be done with the suspicious item prior to his/her arrival.
13. If nothing is found the Incident Command Team will determine if further action is necessary.
14. The Incident Command Team will determine when the school may be used again.

The following flow chart is to be used for chemical or infectious items only, not explosive items.

Guidance - Response to Suspicious Letter/Container with Potential Biological Threat - 6/2010



18.0 CRISIS NEGOTIATION TEAM

18.01 POLICY

- A. The Crisis Negotiation Team (CNT) policy specifies procedures for handling hostage and/or barricaded suspect incidents, establishes negotiation policies, and outlines the duties of responding members.

18.02 DEFINITIONS

- A. Hostage Incident: a situation where a person holds another person against his or her will.
- B. Barricaded Suspect Incident: a situation where a person, intending to evade arrest, takes up a defensive position armed with a gun, explosive, or a weapon capable of harming others and presents a deadly hazard to arresting officers.

18.03 MISSION STATEMENT

- A. The primary objective of the Department's Crisis Negotiations Team is to respond to critical incidents such as attempted suicides, barricaded subjects, hostage situations, and any other situation where a crisis negotiator would be beneficial; and existing Department policy and procedures failed to successfully resolve the situation at hand.

18.04 GOAL

- A. The goal of the Crisis Negotiation Team is to protect lives, apprehend suspect(s), and assist individuals in crisis through the use of negotiation techniques. The CNT operates under the supervision of the Chief of Police and/or Operations Lieutenant.
- B. The Team Leader is currently assigned to the Department. The team consists of an additional member from the JPD and one (1) member from the Teton County Sheriff's Office. The Chief of Police and/or Operations Lieutenant will deploy the Crisis Negotiation Team, as needed.

18.05 TEAM MEMBER QUALIFICATIONS

- A. Team members with the following skills/characteristics may be considered for the Crisis Negotiations Team:
 - 1. A Volunteer
 - 2. High level of self-control
 - 3. Ability to remain calm under stress
 - 4. Excellent interpersonal communication skills
 - 5. Calm and confident demeanor
 - 6. Good listener and interviewer
 - 7. Works well in a team concept
- B. Once selected for the team, the member must complete a minimum of forty (40) hours in a qualified Crisis Negotiations course before serving in the role as a "negotiator" during an incident.
- C. It is recommended that negotiators annually attend a minimum of eight (8) hours of refresher training in order to stay proficient.

18.06 HOSTAGE SITUATION: INITIAL RESPONSE

- A. The first members arriving at the scene of a hostage situation should avoid the impulse to take immediate action and confront the hostage-taker(s).

B. Members should:

1. Assess the situation.
2. Advise the on-duty Supervisor of the circumstances and the need for assistance from tactical and negotiations personnel.
3. As additional members arrive, they shall contain the incident by isolating the crime scene and evacuating the immediate area using the following guidelines:
 - a. Evacuate all injured persons.
 - b. Remove all uninvolved persons from the area.
 - c. If the hostage is inside a building, evacuate the building and adjacent buildings of all uninvolved persons.
 - d. Prevent pedestrian and vehicular traffic from entering the area.
 - e. Seal off all escape routes, as the safety of the hostages can best be assured by preventing their removal by the hostage-taker.

C. Incident Commander:

1. The first supervisor on-scene shall be Incident Commander. The Incident Commander will make all decisions regarding police action to be taken.
2. This Supervisor will remain the Incident Commander until relieved by another supervisor.
3. The Supervisor at the scene shall initiate the Incident Command System, delegating duties as additional resources arrive.

D. Incident Commander shall:

1. Notify the Operations Lieutenant and/or Chief of Police and all members of the Crisis Negotiating Team of the situation.
2. Establish a command post and inner and outer perimeters.
3. Determine the deployment of all law enforcement and vehicles at the scene.
4. Call for assistance from other agencies, as necessary.
5. Obtain as much information as possible about the hostage-taker.
6. Before taking direct police-action, make an effort, if possible, to persuade the hostage-taker to surrender.
7. Ensure that the hostage-taker knows of the presence of the police, but not their specific deployment or strategy.
8. Determine the necessity for any special equipment, including body armor, special weapons or specially-trained police units (i.e., Sniper, Bomb, and CNT).
9. Coordinate the actions of tactical and hostage negotiations personnel.
10. Request the cooperation of the telephone company to obtain and maintain police control of all telephones available to the hostage-taker.
11. Anticipate and prevent attempts by the news media to contact the hostage-taker directly.
12. Deal with the news media in accordance with the Department policy on Police Media Relations.
13. Call for emergency equipment and personnel, as necessary.
14. Take every verbal and tactical means available to secure the apprehension of the hostage-taker without harm to the hostage(s).
15. Take every precaution to avoid injury to the hostage(s), to law enforcement, or to any innocent persons in the vicinity.
16. Consider authorizing the use of force, including chemical agents.

17. Ensure that, when the appropriate time comes, properly instructed and well-equipped law enforcement will make the actual apprehension of the hostage-taker.
18. If the hostage-taker kills one (1) or several hostages during negotiations, take immediate action to save the remaining hostage(s) if it appears the hostage-taker is likely to kill more hostages.

18.07 IF SUSPECT/HOSTAGES BECOME MOBILE

- A. Every effort shall be made to keep the hostage confrontation from becoming mobile because it would become much more difficult to contain and control.
- B. If the situation does become mobile, the Incident Commander at the scene shall assign an unmarked car (preferred) to follow and maintain constant surveillance.
- C. The surveillance car shall follow and maintain contact with the hostage vehicle as long as hostages are being held, and advise the Incident Commander of their location and their progress.
- D. The dispatcher shall monitor the progress of the situation and keep the Incident Commander informed. On the direction of the Incident Commander, other agencies, including the Teton County Sheriff's Officer and Wyoming Highway Patrol shall be asked for assistance.
- E. The dispatcher will also notify the appropriate agencies if the situation moves into another jurisdiction. (See JPD Operation of Vehicles: Pursuit Policy 12.14)

18.08 SUSPECT DEMANDS

- A. The Incident Commander shall make all decisions regarding the demands of a hostage-taker.
- B. The following demands shall not be complied with under any circumstances:
 1. No weapons will be supplied to the hostage-taker, as it is always possible that the hostage-taker may be bluffing with an unloaded or imitation firearm.
 2. No additional hostages will be given, and exchanges of hostages must be made cautiously, if at all.
 3. A hostage-taker shall not be allowed to remove a hostage to a location where law enforcement may not be able to act immediately.

18.09 NEGOTIATIONS

- A. Generally
 1. The Incident Commander shall utilize the services of a trained hostage negotiator when necessary, and if a negotiator is available.
 2. Relatives or close friends of the hostage taker generally should not be allowed to act as negotiators. The hostage-taker may harbor deep hostility toward these people, and their safety may be jeopardized.
- B. Negotiations Team Call Out
 1. The Chief of Police or Operations Lieutenant shall determine if the services of a negotiator are appropriate for the given incident and authorize the use of the Negotiation Team.
 2. Teton County Sheriff's Office Dispatch and/or the Incident Commander will notify the Crisis Negotiation Team Leader and request them to respond. The caller must be prepared to provide the CNT Team Leader with information about the incident, including:

- a. Location of the incident.
 - b. Number and identity of hostages and perpetrators.
 - c. Weapons, types and quantities.
 - d. Reason behind the hostage taking, if known.
 - (1) Fleeing criminal
 - (2) Terroristic or political extremist
 - (3) Religious fanatic
 - (4) Mentally ill person
 - (5) A “wronged” person
3. The caller should provide any other information that would be helpful for the negotiations team in planning their response.
- C. Negotiator Responsibilities
 1. Accumulate as much information about the hostage-taker as possible, and appear compassionate, yet unemotional.
 2. Attempt to reduce the number of people involved, and talk only to the leader of the hostage-takers.
 3. Do not portray themselves as the ultimate decision maker so that they may buy time more easily.
 4. Attempt to ease the personal animosity, which the hostage-taker may have toward law enforcement or other group, agency, organization, or individual.
 5. Avoid any appearance of weakness or lack of confidence, and never give away anything without getting something in return.
 6. Utilize delicate prodding, such as, “What if...” or “How can I sell your request to my bosses?”
 7. Elicit from the hostage-taker how the problem can be resolved.
 8. Check out alternatives to “buy time.”
 9. Never criticize an idea of the hostage-taker, or attempt to impose the negotiator’s judgments or values.
 10. Negotiate everything (i.e., trade food, water, electricity, heat, or air-conditioning for hostages or extensions on the hostage-taker’s deadlines).
 11. Keep the hostage-taker in the decision-making status by requiring them to decide even minor issues (i.e., if they want food, what do they want? What do the hostages want? What about drinks – large or small, diet or regular? etc.).
 12. If necessary, provide the hostage-taker with a means of communication (i.e., telephone, radio) for negotiations, with approval of the Incident Commander. Make certain that the device provided can receive or transmitting only on the channel set aside for negotiation and cannot be made to receive tactical communications. Telephones are preferable to radios because telephones are more private, and radio batteries will go dead during prolonged negotiations.
- D. Conclusion of Negotiations
 1. When a hostage confrontation is terminated, the hostage-takers shall be taken into custody and removed from the scene as quickly as possible.
 2. The hostages shall be provided with medical attention, if required.
 3. Documentation:
 - a. The primary member shall write a police report.
 - b. Additional members at the discretion of the Operations Lieutenant and/or Chief of Police shall submit supplemental reports articulating their role in the call.

4. After-Action:
 - a. The Operations Lieutenant shall arrange for a “debrief” in which all the members involved in the incident discuss “what went right” and “what could have been done better.”
 - b. Lessons learned for the next incident.
5. Counseling:
 - a. The Operations Lieutenant shall arrange for stress-debriefing sessions with qualified counselors for all members directly involved in the hostage situation.

19.0 ANIMAL CONTROL

19.01 TOWN ORDINANCE

- A. Town Ordinance 7.05.030 (Biting, Aggressive, or Vicious animals) is applicable for any dog bite incident except where the dog's owner or an immediate family member is the dog bite victim.

19.02 STATE STATUTE

- A. The relevant State statute for dog bites is Wyo. Stat. Ann. § 11-31-301 (e).

19.03 QUARANTINES

- A. Any dog within the Town that bites someone, other than its owner or immediate family member, and is not current on its rabies vaccination may be impounded and quarantined at the shelter for ten (10) days or as long as necessary as determined by the animal control officer after the bite to determine whether it has any diseases. In accordance with State statute, at the discretion of the animal control officer, the quarantine of the animal may be on the premises of the owner if the animal is current on rabies vaccinations. If the owner does not desire to quarantine the animal, the animal may be humanely euthanized and its remains tested for the presence of diseases, or the animal may be forfeited to the shelter for disposition.
- B. The reason for quarantine is to determine if the dog has rabies. A dog, whether vaccinated or not, may contract and spread the disease. Rabies is transmitted by the saliva of an infected animal, and any bite or scratch is suspect. Anyone who is bitten or scratched by an infected animal needs to be inoculated.
- C. When in doubt, the animal should be quarantined until a professional can be consulted.

19.04 DOG BITE PROCEDURE

- A. A dog bite is a criminal offense. Use standard crime investigation procedures in dealing with the incident. A crime report is required.
 - 1. Interview both the victim and the suspect (dog owner).
 - 2. Interview any witnesses and take statements.
 - 3. Gather evidence and take pictures of the wound.
 - 4. Issue a citation, if appropriate, and check the "must appear" box.
 - 5. Impound and quarantine the dog for ten (10) days at the Shelter, if needed.
 - 6. Fill out impound form at the shelter with as much detail as possible (such as potential aggressiveness of the dog and/or owner and case number).

19.05 CATS

- A. Under Title 7 of the Jackson Municipal Code and the Game and Fish regulations stray cats are considered predatory animals.
- B. Any cat running at large may be impounded and taken to the shelter. This includes pet household cats that are running at large.
- C. In the case of a cat biting someone, the same laws outlined for a dog bite (Town Ordinance 7.05.030 and Wyo. Stat. Ann. § 11-31-301(e)) apply. The same protocol for quarantine for a dog bite should be followed for a cat bite.

19.06 WILD ANIMALS

- A. The Wyoming Game and Fish Department is the agency having jurisdiction over all wild animals in the state. This includes game animals, fur bearing animals, and predatory animals as defined by State statute. In the case of wildlife, a reasonable effort should be made to contact the Department of Game and Fish before removing or capturing the animal.

19.07 DESTRUCTION AND HANDLING OF ANIMALS

- A. Any aggressive animal that poses an immediate threat to the safety and wellbeing of the public may be destroyed on scene. This includes both domestic and wild animals.
- B. Caution is advised both in the method used to destroy the animal and the method used to handle the dead animal. The method of destruction should be as humane as practical.
- C. If circumstances necessitate, the animal may be shot. However, if the animal is suspected to have rabies, do not shoot the animal in the head. The head is needed to determine if the animal has rabies.
- D. If the animal is suspected to have rabies, extreme care must be taken when handling the body.
 - 1. Bag the carcass and immediately transport it to a veterinarian. (Do not freeze the body, as this will invalidate any tests).
 - 2. Inform the veterinarian that you suspect the animal has rabies and have him send the animal's head to the State Lab for testing.
 - 3. All articles that come in contact with the animal should be considered a biohazard and should be disposed of in an appropriate manner.
- E. If you destroy an animal on scene, remember to always contact the agency having jurisdiction.

19.08 ANIMAL CONTROL CHEMICAL CAPTURE

- A. Chemical capture is the use of drugs to restrain, immobilize, or capture an animal.
- B. Chemical capture may be used when an animal poses a threat to persons or property.
- C. Chemical capture is not applicable to every situation and should not be considered a replacement for more traditional methods. Since each situation involving the capture of an animal is different, each decision should be made only for that specific event.
- D. Drug Storage and Transportation
 - 1. All chemical capture drugs should be stored in a secure location. Access should be limited to authorized members only.
 - 2. Capture drugs and equipment used for a specific event may be transported in a vehicle to the area where the animal is located. Drugs should be locked inside the vehicle inside a storage container. Appropriate measures should be taken to ensure the safety both to law enforcement and to the public at the scene.
 - 3. For use in the field the container may be removed from the vehicle and the required equipment taken and made ready. Drugs in the field must be secured in such a manner as to eliminate the possibility of accidental exposure or theft.
 - 4. Upon completion of the field operation the drugs shall be returned to the secure location within the Department.
- E. Field Operations
 - 1. Members shall use chemical capture drugs in compliance with State and Federal statutes and regulations.
 - 2. Prior to engaging in an animal capture, members should:
 - a. Gather everyone involved at the scene and discuss the operation;

- b. Discuss the routine and duties of each person;
 - c. Discuss animal/public etiquette;
 - d. Cover potential emergencies;
 - e. Ask questions.
3. Before capturing and handling animals, members should determine the method that will be the most effective in safeguarding the public and minimizing injury to the animal. Alternative methods to chemical immobilization, time of year, type and status of animals, environmental conditions, public safety, etc., should be considered.
4. The first animal control officer on scene should observe the situation from a safe distance and make a determination as to the best method to use to capture the animal.
5. If chemical capture appears to be the preferred method, contact a Sergeant/Supervisor and inform them of the situation. The Sergeant/Supervisor, in discussion with the animal control officer, will make the final determination whether or not to use chemical capture.
6. Capture equipment and drugs should be transported to the scene in a secure box inside the patrol vehicle.
7. The animal control officer should make the capture equipment and drugs ready at the scene. When possible, another member knowledgeable in first aid should be present.
8. Be aware of environmental hazards in the area that may pose a danger to yourself and the animal (i.e., vehicle traffic, construction sites, heavy timber bodies of water, etc.)
9. All members not directly involved in the capture should be kept outside the immediate area.
10. It is important to ensure the proper drugs and dosages are used to provide the necessary analgesia and anesthesia to accomplish the capture in a humane way.
11. Capture drugs should only be injected into the heavy muscles of the neck, shoulder, or hindquarters. Injections in other areas may result in severe injury or death.
12. *Caution:* The drugs usually take from 5-15 minutes to work. Be aware that the animal will probably try to run and hide. Once the drug is administered the animal should be observed and followed from a safe distance.
13. Once the animal is down, approach the animal cautiously and quietly as there should be no unnecessary noise or commotion.
14. Animals should be appropriately positioned and restrained to prevent injury during handling and transportation. Eye ointment may be placed in the eyes and the head may be covered with a loose-fitting blind. A muzzle is *not* recommended. Remove the animal from the scene and transport it in a manner that presents the least amount of injury and stress.
15. Transport domesticated animals to the animal shelter or to a veterinarian. The animal should be observed and monitored until the effects of the drugs have worn off. *In the event the owner of the animal is established, the owner should be contacted.*
16. In the case of wildlife, the animal should be returned to its normal habitat and monitored until it has recovered from the drugs.
17. If injured beyond likely recovery, animals should be humanely euthanized.

18. All deceased animals should be disposed of in the appropriate manner.

19. Any animal suspected of having rabies should be sent to the state lab for testing.

(See 19.7 D)

- F. By its nature, chemical capture of animals is often dangerous and difficult. If too little drug is used or if it is administered wrong, the capture may fail, and the animal may be injured or die. If too much drug is given, the animal may overdose and not survive. Some animals will have adverse reactions to the drugs. Because the drugs and equipment used for chemical capture are dangerous, only trained individuals who are comfortable and knowledgeable about the procedure should use them.
- G. The use of drugs for chemical capture poses a risk of injury and/or death to the animal. In a case where a member follows procedure, they shall not be subject to punitive action for the injury or death of the animal.

20.0 MOUNTED PATROL

The Department utilizes horse-mounted patrol to facilitate a variety of law enforcement and crime prevention operations, to include patrol, crowd control, traffic enforcement, crime prevention improving public relations, and building community partnerships.

20.01 SELECTION PROCESS

A. Selection Process for sworn members:

1. Members shall have completed a minimum of one (1) year of solo patrol service with the Department prior to applying.
2. Members must possess good work habits, and be resourceful and dependable.
3. Members must have the ability to keep or manage a horse and care for it.
4. Members must be able to provide for transportation of the horse to and from assignments. This transportation can be arranged using Department owned equipment, if such equipment is available and in safe working condition.
5. No member shall be assigned to the Mounted Patrol without the recommendation of the Mounted Patrol Training Officer and the consent of the Chief of Police.

B. Mounted Patrol Training Officer

1. The Mounted Patrol Training Officer of the Mounted Patrol is a voluntary position and shall be appointed by the Chief of Police.
2. The Mounted Patrol Training Officer must possess knowledge of training horses and riders and must be able to evaluate and decide if mounts and riders are safe to be in the environment of a specific assignment.
3. The Mounted Patrol Training Officer must successfully complete a mounted officer training course and maintain certification as an instructor as deemed appropriate by the Chief of Police.

C. Civilian Volunteers

1. Civilian volunteers are permitted to augment the sworn Mounted Patrol unit.
2. All civilian volunteers work under the direction of the Mounted Patrol Training Officer, or their designee, and must complete Department training prior to being utilized.
3. All civilian volunteers must sign a release of liability to the Town of Jackson for the actions of their horse while on duty or in training, holding the Town harmless for any injury to themselves or their horse.

D. Horses

1. Selection of horses used in the Mounted Patrol unit will be the responsibility of the Mounted Patrol Training Officer.
2. Before being allowed to work, a mount must pass the performance test as designed by the Department.
3. The horse must have a negative Coggins test certificate.
4. The horse must be “good in flesh” as determined by the Mounted Patrol Training Officer.
5. The Mounted Patrol Training Officer shall maintain records showing Coggins test results and performance on annual tests for certification for each mount used in the mounted units.
6. The horse must prove to be gentle and even-tempered and must not show any negative habits such as kicking or biting.

20.02 MOUNTED PATROL UNIT ASSIGNMENTS

A. Process

1. Prior to starting patrol, the mount is to be groomed, with appropriate tack.
2. Mounted assignments are made by the Mounted Patrol Training Officer or the supervisor of a special event. Members must advise dispatch of where they are working and listen for radio traffic in that area.
3. Members are responsible for removing any manure that their mount may deposit on any sidewalk or crosswalk.
4. If a truck and trailer are used to transport to the patrol area, the vehicle is to be positioned to provide maximum safety while loading and unloading the mounts and to minimize traffic obstructions.
5. If an assignment will be occurring after dark, the member should make every effort to equip their mount with reflective gear.
6. If the mount must be left unattended, it shall be secured in a place and manner in which the animal cannot be injured or cause injury to innocent persons. It is preferable to leave the animal either at a trailer or tied at a secure location.
7. When necessary to dismount and enter a building, Mounted Patrol should attempt to secure their horses properly prior to entry. If that is not feasible due to the situation, the Mounted Patrol may request assistance from a person to hold the horse. Great care should be taken to select an appropriate person.
8. Due to liability concerns, no person who is not a member of the Mounted Patrol (sworn or volunteer) shall be allowed to ride a mount while in service for the Department.

20.03 HORSE CARE AND MAINTENANCE

- A. Horses shall be maintained by their owners in a state that they can be readily used and can be considered “good in flesh.”
- B. Horses assigned to work the street on a regular basis should be shod with borium¹ spots or borium nails (rubber boots are acceptable).
- C. In the event of inclement weather, the on-duty Supervisor will make the decision as to whether the horses will be utilized. Common sense and the best interest of the horse should prevail. If mounts are used, they should be kept under cover while storms pass through and then placed back into service.
- D. In the event a horse is injured or killed on duty, the rider will notify the Mounted Patrol Training Officer or Event Supervisor immediately. If a veterinarian is obviously needed, the veterinarian shall be summoned first. If a rider is injured and cannot take control of the situation, the nearest member of the Mounted Patrol should respond and assume responsibility of the horse.
 1. On-duty horse injuries or death shall be documented in the form of a Department memo written to the Chief of Police, through the Mounted Patrol Training Officer.
 2. On-duty horse injuries will be evaluated by the Department to consider reasonable expenses to be reimbursed to the member or volunteer on a case-by-case basis.
- E. As the budget allows, the Department will lease from sworn members their personal mounts when selected for mounted service. In order to be eligible for a lease, the member

¹ Borium is a generic name for tungsten carbide granules embedded in a matrix of softer metal.

must make a reasonable effort to ride on duty at least two (2) times per month during the months of May through September.

- F. Each horse will be Coggins tested and vaccinated annually. A positive Coggins test will disqualify any horse from further service in the unit.

20.04 MOUNTED UNIFORMS AND EQUIPMENT

- A. The Mounted Patrol uniform for sworn members is dark blue jeans and regular uniform shirt and leather gear. In addition, a western hat, boots, and spurs are also required. Sworn members may wear the crossed sabers emblem above their nametag as part of their duty uniform, while working a Mounted Patrol assignment.
- B. The Mounted Patrol uniform for volunteers is dark blue jeans, a white shirt, and a white straw western hat provided by the Department.
- C. Department approved equine helmets may at any time be used in place of the western hat portion of the uniform.

20.05 RECOGNIZED USES OF MOUNTED PATROL

- A. Mounted Patrol units are to be used to supplement regular patrol, as staffing permits. A special focus should be placed upon patrolling the Town Square and other areas with high pedestrian activity.
- B. Mounted Patrol units should be considered for areas with limited access or mobility, such as alley and pathways. Horse mounted officers are particularly effective in crowd control, whether the crowd is violent or not violent, and can be used for observation or issuing directions to the crowd. When moving a crowd, horses should be deployed in tactical formations and should be a lead element when used in conjunction with foot officers.
- C. Mounted officers may be used for a variety of special events. These may include, but are not limited to school and daycare visits, parades, dignitary escorts, concerts, and public celebrations. All requests by special event organizers for mounted officers or volunteers should be directed to the Mounted Patrol Training Officer.

20.06 TRAINING

- A. The Mounted Patrol Unit has at its disposal two (2) Department owned horse trailers.
 - 1. Horse trailers may be used for transporting Mounted Patrol horses to and from training and Mounted Patrol assignments.
 - 2. Members who have a Chevrolet Tahoe or equivalent may use this vehicle to tow either horse trailer, so long as the Gross Vehicle Weight Requirement (GVWR) of the tow vehicle is not exceeded and the training and experience of the member includes the ability to drive a combination unit safely with due regard for the public.
- B. Mounted Patrol members who are transporting a horse to and from a Mounted Patrol assignment, to include training, may utilize their Personally Assigned Vehicle (PAV) to do so outside of the PAV restriction. The radius limit of the location of the horse shall not exceed 50 miles from the Town of Jackson city limits.
- C. Mounted Patrol members may use personal horse trailers attached to JPD vehicles to transport horses to and from Mounted Patrol assignments.
- D. Mounted Patrol members may use personal vehicles attached to JPD Horse trailers to transport horses to and from Mounted Patrol assignments.
- E. Departmental assets should not be left outside of the normal PAV area unless specifically authorized by the Mounted Patrol Training Officer.

21.0 CANINE UNIT

The Canine Unit is a branch of the Patrol Division and Canine Teams (a handler and canine) will be assigned to Patrol Teams.

21.01 SUPERVISION

- A. The Canine Unit operates under the direct supervision of the Canine Unit Supervisor, although canine handlers assigned to Patrol Teams will be under the direct supervision of the Team Sergeant for daily activities outside the scope of the Canine Unit.

21.02 TRAINING

- A. Canine Teams will be trained for the following tasks:
 - 1. Controlled substances detection.

21.03 HANDLER QUALIFICATIONS

- A. Canine handlers must have adequate experience as a peace officer as determined by the Chief of Police and must have demonstrated a good work ethic and a good grasp of principles of policing.
- B. Interested individuals shall submit a request in writing to the Chief of Police explaining their qualifications.
- C. Qualified candidates must then participate in a training session (if possible) and an oral interview. A recommendation will then be made to the Chief of Police who will make the final decision.

21.04 INITIAL AND IN-SERVICE TRAINING

- A. When a new Canine Team is assembled, the initial training will be done on a fulltime basis under the direction of the Canine Unit trainer. This will continue until the Canine Team meets or exceeds the performance standards.
- B. Initial training may be terminated when, in the opinion of the Canine Unit supervisor and trainer, one (1) or both members of a Canine Team are not going to be able to achieve the performance standards in a reasonable timeframe.
- C. In-service training shall also be conducted under the direction of the Canine Unit trainer.
- D. Each handler shall participate and document a minimum number of hours of in-service training monthly as determined by the Department. Exceptions may be made for absences such as vacation or illness. Extended absences shall require the approval of the Canine Unit trainer and supervisor prior to the Canine Team returning to service.
- E. The in-service training time shall be spent working on increased proficiency, improved tactics, new environments, certifications, competitions, or other areas as directed by the Canine Unit trainer.
- F. In-service training shall include specialized training (conferences, seminars, competitions, certifications, etc.) to help ensure that all Canine Teams are kept abreast of current trends, practices, and training techniques. The Canine Unit trainer shall prepare an annual training plan for submission to the unit supervisor and the Chief of Police.

21.05 PERFORMANCE STANDARDS

- A. All Department Canine Teams shall certify according to Department performance standards prior to being assigned for duty.

- B. After being assigned for duty, Canine Teams shall demonstrate proficiency by meeting the performance standards at least once annually.
- C. A list of current performance standards for the Department shall be kept on file by the Canine Unit trainer. Canine handlers shall be compensated for time spent in the care, feeding, grooming, and other needs of the canine in compliance with the Fair Labor Standards Act.

21.06 HANDLER RESPONSIBILITIES

- A. Handlers will perform all patrol related functions as directed by the shift supervisor.
- B. Handlers will be responsible for the actions of their assigned canine.
- C. Handlers will be responsible for the proper care of their assigned canine, including:
 - 1. Arranging for bi-annual canine medical examinations, utilizing a Department-approved veterinarian.
 - 2. Keeping vaccinations current.
 - 3. Properly grooming the canine.
 - 4. Handlers will assist in initial and in-service training as directed by the Canine Unit trainer.
 - 5. Handlers will respond to dispatched calls for service whether on or off duty if practical.
 - 6. Handlers will actively participate in public demonstrations as assigned by the unit supervisor.
 - 7. Handlers will be responsible for the proper care and maintenance of all issued equipment.
 - 8. The handler will be responsible to maintain the canine at an acceptable performance level and point out any and all deficient areas to the Canine Unit trainer.
 - 9. The handler is responsible to ensure that all reports are completed before ending a tour of duty unless otherwise directed by the shift supervisor.
 - 10. The handler is expected to use their skills and those of their assigned canine to actively deter and detect criminal activity.
- D. Each handler is responsible for providing the following documents to the Canine Unit supervisor:
 - 1. The canine's daily training and/or utilization records, which will be completed each day and submitted at the end of each month.
 - 2. Copies of the canine's veterinarian records, including immunizations.
 - 3. A written incident report following an injury inflicted to any individual by a canine, whether on or off duty.
 - 4. Yearly certification records, including patrol and detection certifications.

21.07 CANINE UNIT TRAINER RESPONSIBILITIES

- A. Assist in the selection process of prospective handlers.
- B. Test and select prospective canines for use by the unit.
- C. Train prospective canines and handlers to meet the performance standards.
- D. Ensure that certified teams maintain set performance standards.
- E. Identify any deficient areas of Canine Teams and initiate corrective or remedial training.
- F. Properly maintain the Department's canine facilities and equipment.
- G. Provide updates and make recommendations to the Canine Unit supervisor regarding the performance of Canine Teams within the unit.

21.08 CANINE UNIT SUPERVISOR RESPONSIBILITIES

- A. Be directly accountable to the Operations Lieutenant on all canine related matters.
- B. Be responsible for the overall operation of the Canine Unit.
- C. Meet periodically with other supervisors and Canine Unit members to ensure that the unit is operating efficiently.
- D. Ensure that a secure kennel is properly constructed and maintained at each handler's residence.
- E. Assign requests for public demonstrations.
- F. Review and maintain a file of all Canine Unit reports to insure adherence to Departmental guidelines.
- G. Confer with other supervisors and the Canine Unit trainer in the selection of prospective handlers and canines and the evaluation of the Canine Unit's Canine Teams.
- H. Review work performance of Canine Unit members, identify any areas that may need improvement and prepare performance evaluations for unit members.
- I. Prepare a current emergency call-out list for communications.
- J. Assist the Canine Unit trainer as necessary and apprise the trainer of areas needing to be addressed.
- K. Assure that handlers are performing the necessary training work as prescribed by the Canine Unit trainer.

21.09 CANINE TEAMS GENERAL PATROL DUTIES

- A. Canine Teams will be assigned general patrol duties as directed by the Canine Unit supervisor.

21.10 SHIFTS AND CALL OUT

- A. Canine Teams shall work a standard shift; however, working hours and assignments may vary according to the needs of the Department. At least one (1) Canine Team shall be available for callout twenty-four hours per day as practical.

21.11 DEPLOYMENT OF CANINE UNITS

- A. A canine handler shall have the ultimate authority to make the decision not to deploy the canine; however, a supervisor has the authority not to deploy the canine even if the handler thinks it is feasible to use a canine.
- B. Controlled substances detection. A narcotic detection trained canine may be used in accordance with law to:
 - 1. Assist in the search for controlled substances during search warrant service.
 - 2. Obtain a search warrant by using the detection capabilities of a canine in support of probable cause.
 - 3. Search vehicles, building, bags, and any other articles deemed necessary for controlled substances enforcement; however, a canine should not be used to search a person for controlled substances without extenuating circumstances.

21.12 REQUIRED REPORTS

- A. Whenever a canine is deployed a canine event shall be generated.
- B. If the canine discovers contraband or the canine causes property damage, an incident report shall be completed.
- C. If an accidental bite occurs, handlers will take the following steps:

1. Evaluate the person for injury and ensure that they receive prompt and appropriate medical attention.
2. Notify the shift supervisor.
3. Obtain photographs of the injury or non-injury. Photographs are only to be taken after the wound has been cleaned by medical personnel to show the actual injury. Photos should show the wound both after it was cleaned and after it was treated. All photographs of the bite shall be booked into evidence at the Department.
4. Obtain a statement from the person, if possible.
5. Notify the Canine Unit Sergeant.
6. Obtain witness statements, if possible.
7. Attempt to obtain consent for release of medical information from the person.

21.13 RESPONSIBILITIES OF MEMBERS

- A. Members are to use discretion when requesting a Canine Unit, making sure the call is appropriate for a canine and ultimately deferring to the handler's decision as to whether the call warrants a canine.
- B. If a Canine Unit is desired, but no Canine Unit is on duty, the shift supervisor shall be responsible for evaluating the request and making the determination as to whether a Canine Team is needed. Discretion should be used, taking into account the time needed to respond and the impact on the Canine Unit.
- C. The member in charge shall furnish all pertinent information, facts, and details of the call to the handler. The canine handler shall be responsible for determining whether the circumstances justify the use of the canine team and how they will deploy and will discuss the decision with the member in charge.
- D. At the scene of a canine event, members shall:
 1. Assist the Canine Team only as requested or ordered by a supervisor or the canine handler.
 2. If assigned as a backup, follow the handler's instructions.
- E. Canine Teams will not transport prisoners unless no other option exists.

21.14 MUTUAL AID REQUESTS FROM OTHER AGENCIES

- A. All requests by other agencies to utilize a Canine Team shall first be approved by the shift supervisor if the request is for service within Teton County, Wyoming.
- B. All other requests shall be approved by the Chief of Police. If the Chief or Operations Lieutenant is not available, the shift supervisor is authorized to make the decision.
- C. At all times while assisting other agencies, Canine Teams are governed by the policies of the Department.
- D. All public requests for a Canine Team shall be approved by the Canine Unit Supervisor or the Chief of Police prior to making any commitment.

21.15 CANINE INJURY

- A. In the event the canine becomes injured, as soon as the situation allows, the Canine Team will be relieved from further duties, and the canine will be immediately taken for treatment, or a veterinarian will be summoned to the scene if necessary. Officer safety shall remain paramount and should not be forsaken for the welfare of the canine.
- B. The Department will pay for all costs associated with a Department canine. However, any illness or injury stemming from improper care, use, or housing of the canine that requires medical treatment will be at the expense of the handler.

21.16 HANDLER INCAPACITATED

- A. In the event a canine handler becomes incapacitated and a canine is not contained, members should:
 - 1. Contact the Shift Supervisor as soon as possible.
 - 2. Follow the directions of the handler if they are conscious.
 - 3. Call someone capable of exercising control of the canine if the handler loses consciousness and the canine cannot be controlled. This may include another handler or trainer, an animal control officer, or a member of the handler's family.
 - 4. Destroy the canine only as a last resort and when the canine presents a danger to persons or other animals.

21.17 TRAINING AIDS UTILIZING CONTROLLED SUBSTANCES

- A. All controlled substances used as training aids will be stored in a locked area.
- B. A ledger will be maintained to document the type and quantity of training aids on hand within the Canine Unit. The location and quantity of all training aids will be known at all times. The ledger will remain secured in a locked storage area.
- C. Aids checked out by a handler will be the sole responsibility of the handler.
- D. Any aid lost or damaged due to training will be reported immediately. The report shall be in written form to the Canine Unit supervisor.
- E. Any aid lost or damaged due to suspected criminal activity shall be reported immediately and followed with a written offense report. The location of the incident shall be treated as a crime scene.
- F. Any loss of controlled substances will be reported to the U.S. Drug Enforcement Agency (DEA), by the Canine Unit supervisor, the next working day.

21.18 CANINE HANDLER VEHICLE

- A. Each handler will be assigned a vehicle for their exclusive use. Handlers are allowed to use them as follows:
 - 1. During the handler's normal tour of duty;
 - 2. Taking the canine to the veterinarian;
 - 3. Picking up dog food or other required canine equipment;
 - 4. Driving to work-related canine training;
 - 5. Any other work-related transportation.
- B. When the handler is away from his or her vehicle and the canine is in the vehicle, the vehicle shall be locked and appropriate ventilation will be provided.
- C. When operating the vehicle (on or off duty) handlers will be armed with their duty weapon, have handcuffs available, and have police identification, including a badge, with them.

21.19 DISMISSAL FROM THE CANINE UNIT

- A. Violation of the canine policy subjects the handler to dismissal from the Canine Unit or other Departmental review and action.

22.0 BIKE PATROL

22.01 UTILIZATION OF BIKE PATROL

- A. The Department utilizes bicycle patrol to facilitate a variety of law enforcement and crime prevention operations, to include animal control, parking enforcement, improving public relations, and building community partnerships.

22.02 TRAINING

- A. Members must receive appropriate police bicycle training prior to participation with bicycle patrol assignments.
- B. Initial Training:
 - 1. Selected members must attend and pass a nationally recognized and standardized basic police cycling course. At the discretion of the unit supervisor, in-house training by a certified bike officer may be substituted if the opportunity and/or funding is not available to members interested in bicycle patrol assignments.
 - 2. Members must spend a minimum of 12 hours riding with a certified bike officer before patrolling on their own. In-house training must be documented in a training SSR.

22.03 SELECTION PROCESS

- A. Members must have a minimum of one (1) year of patrol experience before being considered for bicycle patrol.
- B. Members must be in good standing with the Department, possess good work habits, and professionally represent the Department.
- C. Members who are interested in participating in bicycle patrol should notify their Sergeant of their interest. The Sergeant will notify the Chief of Police, who will make the final determination.

22.04 EQUIPMENT

- A. Members are expected to inspect and maintain their equipment to ensure that it is in proper working order.
- B. Members will be provided a Department issued bike.
- C. Members are expected to wear a Department issued bike uniform, to include a helmet and eye gear.
- D. All bikes should be equipped with legally mandated lights and reflective equipment.

22.05 BIKE PATROL

- A. Bike patrol should be conducted in a safe manner, riding in compliance with the law, and using standard procedures for making contact with the public.
- B. While patrolling on sidewalks, members must be alert to pedestrians, recognizing that they have the right-of-way.
- C. Members should give an audible warning of their approach from the rear when practical.
- D. Members should maintain reasonable speeds and caution on sidewalks.
- E. Members should not take unnecessary risks.
- F. When staffing allows, members are encouraged to patrol neighborhoods, bike paths, and the downtown area on bikes.

22.06 ENFORCEMENT CONTACTS

- A. When possible, members shall notify dispatch of all potential enforcement contacts, to include the members exact location. Members may initiate traffic stops, giving particular attention to motorist and officer safety.
- B. Members should identify themselves during the stop and display their identification if requested.
- C. Marked patrol units should be requested where appropriate to provide emergency lighting and cover from traffic.
- D. In arrest situations, members shall request a motorized transport unit for the arrestee.

23.0 DRUG RECOGNITION EXPERT

23.01 UTILIZATION OF DRE

- A. A Drug Recognition Expert (DRE) for the Department will conduct a detailed, diagnostic examination of persons arrested or suspected of drug-impaired driving or other similar offenses. Based on the results of the drug evaluation, the DRE forms an opinion on the following:
 - 1. Is the person impaired?
 - 2. Is the impairment due to an injury, illness, or other medical complication, or is it drug-related?
 - 3. Which category or combination of categories of drugs is the most likely source of the impairment?
- B. Upon approval of a Supervisor, a DRE for the Department may be called to the scene of any investigation to serve as a subject matter resource for other law enforcement, when persons under investigation are suspected of drug-impairment. DREs can monitor the investigation and give feedback to assist law enforcement on the following:
 - 1. Is the person impaired?
 - 2. Is the impairment due to an injury, illness, or other medical complication, or is it drug-related?
 - 3. Which category or combination of categories of drugs is the most likely source of the impairment?

23.02 CONTROLLED ENVIRONMENT

- A. DREs should conduct their evaluations in a controlled environment, typically where suspects are transported after arrest. The drug evaluation is not normally done at roadside and is typically a post-arrest procedure.

23.03 THE DRUG INFLUENCE EVALUATION

- A. The DRE drug evaluation takes approximately one hour to complete. The DRE evaluates and assesses the person's appearance and behavior. The DRE also carefully measures and records vital signs and makes precise observations of the person's automatic responses and reactions.
- B. The DRE also administers carefully designed psychophysical tests to evaluate the person's judgment, information processing ability, coordination, and various other characteristics. The DRE will systematically consider everything about the person that could indicate impairment from drugs.

23.04 CALL OUT PROCEDURE

- A. Calling out a DRE should be approved by a supervisor and should be in accordance with all other Departmental and Town of Jackson "call out" policies and procedures.

24.0 ELECTRIC MOTORCYCLE PROGRAM

24.01 PURPOSE

- A. The primary purpose of the Motorcycle Program is to promote communication and public relations and to reduce crime and traffic accidents through high visibility patrol, including citizen interaction, traffic enforcement, special event escorts, traffic control, and special assignments.
- B. The Motorcycle Program shall be operated with the highest possible level of professionalism and staffed with highly trained members.

24.02 GOAL

- A. It is the goal of the Motorcycle Program for motor officers to maintain the highest levels of skill, courtesy, and safety at all times.

24.03 INITIAL MOTORCYCLE PROGRAM ENTRY

- A. Interested members shall submit a letter of interest to the Operations Lieutenant.
- B. The Motorcycle Program Supervisor will evaluate applicants for their suitability to participate and the applicant's ability to complete a basic police motor officer training course as approved by the Department. Applicants must be in good standing with the Department before being considered for participation in the program and must come with positive recommendations from the sergeants for participation in the program. Applicants must also possess a state "motorcycle" endorsement on their license.
- C. Motor officers will be selected based upon Departmental needs and the Department's ability to train the applicants in motorcycle operation. Some applicants may not be immediately selected for participation but could remain on an eligibility list until selected to participate.

24.04 MOTORCYCLE USE RESTRICTIONS

- A. No department member shall operate, move, or otherwise tamper with a Department motorcycle unless duly trained and authorized by the Motorcycle Program Supervisor.
- B. Motor officers shall not allow untrained persons to operate Departmental motorcycles. Possession of a motorcycle endorsement does not constitute proper training or authorization.

24.05 REQUIRED MOTORCYCLE INSPECTIONS

- A. Prior to and following each patrol, motor officers shall inspect their assigned motorcycle for cleanliness and proper mechanical function, in accordance with their training.
- B. Any damage discovered, or malfunction shall immediately be reported to a supervisor.
- C. The motor officer assigned to the motorcycle shall report the need for any service that may create a safety concern and shall not use the motorcycle if found to be defective.
- D. The Motorcycle Program Supervisor or his/her designee shall conduct a monthly inspection of all motorcycles, utilizing a Motorcycle Inspection form.

24.06 GENERAL MAINTENANCE AND CLEANING

- A. Scheduled Maintenance – It shall be the responsibility of each motor officer to inform the Motorcycle Program Supervisor when necessary maintenance is due for the motorcycle.

1. The Motorcycle Program Supervisor and the TOJ Fleet Manager, or their designee, shall arrange for the required service as needed.
 2. The TOJ Fleet Manager, or their designee, shall maintain a record of maintenance, service, and other mechanical duties performed on each motorcycle.
- B. Daily Cleaning
1. Every effort shall be made to ensure the motorcycles are clean before being placed into service.
 2. Cleaning supplies will be made available and stored in a designated locker in the Department parking garage
 3. All motors shall be left plugged in to re-charge the battery when not in use.
- C. Recharging
1. At the end of each shift, the motorcycle shall be plugged in to a charging outlet at a designated location within the Department parking garage.
 2. The charging cord for the motorcycle shall be stored at all times with the vehicle.

24.07 TOWING AND/OR TRANSPORT OF MOTORCYCLES

- A. Motorcycles shall be towed by the wrecker service under contract with the designated tow company.
- B. The wrecker service shall be notified that a motorcycle is “out of service” and only a flatbed or other wrecker capable of towing a motorcycle may be utilized.
- C. The Department may authorize the use of a “motorcycle trailer” if one is available.
 1. The motorcycle trailer may be utilized only by members trained in its use, including proficiency in safely and properly tying down of the motorcycle.
 2. The Motorcycle Program Coordinator shall maintain a record of members authorized to operate or use a motorcycle trailer.

24.08 REQUIRED GEAR AND EQUIPMENT

- A. Protective Equipment- Motor officers shall wear the following protective equipment at all times while on motorcycle duty:
 1. Helmet
 2. Safety glasses or visor mounted protection
 3. Gloves
 4. Duty boots, no shoes.
- B. Secondary Hat - Motor officers may wear issued Department baseball style cap as a secondary hat while outside for extended periods of time during the course of special details, accidents, etc., when wearing a helmet is not practical. The helmet should not be worn except while operating the motorcycle and during traffic stops. Otherwise, the baseball style cap shall be worn when not in the immediate vicinity of the motorcycle.
- C. Necessary Equipment - Motor officers shall ensure that their assigned motorcycle is equipped at all times with the following items:
 1. Flashlight
 2. Jacket
 3. LIDAR
 4. First aid kit
 5. Clipboard with supply of necessary forms
 6. Ticket book and statute/ordinance reference guide
 7. These items should be distributed between two (2) saddle bags keeping in mind the necessity of keeping the motorcycle “in balance” as much as possible.

24.09 MOTORCYCLE CALL NUMBERS

- A. In order to avoid confusion between the motor units and patrol cars, the Department shall advise the on-duty dispatcher of their status as a motor's officer. This will assist the dispatch center in filtering the types of calls appropriate for a motor officer to respond to.

24.10 ASSIGNMENTS

- A. Motor officers will be assigned by the supervisor of the day as appropriate.
 - 1. Motor officers may be assigned to an area, special detail, or as a traffic enforcement unit at the discretion of the shift supervisor.
 - 2. Motor officers may be assigned to patrol duties.

24.11 HEALTH RESTRICTIONS

- A. Should a motor officer become aware of any health condition, which may adversely affect their safe operation of a motorcycle, they shall immediately:
 - 1. Notify the duty supervisor.
 - 2. Discontinue operation of the motorcycle.
- B. The motor officer shall not be allowed to operate a department motorcycle again until both of the following criteria are met:
 - 1. An approved physician has cleared the motor officer (a doctor's note shall be required to resume duty).
 - 2. The Operations Lieutenant has authorized the motor officer to resume active status within the motorcycle unit.

24.12 WEATHER

- A. The Department recognizes that weather conditions may affect the ability to perform police duties on a motorcycle. Therefore, the following weather-related guidelines are established:
 - 1. Temperature - Outdoor temperatures below 40 degrees or above 90 degrees Fahrenheit may cause discomfort or additional fatigue when riding a motorcycle, particularly at higher temperatures. Motor officers shall not be permitted to ride motorcycles when outdoor temperatures are outside this range.
 - 2. Inclement Weather - During inclement weather (such as storms, heavy rain, lightning, high winds, snow, ice etc.), it shall be mandatory to discontinue motorcycle patrol and return to vehicle patrol.
 - a. In the event of a sudden and severe weather event the motor officer should take immediate cover at the nearest safe location and not resume use of the motorcycle until safe to do so.
 - b. Motor officers shall be reassigned to vehicle patrol or other duties until the weather improves and becomes safe to continue.

24.13 ROAD SUPERVISION

- A. Shift supervisors should conduct road supervision to monitor activities of motor officers while they are on duty.

24.14 TRAFFIC ENFORCEMENT

- A. Police motorcycles are NOT high-speed enforcement vehicles.

- B. Motor officers are expected to enforce traffic and criminal violations, take accident and other types of reports, and perform the patrol duties inherent with patrol assignments.
- C. In as much as motorcycles do not provide the protection afforded full-size patrol cars, consideration must be given to the timing and location of contemplated enforcement actions, such as busy roadways where it would be unsafe to stop a motorist. Motor officer Safety is paramount during any enforcement effort.
 - 1. If a motor officer is stopping a vehicle where there is a high probability of arrest, (DWUI, suspended driver, warrants, etc.) a police patrol vehicle should be dispatched to assist as soon as possible.
 - 2. Motor officers shall not engage in solo traffic enforcement on excessively busy roadways where it would be unsafe to do so.
 - 3. When riding in pairs, it is necessary to designate a “primary” motor officer.
 - a. It is the role of the primary motor officer to call out the details of the ride.
 - b. Use hand signals with loud and clear directions to facilitate the safe operation on the motors traveling in tandem.
 - c. The motor officers shall decide beforehand who shall be the primary motor officer.
 - d. The secondary motor officer shall be mindful of the primary motor officer’s direction unless extreme exigent circumstances arise which require the secondary motor officer to address an immediate area of concern or emergency.
 - e. When conducting speed enforcement, it is recommended that one motor officer measure the speed and the second motor officer effect the traffic stop or work in tandem with patrol vehicles.

24.15 USE OF SPEED MEASURING DEVICES

- A. Motorcycles may be equipped with speed measuring devices for traffic safety enforcement.
- B. Motor officers may use the devices in conjunction with a second motor officer or a patrol car.
- C. Due care and diligence shall be maintained when motor officers are utilizing this equipment during motorcycle operation.
- D. Motor officers shall use good discretion and judgment in working traffic enforcement and not over enforce any particular zone or street but only work an area long enough to correct poor driving situations or until the problem is remedied.

24.16 VEHICLE PURSUITS AND GENERAL OPERATION

- A. Motor units are NOT authorized to participate in vehicle pursuits due to safety concerns for the motor officer.
- B. Motor officers shall NOT ride the motorcycle off-road, cross over curbs, through standing water, in muddy conditions, or when it is likely that icy may be forming on the roadways unless absolutely necessary to do so.
- C. Motor officers shall promote the program from a community policing perspective and work to build trusting relationships with the motoring public. Special consideration must be given to prevent unwanted public relations concerns. Motor officers should help promote the program by advising citizens of the benefits of a 100% electric patrol vehicle with operational costs estimated at 1¢ per mile of operation.

- D. Motor officers shall not ride the motorcycle in a careless or reckless manner under any circumstances or at speeds that would be considered careless or reckless.
- E. Passengers are NOT authorized to be transported on motorcycles.
- F. The headlight on the motorcycle shall be utilized at all times during operation unless being utilized for an assignment that requires a stealth approach and pre-approved by the supervisor in charge of the assignment.
- G. Motor officers shall utilize body mounted/ and or motorcycle mounted cameras during traffic stops while working motorcycle patrol.
- H. Motorcycle helmets issued to the motor officer shall be kept in good working order/condition and accompany the motor officer when leaving the immediate vicinity of the motorcycle.
- I. Motor officers are expected to obey all vehicle related policies and procedures of the Department, as well as Wyoming State traffic laws, and local ordinances.

24.17 TRAINING

- A. Motor officers must pass a Department approved training course. Motor officers must pass with a minimum score of 75% or higher.
- B. Motor officers shall be required to attend and complete a refresher training every year conducted by a current Department instructor(s).
 - 1. Refresher training shall consist of completing a Department approved course of 4 hours or more, as established by the Motorcycle Instructor.
 - 2. The refresher training shall take place in the spring season, no later than May 31st, at the direction of the Motorcycle Program Supervisor.
 - 3. Motor officers who do not complete the refresher training shall be placed on "inactive status."
 - 4. Motor officers on "inactive status" shall not be allowed to resume motor duty until completion of the refresher training, and approval of the Operations Lieutenant.
- C. Motor officers must maintain a high degree of skill; therefore, the Motorcycle Program shall also conduct regular training sessions during the riding season as deemed necessary.
 - 1. Training sessions shall consist of 2 hours of training during the riding season (May 1st through September 30th).
 - 2. The Motorcycle Program Supervisor shall coordinate the training schedule, with the training to be conducted by the Motorcycle Unit Instructor.
 - 3. Motor officers who fail to meet training requirements or fail to demonstrate an acceptable skill level, shall be placed on "inactive status" until the motor officer demonstrates an acceptable skill level to the Motorcycle Program Supervisor.
 - 4. The Operations Lieutenant shall maintain records of all motorcycle training.

24.18 SAFETY MOTOR OFFICER

- A. During training, the Motorcycle Program Supervisor, or their designee, shall designate a "Safety Motor Officer."
- B. During training, the Motorcycle Program Supervisor, or their designee, shall designate a "Safety Motor Officer."
- C. The Safety Motor Officer's duties shall consist of, but not be limited to the following:
 - 1. Have a police radio and cell phone during training exercises to report injuries or summon medical assistance if necessary.

2. Observe the training layout and design and be mindful of hazards or other potential problems and discourage dangerous maneuvers that could injury the motor officer or the equipment.
3. Call out immediately, any area of concern regarding a safety/training related issue.
4. Make sure a first aid kit is available during the session.
5. Observe the training in-progress and monitor the safe execution of the training exercises.

25.0 IN CRISIS OR MENTALLY ILL INDIVIDUALS

25.01 PURPOSE

- A. This policy is to provide guidance to members when responding to or encountering situations involving persons displaying behaviors consistent with crisis or mental illness.
- B. Responding to situations involving individuals who are reasonably believed to be in crisis or to be affected by mental illness carries potential for violence; requires an officer to make difficult judgments about the intent of the individual and mental state; and necessitates the use of special skills, techniques, and abilities to effectively and appropriately resolve the situation, while avoiding unnecessary violence and potential civil liability.

25.02 GOALS

- A. The goal shall be to de-escalate the situation safely for all individuals involved when reasonable, practical, and consistent with established safety priorities. In the context of involuntary detention, members shall be guided by Title 25 of Wyoming State Statutes. Members shall use this information to assist them in determining whether a person's behavior is indicative of a crisis or mental illness and to provide guidance, techniques, and resources so that the situation may be resolved in as constructive and humane a manner as possible.

25.03 DEFINITIONS

- A. *Crisis*: An individual's emotional, physical, mental, or behavioral response to an event or experience that results in trauma. A person may experience crisis during times of stress in response to real or perceived threats and/or loss of control and when normal coping mechanisms are ineffective. Symptoms may include emotional reactions such as fear, anger, or excessive giddiness; psychological impairments and potentially even psychosis; physical reactions like vomiting/stomach issues, headaches, etc.; and/or behavioral reactions including the trigger of a "fight or flight" response. Any individual can experience a crisis reaction regardless of previous history of mental illness.
- B. *Mental Illness*: An impairment of an individual's normal cognitive, emotional, or behavioral functioning, caused by physiological or psychosocial factors. A person may be affected by mental illness if he or she displays an inability to think rationally (e.g., delusions or hallucinations); exercise adequate control over behavior or impulses (e.g., aggressive, suicidal, homicidal, sexual); and/or take reasonable care of his or her welfare with regard to basic provisions for clothing, food, shelter, or safety.

25.04 PROCEDURES

- A. Recognizing Abnormal Behavior
 - 1. Members are not expected to diagnose emotional or mental conditions, but rather to recognize behaviors that are indicative of persons in crisis or affected by mental illness, with special emphasis on those that suggest potential violence and/or danger.
 - 2. The following are generalized signs and symptoms of behavior that may suggest crisis or mental illness, although members should not rule out other potential causes such as reactions to alcohol or psychoactive drugs of abuse, temporary emotional disturbances that are situational, or medical conditions.

- a. Strong and unrelenting fear of persons, places, or things. Extremely inappropriate behavior for a given context.
- b. Frustration in new or unforeseen circumstances; inappropriate or aggressive behavior in dealing with the situation.
- c. Abnormal memory loss related to such common facts as name or home address (although these may be signs of other physical ailments or disease).
- d. Delusions, the belief in thoughts or ideas that are false, such as delusions of grandeur or paranoid delusions.
- e. Hallucinations of any of the five senses.
- f. The belief that one suffers from extraordinary physical maladies that are not possible.

B. Assessing Risk

1. Most persons in crisis or affected by mental illness are not dangerous and some may only present dangerous behavior under certain circumstances or conditions.
2. Members may use several indicators to assess whether a person who reasonably appears to be in crisis or affected by mental illness represents potential danger to themselves, the member, or others. These include the following:
 - a. The availability of any weapons.
 - b. Statements by the person that suggest that he or she is prepared to commit a violent or dangerous act. Such comments may range from subtle innuendo to direct threat that, when taken in conjunction with other information, paint a more complete picture of the potential for violence.
 - c. A personal history that reflects prior violence under similar or related circumstances.
 - d. The amount of self-control that the person shows, particularly the amount of physical control over emotions of rage, anger, fright, or agitation. Signs of a lack of self-control include extreme agitation, inability to sit still or communicate effectively, wide eyes, and rambling thoughts and speech. Begging to be left alone, or offering frantic assurances that one is all right, may also suggest that the individual is close to losing control.
 - e. The volatility of the environment is a particularly relevant concern that members must continually evaluate. Agitators that may affect the person or create a particularly combustible environment or incite violence should be taken into account and mitigated.
3. Failure to exhibit violent or dangerous behavior prior to the arrival of the member does not guarantee that there is no danger.
4. An individual affected by emotional crisis or mental illness may rapidly change their presentation from calm and command-responsive to physically active. This change in behavior may come from an external trigger or from internal stimuli (delusions or hallucinations). A variation in the person's physical presentation does not necessarily mean he or she will become violent or threatening, but members should be prepared at all times for a rapid change in behavior.

C. Response to Persons in Crisis or Affected by Mental Illness

1. If the members determines that an individual is exhibiting symptoms of being in crisis or mental illness and is a potential threat to themselves, the member, or others, the following responses should be considered:
 - a. Request a backup officer if one is not already present.

- b. Take steps to calm the situation.
 - (1) Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet nonthreatening manner when approaching or conversing with the individual.
 - (2) Where violence or destructive acts have not occurred, avoid physical contact, and take time to assess the situation.
 - (3) Members should operate with the understanding that time may be an ally and generally there is no need to rush or force the situation.
 - c. Provide reassurance that you are there to help and that the person will be provided with appropriate care.
 - d. Communicate with the individual in an attempt to determine what is bothering him or her.
 - (1) If possible, speak slowly and use a low tone of voice. Relate concern for the person's feelings and allow the person to express feelings without judgment.
 - (2) Where possible, gather information on the individual from acquaintances or family members and/or request professional assistance from a counselor if available and appropriate.
 - e. Avoid topics that may agitate the person and guide the conversation toward subjects that help bring the individual back to reality.
 - f. Always attempt to be truthful with the individual.
 - (1) If the person becomes aware of a deception, he or she may withdraw from the contact in distrust and may become hypersensitive or retaliate in anger.
 - (2) In the event an individual is experiencing delusions and/or hallucinations and asks the member to validate these, statements such as "I am not seeing what you are seeing, but I believe that you are seeing (the hallucination, etc.)" is recommended.
 - (3) Validating and/or participating in the individual's delusion and/or hallucination is not advised.
 - g. Request assistance from individuals with specialized training in dealing with crisis situations or mental illness (e.g., Jackson Hole Community Counselling Center).
- D. Taking Custody or Making Referrals to Mental Health Professionals
- 1. Based on the totality of the circumstances and a reasonable belief of the potential for violence, the officer may provide the individual and/or family members with referral information on available community mental health resources, or detain the individual per guidelines of Title 25 in order to seek an involuntary emergency evaluation. For further direction on Emergency Mental Health Detentions see JPD OPERATIONS 9.15.
 - 2. Offer mental health referral information to the individual and or/family members when the circumstances indicate that the individual is not a danger to themselves or others.
 - 3. Continue to use de-escalation techniques and communication skills to avoid provoking a volatile situation once a decision has been made to detain the individual.

26.0 FIREARMS

26.01 PURPOSE

- A. The purpose of this policy to provide members with guidelines associated with the use, maintenance, and safety of Department authorized firearms and the qualification requirements related to firearms.

26.02 POLICY

- A. It is the policy of this Department that members shall adhere to the requirements established herein in order to ensure the safe handling and use of firearms.

26.03 DEFINITIONS

- A. *Authorized Firearm*: Any make, model, or caliber of firearm that meets this Department's designated requirements and specifications, which has been formally approved by the Chief of Police for use by sworn law enforcement members. This includes primary service handguns, backup handguns, shotguns, and rifles used for law enforcement purposes.
- B. *Primary Service Handgun*: The firearm authorized by this Department to be carried as part of the service uniform and related equipment for uniformed members or the authorized firearm to be carried by plainclothes members unless one of the authorized alternates is authorized.
- C. *Backup Handgun*: Any authorized handgun other than the primary service handgun that is carried in a concealed manner.
- D. *Firearms Qualification*: Periodic testing required of members to determine their competency to carry authorized firearms.
- E. *Rangemaster*: Any qualified firearms instructor assigned by the Department.
- F. *Senior Rangemaster*: Rangemaster designated by the Chief of Police to oversee the Department's firearms program.

26.04 PROCEDURES

- A. General Provisions
 - 1. Members shall only carry authorized firearms when on-duty.
 - 2. Members shall carry their badge and Department identification while armed and on-duty.
 - 3. Only ammunition that has been approved by this Department shall be used in authorized firearms.
 - 4. Only sworn members who have successfully passed firearms qualification and the WLEA, or its equivalent, shall be authorized to carry a firearm on-duty.
- B. Primary Service Handgun
 - 1. The primary service handgun designated for this Department is the Model Glock 19.
 - 2. The primary service handgun shall be carried in accordance with the uniform and related requirements and as otherwise specified by this policy.
 - a. There may be instances when members are unable to show proficiency with the issued Model 19 or the Department's Senior Rangemaster determines the Model 19 does not suitably fit a member and alternate model will be chosen for the member by the Department. In such an instance, an authorized alternate may be issued to the member and an

associated holster, and magazine pouch will also be provided by the Department.

- b. A member issued the Glock 19 as their primary service handgun, may choose to carry an authorized alternate with the permission of the Operations Lieutenant and Senior Rangemaster provided that:
 - (1) The member be responsible for the purchase of the firearm as well as the associated holster and magazine pouch.
 - (2) The firearm be equipped with approved sights.
 - (3) The weapon be inspected by a Department armorer prior to on-duty use.
- c. Authorized alternate service handguns are as follows:
 - (1) Full-sized or compact Glock model handguns chambered in 9mm, or .45 auto, with a barrel length of no less than 3.8" barrel and no greater than 5.5." The handgun must contain original parts from the manufacture with a trigger pull of no less than 5 lbs.
 - (2) No other makes or calibers are authorized for on-duty carry.
- d. Members on special assignment, training, or members with an articulable need may request authorization from a sergeant to carry alternate service firearms, backup firearms, or alternate ammunition on an ongoing or periodic basis.

C. Rifles

- 1. Only Department issued rifles will be used for on-duty use.
- 2. The designated patrol rifle for this Department is an AR-15 variant chambered for 5.56/.223.
- 3. Patrol rifles shall be carried in a secure rack as provided in patrol vehicles, in a "patrol-ready" state – chamber empty, safety off, and trigger depressed unless it is not practical to do so.
- 4. If the rifle was issued with a suppressor, it should not be removed except for cleaning and maintenance.
- 5. Rifles used by the Police Marksman/Observer Team will be governed under policy 15.0.

D. Shotguns

- 1. Only Department issued shotguns will be used for on-duty use.
- 2. The designated shotgun for this Department is the 12 gauge, Remington 870.
- 3. Shotguns shall be carried in a secure rack as provided in patrol vehicles, in a "patrol-ready" state – chamber empty, safety off, and trigger depressed unless it is not practical to do so.
- 4. Shotguns shall only be used with less-lethal ammunition authorized and issued by this Department and no other shotgun ammunition shall be kept in the vehicle or on the member's person.

E. Backup Firearms

- 1. Sworn members are permitted to carry backup firearms, provided:
 - a. Each member who chooses to carry a backup firearm must receive specific written authorization from the Chief of Police. That authorization shall include a full description, including serial number, make, model and caliber of the weapon intended to be carried.
 - b. Reasonable efforts must be made to carry the backup weapon in a concealed and secure manner.

- c. Members shall qualify with their backup weapon prior to carrying it and annually thereafter.

F. Off-Duty Firearms

1. Members are encouraged to carry an authorized firearm while off-duty, but are not required to do so except when in uniform or when operating a marked patrol vehicle whether on or off-duty.
2. Reasonable efforts should be made to carry the off-duty firearm in a concealed and secure manner.
3. When armed and off-duty, members are encouraged to carry their badge and agency identification.

G. Firearms Qualifications

1. All members authorized to carry firearms shall be required to qualify with each authorized firearm on an annual basis. Quarterly qualification is a desirable objective.
2. All members shall qualify according to the WLEA qualification guidelines with a minimum score of 80% in four (4) attempts.
 - a. All members are expected to arrive at range qualifications with ballistic vest, eye protection, and ear protection.
 - b. All members shall clean their weapons as soon as is practical following each range.
3. All members who fail to qualify, shall meet the following requirements within 30 days:
 - a. Receive remedial firearms training.
 - b. Successfully pass the WLEA qualification with a minimum score of 80% in four (4) attempts.
4. The Senior Rangemaster will notify the Operations Lieutenant in the event that any member fails to qualify after having received remedial training.
 - a. Additional attempts will be allowed at the discretion of the Operations Lieutenant.
5. Any member who fails to qualify with a firearm that is not required for the member's duty assignment shall not be permitted to carry that firearm on-duty.
6. Members shall be issued fresh duty ammunition in the specified quantity for their firearms during the member's first scheduled qualification each year. When needed in accordance with established policy, the armorer shall dispense replacements for defective or depleted ammunition.
7. Members shall be required to qualify with their primary service handgun and additional firearms (as appropriate) following return to duty after a leave of absence when it reasonably appears necessary or if they have missed their qualification date.
8. Pregnant members shall notify the department if they are pregnant. They shall be informed of the potential risks to the fetus associated with lead and noise toxicity during firearms qualification. Should the member choose to qualify, the Department shall take such precautionary measures reasonably possible to reduce potential contamination from these sources.

H. Firearms Modifications

1. Modifications to any Department authorized firearm that alter the weapon's function and appearance are not authorized. The Senior Rangemaster may authorize the following items without violating this policy:

- a. Grip covers for pistols
 - b. Items classified as, “Furniture,” for patrol rifles
 - c. Slings
 - d. Non-magnified optics
 - e. Lights
 2. Defective, unsafe, or unauthorized firearms shall be reported to any Department armorer and that information relayed to a Department Rangemaster.
 3. Repairs or alterations to agency-authorized firearms shall be made only by an armorer employed or authorized by this Department.
 4. Authorized firearms shall be maintained in a clean and safe operating condition and shall be inspected annually, and at periodic intervals, as determined by the Department Rangemasters.
- I. Firearms Safety
1. Members shall not carry a firearm when on or off-duty if they are mentally or physically impaired to a degree they are unable to safely handle and operate the weapon.
 2. Members shall report, in writing, to their immediate supervisor any use of prescription drugs or other medication or any physical ailment or injury that they reasonably believe could impair their ability or judgment to use a firearm while on-duty.
 3. Members shall take reasonable precautions to store their authorized firearms when off-duty so they are not accessible to unauthorized persons.
 - a. Shotguns and rifles may remain secured in racks in patrol vehicles unless the member reasonably believes they are not safe there; in which case, the member shall take reasonable precautions to secure them so they are not accessible to unauthorized persons.
 4. Members are encouraged to store their personal weapons so they are not accessible to unauthorized persons. Members shall be responsible for the safe storage of their authorized and personally owned firearms when not in their personal possession.
 5. All authorized firearms shall be carried in a safe and secure manner as authorized by this Department.
 - a. Uniformed patrol shall carry the primary service handgun in a level 2 holster at minimum.
 - b. Level 1 holsters are authorized for concealed backup handguns, detectives, or plain clothes assignments or training.
 6. Removal of firearms from their holster or other carrying devices for a purpose other than an authorized purpose—such as tactical use, training and qualification, inspection, or cleaning and maintenance—is prohibited. Any careless or unprofessional use or display of a firearm shall constitute grounds for discipline or termination.
 7. Firearms shall not be permitted in the secure areas of the Teton County Detention Center’s booking, holding, or general population areas unless authorized by the Sheriff, or their designee, pursuant to Wyo. Stat. Ann. § 6-5-209(a).
 8. Each year during firearms qualification, the range master should provide members with refresher training, and additional information as available, concerning firearms safety and this policy.

STAFF REPORT



Meeting Date:	January 17, 2022	Meeting Title:	Regular Council Meeting
Submitting Department:	Town Clerk	Presenter:	Lynsey Lenamond
Agenda Item:	CONTINUATION Application for Resort Liquor License CCCs PBI LLC	Public Comment:	Yes

Purpose & Policy Considerations.

Consideration of an application for a resort 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 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. The public hearing was opened on November 21, 2022.
2. Council moves to continue the public hearing to the February 21, 2023 Regular Council Meeting.
3. The public hearing will remain open until the February 21, 2023 Regular Council Meeting.

Requested Action.

To continue the public hearing to February 21, 2023.

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 a resort liquor license from CCCs PBI LLC to the February 21, 2023 Regular Council Meeting.

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Regular Council Meeting
Submitting Department:	Town Clerk	Presenter:	Lynsey Lenamond
Agenda Item:	Application for New Restaurant Liquor License Abuelito Group LLC	Public Comment:	Yes

Purpose & Policy Considerations.

Consideration of an application for a restaurant 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 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. Mayor Morton Levinson opens the public hearing.
2. Mayor Morton Levinson asks for the staff presentation on the application.
3. Mayor Morton Levinson calls for any and all public comment.
4. Council discusses the application.
5. Mayor Morton Levinson calls for a motion on the application and the vote on the motion.
6. Mayor Morton Levinson closes the public hearing.

Requested Action.

To consider statutory findings for approving a restaurant liquor license.

Recommendations.

Staff recommends approval of this application.

Background.

On December 8, 2022, the Clerk's office received an application for a new restaurant liquor license from Abuelito Group LLC dba El Abuelito Mexican Restaurant. This is an established restaurant applying for a new license due to a change of LLC. The owner had the option to apply for a transfer of ownership but opted to apply for a new license instead.

With approval of the license, Council will be approving the existing dispensing area as seen in the attached photos.

This license will only be effective until March 31, 2023, and will be subject to the normal annual liquor license renewal process.

The application was distributed according to Town procedure to Town and Joint Departments for review and comment. The Wyoming Liquor Division has certified the application complete.

Analysis.

The Town Council shall consider the following from Wyoming Statute § 12-4-104(b) regarding the issuance of a liquor license:

- (i) The welfare of the people residing in the vicinity of the proposed license or permit premises shall be adversely and seriously affected;*
- (ii) The purpose of this title shall not be carried out by the issuance, renewal or transfer of the license or permit;*
- (iii) The number, type and location of existing licenses or permits meet the needs of the vicinity under consideration;*
- (iv) The desires of the residents of the county, city or town will not be met or satisfied by the issuance, renewal or transfer of the license or permit; or*
- (v) Any other reasonable restrictions or standards which may be imposed by the licensing authority shall not be carried out by the issuance, renewal or transfer of the license or permit.*

Possible Alternatives.

The public hearing must be conducted or at least opened at this Council meeting. Alternatives to that include:

1. Continue the public hearing.
2. Deny the Application.

Comprehensive Plan & Priority Alignment.

This application relates to Comprehensive Plan Policy 8.1.a, the delivery of quality levels of service to the community.

Fiscal Impact.

Upon approval, the prorated license fee of \$298.80 will be deposited into the Town's General Fund. The license will generate an undetermined amount of sales tax revenue.

Staff Impact.

The Clerk's office spent approximately 3 hours, including review of the application and working with the applicant and the Wyoming Liquor Division. This time will also include preparation of the license if approved and updating the appropriate files. The Town Attorney, Administration, Planning and Building, and Fire Department spent time reviewing the application as well. Should this application be approved, the Police Department will include the applicant in their compliance checks.

Attachments or Links.

Application.

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

Having considered Wyoming Statute §12-4-104(b) statutory factors for this application, I move to approve the application for a restaurant liquor license from Abuelito Group LLC, subject to the following conditions, and further direct the Town Clerk to issue the license upon confirmation that the conditions of approval have been met within the timeframe set forth in Wyoming Statute §12-4-103(a)(iv):

1. The Town Clerk shall not issue the license until all required Town licenses and permits have been obtained.
2. Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division.

NEW OR TRANSFER LIQUOR LICENSE OR PERMIT APPLICATION

FOR LIQUOR DIVISION USE ONLY

Customer #:

Trf from:

Reviewer:

Initials

Date

Agent:

Chief:

To be completed by City/County Clerk

License

Fees Annual Fee: \$ 1514.00Prorated Fee: \$ 298.80

Transfer Fee: \$ _____

Publishing Fee: \$ 100.00Publishing Fee Direct Billed to Applicant: ☐ 1/18/23

License Term:

Month

Day

Year

Through

Month

Day

Year

Local License #:

Date filed with clerk:

Advertising Dates: (2 Weeks)

1/4/23

1/11/23

Hearing Date:

1

/

17

/

23

3/31/23

LICENSING AUTHORITY: Begin publishing promptly. As W.S. 12-4-104(d) specifies: NO LICENSING AUTHORITY SHALL APPROVE OR DENY THE APPLICATION UNTIL THE LIQUOR DIVISION HAS CERTIFIED THE APPLICATION IS COMPLETE.

Applicant:

Abuelito Group LLC

Trade/Business Name (dba):

El Abuelito Mexican Restaurant

Building to be licensed/Building Address:

385 W Broadway

Number & Street

Jackson

City

WY 83001

State

Teton

County

Local Mailing Address:

PO Box 4224

Number & Street or P.O. Box

Jackson

City

WY

State

83001

Zip

Local Business Telephone Number: (307) 733 1207Fax Number: (307) 654 3727Business E-Mail Address: centenoalf7@hotmail.com**FILING FOR**☒ NEW LICENSE☐ TRANSFER OF LOCATION☐ TRANSFER OWNERSHIP

FORMERLY HELD BY:

FILING IN (CHOOSE ONLY ONE)☒ CITY OF: Jackson☐ COUNTY OF: _____☐ ASSIGNMENT LETTER ATTACHED**FILING AS (CHOOSE ONLY ONE)**☐ INDIVIDUAL☐ PARTNERSHIP☐ LP/LLP☒ LLC☐ CORPORATION☐ LTD PARTNERSHIP☐ ORGANIZATION☐ OTHER _____**TYPE OF LICENSE OR PERMIT (CHOOSE ONLY ONE)****RETAIL LIQUOR LICENSE**☐ ON-PREMISE ONLY (BAR)☐ OFF-PREMISE ONLY (PACKAGE STORE)☐ COMBINATION ON/OFF PREMISE (BOTH BAR & PACKAGE STORE)☒ RESTAURANT LIQUOR LICENSE☐ RESORT LIQUOR LICENSE☐ BAR AND GRILL**LIMITED RETAIL (CLUB)**☐ VETERANS CLUB☐ FRATERNAL CLUB☐ GOLF CLUB☐ SOCIAL CLUB☐ MICROBREWERY☐ WINERY☐ DISTILLERY SATELLITE☐ WINERY SATELLITE☐ COUNTY RETAIL/SPECIAL MALT BEVERAGE PERMIT**SPECIAL DESIGNATIONS**☐ CONVENTION FACILITY☐ CIVIC CENTER/EVENT CENTER/ PUBLIC AUDITORIUM☐ GOLF CLUB☐ GUEST RANCH☐ RESORTTo Assist the Liquor Division with scheduling inspections: **OPERATIONAL STATUS**☒ FULL TIME (e.g. Jan through Dec)

(specify months of operation)

from Jan 1st to Dec 31st☐ SEASONAL/PART-TIME

DAYS OF WEEK (e.g. Mon through Sat)

from Monday to Sunday☐ NON-OPERATIONAL/PARKED

HOURS OF OPERATION (e.g. 10a - 2a)

from 11am to 10pm

ALL APPLICANTS MUST COMPLETE QUESTIONS 1- 4**1. BUILDING OWNERSHIP:** Does the applicant? W.S. 12-4-103(a)(iii)

- (a) **OWN** the licensed building? ☐ YES (own)
- (b) **LEASE** the licensed building? (Lease must be through the term of the liquor license) ☒ YES (lease)

If Yes, please submit a copy of the lease and indicate:

- (i) When the lease expires, located on page 2 paragraph 1 of lease.
- (ii) Where the **Sales** provision for alcoholic or malt beverages is located, on page 3 paragraph 7 of lease.
(MUST contain a provision for SALE OF ALCOHOLIC or MALT BEVERAGES.)

2. To operate your liquor business, have you assigned, leased, transferred or contracted with any other person (entity) to operate and assert total or partial control of the license and the licensed building? W.S. 12-4-601(b) ☐ YES ☒ NO

3. Does any manufacturer, brewer, rectifier, wholesaler, or through a subsidiary affiliate, officer, director or member of any such firm: W.S. 12-5-401, 12-5-402, 12-5-403

- (a) Hold any interest in the license applied for? ☐ YES ☒ NO
- (b) Furnish by way of loan or any other money or financial assistance for purposes hereof in your business? ☐ YES ☒ NO
- (c) Furnish, give, rent or loan any equipment, fixtures, interior decorations or signs other than standard brewery or manufacturer's signs? ☐ YES ☒ NO
- (d) If you answered **YES** to any of the above, explain fully and submit any documents in connection there within:

4. Does the **applicant** have any interest or intent to acquire an interest in any other liquor license issued by **this** licensing authority? W.S. 12-4-103(b) ☐ YES ☒ NO
- If "YES", explain: _____

5. BAR AND GRILL LICENSE OR RESTAURANT LICENSE:

Have you submitted a valid food service permit or application? W.S. 12-4-413(a) ☒ YES ☐ NO

6. RESORT LICENSE:

Does the resort complex:

- (a) Have an actual valuation of at least one million dollars, or have you committed or expended at least one million dollars (\$1,000,000.00) on the complex, excluding the value of the land? W.S. 12-4-401(b)(i) ☐ YES ☐ NO
- (b) Include a restaurant and a convention facility which will seat at least one hundred (100) persons? W.S. 12-4-401(b)(ii) ☐ YES ☐ NO
- (c) Include motel, hotel or privately owned condominium, town house or home accommodations approved for short term occupancy with at least one hundred (100) sleeping rooms? W.S. 12-4-401(b)(iii) ☐ YES ☐ NO
- (d) If no on question (c), have a ski resort facility open to the general public in which you have committed or expended not less than 10 million dollars (\$10,000,000.00)? W.S. 12-4-401(b)(iv) ☐ YES ☐ NO
- (e) Are you contracting/leasing the food and beverage services? W.S. 12-4-403(b)
1. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☐ NO

7. MICROBREWERY LICENSE:

Will the license be held in conjunction with another liquor license? W.S. 12-4-412(b)(iii) ☐ YES ☐ NO

- (a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT
☐ BAR AND GRILL ☐ WINERY

- (b) Do you self distribute your products? W.S. 12-2-201(a) ☐ YES ☐ NO
(Requires wholesale malt beverage license with the Liquor Division)

8. WINERY LICENSE:

Will the license be held in conjunction with another liquor license? W.S. 12-4-412(b)(iii) ☐ YES ☐ NO

- (a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT
☐ BAR AND GRILL ☐ MICROBREWERY

9. LIMITED RETAIL (CLUB) LICENSE:**FRATERNAL CLUBS** W.S. 12-1-101(a)(iii)(B)

- (a) Has the fraternal organization been actively operating in at least thirty-six (36) states? ☐ YES ☐ NO
- (b) Has the fraternal organization been actively in existence for at least twenty (20) years? ☐ YES ☐ NO

10. LIMITED RETAIL (CLUB) LICENSE:**VETERANS CLUBS** W.S. 12-1-101(a)(iii)(A):

- (a) Does the Veteran's organization hold a charter by the Congress of the United States? ☐ YES ☐ NO
- (b) Is the membership of the Veteran's organization comprised only of Veterans and its duly organized auxiliary? ☐ YES ☐ NO

11. LIMITED RETAIL (CLUB) LICENSE:**GOLF CLUBS** W.S. 12-1-101(a)(iii)(D)/W.S. 12-4-301(e):

- (a) Do you have more than fifty (50) bona fide members? ☐ YES ☐ NO
- (b) Do you own, maintain, or operate a bona fide golf course together with clubhouse? ☐ YES ☐ NO
- (c) Are you a political subdivision of the state that owns, maintains, or operates a golf course? ☐ YES ☐ NO
1. Are you contracting/leasing the food and beverage services? W.S. 12-5-201(g) ☐ YES ☐ NO
2. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☐ NO

12. LIMITED RETAIL (CLUB) LICENSE:**SOCIAL CLUBS** W.S. 12-1-101(a)(iii)(E)/W.S. 12-4-301(b):

- (a) Do you have more than one hundred (100) bona fide members who are residents of the county in which the club is located? ☐ YES ☐ NO
- (b) Is the club incorporated and operating solely as a nonprofit organization under the laws of this state? ☐ YES ☐ NO
- (c) Is the club qualified as a tax exempt organization under the Internal Revenue Service? ☐ YES ☐ NO
- (d) Has the club been in continuous operation for a period of not less than one (1) year? ☐ YES ☐ NO
- (e) Has the club received twenty-five dollars (\$25.00) from each bona fide member as Recorded by the secretary of the club and are club members at the time of this application in good standing by having paid at least one (1) full year in dues? ☐ YES ☐ NO
- (f) Does the club hold quarterly meetings and have an actively engaged membership carrying out the objectives of the club? ☐ YES ☐ NO
- (g) Have you filed a true copy of your bylaws with this application? ☐ YES ☐ NO
- (h) Has at least fifty one percent (51%) of the membership signed a petition indicating a desire to secure a Limited Retail Liquor License? (Petition Attached) ☐ YES ☐ NO

13. If applicant is filing as an Individual, Partnership or Club: W.S. 12-4-102(a)(ii) & (iii)

Each individual, partner or club officer must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip DO NOT LIST PO BOXES	Residence Phone Number	Have you been a DOMICILED resident for at least 1 year and not claimed residence in any other state in the last year?	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐

(If more information is required, list on a separate piece of paper and attach to this application.)

14. If the applicant is a Corporation, Limited Liability Company, Limited Liability Partnership or Limited Partnership: W.S. 12-4-102(a)(iv) & (v)

Each stockholder holding, either jointly or severally, ten percent (10%) or more of the outstanding and issued capital stock of the corporation, limited liability company, limited liability partnership, or limited partnership, **and every officer, and every director** must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip <i>DO NOT LIST PO BOXES</i>	Residence Phone Number	No. of Years in Corp or LLC	% of Corporate Stock Held	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
Alfonso Centeno						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐

(If more information is required, list on a separate piece of paper and attach to this application)

REQUIRED ATTACHMENTS:

- ☐ A statement indicating the financial condition and financial stability of the applicant W.S. 12-4-102(a)(vi).
- ☒ Attach any lease agreements (especially for resort/political subdivisions leasing out food & beverage services) W.S. 12-4-103 (a)(iii)/W.S. 12-4-403(b)/W.S. 12-4-301(e).
- ☐ If transferring a license from one ownership to another, a form of assignment from the current licensee to the new applicant authorizing the transfer W.S. 12-4-601(b).

OATH OR VERIFICATION

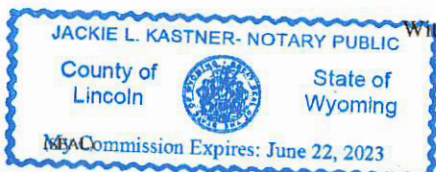
(Requires signatures by **ALL** Individuals, **ALL** Partners, **ONE (1)** LLC Member, or **TWO (2)** Corporate Officers or Directors except that if all the stock of the corporation is owned by **ONE (1)** individual then that individual may sign and verify the application upon his oath, or **TWO (2)** Club Officers.) W.S. 12-4-102(b)

*Under penalty of perjury, and the possible revocation or cancellation of the license,
I swear the above stated facts, are true and accurate.*

STATE OF WYOMING)
) SS.
COUNTY OF Lincoln)

Signed and sworn to before me on this 7th day of December, 2022 that the facts alleged in the foregoing instrument are true by the following:

1)	<u>Alfonso Centeno</u> (Signature)	<u>Alfonso Centeno</u> (Printed Name)	<u>Member/Owner</u> Title
2)	_____ (Signature)	_____ (Printed Name)	_____ Title
3)	_____ (Signature)	_____ (Printed Name)	_____ Title
4)	_____ (Signature)	_____ (Printed Name)	_____ Title
5)	_____ (Signature)	_____ (Printed Name)	_____ Title
6)	_____ (Signature)	_____ (Printed Name)	_____ Title



Witness my hand and official seal:

Jackie L. Kastner
Signature of Notary Public

My commission expires: June 22, 2023

TOWN OF JACKSON
Office of Town Clerk
P.O. Box 1687 / 150 East Pearl Avenue
Jackson, Wyoming 83001
(307) 733-3932 ext 1113

Liquor License Application

AFFIDAVIT of AUTHORIZATION

The undersigned hereby states he/she is authorized to sign the attached Liquor License and/or Permit Application form as issued by the Wyoming Liquor Division for use by the Town of Jackson, and authorizes the Town of Jackson, its agents, and employees to seek information as set forth in Municipal Code Section 6.20 and conduct investigations into the truth of the statements set forth in the application. The undersigned hereby agrees to comply fully with the rules and regulations of the Town of Jackson governing the liquor license/permit. The undersigned hereby attests that the facts and documents contained within the Liquor License or Permit Application packet are true and correct.

Individual, Partnership, and Club Applicants must list every individual, partner, and officer under Question #2 of the application.

Corporation, LLC, LLP, and LP Applicants must list every stockholder of 10+%, every officer, and every director under Question #3 of the application.

AFFIDAVIT of UNDERSTANDING

The undersigned hereby states that he/she understands that the submittal, review, approval, issuance, and/or received payment of the attached Liquor License and/or Permit Application form as issued by the Wyoming Liquor Division for use by the Town of Jackson does not imply that any other reviews, authorizations, permits, and approvals have been made by any Town/County departments or elected bodies. Additional review, authorization, permit, and approval may be required at any time from additional Town/County departments, which may include the time period after approval but before issuance of the Liquor License / Permit. It is the duty of the applicant to seek all required reviews, authorizations, permits, and approvals from Town or County departments.

PLEASE PRINT:

Legal Name: Alfonso First Name Centeno Last Name
Full Middle Name

Date of Birth:

State / Number

Alfonso Centeno
Applicant Signature

State of Wyoming)
County of Lincoln)ss

Subscribed and sworn to before me this 7th day of December, 2022.

(SEAL)



Jackie L. Kastner
Notary Public or officer authorized to administer oaths



Liquor License Application
Type:

Plan of Operations

Applicant: Abuelito Group LLC

DBA: _____

Describe how the premises will be operated? *include nature of business (restaurant, bar, package store), any regular events or special events*

full service restaurant

What type of alcoholic beverages will be available to customers?

Liquor, Beer, Wine

Describe the process that a customer will follow to order alcohol or malt beverages, and how an employee will prepare and deliver an alcoholic beverage to the customer.

Prepare in liquor room & deliver to customer (over 21 years of age)

What is the official building capacity? 84

Do you plan to serve alcohol outside on a deck or patio? yes

If so, include a sketch or site plan showing the outside area.

If so, describe the outside area, including egress: Front patio, to the west of entrance

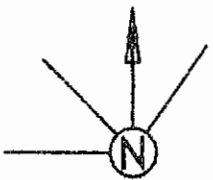
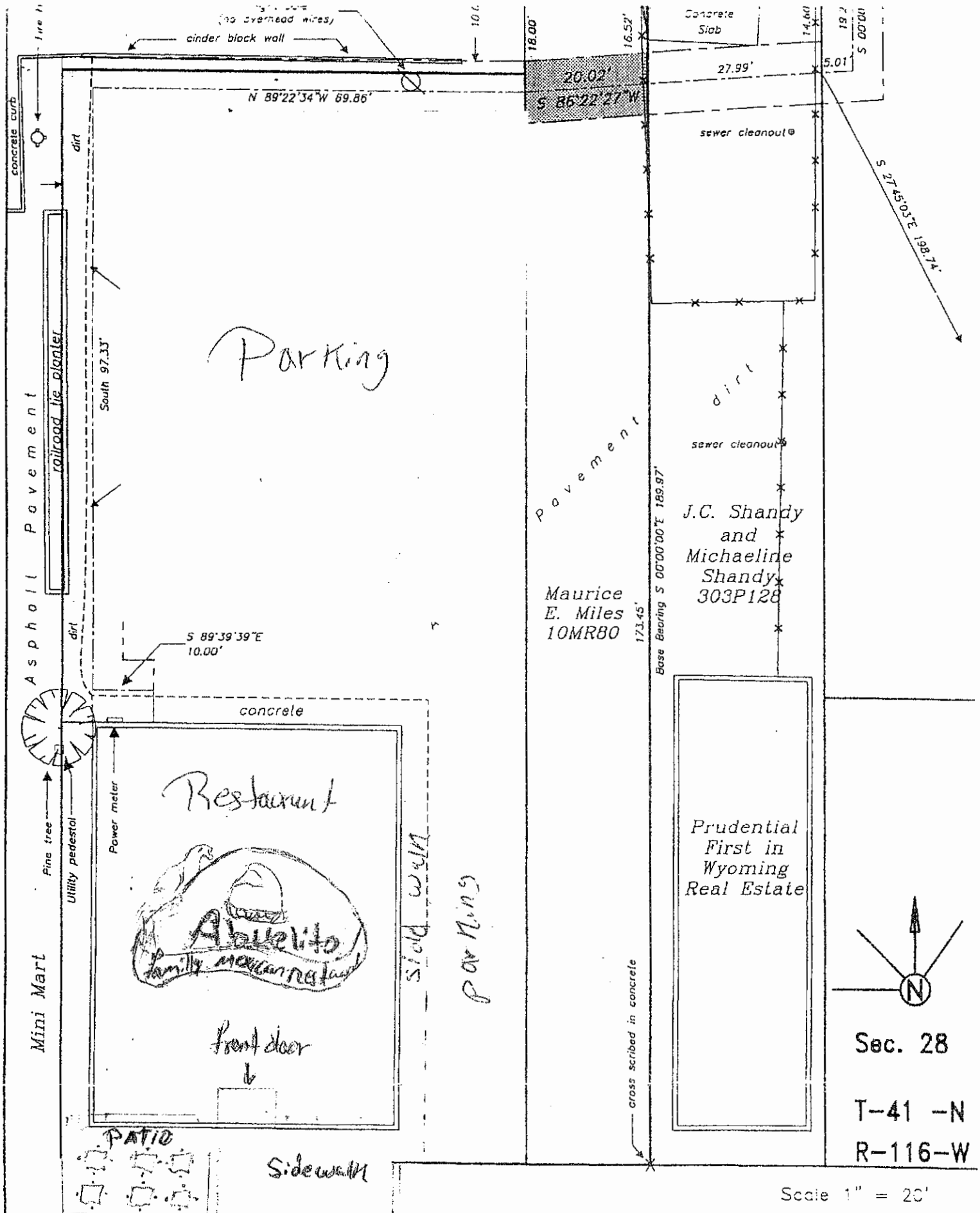
What is your plan to keep customers from leaving with open alcohol containers?

Personnel will monitor, no to-go containers will be used.

Provide the names of up to three (3) people who should receive communication from the Town and Police Department related to liquor operations:

	<u>Name</u>	<u>Position/Title</u>	<u>Email</u>
1)	<u>Alfonso Centeno</u>	<u>Member/Owner</u>	<u>centenoalf7@hotmail.com</u>
2)	<u></u>	<u></u>	<u></u>
3)	<u></u>	<u></u>	<u></u>

Completed by: Alfonso Centeno Date: Dec 7, 2022



Sec. 28

T-41 -N

R-116-W

Scale 1" = 20'

Date September 12, 1996

Job No. 627A733

U S WEST Communications, Inc.

EXHIBIT FOR RIGHT OF WAY NO.

35502

GRANTOR MAURICE E. MILES

APPLICATION FOR FOOD LICENSE

FOOD LICENSE: \$200.00 Initial Fee: \$100.00 Annual Renewal Fee.

(Licenses shall expire one year after date of issuance)

Cheyenne Office Use Only

LICENSE ACCOUNT NUMBER

ACTIVATION DATE

CHECK NO/CASH

LICENSE APPLICATION INFORMATION (to be completed by applicant)

Type of Application:

☐ New ☐ Change of Location ☒ Change of Owner

If change of owner or location, previous establishment name/location:

The Salsa Groon Inc

Trade/Business Name (dba): Abuelito group LLC

Applicant Name: Alfonso Centeno

Physical Address: 385 West Broadway

Will a Liquor License Be Applied For?

City: Jackson

State: WY

Zip: 83001

☒ Yes ☐ No

Mailing Address: P.O. Box 4224

City: Jackson

State: WY

Zip: 83001

Business Phone Number: 307-733-1207

Person in Charge on Site Phone: 307-690-7300

Email: Centenoal77@hotmail.com

Owner Information -

Name of Owner: Alfonso Centeno

Form of Organization:

Name of Company (if applicable): Abuelito group LLC

☐ Individual ☐ Co-Op ☐ Corporation

Parent Company (if applicable):

☐ Partnership ☒ LLC ☐ Non-Profit

Address: P.O. Box 4224

☐ Other Entity

City: Jackson

State: WY

Zip: 83001

Owner Phone Number: 307-690-7300

INDICATE WHERE TO MAIL RENEWAL FORMS (1=ESTABLISHMENT; 2=OWNER)

Type of Establishment (please check applicable box)

☒ Food Service ☐ Grocery ☐ Convenience ☐ Meat Plant ☐ Distributor ☐ Warehouse ☐ Dietary Supplement Processor ☐ Institution

☐ Guest Ranch ☐ Dairy ☐ Bulk Water ☐ Bar ☐ Mobile ☐ Mobile/Commissary Dependent ☐ Retail Processor

☐ Retail Pre-Packaged ☐ Retail Pre-Packaged License Only ☐ School ☐ Hotel ☐ Bed and Breakfast ☐ Seasonal Facility

☐ Manufactured Food Processor; Type of Food:

I ATTEST TO THE ACCURACY AND INFORMATION PROVIDED IN THIS APPLICATION. I AGREE TO COMPLY WITH ALL APPLICABLE WYOMING LAWS AND REGULATIONS AND I UNDERSTAND THAT EACH SECTION OF THE LAWS AND REGULATIONS IS SEPARATELY AND COLLECTIVELY ENFORCEABLE. I AGREE TO ALLOW THE REGULATORY AUTHORITY ACCESS TO MY ESTABLISHMENT. LATE RENEWAL PAYMENTS WILL RESULT IN DEACTIVATION.

Alfonso Centeno

SIGNATURE OF APPLICANT

12/06/22

DATE

[Signature]

APPROVING OFFICIAL

Teton

COUNTY

Make Checks Payable to: TCHD

~~WYOMING DEPARTMENT OF AGRICULTURE~~

~~CONSUMER HEALTH SERVICES SECTION~~

~~2219 CAREY AVE.~~

~~CHEYENNE, WY 82002~~

~~(307) 777-1211~~

~~State Relay Service at 711 or 1-800-875-9965~~

Instructions: A plan review must be submitted before this application can be considered, unless this is a change of ownership. Submit this application to your inspector of the WY Department of Agriculture or local County Health Dept. Complete all sections. If a section is not applicable enter "N/A". If additional space is needed for any item, attach additional sheet.

This application shall serve as receipt of payment.

EQUAL OPPORTUNITY IN EMPLOYMENT AND SERVICES

White copy to Cheyenne Yellow copy inspector Pink copy establishment

LEASE AGREEMENT

This Lease Agreement made this 22nd day of November, 2022, by and between Western Spirits Partnership, hereinafter referred to as "Landlord" or "Lessor" and Abuelito Group, LLC, a Wyoming Limited Liability Company, DBA El Abuelito Mexican Restaurant, hereinafter referred to as "Tenant" or "Lessee."

WITNESSETH:

WHEREAS, Landlord is the owner of that certain real property and improvements, hereinafter referred to as the "Leased Premises", generally described on the **attached map** dated September 12, 1996, and indicated thereon as the Western Spirits Partnership property, (drawn by surveyor Rich Greenwood as his job number 627A733) in Teton County, Wyoming which is located at 385 West Broadway, Jackson, Wyoming; and

WHEREAS, the Landlord has agreed to lease said property to Tenant, namely: all square feet of the above-described building; and

WHEREAS, the parties hereto desire to enter into a written lease agreement providing the terms, covenants and conditions for the occupancy of the Leased Premises by Tenant.

THEREFORE, in consideration of the mutual covenants, agreements, undertakings and benefits to the parties, the parties agree as follows:

1. Leased Premises. Landlord agrees to lease to Tenant and Tenant agrees to lease from Landlord the Leased Premises described above according to the terms and conditions of this Lease. Tenant's Lease shall include the non-exclusive right to use all common parking areas, sidewalks, exterior and interior hallways and stairways, bathrooms and other commonly used areas and facilities.

2. Term Of Lease. The term of the Lease shall commence on January 1st, 2023 and terminate on April 30th 2025, unless sooner terminated under the provisions of the Lease, or unless extended consistent with such extension terms as this lease includes.

3. Extensions. Provided the Tenant/Lessee has remained in compliance with the terms of this lease, Tenant/Lessee may extend this lease for one term, of two years, starting May 1st 2025, with the last day

of the possible lease period being April 30th, 2027. During the possible lease extension period, Tenant/Lessee will pay to Landlord/Lessor a monthly amount consistent with the formula detailed below, with the annual payment amount of each year of each extension period derived from the base annual rent and Consumer Price Index or CPIU, for the Northwest Wyoming region, in the same manner as provided for herein.

Tenant hereby acknowledges that the Landlord is pursuing the sale of the leased premises. If a qualified third party buyer initiates or completes the purchase of leased premises before December 1st, 2024, then the extension of this lease is withdrawn. Any further lease agreements, if any, shall be between the Tenant and the new owner of the leased premises under new terms and conditions.

4. Rent and Payment. Tenant covenants and agrees to pay Landlord beginning January 1st 2023, and on the first day of each month thereafter, a rent of [REDACTED]

B. Commencing with the first day of January, 2025, the amount of rent payable shall be maintained or increased in accordance with changes with the Consumer Price Index or CPIU, for the Northwest Wyoming region, or a successor or substitute index appropriately adjusted, hereinafter called the "Index". The most recent Index published prior to July 1st of each year shall be used in adjusting the base rent for the next year. The base annual rent herein shall be determined on each anniversary date by multiplying the index times the base annual rental amount for the previous anniversary period and the aggregate of the base rent and the percentage increase shall represent the total annual rent payable for the next following two year anniversary period.

In no event will the "total annual rent" for an ensuing year be less than the base rent being used for that year, i.e. the rent will never decrease regardless of any change in the CPIU. Each base annual rent shall become the base annual rent for the preceding period.

5. Late Rent Charges. Tenant hereby acknowledges that late payment by Tenant to Landlord of rent or other sums due hereunder will cause Landlord to incur costs not contemplated by this Lease, the exact amount of which will be extremely difficult to ascertain. Such costs include, but are not limited to, processing and accounting charges, legal fees and late charges which may be imposed on Landlord by the terms of any documents relating to loans to the Landlord, or other commitments to

which the Landlord is subject. Accordingly, if any installment of rent or any other sum due from Tenant shall not be received by the Landlord or its designee within ten (10) days after such amount shall be due, Tenant shall pay to Landlord a late charge equal to three percent (3%) of such overdue amount. The parties hereby agree that such late charge represents a fair and reasonable estimate of the costs Landlord will incur by reason of late payments by Tenant. Acceptance of such late charge by Landlord shall in no event constitute a waiver of Tenant's default with respect to such overdue amount, nor prevent Landlord from exercising any of the other rights and remedies granted hereunder.

Additionally, in the event the monthly rent payments are not paid within ten (10) days of the due date, said rent payments shall automatically accrue interest at the interest rate of eighteen percent (18%) per annum from the due date, which accrual of interest shall continue until the rent payment, together with accrued interest, and all late rent charges is paid. Such interest shall begin to accrue automatically on all delinquent rent payments without notice to Tenant.

6. Security Deposit. Tenant has paid to landlord a security deposit amount of [REDACTED] upon execution of this Lease, it will be held by Landlord in whatever manner Landlord chooses. The security deposit shall be returned to Tenant at end of the lease term if all rent and late charges have been paid as described above and the building returned to landlord in good repair and condition, reasonable wear and tear excluded. It is hereby acknowledged that Tenant has paid and Landlord has received a [REDACTED] deposit on October 4th, 2002, which will be credited toward the [REDACTED] security deposit.

7. Use Of The Leased Premises. The Leased Premises shall be used and occupied by Tenant in a careful, safe and proper manner and Tenant shall pay on demand for any damage to the Leased Premises caused by the misuse of same by Tenant, its' agents or employees. Tenant shall use the Leased Premises only for a restaurant, which may include the sale of alcoholic and malt beverages as licensed by the Town of Jackson. Tenant shall not use or keep any substance or material in or about the Leased Premises, which may vitiate or endanger the validity of the insurance on the Leased premises or increase the hazard or the risk. Tenant shall obtain Landlord's written consent to other uses shall not be unreasonably withheld or denied.

8. Acceptance Of Leased Premises. Taking possession of the Leased Premises by Tenant shall be conclusive evidence as against the Tenant that such premises were in good and satisfactory condition when

possession of same was taken. Tenant has inspected the Leased Premises and accept the same in "as is" condition.

9. Utilities, Dues, etc. Tenant shall pay for all (100%) of the use of all the water, sewage, electrical, gas, garbage and other utility services to or used by and in connection with the Leased Premises. Tenant shall be solely responsible for tenant's own telephone charges and install fees.

10. Repair And Maintenance. Lessor agrees to pay for underground utilities and building structural repairs initiated and agreed to by Landlord.

Tenant shall, at its sole expense, maintain the interior and exterior of the Leased Premises including, without limitation, all electrical, plumbing and mechanical systems in as good order and repair as it was on the first date of tenant's occupancy, reasonable wear and tear excepted. Tenant shall be responsible for all trash removal, snow removal and all other expenses occurring out of the operation of the business and use of the premises. Tenant shall not knowingly commit or willingly permit to be committed any act or actions contrary to the statutes, ordinances, rules and regulations of any federal, state, or municipal authority. All improvements made by either party shall be and remain the property of the Lessor.

Tenant shall permit Landlord, or its representative, to inspect upon reasonable notice the Leased Premises and to make improvements to the Leased Premises as Landlord may now or hereafter deem to be necessary and/or appropriate for the Leased Premises business or business operations. All such improvements shall be done, so far as practicable, to avoid interference with Tenant's occupancy and use of the Leased Premises, provided that Tenant shall not be entitled to compensation for unavoidable interference with its occupancy and use.

11. Alterations. Landlord shall have the right at any time to enter the Leased Premises to make such additions, repairs or alterations as it may deem necessary or proper for the safety, improvement or preservation of the Leased Premises provided the alterations do not unreasonably adversely affect Tenant's business or business operation. Landlord shall have the absolute right to make repairs (not alterations), which may be necessary for the safety or preservation of the Leased premises.

Tenant shall make no other alterations in or additions to the Leased Premises without first obtaining the written consent of the Landlord whose consent shall not be unreasonably withheld and all additions or improvements made by Tenant shall be deemed a part of the Leased Premises and permanent structure thereon and shall remain upon and be surrendered with the Leased Premises at the termination of this Lease by lapse of time or otherwise.

12. Insurance. Tenant shall maintain at its expense fire, hazard and extended coverage insurance on all of its personal property, including trade fixtures, and on all additions and improvements made by Tenant **and**, for an amount sufficient to cover the replacement cost of the building. (Approximate replacement value of building is \$1,300,000.00) Tenant shall, at Tenant's expense, maintain a policy or policies of comprehensive general liability insurance with the premiums thereon fully paid on or before due date, issued by and binding upon an insurance company authorized to do business in Wyoming, such insurance to afford minimum protection of not less than a single limit of One Million Dollars (\$1,000,000.00) (in the alternative, Tenant may maintain primary coverage in the amount of \$500,000.00, provided that \$1,000,000.00 coverage is provided by way of an "umbrella" policy) in respect to personal injury and/or death to one or more persons and for property damage. The insurance policy shall name Landlord as an additional insured. Tenant shall furnish Landlord with copies of all insurance policies to be maintained by Tenant with evidence of payment of the premiums thereon. All such insurance policies shall contain a clause or endorsement to the effect that they may not be terminated or materially amended during the term of this Lease except after fifteen (15) days written notice thereof to Landlord.

14. Property Taxes. Tenant agrees to pay all property taxes on the land and building of leased premises. A separate checking account shall be opened and maintained by the Landlord at the Bank of Jackson Hole for the sole purpose of collecting funds for and the payment of property taxes levied by Teton County, WY on the leased premises. Beginning January 1st, 2023, **in addition to the monthly rent**, Tenant shall make a monthly property tax payment deposited in the above checking account equal to one twelfth (12th) the estimated annual property tax, (The 2022 property tax was \$19,941.51). There shall be an annual audit of the property tax checking account with adjustments made for shortages or overages on October 1st of each year. Adjustments to property tax collection shall be paid by or returned to tenant within 15 days of notification.

15. Assignment, Sublease And Mortgage By Tenant. Tenant shall not assign or create a security interest in, pledge or encumber this Lease, in whole or in part, or sublet the whole or permit the use of the whole or any part thereof by any sub-tenant, licensee or concessionaire, unless Tenant obtains Landlord's written consent which Landlord may withhold in its absolute discretion. In the event of any such assignment, subletting, licensing or granting of a concession, Tenant shall nevertheless remain liable for the performance of all the terms, conditions and covenants of the Lease (including, without limitation, the covenant to pay rent).

16. Tenants Covenants. Tenant covenants that it shall:

(a) Comply with all provisions of this Lease and covenants of any state or federal statute or local ordinance or regulation applicable to Tenant and/or its use of the Leased Premises.

(b) Give to Landlord prompt written notice of any accident, fire or damage occurring on or to the Leased Premises.

(c) Keep the Leased Premises sufficiently heated to prevent freezing of pipes, waterlines and fixtures.

(d) Keep the Leased Premises orderly, clean, sanitary and free from objectionable odors and insects, vermin or other pets or nuisances.

(e) Do all things reasonably possible to prevent filing of any mechanics' or other lien against the Leased Premises or any part thereof by reason of work, labor, services or materials furnished or claimed to have been furnished to Tenant, or anyone holding the Leased Premises or any part thereof, through or under Tenant. If any such lien shall be filed against the Leased Premises, Tenant shall either cause the same to be discharged of record within twenty (20) days after the date of the filing of same, or if the Tenant, in Tenant's discretion and in good faith, determines the lien should be contested, Tenant shall furnish such security as may be necessary or required to prevent any foreclosure against Tenant's or Landlord's interest in the Leased Premises. If Tenant shall fail to discharge such lien within such period, or fail to furnish adequate security, then in addition to any other right of remedy of Landlord, Landlord may but shall not be obligated to discharge the lien either by paying the amount claimed to be due or by procuring the discharge of such

lien by obtaining security or in any other manner available to Landlord. Nothing herein contained shall imply any consent or agreement on the part of the Landlord to subject Landlord's interest in the Leased Premises to liability under any mechanics' or other lien law.

(f) Repay Landlord, as additional rent, on demand, all sums disbursed or deposited by Landlord pursuant to the provisions of this section, including Landlord's costs, expenses and reasonable attorney's fees incurred by Landlord in connection therewith.

(g) Permit no one other than employees, agents, servants and business invitees to remain in or loiter upon the Leased Premises.

(h) Comply with all rules and regulations of Landlord in effect at the time of execution of this Lease or at any time as may be reasonably established by the Landlord, including, but not limited to, regulations and recommendations of insurance carriers, including the installation of fire extinguishers and other safety equipment.

Tenant covenants that it shall not do or suffer to be done anything objectionable to the fire insurance or any other insurance now in force or hereafter to be placed on the Leased Premises or any part thereof shall become void or suspended, or be rated as a more hazardous risk than at the date when Tenant receives possession hereunder. In the event of breach of this covenant, in addition to all other remedies of Landlord, Tenant shall pay to Landlord as additional rent, any increase in premiums on insurance.

17. Damage or Destruction to Leased Premises. If the leased property shall be damaged by fire, the elements, unavoidable accident or other calamity, without the fault or neglect of the Tenant, or the Tenant's servants, employees, agents, visitors, licensees, or subtenants, and the leased property is not thereby rendered unusable *in whole or in part*, the Landlord shall promptly, at its own expense, cause such damage to be repaired, and the rent shall not be abated. If by reason of such occurrence, the leased property shall be rendered unusable *only in part*, the Landlord shall promptly cause the damage to be repaired, and the rent, meanwhile, shall be abated proportionately to the portion of the premises rendered unusable. If, by reason of such occurrence, the premises shall be rendered *wholly unusable*, or rendered such that tenant

is unable to reasonably conduct his intended business, the rent, meanwhile, shall be abated in whole; provided, however, that there shall be no extension of the term of this Lease by reason of such abatement. Notwithstanding the provisions of the immediately preceding sentence, if the leased property shall be rendered wholly unusable by reason of such occurrence and the property cannot be repaired within three months from the date of such damage, Tenant shall, at his option, have the right to declare the balance of this Lease null and void. If the Tenant does not exercise his option to cancel this Lease, the Landlord shall promptly, at its own expense, cause such damage to be repaired, and rent shall be abated during the period of such repairs.

If any such damage occurring to the leased property, whether it is partial or complete, shall occur as a result of the fault or neglect of the Tenant, Tenant's servants, employees, agents, business invitees, licensees, or subtenants, there shall be no apportionment or abatement of rent during the term of this Lease and Tenant shall not be entitled to cancel this Lease as described above.

18. Default By Tenant. The Tenant agrees to observe and perform the conditions and covenants set forth in this Lease, and further agrees that if default is made in the payment of any rent and such payment continues for thirty (30) days following written notice of delinquency or default for such payment, or if Tenant shall fail to observe or perform any of the other conditions or covenants in this Lease and such other default shall continue for more than thirty (30) days after written notice of such default, then and in that event, and as often as the same may happen, it shall be lawful for Landlord, at its election with or without previous notice, to terminate this Lease or to re-enter and repossess itself of the Leased Premises without termination, with or without legal proceeding, all without breaching the peace, and any personal property belonging to Tenant without prejudice to any claim for rent or for breach of the covenants, hereof, or without being guilty of any manner of trespass or forcible entry and detainer. The foregoing described rights shall be non-exclusive and shall be in addition to any and all of the rights and remedies Landlord may have pursuant to governing law.

Anything in the Lease to the contrary notwithstanding, if Landlord notifies Tenant in writing of any payment or other default four (4) times during any twelve (12) month period, then Landlord shall not be required to provide any further notice and the Lease shall be deemed in default and Landlord may exercise all remedies and rights.

19. Payment After Termination. No payments of money by Tenant to Landlord after the termination of this Lease, in any manner shall reinstate, continue or extend the term of this Lease or affect any notice given to Tenant prior to the payment of such money.

20. Vacation of Leased Premises. If Tenant shall abandon or vacate the Leased Premises before the end of the term of this Lease, or if Landlord re-enters the Leased Premises without termination, the Landlord may, at its option and without notice to Tenant, enter the Leased Premises, and re-let the same, or any part thereof, using reasonable efforts to obtain a suitable sub-tenant, as it may see fit, without thereby voiding or terminating this Lease, and, for the purpose of such re-letting, Landlord is authorized to make any repairs, changes, alterations or additions in or to the Leased Premises, as may be reasonable for the purposes of such re-letting, and if a sufficient sum shall not be realized from such re-letting each month to equal the monthly rental under the provisions of this Lease, then Tenant agrees to pay such deficiency upon demand.

21. Indemnification. Tenant shall indemnify Landlord and save it harmless from and against any and all claims, actions, damages, liability and expense in connection with loss of life, personal injury or damage to property occurring in or about, or arising out of or from the Leased Premises and adjacent sidewalks and loading areas, or the occupancy or use of the Leased Premises by Tenant or its sub-tenants, or occasioned wholly or in part by any act or omission of tenant, its agents, licensees, business invitees, concessionaires, contractors, customers, employee or sub-tenants. Likewise Landlord shall indemnify Tenant and save it harmless for acts or omissions of the Landlord.

In case Landlord shall be made a party to any litigation commenced by or against Tenant, its agents, licensees, business invitees, concessionaires, contractors, customers, employees or sub-tenants, Tenant shall protect and hold Landlord harmless and shall pay all costs, expenses and reasonable attorneys' fees incurred or paid by Landlord in connection with such litigation. Likewise Landlord shall protect, hold harmless and indemnify Tenants where Landlord is at fault.

22. Attorney's Fees. In the event, either party shall find it necessary to obtain the services of an attorney to enforce any of the covenants and conditions of this Lease, the substantially prevailing party shall be entitled to reimbursement for all costs and expenses, including reasonable attorneys' fees, whether or not litigation is commenced.

23. Trade Fixtures. Trade fixtures installed and paid for by Tenant in the Leased Premises shall remain the property of the Tenant and shall be removable at any time by it on or before the termination of this Lease by lapse of time or otherwise. Any damage caused to the Leased Premises that is the result of such removal shall be repaired by Tenant at its own expense. Any such trade fixtures not removed at or prior to the termination shall become the property of Landlord.

24. Landlord's Access. Landlord or its manager may enter the Leased Premises at any reasonable time after reasonable notice for the purpose of inspecting the Leased premises to ascertain Tenant's compliance with the terms and conditions of this Lease, in order to make repairs, additions or alterations as the Landlord deems necessary, to post notices of non-responsibility under mechanics' lien law or to exhibit the Leased Premises for sale, lease or mortgage financing.

25. Quiet Enjoyment. The Landlord covenants that the Tenant upon paying the rentals and performing the covenants upon its part to be performed hereunder shall peaceably and quietly, have, hold and enjoy the premises hereby leased during the term hereof and any renewals.

26. Landlord's Consent. The Landlord agrees not to unreasonably withhold its approval of or consent to any act of the Tenant where such approval or consent is required by the terms of the Lease, except in those instances where the Landlord has expressly reserved powers of denial or absolute discretion, in which cases such reservations shall be given full effect.

27. Notices. Any notices required or permitted to be given or served by either party to the other shall be deemed to have been duly given or served there if in writing and forwarded by certified mail, postage prepaid, return receipt requested, to the respective addresses set forth below or deliver to the party in person. Such notices shall be deemed given upon mailing of same or personal service. The parties' addresses are as follows:

LANDLORD: Western Spirits Partnership
Attn: Matthew Miles
6013 Iron Kettle St.
Las Vegas, NV 89130
MMiles@Wyoming.com
(307)-248-1769

TENANT: Alfonso Centeno, Owner
 Abuelito Goup, LLC
 PO Box 4224
 Jackson, WY 83002
 Tel. (307) 690-7300

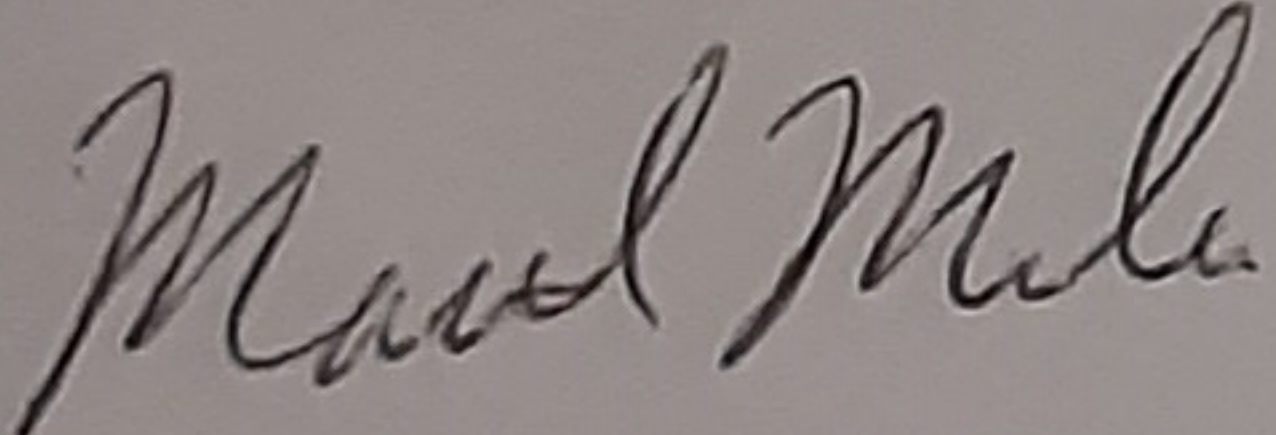
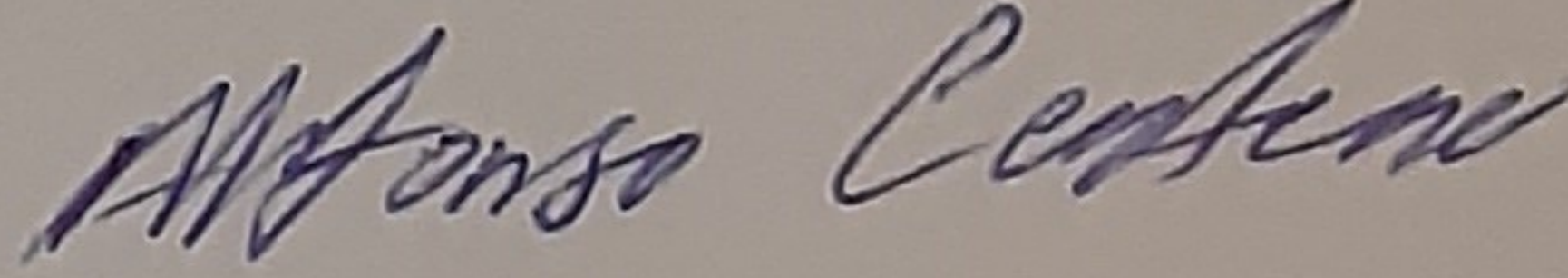
28. Amendment Or Modification. Tenant acknowledges and agrees that it has not relied upon any statement, representation, agreement or warranty, except such as are expressly stated herein, and that no amendment or modification of this Lease shall be valid or binding unless expressed in writing and executed by the parties hereto in the same manner as the execution of this Lease.

29. Signs. All business signs must conform to the Master Sign Plan submitted to the Town of Jackson, Wyoming. All signs must be approved by the Landlord prior to erecting or displaying signs.

30. Tenant's First Right to Purchase. For a term not to exceed the actual term of this lease, Landlord conveys to tenant a first right to purchase the subject property, which right shall operate as follows. Upon Landlord's sole and discretionary initiative, Landlord may set for the subject property such price as Landlord chooses. By certified mail, Landlord shall apprise tenant of Landlord's desire to sell the property at Landlord's named price. For a period not to exceed thirty (30) days following the date of Landlord's notice by certified mail to tenant, and by tenant's execution of a letter of intent and nonrefundable payment to Landlord of a sum of earnest money to be determined by Landlord, Tenant may precede all others in negotiating for the purchase of the subject property. Upon the expiration of thirty (30) days following the date of Landlord's notice by certified mail to tenant, and in the absence of a subsequent written agreement signed by Landlord and tenant, tenant's First Right to Purchase the subject property shall expire. Because of the incapacity of the marketplace to establish a dollar value for the Landlord's breach of this right, the parties agree that liquidated damages in the amount of one hundred dollars (\$100.00) shall be the full measure and extent of any damages due to tenant under this provision.

31. Guarantor of Payments, Terms and Conditions. Alfonso Centeno, principle and majority owner of Abuelito Group, LLC, hereby guarantees payment of all rent, late charges, interest and deposits as stated in this Lease. In addition to the named Tenant, Alfonso Centeno is responsible in executing all terms and conditions set forth in this lease and may be held personally liable for any violations of the terms, conditions or failure to pay any or all monetary obligations as stated herein. If Tenant is found unable to satisfy the terms and conditions of this lease, at the sole discretion of the Landlord, its' agents, heirs and assignees may pursue legal action and financial relief from Alfonso Centeno for any violation of this Lease.

With signatures below both parties acknowledge and agree to and are bound by the terms and conditions set forth in this Lease Agreement:

LANDLORD:  Matthew Miles, for Western Spirits Partnership Date: <u>11/22/22</u>	TENANT:  Alfonso Centeno, Owner Abuelito Group, LLC Date: <u>11/22/22</u>
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Meadowbrook Village
Plat No. 404

Meadowbrook Village
Condominium Association

Asphalt Pavement

light pole
(no overhead wires)

cinder block wall

N 89°22'34"W 69.86'

Legend

- Property Line
- Easement Center Line
- - - Easement Side Line
- Easement within this property

No underground utilities, lines,
tanks or other underground
features were located during
this survey and are not shown
on this exhibit.

Western Spirits
Partnership
244P278-279

S 89°39'39"E
10.00'

concrete

Spirits of the West
Bar & Liquor Store

drive—
thru

PE&LS 578
survey cap
on rebar

RLS 164
brass cap

Concrete Slab

N 89°42'08"W 27.93'

Concrete Slab

14.60'

27.99'

sewer cleanout

utility pole and
telephone pedestal

cinder block wall

19.23'

5.01'

S 00°00'00"E

19.23'

S 27°45'03"E 189.74'

dirt

sewer cleanout

J.C. Shandy
and
Michaeline
Shandy
303P128

Maurice
E. Miles
10MR80

173.45'

Base Bearing S 00°00'00"E 189.97'

Prudential
First in
Wyoming
Real Estate

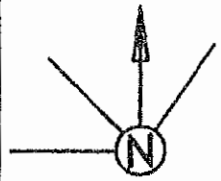


Exhibit "A"
Legal Description

A parcel of land in the SW1/4 SE1/4 of Section 28, T41N, R116W, Town of Jackson, Teton County, Wyoming, more particularly described as follows:

Beginning at a chisled + on the westerly side of the concrete base for a Mobil Oil Company sign, which point lies S 89°37.5' E 7.78 feet from the SE corner of the SW1/4 SE1/4 of said Section 28, thence N 89°37.5' W 148.00 feet along the south line of Section 28 to the true point of beginning;

thence N 00°05.5' W 175.00 feet along the west line of the road easement described in Book 10 of Mixed Records on Page 80, records of Teton County, Wyoming;

thence N 89°37.5' W 75.00 feet;

thence S 00°05.5' E 175.00 feet to the south line of Section 28;

thence S 89°37.5' E along the south line of Section 28 75.00 feet to the true point of beginning.

AND

A parcel of land in the SW1/4 SE1/4 of Section 28, T41N, R116W in the Town of Jackson, Teton County, Wyoming, more particularly described as follows:

Beginning at a point which lies S 89°37.5' E 7.78 feet from the SE corner of the SW1/4 SE1/4 of said Section 28, thence N 89°37.5' W 148.00 feet along the south line of Section 28 to the true point of beginning;

thence N 00°05.5' W 190.00 feet along the west line of the road easement described in Book 10 of Mixed Records, on Page 80, records of Teton County, Wyoming;

thence N 89°37.5' E 20 feet;

thence S 00°05.5' E 190.00 feet to the south line of Section 28;

thence S 89°37.5' W along the south line of Section 28, 20 feet to the true point of beginning.

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions.

Wyoming Title & Escrow, Inc.
Policy Issuing Agent for Westcor Land Title Insurance Company

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions.

Wyoming Title & Escrow, Inc.
Policy-Issuing Agent for Westcor Land Title Insurance Company

**STATE OF WYOMING * SECRETARY OF STATE
BUSINESS DIVISION**

Herschler Bldg East, Ste.100 & 101, Cheyenne, WY 82002-0020
Phone: 307-777-7311 · Website: <https://sos.wyo.gov> · Email: business@wyo.gov

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name	Abuelito Group, LLC		
Filing ID	2022-001182977		
Type	Limited Liability Company	Status	Active

General Information

Old Name	Sub Status	Current
Fictitious Name	Standing - Tax	Good
	Standing - RA	Good
Sub Type	Standing - Other	Good
Formed in Wyoming	Filing Date	11/10/2022 1:01 PM
Term of Duration Perpetual	Delayed Effective Date	
	Inactive Date	

Principal Address

3655 South Canadian Drive
Jackson, WY 83001

Mailing Address

P. O. Box 12705
Jackson, WY 83001

Registered Agent Address

Alfonso Centeno
3655 S Canadian Drive
PO Box 12705
Jackson, WY 83002

Parties

Type	Name / Organization / Address
Organizer	Johnathan R Gordon P.O. Box 159, Afton, WY 83110

Notes

Date	Recorded By	Note
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Annual Report History

Num	Status	Date	Year	Tax
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Amendment History

ID	Description	Date
See Filing ID	Initial Filing	11/10/2022

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name **Abuelito Group, LLC**

Filing ID **2022-001182977**

Type Limited Liability Company

Status

Active

[HOME](#)[MENUS](#)[RESERVATIONS](#)[GALLERY](#)[CONTACT US](#)

APPETIZERS

JMBO APPETIZER ★

achos, quesadillas and chicken taquitos served with guacamole and sour cream

JESADILLAS ★

vo flour tortillas stuffed with melted cheese, beef, onions, tomatoes, sour cream and guacamol

ACHOS DELUXE ★

orn tortilla chips covered with beans and melted cheese, topped with onions, tomatoes, sour cream and guacamole

HICKEN TAQUITOS ★

deep Fried tortilla filled with chicken and garnished with lettuce, tomatoes, sour cream and guacamole

URNE ASADA QUESADILLA ★

ces of Skirt Steak – your choice of Al Pastor or Carnitas

HEESE DIP ★

ces of Skirt Steak – your choice of Al Pastor or Carnitas

HEESE QUESADILLA ★

ces of Skirt Steak – your choice of Al Pastor or Carnitas

FORIQUESO ★

ces of Skirt Steak – your choice of Al Pastor or Carnitas

GGY QUESADILLA ★

ces of Skirt Steak – your choice of Al Pastor or Carnitas

DINNER

Served with rice, beans and three tortillas or cholesterol-free beans, or American-style with salad and french frie

[HOME](#)[MENUS](#)[RESERVATIONS](#)[GALLERY](#)[CONTACT US](#)

ENCHILADAS

Served with rice, beans and three tortillas or cholesterol-free beans, or American-style with salad and french fries.

TOSTADA DELUXE

Choice of chicken, beef, picadillo or beans served with guacamole and sour cream.

AVOCADO TOSTADA

Same with beans and slices of avocado.

ABUELITO SPECIAL ★

Mushrooms, cooked with mushrooms and sautéed in a tasty sauce made with sour cream and fine spices.

CAMARONES AL MOJO DE AJO

Mushrooms and mushrooms cooked in butter and sautéed in garlic-onion juice.

CAMARONES EN SALSA VERDE ★

Mushrooms cooked over charcoal and served with rice, baby shrimp and green sauce.

CAMARONES A LA CHIPOTLE ★

Mushrooms cooked with mushrooms in chipotle pepper sauce.

CAMARONES JALISCO

Mushrooms cooked with slices of ham and sautéed in a spicy sauce.

CAMARONES CON ARROZ

Mushrooms cooked with mushrooms and sautéed in a special sauce.

TACOS DE CAMARONES

Three marinated shrimp tacos served with rice and beans.

GUACAMOLE DE MARISCOS

Mushrooms with fish, shrimp, oysters and scallops.

CAMARONES APRETALADOS ★

Mushrooms wrapped in bacon and fried. Served over a bed of red and green peppers and onions and topped with melted cheese.

CAMARONES A LA DIABLA

Mushrooms cooked with mushrooms sautéed in a spicy sauce. ~Slightly Hot~

[HOME](#)[MENUS](#)[RESERVATIONS](#)[GALLERY](#)[CONTACT US](#)**PESCADO EMPANISADO**

breaded pan fried fish served with rice and beans or french fried and salad.

TACOS DE PESCADO ★

three fish tacos with rice and beans.

FILETO CAMPECHANO ★

filet of salmon in mojo de ajo or a la diablo served with rice and beans.

COCTEL DE CAMARON ★

shrimp cocktail with tomatoes, onion, cilantro and avocado.

GUACHILE ★**OSTADA DE CEVICHE** ★**ORDEN DE CEVICHE** ★

Beef Dishes

FILET RANCHERO ★

bone steak special marinated and grilled over charcoal.

CARNE ASADA ★

pieces of skirt steak cooked over charcoal served with guacamole.

TACOS ★

your choice of Carne Asada, Al Pastor, Pollo Asado or Carnitas Served with Rice and Beans

TACOS AL CARBON ★

your choice of Carne Asada, Al Pastor, Pollo Asado or Carnitas Served with Rice and Beans

EMPANQUEÑA ★

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PILETAS DE PUERCO

Pork chops in green sauce.

CHURRANGO RANCHERO

FILET MIGNON

FILET MIGNON

FILET MIGNON

Chicken Dishes

POLLO A LA CHIPOTLE ★

boneless chicken breast covered in chipotle pepper sauce.

POLLO ASADO ★

boneless chicken breast cooked over charcoal.

POLLO A LA CREMA ★

chicken breast with mushrooms sautéed in sour cream sauce.

POLLO CON QUESO ★

CHURRITOS DE POLLO ★

chicken breast cooked with red and green peppers, onions and tomatoes.

POLLO EN MOLÉ ★

chicken breast cooked in a tasty, sweet, authentic Molé sauce.

FILET MIGNON DE POLLO ★

breaded pan fried chicken served with rice and beans or french fried and salad.

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Dishes for Two

FAJITAS FOR TWO

Choose two from chicken, beef or prawns, then we cook them with red and green bell peppers and onions. Served in a hot sizzling grill plates of rice and beans, guacamole and sour cream.

COMBINATION FOR TWO

Carne asada, pollo asado and prawns all served on an extra large dish for two! Two plates of rice and beans.

SIZZLING Fajitas

Marinated steak, boneless chicken or prawns, delivered sizzling hot over a bed of sautéed onions and green peppers. Served with guacamole and tortillas.

STEAK FAJITAS ★

CHICKEN FAJITAS ★

SHRIMP FAJITAS

Served with mushrooms in red sauce

DINNER Combinations

Served with rice, beans or cholesterol-free beans, or American-style with salad and french fries

Your choices of fillings are: Chicken, Ground Beef, Cheese and Picadillo (seasoned shredded beef.)

ENCHILADA, TACO, TOSTADA OR TAMAL ★

CHIMICHANGA, BURRITO, CHALUPA OR CHILE RELLENO ★

ENCHILADA, TACO, TOSTADA OR TAMAL ★

CHIMICHANGA, BURRITO, CHALUPA OR CHILE RELLENO ★

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Los Burritos

A large dinner burrito served with rice and beans.

Made with Flour Tortillas

UPER BURRITO ★

our tortilla filled with your choice of ground beef, shredded beef or chicken garnished with lettuce, cheese, tomatoes, sour cream and

AFOOD BURRITO ★

rimp and real crab meat cooked in butter with chopped salsa.

AFOOD CHIMICHANGA ★

JRRITO FAJITA ★

icken or steak.

JRRITO VERDE ★

ork chunks with green sauce.

JRRITO COLORADO ★

unks of beef in red sauce.

JRRITO CHIPOTLE ★

oneless shredded chicken.

WRNE ASADA BURRITO ★

ces of steak.

. PASTOR BURRITO ★

arinated steak.

WRNITAS BURRITO ★

ork carnitas.

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Las Enchiladas

A large dinner enchilada served with rice and beans.
Made with Corn Tortillas

[CHICKEN ENCHILADA](#) ★

Chicken enchilada with green sauce and sour cream.

[CHIPOTLE ENCHILADA](#) ★

Chicken sautéed in our traditional, authentic molé sauce.

[SEAFOOD ENCHILADA](#) ★

Shrimp and real crab meat cooked in butter with chopped salsa.

[CHIPOTLE ENCHILADA](#) ★

Chicken enchilada in our traditional chipotle sauce.

[CHOICE OF ENCHILADA](#) ★

Ground beef, picadillo, chicken, veggie or cheese

[ENCHILADA A LA CREMA](#) ★[CHIPOTLE VERDE ENCHILADA](#) ★[CHIPOTLE COLORADO ENCHILADA](#) ★

Tostadas

[TOSTADA DELUXE](#) ★

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Niños Children

Children's menu served with rice and beans. (12 years and under)

Choice of ground beef, picadillo, chicken or cheese

ENCHILADA ★

BURRITO ★

QUESADILLA ★

CHICKEN FINGERS ★

SOUP ★

Side Orders

QUESADILLA SOUP ★

ENCHILANGA ★

CHICKEN AND BEANS ★

CHILE RELLENOS ★

JACAMOLE ★

ENCHILADA OR BURRITO ★

SOUP ★



...IED JALAPEÑOS ★

...VEET POTATO FRIES ★

...VION RINGS ★

...NNER SALAD ★

...HEESE BURGER ★

...HEESE BURGER WITH BACON ★

...AWAIIAN BURGER ★

...ENCH FRIES ★

...OUR CREAM ★

...EF TACO ★

...OME MADE TORTILLAS ★

...DE CHEESE ★

...DE MOLÉ ★

...DE CHIPOTLE ★

BEVERAGES



MBO MEXICAN ORIGINAL MARGARITA ★

EDIUM MEXICAN ORIGINAL MARGARITA ★

EDIUM MEXICAN ORIGINAL MARGARITA ★

Margaritas made with fresh limes and tequila
Raspberry, Blackberry, Strawberry, Peach, Banana

HITE RUSSIAN ★

QUILA SUNRISE ★

X ON THE BEACH ★

ÑA COLADA ★

QUILA SUNSET ★

.UE HAWAIIAN ★

.NGRIA ★

II CHI ★

RAWBERRY DAIQUIRI ★

ICO ★

ONG ISLAND ICED TEA ★

.UE MARGARITA ★

NTARITOS ★



Wine list available upon request
House Wines R. Mondavi Woodbridge

BERNET SAUVIGNON ★
ass

ARDONNAY ★
ass

ERLOT ★
ass

NOT NOIR ★
ass

HITE ZINFANDEL ★
ass

BERNET SAUVIGNON ★
ottle

ARDONNAY ★
ottle

ERLOT ★
ottle

NOT NOIR ★
ottle

HITE ZINFANDEL ★
ottle

Cervezas

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Juweiser • Bud Light • Bud Light Lime • Coors Coors Light • Miller Light • MGD • Ultra Michelob PBR • Stella Artois • Heineken • O'Doul

ICHELADAS ★

Juweiser • Bud Light • Bud Light Lime • Coors Coors Light • Miller Light • MGD • Ultra Michelob PBR • Stella Artois • Heineken • O'Doul

IMPORTED BEERS ★

rona • Corona Familiar • Corona Premier Modelo Special • Negra Modelo • Pacifico Dos Equis Lamber • Dos Equis Lager Tecate • Vict
trella Jalisco Corona Light • Carta Blanca

Tequilas

SÉ CUERV ★

ON JULIO SILVER ★

ATRON AÑEJO ★

ATRON SILVER ★

ERRADURA RESPOSADO ★

TESORO RESPOSADO ★

ES GENERACIONES ANEJO ★

IZADORES RESPOSADO ★

ILAGRO RESPOSADO ★

USA HORNITOS RESPOSADO ★

POLON BLANCO ★

JERVO 1800 RESPOSADO ★

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DESSERTS

TURROS ★

STRAWBERRY ICE CREAM ★

scoop of hard ice cream rolled in Cereal crumbs and zapped in the deep-fryer. Served in a flour tortilla bowl, topped with strawberry cream.

CRÊPE ★

homemade vanilla custard with burnt sugar topping

DEEP-FRIED BANANAS ★

deep-fried bananas with honey inside topped with whipped cream

DEEP-FRIED PASTILLAS ★

deep-fried flour tortilla pastry, rolled in sugar and cinnamon and topped with whipped cream

LUNCH

Served Monday to Friday from 11 am to 3 pm

Served with rice, beans and three tortillas or cholesterol-free beans, or American-style with salad and french fries

Combinations

Served with rice and beans

CHEESE ENCHILADA, TACO

! CHILE RELLENO, 2 TORTILLAS ★

! CHEESE ENCHILADA, BEAN TOSTADA

! TAMAL, TACO ★



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¡ CHIMICHANGA ★

' FLAUTAS ★

¡ ALAMBRE ★

¡ CARNITAS DE RES ★

0 CHILE COLORADO ★

1 CHILE VERDE ★

2 CHULETAS DE PUERCO ★

3 POLLO A LA CREMA ★

4 POLLO EN MOLÉ

5 POLLO CHIPOTLE

6 POLLO ASADO

7 CARNITAS DE POLLO

8 ARROZ CON POLLO

9 APRETALADOS

!0 CAMARONES CON ARROZ

!1 CAMARONES A LA CHIPOTLE

!2 CAMARONES AL MOJO DE AJO

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15 ABUELITOS SPECIAL

Salads

OLLO ASADO SALAD

tomatoes, lettuce and cheese with charbroiled, marinated chicken breast.

AFOOD SALAD

real crab and baby shrimp served with fresh lettuce and tomatoes and topped with cheese and your choice of dressing.

Taco Salads

Our traditional taco salads are made from a flour tortilla shell fired in the form of a bowl and topped with lettuce, cheese and

CO SALAD DELUXE

choice of chicken, beef, picadillo or beans served with guacamole and sour cream.

ORTILLA SOUP

Egg Dishes

Served with rice, beans and three tortillas

ORIZO CON HUEVOS

Mexican sausage with scrambled eggs, onions and tomatoes.



ACHACA

rambled eggs with skirt steak, red and green peppers, tomatoes and onions.

JEVOS RANCHEROS

iree easy eggs with melted cheese on top. Served with green salsa

JEVOS A LA MEXICANA

rambled eggs with tomatoes, onions and jalapeños.

Burritos

AFOOD BURRITO

JRRITO CHIPOTLE ★

ICKEN FAJITA BURRITO

FILE VERDE BURRITO ★

FILE COLORADO BURRITO

ORIZO BURRITO

EAK FAJITA BURRITO

JRRITO CHOICE

round beef, picadillo, chicken, Veggie or cheese.

Enchiladas



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icken enchilada with green sauce and sour cream.

OLÉ ENCHILADA ★

icken sautéed in our traditional, authentic molé sauce.

ICHILADA A LA CREMA

AFOOD ENCHILADA ★

rimp and real crab meat cooked in butter with chopped salsa.

IPOTLE ENCHILADA

icken enchilada in our traditional chipotle sauce.

FILE VERDE ENCHILADA

HOICE OF ENCHILADA

round beef, picadillo, chicken, veggie or cheese

FILE COLORADO ENCHILADA



ADDRESS

385 W Broadway Ave
Jackson, WY 83001
(307) 733-1207



QUICK LINKS

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RESERVATIONS
GALLERY
CONTACT US

HOUR

11am - 1



December 8, 2022

Abuelito Group LLC
PO Box 4224
Jackson WY 83001
307-733-1207
307-690-7300

Reference Letter: Abuelito Group LLC

To Whom It May Concern,

At the request of our customer Abuelito Group LLC, please be advised of the following information. Abuelito Group LLC has maintained a checking account with Bank of Jackson Hole since 12/08/2022. The checking account number is [REDACTED] and the account is in good standing.

Please feel free to reach out to me at 307-733-8064 if you have any questions.

Sincerely,

Hailey Hart
Sr. Personal Banker

The Salsa Group Inc
PO Box 4224
Jackson, WY 83001

Wyoming Liquor Division
6601 Campstool Rd
Cheyenne, WY 82001

January 3, 2023

To whom it may concern:

This letter is to inform you that The Salsa Group Inc will relinquish our liquor license when the Town of Jackson Council approves a new liquor license for Abuelito Group LLC. That way there is only one liquor license assigned to that physical location.

If you have any questions, please feel free to contact me at 307-690-7300 or centenoalf@hotmail.com.

Respectfully Submitted,



Alfonso Centeno
President



Slide To Open

Employees
Only







STAFF REPORT



Meeting Date:	January 17, 2022	Meeting Title:	Regular Council Meeting
Submitting Department:	Town Clerk	Presenter:	Lynsey Lenamond
Agenda Item:	Application to Transfer Ownership of Retail Liquor License	Public Comment:	Yes

Purpose & Policy Considerations.

Consideration of an application to transfer ownership of 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 Mayor to OPEN A PUBLIC HEARING on the transfer of liquor licenses. In accordance with notice, and per Wyoming Statute, protests will be heard against the transfer of the license during this hearing. Additionally, staff presentation, public comment, and Council discussion will take place during this hearing. The procedure is as follows:

1. Mayor Morton Levinson opens the public hearing.
2. Mayor Morton Levinson asks for the staff presentation on the application.
3. Mayor Morton Levinson calls for any and all public comment.
4. Council discusses the application.
5. Mayor Morton Levinson calls for a motion on the application and the vote on the motion.
6. Mayor Morton Levinson closes the public hearing.

Requested Action.

To consider statutory findings for approving the transfer of ownership of the retail liquor license.

Recommendations.

Staff recommends approval of this application.

Background.

On December 23, 2022, the Clerk's office received an application to transfer ownership of the retail liquor license currently held by Jackson Liquors LLC. The applicant, Parkland USA Corporation, is the parent company of Jackson Liquors LLC, and is simply dissolving and absorbing the interests of Jackson Liquors LLC.

This application must be heard before the annual public hearing for liquor license renewals on February 6, 2023. This is due to the fact that there would be no way to renew the license under Jackson Liquors LLC since that LLC will be dissolved on February 1, 2023 by Parkland USA Corporation.

If approved, this license's term will be January 18, 2023 through March 31, 2023. The applicant will need to apply for the annual renewal to be heard at the February 6th annual liquor license public hearing.

The current business plan and operations will not change with this transfer of ownership. There were no added conditions of approval on the original issuance of this license.

The application was distributed according to Town procedure to Town and Joint Departments for review and comment. The Wyoming Liquor Division has certified the application complete.

Analysis.

The Town Council shall consider the following two Wyoming Statutes regarding the transfer of a liquor license:

Wyo. Stat. § 12-4-104(b):

A license or permit shall not be issued, renewed or transferred if the licensing authority finds from evidence presented at the hearing:

(i) The welfare of the people residing in the vicinity of the proposed license or permit premises shall be adversely and seriously affected;

(ii) The purpose of this title shall not be carried out by the issuance, renewal or transfer of the license or permit;

(iii) The number, type and location of existing licenses or permits meet the needs of the vicinity under consideration;

(iv) The desires of the residents of the county, city or town will not be met or satisfied by the issuance, renewal or transfer of the license or permit; or

(v) Any other reasonable restrictions or standards which may be imposed by the licensing authority shall not be carried out by the issuance, renewal or transfer of the license or permit.

Wyo. Stat. § 12-4-601(b):

A licensee, or the executor or administrator of the estate of a deceased licensee, may assign and transfer the license or permit by a sale made in good faith. The assignment and transfer shall first have the approval of the licensing authority, which consideration shall be based in part upon a public hearing and an application filed under oath by the assignee or transferee showing the person or entity to be qualified to hold a license or permit under Wyoming law. The approval of the transfer shall not be given by the licensing authority if the transferring licensee is certified by the department as sixty (60) or more days delinquent in paying sales taxes pursuant to W.S. 12-2-306, or if proceedings are pending to suspend, revoke or otherwise penalize the original license or permit holder. A transfer of a license or permit shall require the payment of an additional license fee to the appropriate licensing authority of not more than one hundred dollars (\$100.00) for the transfer, and upon assignment the assignee may exercise the privilege of continuing the business authorized by the license or permit.

Possible Alternatives.

The public hearing must be conducted or at least opened at this Council meeting. Alternatives to that include:

1. Continue the public hearing to gain further public comment or information on issues related to the findings.
2. Deny the Application.

Comprehensive Plan & Priority Alignment.

This application relates to the Comprehensive Plan Policy 8.1.a, the delivery of quality levels of service to the community.

Fiscal Impact.

If the application is approved the fee for the license transfer of \$100 will be deposited into the Town's general fund. The license will generate an undetermined amount of sales tax revenue.

Staff Impact.

The Clerk's office spent approximately 8 hours, including review of the application and working with the applicant, current license holder, and the Wyoming Liquor Division. This time will also include preparation of the license if approved and updating the appropriate files. The Town Attorney, Administration, Planning and Building, and Fire Department spent time reviewing the application as well. Should this application be approved, the Police Department will include the applicant in their compliance checks.

Attachments or Links.

Application for Transfer, including Letter of Assignment

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

Having considered Wyoming Statute § 12-4-104(b) factors for this application, I move to approve the application for the transfer of the retail liquor license currently held by Jackson Liquor LLC to Parkland USA Corporation, subject to the following conditions, and further direct the Town Clerk to issue the license upon confirmation that the conditions of approval have been met within the timeframe set forth in Wyoming Statute § 12-4-103(a)(iv):

1. The Town Clerk shall not issue the license until all required Town licenses and permits have been obtained.
1. The license is subject to the same conditions and restrictions of the initial license approval, as amended.
2. Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division.

NEW OR TRANSFER
LIQUOR LICENSE OR
PERMIT APPLICATION

FOR LIQUOR DIVISION USE ONLY			
Customer #:			
Trf from:			
Reviewer:		Initials	Date
Agent:		/	/
Chief:		/	/

To be completed by City/County Clerk		Local License #:	
License Fees	Annual Fee: \$	Date filed with clerk:	12 / 23 / 22
	Prorated Fee: \$	Advertising Dates: (2 Weeks)	1/4/23 & 1/11/23
	Transfer Fee: \$ 100 .00	Hearing Date:	1 / 17 / 23
	Publishing Fee: \$ 100 .00		
Publishing Fee Direct Billed to Applicant: ☐			
License Term: 1 / 18 / 23		Through 3 / 31 / 23	
Month Day Year		Month Day Year	
LICENSING AUTHORITY: Begin publishing promptly. As W.S. 12-4-104(d) specifies: NO LICENSING AUTHORITY SHALL APPROVE OR DENY THE APPLICATION UNTIL THE LIQUOR DIVISION HAS CERTIFIED THE APPLICATION IS COMPLETE.			
Applicant: Parkland USA Corporation			
Trade/Business Name (dba): KJs Phillips 66			
Building to be licensed/Building Address: 1055 W Broadway			
Number & Street			
Jackson	WY	83001	Teton
City	State	Zip	County
Local Mailing Address: PO Box 12529			
Number & Street or P.O. Box			
Jackson	WY	83002	
City	State	Zip	
Local Business Telephone Number: (208) 522-4127			
Fax Number: (307) 739-1935			
Business E-Mail Address: Bryanna.Coulter@Parklandusa.com			
FILING FOR		FILING IN (CHOOSE ONLY ONE)	
☐ NEW LICENSE		☐ CITY OF: Town of Jackson	
☐ TRANSFER OF LOCATION		☐ COUNTY OF:	
☒ TRANSFER OWNERSHIP		☒ ASSIGNMENT LETTER ATTACHED	
FORMERLY HELD BY: Jackson Liquors LLC			
TYPE OF LICENSE OR PERMIT (CHOOSE ONLY ONE)			
RETAIL LIQUOR LICENSE		☐ RESTAURANT LIQUOR LICENSE	
☐ ON-PREMISE ONLY (BAR)		☐ RESORT LIQUOR LICENSE	
☒ OFF-PREMISE ONLY (PACKAGE STORE)		☐ BAR AND GRILL	
☐ COMBINATION ON/OFF PREMISE (BOTH BAR & PACKAGE STORE)		LIMITED RETAIL (CLUB)	
		☐ VETERANS CLUB	
		☐ FRATERNAL CLUB	
		☐ GOLF CLUB	
		☐ SOCIAL CLUB	
		☐ MICROBREWERY	
		☐ WINERY	
		☐ DISTILLERY SATELLITE	
		☐ WINERY SATELLITE	
		☐ COUNTY RETAIL/SPECIAL MALT BEVERAGE PERMIT	
SPECIAL DESIGNATIONS			
☐ CONVENTION FACILITY		☐ GOLF CLUB	
☐ CIVIC CENTER/EVENT CENTER/ PUBLIC AUDITORIUM		☐ RESORT	
		☐ GUEST RANCH	
To Assist the Liquor Division with scheduling inspections: OPERATIONAL STATUS			
☒ FULL TIME (e.g. Jan through Dec)		(specify months of operation) from January to December	
☐ SEASONAL/PART-TIME		DAYS OF WEEK (e.g. Mon through Sat) from Monday to Saturday	
☐ NON-OPERATIONAL/PARKED		HOURS OF OPERATION (e.g. 10a - 2a) from 5 a.m. to 10 p.m.	

ALL APPLICANTS MUST COMPLETE QUESTIONS 1- 4

1. **BUILDING OWNERSHIP:** Does the applicant? W.S. 12-4-103(a)(iii)
- (a) **OWN** the licensed building? ☒ YES (own)
- (b) **LEASE** the licensed building? (Lease must be through the term of the liquor license) ☐ YES (lease)
- If Yes, please submit a copy of the lease and indicate:
- (i) When the lease expires, located on page _____ paragraph _____ of lease.
- (ii) Where the **Sales** provision for alcoholic or malt beverages is located, on page _____ paragraph _____ of lease.
(MUST contain a provision for SALE OF ALCOHOLIC or MALT BEVERAGES.)
2. To operate your liquor business, have you assigned, leased, transferred or contracted with any other person (entity) to operate and assert total or partial control of the license and the licensed building? W.S. 12-4-601(b) ☐ YES ☒ NO
3. Does any manufacturer, brewer, rectifier, wholesaler, or through a subsidiary affiliate, officer, director or member of any such firm: W.S. 12-5-401, 12-5-402, 12-5-403
- (a) Hold any interest in the license applied for? ☐ YES ☒ NO
- (b) Furnish by way of loan or any other money or financial assistance for purposes hereof in your business? ☐ YES ☒ NO
- (c) Furnish, give, rent or loan any equipment, fixtures, interior decorations or signs other than standard brewery or manufacturer's signs? ☐ YES ☒ NO
- (d) If you answered **YES** to any of the above, explain fully and submit any documents in connection there within:
- _____
4. Does the **applicant** have any interest or intent to acquire an interest in any other liquor license issued by **this** licensing authority? W.S. 12-4-103(b) ☐ YES ☒ NO
- If "YES", explain: _____

5. **BAR AND GRILL LICENSE OR RESTAURANT LICENSE:**

Have you submitted a valid food service permit or application? W.S. 12-4-413(a) ☐ YES ☒ NO

6. **RESORT LICENSE:**

Does the resort complex:

- (a) Have an actual valuation of at least one million dollars, or have you committed or expended at least one million dollars (\$1,000,000.00) on the complex, excluding the value of the land? W.S. 12-4-401(b)(i) ☐ YES ☒ NO
- (b) Include a restaurant and a convention facility which will seat at least one hundred (100) persons? W.S. 12-4-401(b)(ii) ☐ YES ☒ NO
- (c) Include motel, hotel or privately owned condominium, town house or home accommodations approved for short term occupancy with at least one hundred (100) sleeping rooms? W.S. 12-4-401(b)(iii) ☐ YES ☒ NO
- (d) If no on question (c), have a ski resort facility open to the general public in which you have committed or expended not less than 10 million dollars (\$10,000,000.00)? W.S. 12-4-401(b)(iv) ☐ YES ☒ NO
- (e) Are you contracting/leasing the food and beverage services? W.S. 12-4-403(b)
1. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☒ NO

7. **MICROBREWERY LICENSE:**

- Will the license be held in conjunction with another liquor license? W.S. 12-4-412(b)(iii) ☐ YES ☒ NO
- (a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT
- ☐ BAR AND GRILL ☐ WINERY
- (b) Do you self distribute your products? W.S. 12-2-201(a) ☐ YES ☒ NO
- (Requires wholesale malt beverage license with the Liquor Division)

8. **WINERY LICENSE:**

- Will the license be held in conjunction with another liquor license? W.S. 12-4-412(b)(iii) ☐ YES ☒ NO
- (a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT
- ☐ BAR AND GRILL ☐ MICROBREWERY

9. LIMITED RETAIL (CLUB) LICENSE:

FRATERNAL CLUBS W.S. 12-1-101(a)(iii)(B)

- (a) Has the fraternal organization been actively operating in at least thirty-six (36) states? ☐ YES ☒ NO
- (b) Has the fraternal organization been actively in existence for at least twenty (20) years? ☐ YES ☒ NO

10. LIMITED RETAIL (CLUB) LICENSE:

VETERANS CLUBS W.S. 12-1-101(a)(iii)(A):

- (a) Does the Veteran's organization hold a charter by the Congress of the United States? ☐ YES ☒ NO
- (b) Is the membership of the Veteran's organization comprised only of Veterans and its duly organized auxiliary? ☐ YES ☒ NO

11. LIMITED RETAIL (CLUB) LICENSE:

GOLF CLUBS W.S. 12-1-101(a)(iii)(D)/W.S. 12-4-301(e):

- (a) Do you have more than fifty (50) bona fide members? ☐ YES ☒ NO
- (b) Do you own, maintain, or operate a bona fide golf course together with clubhouse? ☐ YES ☒ NO
- (c) Are you a political subdivision of the state that owns, maintains, or operates a golf course? ☐ YES ☒ NO
1. Are you contracting/leasing the food and beverage services? W.S. 12-5-201(g) ☐ YES ☒ NO
2. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☒ NO

12. LIMITED RETAIL (CLUB) LICENSE:

SOCIAL CLUBS W.S. 12-1-101(a)(iii)(E)/W.S. 12-4-301(b):

- (a) Do you have more than one hundred (100) bona fide members who are residents of the county in which the club is located? ☐ YES ☒ NO
- (b) Is the club incorporated and operating solely as a nonprofit organization under the laws of this state? ☐ YES ☒ NO
- (c) Is the club qualified as a tax exempt organization under the Internal Revenue Service? ☐ YES ☒ NO
- (d) Has the club been in continuous operation for a period of not less than one (1) year? ☐ YES ☒ NO
- (e) Has the club received twenty-five dollars (\$25.00) from each bona fide member as Recorded by the secretary of the club and are club members at the time of this application in good standing by having paid at least one (1) full year in dues? ☐ YES ☒ NO
- (f) Does the club hold quarterly meetings and have an actively engaged membership carrying out the objectives of the club? ☐ YES ☒ NO
- (g) Have you filed a true copy of your bylaws with this application? ☐ YES ☒ NO
- (h) Has at least fifty one percent (51%) of the membership signed a petition indicating a desire to secure a Limited Retail Liquor License? (Petition Attached) ☐ YES ☒ NO

13. If applicant is filing as an Individual, Partnership or Club: W.S. 12-4-102(a)(ii) & (iii)

Each individual, partner or club officer must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip <i>DO NOT LIST PO BOXES</i>	Residence Phone Number	Have you been a DOMICILED resident for at least 1 year and not claimed residence in any other state in the last year?	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐

(If more information is required, list on a separate piece of paper and attach to this application.)

14. If the applicant is a Corporation, Limited Liability Company, Limited Liability Partnership or Limited Partnership: W.S. 12-4-102(a)(iv) & (v)

Each stockholder holding, either jointly or severally, ten percent (10%) or more of the outstanding and issued capital stock of the corporation, limited liability company, limited liability partnership, or limited partnership, and every officer, and every director must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip <i>DO NOT LIST PO BOXES</i>	Residence Phone Number	No. of Years in Corp or LLC	% of Corpora te Stock Held	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
SPF Energy, Inc.	N/A						
Jay Erickson							
Keiron Quarrie							
Pierre Magnan							
NOTE: THE INFORMATION ABOVE IS AS AT THE DATE OF FILING AND WILL BE UPDATED IN JANUARY 2023						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐

(If more information is required, list on a separate piece of paper and attach to this application)

REQUIRED ATTACHMENTS:

- ☒ A statement indicating the financial condition and financial stability of the applicant W.S. 12-4-102(a)(vi).
- N/A ☐ Attach any lease agreements (especially for resort/political subdivisions leasing out food & beverage services) W.S. 12-4-103 (a)(iii)/W.S. 12-4-403(b)/W.S. 12-4-301(e).
- ☒ If transferring a license from one ownership to another, a form of assignment from the current licensee to the new applicant authorizing the transfer W.S. 12-4-601(b).

OATH OR VERIFICATION

(Requires signatures by ALL Individuals, ALL Partners, ONE (1) LLC Member, or TWO (2) Corporate Officers or Directors except that if all the stock of the corporation is owned by ONE (1) individual then that individual may sign and verify the application upon his oath, or TWO (2) Club Officers.) W.S. 12-4-102(b)

Under penalty of perjury, and the possible revocation or cancellation of the license,
I swear the above stated facts, are true and accurate.

STATE OF WYOMING

COUNTY OF Pueblo West

), SS. 523 43 5457

Signed and sworn to before me on this 27 day of December, 2022 that the facts alleged in the foregoing instrument are true by the following:

1)	Jay Erickson	President and Chief Operating Officer
(Signature)	(Printed Name)	Title
2) _____	_____	_____
(Signature)	(Printed Name)	Title
3) _____	_____	_____
(Signature)	(Printed Name)	Title
4) _____	_____	_____
(Signature)	(Printed Name)	Title
5) _____	_____	_____
(Signature)	(Printed Name)	Title
6) _____	_____	_____
(Signature)	(Printed Name)	Title

Witness my hand and official seal:

DEBRA J. MEDINA
Notary Public
State of Colorado
Notary ID # 20094006259
My Commission Expires 04-23-2025

Signature of Notary Public

My commission expires: 04/23/2025

AFFIDAVIT of AUTHORIZATION

The undersigned hereby states he/she is authorized to sign the attached Liquor License and/or Permit Application form as issued by the Wyoming Liquor Division for use by the Town of Jackson, and authorizes the Town of Jackson, its agents, and employees to seek information as set forth in Municipal Code Section 6.20 and conduct investigations into the truth of the statements set forth in the application. The undersigned hereby agrees to comply fully with the rules and regulations of the Town of Jackson governing the liquor license/permit. The undersigned hereby attests that the facts and documents contained within the Liquor License or Permit Application packet are true and correct.

Individual, Partnership, and Club Applicants must list every individual, partner, and officer under Question #2 of the application.

Corporation, LLC, LLP, and LP Applicants must list every stockholder of 10+%, every officer, and every director under Question #3 of the application.

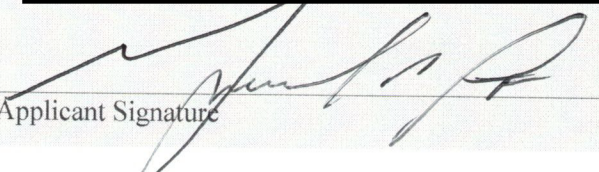
AFFIDAVIT of UNDERSTANDING

The undersigned hereby states that he/she understands that the submittal, review, approval, issuance, and/or received payment of the attached Liquor License and/or Permit Application form as issued by the Wyoming Liquor Division for use by the Town of Jackson does not imply that any other reviews, authorizations, permits, and approvals have been made by any Town/County departments or elected bodies. Additional review, authorization, permit, and approval may be required at any time from additional Town/County departments, which may include the time period after approval but before issuance of the Liquor License / Permit. It is the duty of the applicant to seek all required reviews, authorizations, permits, and approvals from Town or County departments.

PLEASE PRINT:

Legal Name: Garard First Name Paul Full Middle Name Erickson Last Name

Date of Birth:  Driver License: 

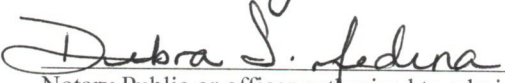

Applicant Signature

State of Colorado)
County of Pueblo West) ss 523 43 5457

Subscribed and sworn to before me this 27 day of December, 2022
Tuesday

(SEAL)

DEBRA J. MEDINA
Notary Public
State of Colorado
Notary ID # 20094006259
My Commission Expires 04-23-2025


Notary Public or officer authorized to administer oaths

14. If the applicant is a Corporation, Limited Liability Company, Limited Liability Partnership or Limited Partnership: W.S. 12-4-102(a)(iv) & (v)

Each stockholder holding, either jointly or severally, ten percent (10%) or more of the outstanding and issued capital stock of the corporation, limited liability company, limited liability partnership, or limited partnership, **and every officer, and every director** must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip <i>DO NOT LIST PO BOXES</i>	Residence Phone Number	No. of Years in Corp or LLC	% of Corpora te Stock Held	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
SPF Energy, Inc.							
Jay Erickson							
Keiron Quarrie							
Pierre Magnan							
NOTE: THE INFORMATION ABOVE IS AS AT THE DATE OF FILING AND WILL BE UPDATED IN JANUARY 2023						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐

(If more information is required, list on a separate piece of paper and attach to this application)

REQUIRED ATTACHMENTS:

- ☒ A statement indicating the financial condition and financial stability of the applicant W.S. 12-4-102(a)(vi).
- N/A ☐ Attach any lease agreements (especially for resort/political subdivisions leasing out food & beverage services) W.S. 12-4-103 (a)(iii)/W.S. 12-4-403(b)/W.S. 12-4-301(e).
- ☒ If transferring a license from one ownership to another, a form of assignment from the current licensee to the new applicant authorizing the transfer W.S. 12-4-601(b).

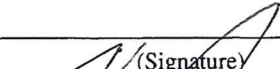
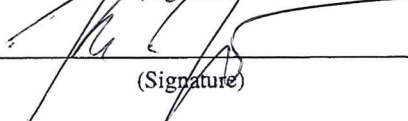
OATH OR VERIFICATION

(Requires signatures by **ALL** Individuals, **ALL** Partners, **ONE (1)** LLC Member, or **TWO (2)** Corporate Officers or Directors except that if all the stock of the corporation is owned by **ONE (1)** individual then that individual may sign and verify the application upon his oath, or **TWO (2)** Club Officers.) W.S. 12-4-102(b)

*Under penalty of perjury, and the possible revocation or cancellation of the license,
I swear the above stated facts, are true and accurate.*

STATE OF ~~WYOMING~~ Florida)
COUNTY OF Miami-Dade) SS.

Signed and sworn to before me on this 09 day of January, 2023 that the facts alleged in the foregoing instrument are true by the following:

1)	 (Signature)	(Printed Name) Keiron Quarrie	Title Director and Treasurer
2)	 (Signature)	(Printed Name)	Title
3)	 (Signature)	(Printed Name)	Title
4)	 (Signature)	(Printed Name)	Title
5)	 (Signature)	(Printed Name)	Title
6)	 (Signature)	(Printed Name)	Title

Witness my hand and official seal:

Signature of Notary Public

(SEAL)  Eyleen Ojeda
Comm.# GG350681
Expires: July 1, 2023
Bonded Thru Aaron Notary

My commission expires: 7/1/2023

TOWN OF JACKSON
Office of Town Clerk
P.O. Box 1687 / 150 East Pearl Avenue
Jackson, Wyoming 83001
(307) 733-3932 ext 1113

Liquor License Application

AFFIDAVIT of AUTHORIZATION

The undersigned hereby states he/she is authorized to sign the attached Liquor License and/or Permit Application form as issued by the Wyoming Liquor Division for use by the Town of Jackson, and authorizes the Town of Jackson, its agents, and employees to seek information as set forth in Municipal Code Section 6.20 and conduct investigations into the truth of the statements set forth in the application. The undersigned hereby agrees to comply fully with the rules and regulations of the Town of Jackson governing the liquor license/permit. The undersigned hereby attests that the facts and documents contained within the Liquor License or Permit Application packet are true and correct.

Individual, Partnership, and Club Applicants must list every individual, partner, and officer under Question #2 of the application.

Corporation, LLC, LLP, and LP Applicants must list every stockholder of 10+%, every officer, and every director under Question #3 of the application.

AFFIDAVIT of UNDERSTANDING

The undersigned hereby states that he/she understands that the submittal, review, approval, issuance, and/or received payment of the attached Liquor License and/or Permit Application form as issued by the Wyoming Liquor Division for use by the Town of Jackson does not imply that any other reviews, authorizations, permits, and approvals have been made by any Town/County departments or elected bodies. Additional review, authorization, permit, and approval may be required at any time from additional Town/County departments, which may include the time period after approval but before issuance of the Liquor License / Permit. It is the duty of the applicant to seek all required reviews, authorizations, permits, and approvals from Town or County departments.

PLEASE PRINT:

Legal Name: Keiran First Name Quarme Full Middle Name Quarme Last Name

Date of Birth:



[Signature]
Applicant Signature

State of Florida)
County of Miami-Dade)ss

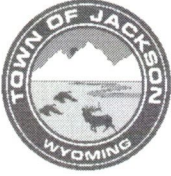
Subscribed and sworn to before me this 09 day of January, 20 23.

(SEAL)



Eyleen Ojeda
Comm. # GG350881
Expires: July 1, 2023
Bonded Thru Aaron Notary

Eyleen Ojeda
Notary Public or officer authorized to administer oaths



Plan of Operations

Applicant: Parkland USA Corporation

DBA: KJs Philips 66

Describe how the premises will be operated? *include nature of business (restaurant, bar, package store), any regular events or special events*

The premises will be operated in the same ordinary course as previously operated by license holder Jackson Liquors LLC

What type of alcoholic beverages will be available to customers?

Beer, Wine, Liquor

Describe the process that a customer will follow to order alcohol or malt beverages, and how an employee will prepare and deliver an alcoholic beverage to the customer.

Customers will follow the same processes as they have under the ownership of Jackson Liquors LLC

What is the official building capacity? 60 people

Do you plan to serve alcohol outside on a deck or patio? No

If so, include a sketch or site plan showing the outside area.

If so, describe the outside area, including egress: _____

What is your plan to keep customers from leaving with open alcohol containers?

Parkland USA Corporation will continue to operate and use the same techniques as Jackson Liquors LLC

Provide the names of up to three (3) people who should receive communication from the Town and Police Department related to liquor operations:

	<u>Name</u>	<u>Position/Title</u>	<u>Email</u>
1)	Vitalie Surdu	Store Manager	Vitalie.Surdu@Parklandusa.com
2)	Michelle Andreason	District Manager	Michelle.Andreason@Parklandusa.com
3)	Kelly Anderson	Director of Retail	Kelly.Anderson@Parklandusa.com

Completed by: *C Gerald P Erickson #* Date: *12/27/2022*



December 28, 2022

Town of Jackson
PO Box 1687, 150 East Pearl
Jackson, Wyoming 83001
Attention: Lynsey Lenamond, Sr. Deputy Town Clerk

Re: Letter of Assignment by Jackson Liquors, LLC to Parkland USA Corporation

We are hereby writing to inform you that, the undersigned, **Jackson Liquors LLC d/b/a KJs Phillips 66**, hereby agrees to assign and transfer its ownership in the Retail Liquor License issued by the Town of Jackson, Wyoming for the premise located at 1055 W. Broadway, Jackson, WY (Local License No. 110) (the "**License**") to the undersigned, **Parkland USA Corporation**, on February 1, 2023, or on such other date as the parties hereto advise the Town of Jackson in writing (the "**Transfer Date**").

Parkland USA Corporation hereby accepts the assignment and transfer of ownership of the License on the Transfer Date.

Effective January 1, 2023, Parkland USA Corporation will become the sole shareholder of Jackson Liquors, LLC.

If you have any questions regarding this Letter of Assignment, please contact Mia Tritter, Legal Counsel, by Email at mia.tritter@parkland.ca.

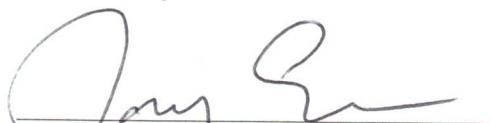
Jackson Liquors, LLC

Per:


Name: Jay Erickson
Title: Director

Parkland USA Corporation

Per:


Name: Jay Erickson
Title: Director



July 5, 2022

Parkland USA Corporation
dba Farstad Oil
100 27th St NE Bldg A
Minot, ND 58703

To whom it may concern:

This letter is to confirm the information we have on file for Parkland USA Corporation as of July 5, 2022.

[REDACTED]

Thank you.

A handwritten signature in black ink, appearing to read "Lauren Furrer".

Lauren Furrer
Business Relationship Support Manager, AVP
Corporate Investment Banking – Energy

Important notice

This letter is provided to the above referenced customer at their request. Wells Fargo Bank, N.A. (“Wells Fargo”, “we”, “us”) does not represent and warrant that the information provided is complete or accurate, and any errors or omissions in the information shall not be a basis for a claim against us. The information may not disclose the entire relationship between the customer and Wells Fargo. The information is subject to change without notice. This letter does not constitute a guarantee or other credit support of any nature, nor do we accept any duty, responsibility, liability, or obligation to any party that may arise from providing this letter, including any reliance upon the information or for any loss or damage that may result. The customer agrees to indemnify, defend, and hold Wells Fargo harmless from and against any claim resulting from the disclosure and use of the information.

**STATE OF WYOMING * SECRETARY OF STATE
BUSINESS DIVISION**

Herschler Bldg East, Ste.100 & 101, Cheyenne, WY 82002-0020
Phone: 307-777-7311 · Website: <https://sos.wyo.gov> · Email: business@wyo.gov

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name **Parkland USA Corporation**

Filing ID **2012-000629306**

Type	Profit Corporation	Status	Active
------	--------------------	--------	--------

General Information

Old Name	Farstad Oil, Inc.	Sub Status	Current
Fictitious Name		Standing - Tax	Good
		Standing - RA	Good
Sub Type		Standing - Other	Good
Formed in	Delaware	Filing Date	09/13/2012 9:11 AM
Term of Duration	Perpetual	Delayed Effective Date	
		Inactive Date	

Share Information

Common Shares	Preferred Shares	Additional Stock	N
Par Value 0.0000	Par Value 0.0000		

Principal Address

100 27 Street NE
Minot, ND 58701

Mailing Address

PO Box 1842
Minot, ND 58702-1842

Registered Agent Address

C T Corporation System
2232 Dell Range Blvd Ste 200
Cheyenne, WY 82009

Parties

Type	Name / Organization / Address
------	-------------------------------

Notes

Date	Recorded By	Note
------	-------------	------

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name **Parkland USA Corporation**

Filing ID **2012-000629306**

Type Profit Corporation

Status

Active

Most Recent Annual Report Information

Type	Original	AR Year	2022
License Tax	\$60.00	AR Exempt	N
AR Date	10/3/2022 2:31 PM	AR ID	07690814
Web Filed	Y		

Officers / Directors

Type	Name / Organization / Address
------	-------------------------------

Director

[REDACTED]

Principal Address

100 27 Street NE
Minot, ND 58701

Mailing Address

PO Box 1842
Minot, ND 58702-1842

Annual Report History

Num	Status	Date	Year	Tax
01861950	Original	07/03/2013	2013	\$50.00
02107549	Original	10/07/2014	2014	\$50.00
02320330	Original	09/22/2015	2015	\$50.00
02480741	Original	04/20/2016	2016	\$50.00
03017385	Original	09/13/2017	2017	\$50.00

Principal Address 1 Changed From: 100 NE 27th St To: 100 NE 27th Street

03683913	Original	07/05/2018	2018	\$50.00
04900089	Original	08/13/2019	2019	\$50.00
05823422	Original	07/10/2020	2020	\$50.00
06473123	Original	07/19/2021	2021	\$60.00
07690814	Original	10/03/2022	2022	\$60.00

Principal Address 1 Changed From: 100 NE 27th Street To: 100 27 Street NE

Amendment History

Type	Profit Corporation	Status	Active
------	--------------------	--------	--------

Page 3 of 3



December 28, 2022

Town of Jackson
PO Box 1687, 150 East Pearl
Jackson, Wyoming 83001
Attention: Lynsey Lenamond, Sr. Deputy Town Clerk

Re: Letter of Assignment by Jackson Liquors, LLC to Parkland USA Corporation

We are hereby writing to inform you that, the undersigned, **Jackson Liquors LLC d/b/a KJs Phillips 66**, hereby agrees to assign and transfer its ownership in the Retail Liquor License issued by the Town of Jackson, Wyoming for the premise located at 1055 W. Broadway, Jackson, WY (Local License No. 110) (the "**License**") to the undersigned, **Parkland USA Corporation**, on February 1, 2023, or on such other date as the parties hereto advise the Town of Jackson in writing (the "**Transfer Date**").

Parkland USA Corporation hereby accepts the assignment and transfer of ownership of the License on the Transfer Date.

Effective January 1, 2023, Parkland USA Corporation will become the sole shareholder of Jackson Liquors, LLC.

If you have any questions regarding this Letter of Assignment, please contact Mia Tritter, Legal Counsel, by Email at mia.tritter@parkland.ca.

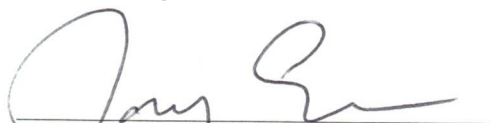
Jackson Liquors, LLC

Per:


Name: Jay Erickson
Title: Director

Parkland USA Corporation

Per:


Name: Jay Erickson
Title: Director



January 11, 2023

Town of Jackson
PO Box 1687, 150 East Pearl
Jackson, Wyoming 83001
Attention: Lynsey Lenamond, Sr. Deputy Town Clerk

Re: Updates for Jackson Liquors, LLC and Parkland USA Corporation

Pursuant to Wyoming Statutes Title 12-4-102(c), we are hereby writing to inform you of certain updates with respect to (i) **Jackson Liquors LLC d/b/a KJs Phillips 66**, the current holder of the Retail Liquor License issued by the Town of Jackson, Wyoming for the premise located at 1055 W. Broadway, Jackson, WY (Local License No. 110) (the "**License**") and (ii) **Parkland USA Corporation**, the proposed transferee of the License, effective on February 1, 2023, in connection with the application and assignment letter submitted to the Town of Jackson on December 27, 2022.

A. Change of Shareholders on January 1, 2023

On January 1, 2023, in connection with the internal reorganization of certain U.S. subsidiaries of Parkland Corporation, through a series of internal mergers:

- (i) The sole shareholder of **Jackson Liquors LLC** changed from Parkland PNW Holdings Corp. to Parkland USA Corporation effective January 1, 2023. Parkland PNW Holdings Corp. no longer exists.
- (ii) The sole shareholder of **Parkland USA Corporation** changes from SPF Energy, Inc. to Parkland (U.S.) Holding Corp. effective January 1, 2023. SPF Energy, Inc. no longer exists.

B. Change of Directors or Managers and Officers, as applicable, on January 2, 2023

Effective January 2, 2023, the managers and officers of Jackson Liquors LLC and the directors and officers of Parkland USA Corporation included the individuals listed below:

- (i) **Jackson Liquors LLC:**
 - Donna Sanker – President and Director
 - Gerald (Jay) Paul Erickson II – Chief Operating Officer and Director
 - Keiron Quarrie – Treasurer and Director
 - Steven Kovacs – Vice President, Treasury
 - Christy Johanna Elliott – Senior Vice President, General Counsel and Corporate Secretary
 - Jacob (Jake) Lee Searle - General Manager
- (ii) **Parkland USA Corporation:**
 - Donna Sanker – President and Director
 - Gerald (Jay) Paul Erickson II – Chief Operating Officer and Director
 - Keiron Quarrie – Treasurer and Director
 - Steven Kovacs – Vice President, Treasury
 - Christy Johanna Elliott – Senior Vice President, General Counsel and Corporate Secretary
 - Mark Schnittke - General Manager

The aforementioned changes are set forth on Appendix A. If you have any questions or require supplementary information, please contact the undersigned by Email at mia.tritter@parkland.ca.

Mia Tritter
Legal Counsel of Parkland Corporation

Appendix A**Jackson Liquors, LLC**

Use for updates to Corporate Owners or LLC Members per W.S. 12-4-102(c):

12-4-102. Application for licenses and permits; contents; signature and verification.

(c) Corporate and limited liability company licensees and permittees shall advise the licensing authority within thirty (30) days in writing of any change in the information in the application required by paragraph (a)(iv) or (v) of this section. The licensing authority shall provide the division a copy of a notification of change.

Requirements per W.S. 12-4-102 (a) (iv) & (v): Each stockholder holding, either jointly or severally, ten percent (10%) or more of the outstanding and issued capital stock of the corporation, limited liability company, limited liability partnership, or limited partnership, **and every officer, and every director** must complete the box below.

True and Correct Name	Date of Birth	Address No. & Street, City, State & Zip	Phone Number	No. of Years in Corp or LLC	% of Stock Held	Have you been convicted of a felony violation?	Have you been convicted of a violation relating to alcoholic liquor or malt beverages?
Parkland USA Corporation	N/A	██████████ ██████████	N/A	See note below	100%	No	No
Gerald (Jay) Paul Erickson II	██████████	██████████ ██████████ ██████████	██████████	████	████	████	████
Keiron Quarrie	1██████████	██████████ ██████████ ██████████	██████████	████	████	████	████
Donna Sanker	██████████	██████████ ██████████ ██████████	██████████	████	████	████	████
Steven Kovacs	██████████	██████████ ██████████ ██████████	██████████	████	████	████	████
██████████ ██████████	██████████	██████████ SW ██████████ ██████████	██████████	████	████	████	████
Jacob (Jake) Lee Searle	██████████	██████████ ██████████	██████████	████	████	████	████

Note: Parkland USA Corporation (formerly known as Farstad Oil, Inc.) converted from a North Dakota corporation to a Delaware corporation on September 26, 2022. Therefore, Parkland USA Corporation was incorporated in Delaware on September 26, 2022. However, Farstad Oil, Inc. was incorporated in North Dakota on September 22, 1975.

Parkland USA Corporation

Use for updates to Corporate Owners or LLC Members per W.S. 12-4-102(c):

12-4-102. Application for licenses and permits; contents; signature and verification.

(c) Corporate and limited liability company licensees and permittees shall advise the licensing authority within thirty (30) days in writing of any change in the information in the application required by paragraph (a)(iv) or (v) of this section. The licensing authority shall provide the division a copy of a notification of change.

Requirements per W.S. 12-4-102 (a) (iv) & (v): Each stockholder holding, either jointly or severally, ten percent (10%) or more of the outstanding and issued capital stock of the corporation, limited liability company, limited liability partnership, or limited partnership, **and every officer, and every director** must complete the box below.

True and Correct Name	Date of Birth	Address No. & Street, City, State & Zip	Phone Number	No. of Years in Corp or LLC	% of Stock Held	Have you been convicted of a felony violation?	Have you been convicted of a violation relating to alcoholic liquor or malt beverages?
Parkland (U.S.) Holding Corp.	N/A	██████████ ██████████	████	█	████	██	██
Gerald (Jay) Paul Erickson II	██████	██████████ ██████████ ██████████	██████████	██	██	██	██
Keiron Quarrie	██████	██████████ ██████████	██████████	██	██	██	██
Donna Sanker	██████	██████████ ██████████ ██████████	██████████	██	██	██	██
Steven Kovacs	██████	██████████ ██████████ ██████████	██████████	██	██	██	██
Christy Johanna Elliott	██████	██████████ ██████████ ██████████	██████████	██	██	██	██
Mark Schnittke	██████	██████████ ██████████	██████████	██	██	██	██

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Regular Town Council
Submitting Department:	Planning Department	Presenter:	Tyler Valentine
Agenda Item:	P22-207 & P22-265 - Conditional Use Permit for Outdoor Recreation & Developed Recreation uses at Miller Park located at 255 W. Deloney Ave.	Public Comment:	Yes

Purpose & Policy Considerations.

A Conditional Use Permit (CUP) is required in the Public/Semi-Public (P/SP) zoning district by the Town of Jackson Land Development Regulations (LDRs) for “Outdoor Recreation” and “Developed Recreation” uses. The proposed dog park is considered an Outdoor Recreation use, and the basketball courts & pickleball courts are considered Developed Recreation uses.

Requested Action.

The applicant, Teton County Parks & Recreation, is requesting approval of a CUP for Outdoor Recreation and Developed Recreation uses at Miller Park located at 255 W. Deloney Ave. Specifically, the applicant seeks to add a new off-leash dog park, repurpose the existing basketball court into four pickleball courts, and add 2 new half-court basketball courts.

Recommendations.

ITEM A: The Planning Director recommends **approval** of a CUP for an Outdoor Recreation use, specifically for a new off-leash dog park, at Miller Park located at 255 W. Deloney Ave, subject to the departmental reviews attached hereto and the following conditions:

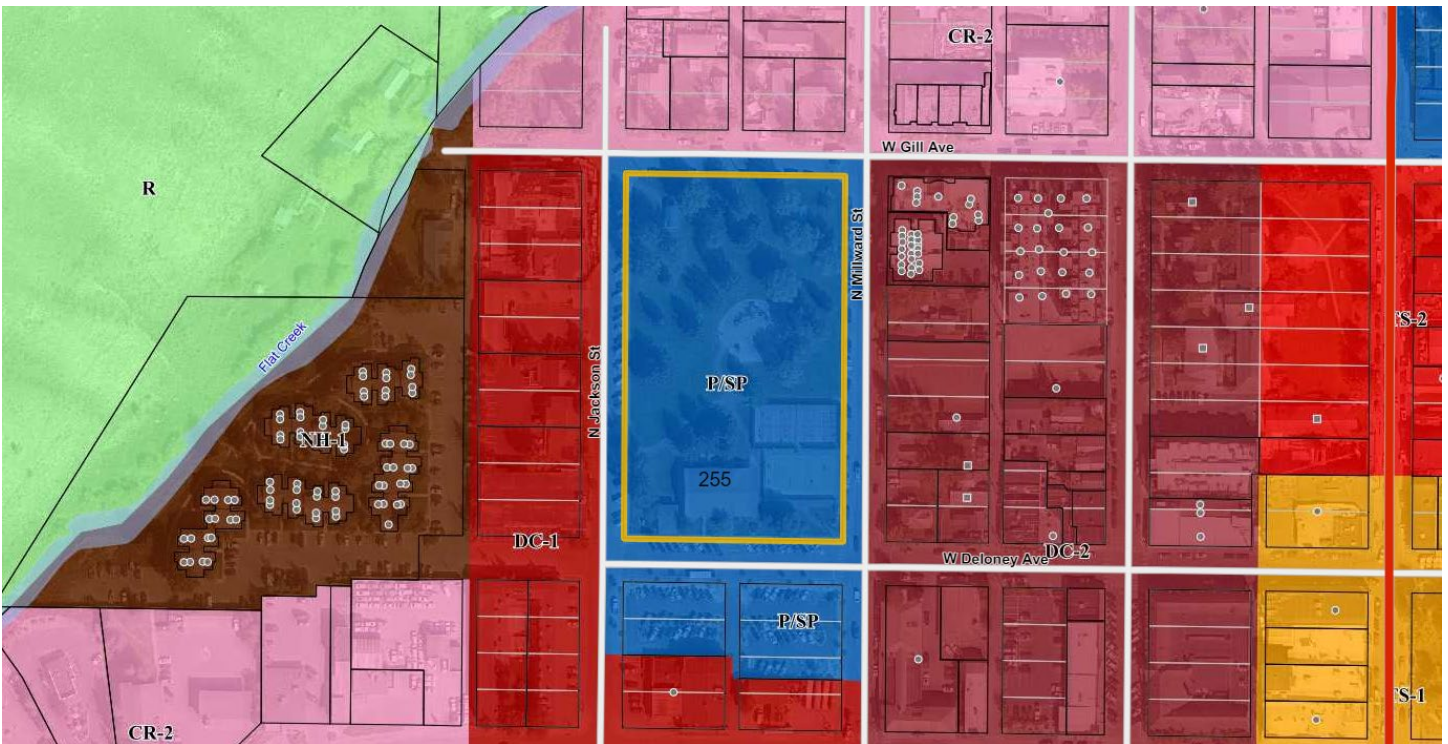
1. Prior to opening the dog park to the public, Chapter 7.05.020(J) of the Municipal Code shall be amended to allow dogs in certain or all Town parks.
2. The applicant shall submit a physical development permit within 1 year of Council approval of the CUP, otherwise the CUP will expire.

ITEM B: The Planning Director recommends **approval** of a CUP for Developed Recreation uses, specifically to expand the pickleball courts and add 2 new half-court basketball courts, at Miller Park located at 255 W. Deloney Ave, subject to the departmental reviews attached hereto and the following conditions:

1. The applicant shall submit a physical development permit within 1 year of Council approval of the CUP, otherwise the CUP will expire.

Project Location.

The subject property is addressed as 255 W. Deloney Ave and legally described as LOTS 1 THRU 20, BLK 5, JACKSON ORIGINAL TOWNSITE (MILLER PARK). An aerial photo is shown on the following page showing the general location of the proposed site:



Background/Project Description.

Background:

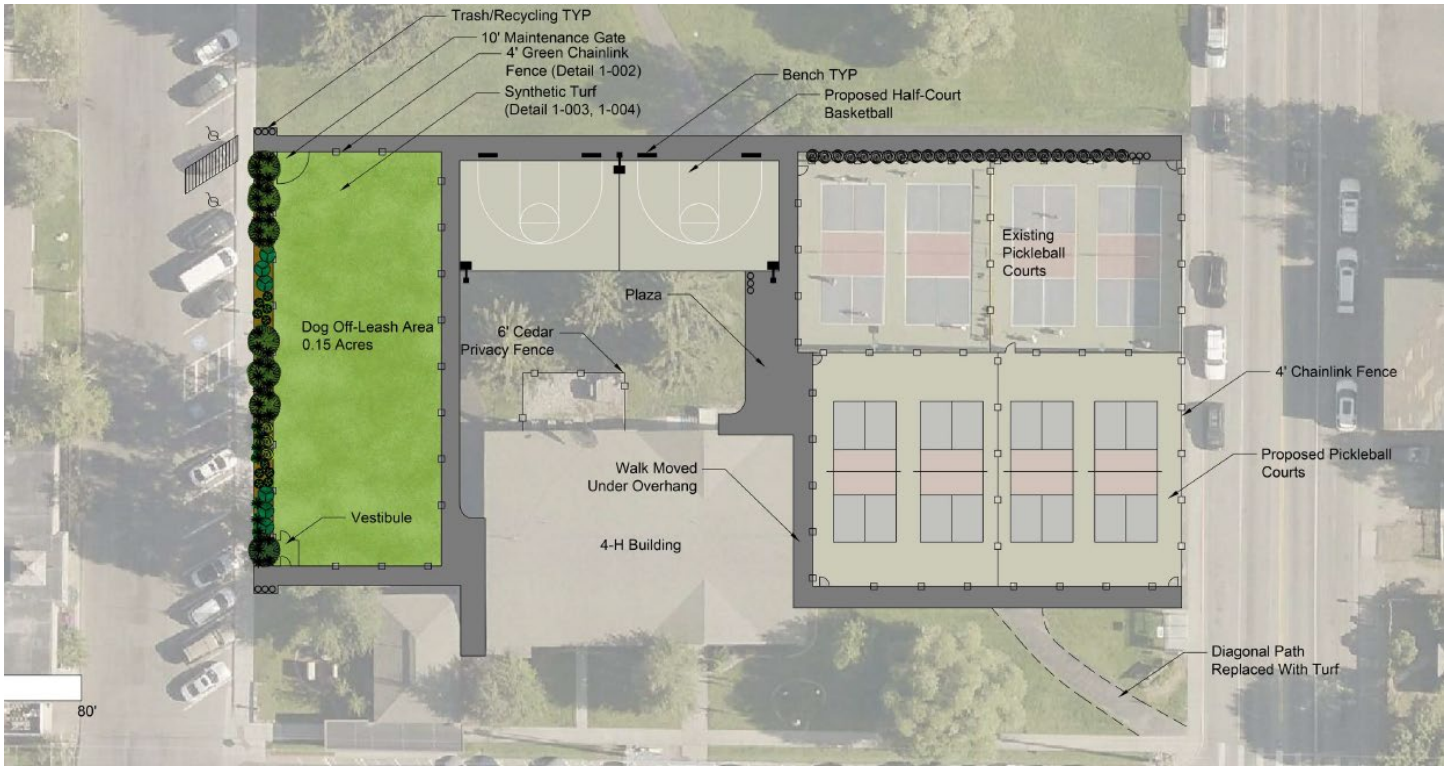
The subject site is 3.5 acres in size, zoned P/SP, and currently the location of Miller Park. The property is owned by the Town of Jackson and managed by Teton County Parks & Recreation. To the north is Commercial Residential – 2 zoning, to the east is Downtown Core - 2 zoning, to the south is P/SP zoning (Public Parking Lot), and to the west is Downtown Core – 1 zoning. Miller Park is bordered on all sides by on-street public parking: parallel parking to the north on Gill Avenue (approx. 10 spaces), parallel parking to the east on Millward Street (approx. 20 spaces), angled parking to the south on Deloney Avenue (21 spaces), and angled parking to the west on Jackson Street (39 spaces). Additional parking exists in the public parking lot to the south of Deloney Avenue (approx. 66 spaces). Currently, the park houses the University of Wyoming Extension offices and local 4-H administration. In addition, the park includes a playground, two picnic shelters, a basketball court, four pickleball courts, and a public restroom. Internal walkways exist throughout the park that connects to the existing attached sidewalks on the east (Millward Street), west (Jackson Street), and south (Deloney Avenue) sides of the park. No sidewalk currently exists along the north (Gill Avenue) side of the park.

Project Description:

The applicant is seeking a CUP for an Outdoor Recreation use (i.e., dog park) and a CUP for two Developed Recreation uses (i.e., pickleball and basketball courts) at Miller Park. All uses and associated site improvements are proposed within the southern half of Miller Park and are described in more detail below:

1. **ITEM A (Outdoor Recreation):** The applicant is proposing a new 0.15-acre (approx. 6,500 sf) off-leash dog park located in the southwest corner of Miller Park. The surface of the dog park will be synthetic turf and will include a separate subsurface drainage system to collect liquid dog waste. The park includes a 4'-tall green perimeter fence in addition to a strip of landscaping (i.e., trees & shrubs) along the west side to provide screening from North Jackson Street. The main pedestrian entrance is located in the southwest corner and a maintenance gate is located in the northwest corner. Trash/recycling receptacles will be provided near both entrances for dog waste. New internal walkways for pedestrians will be provided along the south and east sides of the park which connect to the existing internal walkway that runs east/west from Jackson Street to Millward Street. The park will operate year-round from sunrise to sunset and be maintained primarily by Parks & Recreation. No lighting is proposed. Signage and mutt mitts will be provided by the parking areas, park entrance, and basketball/pickleball courts.
2. **ITEM B (Developed Recreation):** The applicant is proposing to repurpose the existing basketball court into 4 pickleball courts. The existing 4 pickleball courts to the north will remain. The chain-link fencing and lights surrounding the existing and expanded pickleball courts will remain as is and the existing lights will continue to be shut off at 10 PM consistent with current operations. As a replacement to the existing basketball court, the applicant is proposing 2 new half-court basketball courts immediately west of the existing pickleball courts. New exterior lights are proposed around the new basketball courts that will also shut off at 10 PM. No new fencing is proposed. New internal walkways and a paved plaza are proposed in between the new basketball courts and existing pickleball courts which include trash/recycling receptacles and benches. All courts will be closed in the winter months.

Below is the proposed site plan depicting the dog park, basketball & pickleball courts, and other improvements.



Analysis.

Staff has reviewed the proposed uses for the subject property and have found them to be in compliance with the LDRs and consistent with the 2012 Comprehensive Plan. As it relates to the LDRs, the P/SP zoning district has no standards for setbacks, building height, fencing, LSR, FAR, etc. Thus, the proposed improvements to Miller Park comply with the applicable physical development standards. As it relates to the Comprehensive Plan, staff finds that the proposed uses align with Policy 1.4.e and Policy 3.2.e (shown below). The new dog park, expanded pickleball courts, and new basketball courts are compatible with the nature of the existing uses on the site and will continue to provide amenities to the community. Overall, Miller Park is a Public/Semi-Public zoned property and should be continually used in a manner that serves the community.

Policy 1.4.e: Conserve open space to promote responsible use of public lands Providing alternative locations for recreational activities can reduce impacts to wildlife and scenery in sensitive areas. As the community grows, so will recreational use of State and Federal lands and the associated impacts to valuable wildlife habitat and corridors. Trails, parks, pathways, dog parks, and other public recreational opportunities should be pursued on Town and County lands as part of our conservation strategy. The community would also benefit from open space that facilitates the management of access to public lands in coordination with State and Federal land managers.

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.

Parking

The parking standard for Developed Recreation is 4.5 spaces per 1,000 sf of habitable in the P/SP zone. Since there is no square footage associated with the Developed Recreation uses (pickleball & basketball courts), no parking is required. However, the park is surrounded by on-street parking and a public parking lot to the south which provides ample shared parking for these uses.

The parking standard for Outdoor Recreation (dog park) is determined by an independent calculation because the uses in this category can vary depending on their specific operations and demand. The applicant states that *“The project is expected to have no significant impact on traffic. According to the ITE Trip Generation Manual, a 3.5-acre City Park normally generates 15 daily vehicle trips (9 arriving, 7 leaving) and the off-leash facility will be a part of this total. Access to the site will use existing streets and sidewalks with 93 public parking spots immediately surrounding the park”*.

Staff agrees with the applicant’s overall conclusion that the dog park and courts will have minimal impact on the existing available street parking. Miller Park is located downtown parking district and is served by over 90 spaces immediately adjacent to the park. In general, commercial uses in the downtown parking district benefit from on-street shared parking and Miller Park is no exception. In addition, the public parking lot to the south across the street from Deloney Avenue provides approximately 66 spaces for public use. Furthermore, Miller Park is a neighborhood park that mostly attracts users who live and work within walking distance which decreases its overall parking demand compared to larger regional parks that draw in vehicles from across town or the valley. Based on the factors mentioned above, staff finds that no additional parking is necessary.

Lighting

The exterior lighting proposed around the new basketball courts will be required to comply with the recently approved dark sky lighting regulations (Section 5.3.1). In addition, all lighting, both existing and new, will be shut off at 10 PM and only used during summer months which is consistent with current operations. Staff finds that the proposed lighting will comply with the LDRs and is not anticipated to result in a nuisance.

Snow Storage / Landscaping

Snow plowing of the sidewalks is currently done by Parks & Recreation and will continue to operate this way. As mentioned above, the basketball and pickleball courts will not be open during the winter. However, the dog park will remain open year-round which will likely require snow to be cleared on a case-by-case basis. Although the LDRs have no landscaping requirements for uses within the P/SP zoning district, the applicant is proposing trees and shrubs along the western side of the dog park to help screen it from N. Jackson Street. In addition, the location of the dog park will likely require the removal of 1 large Cottonwood. There are no LDR standards that prohibit the removal of existing trees in the P/SP zone but any removal of trees will follow the adopted procedures set out by the Urban Forest Manager in the Parks and Recreation Department. Staff finds that the measures to address snow storage and landscaping are sufficient for the proposed uses.

Waste Collection

Trash/recycling receptacles and mutt-mitts will be provided adjacent to the dog park and pet owners will be required to collect their pet’s waste and deposit it into a garbage receptacle. The dog park will be cleaned weekly which includes emptying trash receptacles. Regarding drainage, the synthetic turf will require subsurface drainage that quickly allows liquid to drain into absorbing layers below. The applicant will be required to work with the Town Engineering Department to ensure that the dog park complies with all applicable stormwater standards. Staff finds that the provision of trash/recycling receptacles, weekly cleaning, and adequate drainage of waste will help mitigate any significant negative environmental impacts.

Signage

Signs and mutt-mitts will be posted in various locations for waste collection and education on rules around dogs and dog waste. Signs shall also be placed near the basketball and pickleball courts which provide the standard court rules and guidelines. Because the dog park is connected to the rest of Miller Park which prohibits dogs, the applicant should be encouraged to ensure there is enough clear signage throughout the park so that the public is aware that dogs are prohibited in Miller Park outside of the designated dog park.

Visual

Staff finds that from a visual standpoint, there will not be any significant impacts beyond what typically occurs at Miller Park. Winter activity will be minimal as the dog park will be the only use available to the public. The proposed fencing and landscape screening along the west side of the dog park will help reduce visual impacts, especially from N. Jackson Street. During the summer months when the park is busiest, it is common to see various special events, private parties under the 2 shelters, and public use of the playground, basketball & pickleball courts. The proposed uses are consistent with the current uses at Miller Park and are not anticipated to increase activity to the point where visual impacts become a nuisance. Overall, Miller Park is a public park and should continue to be used for the benefit of the public, which the proposed uses serve.

Noise

As it relates to noise, all new and existing sports courts will function the same in that they will be closed during the winter months and when they are in use during the summer, the lights will be shut off at 10 PM. Regarding the dog park, the hours of operation will be year-round from dawn to dusk which will reduce the noise impacts of dogs barking at nighttime. The applicant provided a sound impact study that was done by Paws of Jackson Hole in 2021. The study found that for Miller Park, dogs were found to have no effect on current park soundscapes and that the perceived barks from dogs were equivalent to that of a moving passenger car 25' away. Staff finds that all proposed uses are appropriate and are not anticipated to have negative noise impacts beyond what is expected at a public park.

In addition, the Town recently updated the noise ordinance in the Municipal Code (9.44.010 Excessive Noise) which does apply to public parks. Below are the maximum decibel levels set by time and use category.

<u>Type of Zone</u>	<u>Hours</u>	<u>Decibel Level</u>
<u>Residential</u>	<u>7 a.m. to 7 p.m.</u>	<u>55 decibels</u>
	<u>7 p.m. to 7 a.m.</u>	<u>50 decibels</u>
<u>Mixed Use/Commercial</u>	<u>7 a.m. to 7 p.m.</u>	<u>60 decibels</u>
	<u>7 p.m. to 7 a.m.</u>	<u>55 decibels</u>
<u>Light Industrial</u>	<u>7 a.m. to 7 p.m.</u>	<u>70 decibels</u>
	<u>7 p.m. to 7 a.m.</u>	<u>75 decibels</u>

Affordable / Employee Housing

No housing is proposed as part of this application. Section 6.3.1.C.13 Exemptions of the LDRs states that uses in the P/SP zone are exempt from the standards of Division 6.3 Affordable Workforce Housing Standards.

Municipal Code Change – Dogs Prohibited in Town Parks

Currently, Chapter 7.05.020(J) of the Municipal Code prohibits dogs in Town parks which conflicts with the CUP proposal for a new dog park in Miller Park. Prior to opening the dog park to the public, the Municipal Code will need to be amended and staff has added a condition of approval to this effect. To be clear, the Municipal Code changes would be intended not to simply allow dogs in throughout Miller Park, but only allow dogs in designated areas, which in this case would be the dog park.

Planning Commission

The Planning Commission reviewed this item on December 21, 2022, and unanimously recommended approval (5-0 vote) to Town Council as conditioned. Overall, there was unanimous support for a dog park and expanded courts in this downtown location. Below is a summary of the questions and suggestions presented by the Planning Commission:

1. Is the turf heated? Answer: No. Heating would be cost-prohibitive.
2. How often will trash be taken out? Answer: Daily
3. What is the timing of the sidewalk on Gill Avenue? Answer: P&R Department has some funding for this improvement project and is working with Town Public Works to fully fund it in the future. No date was given on when the sidewalk would be completed.
4. Why propose 2 half courts versus 1 full court basketball court? Answer: P&R observes that most games are half-court and not full-court. Thus, by proposing 2 half courts, it would encourage more usage.
5. Any environmental concerns related to proximity to Flat Creek? Answer: No concerns since nearly all liquid waste gets absorbed within the first 6 inches of soil. The applicant is proposing at least 12 inches of soil beneath the turf to absorb liquids and is not concerned that liquid waste will be absorbed low enough to reach a water table layer.
6. What safety protocols are in place to prevent dog-on-dog or dog-on-human conflicts? Answer: Besides signage, most owners self-regulate their animals. To date, there have not been any major conflicts in the Rodeo Grounds dog park that have resulted in harm to another dog or human.
7. Will the Rodeo Grounds dog park remain open? Answer: Yes.
8. What is the current restrictions for dogs in the public realm (i.e., on public sidewalks)? Answer: The Municipal Code requires that dogs either be physically restrained (i.e., leashed) or on voice command.
9. Is dog licensing required to use the park? Answer. Dogs are required to be licensed in the Town according to the Municipal Code. However, proof of registration is not required to use the dog park.
10. The Planning Commission suggested that wayfinding signage be placed at different downtown locations for tourists.

Public Comment

One community member provided written comments on this item and requested that a detached sidewalk be provided along Gill Avenue. Please see the attached comments.

Findings

ITEM A (Outdoor Recreation – Dog Park): Pursuant to Section 8.4.2.C (Conditional Use Permit Standards) of the Land Development Regulations, the following findings shall be made for the approval of a Conditional Use Permit.

1. *Compatibility with Future Character. The proposed Conditional Use shall be compatible with the desired future character of the area.*

Not applicable. This finding is not applicable according to the Wyoming Supreme Court.

2. *Use Standards. The proposed Conditional Use shall comply with the use-specific standards of Division 6.1.*

Complies. Staff finds that the proposal is compliant with the standards of Division 6.1. The proposed Outdoor Recreation use is an allowed use within the Public/Semi-Public – (P/SP) zoning district with the approval of a Conditional Use Permit.

3. *Visual Impacts. The design, development, and operation of the proposed Conditional Use shall minimize the visual impact of the proposed use on adjacent lands.*

Complies. Staff finds that the proposed dog park will minimize the visual impact on adjacent lands through the use of landscape screening along its western side and a 4'-tall perimeter fence. Although a new dog park will likely increase activity at the park, the use will be within a small confined area while the majority of the park will remain as is. Overall staff finds that the proposed use is consistent with the existing uses within the site and is not anticipated to have significant visual impacts on adjacent neighbors.

4. *Minimizes adverse environmental impact. The development and operation of the proposed Conditional Use shall minimize adverse environmental impacts.*

Complies. Staff finds that the proposed use will not have an adverse environmental impact. The site is also not located within the NRO and SRO. In addition, Miller Park's synthetic turf will require a subsurface drainage system according to the manufacturer's specifications. The drainage will involve drains that quickly collect water that is absorbed into the layers below grade. Furthermore, all grading and stormwater runoff will need to comply with applicable Town standards.

5. *Minimizes adverse impacts from nuisances. The development and operation of the proposed Conditional Use shall minimize adverse impacts from nuisances.*

Complies. Staff finds that the proposed use minimizes adverse impacts on nuisances. The proposed dog park will not have lights and will only operate from dawn to dusk. Trash cans and mutt-mitts will be provided for owners to collect their dog waste. In addition, the park will be cleaned once a week which includes emptying trash receptacles.

6. *Impact on Public Facilities. The proposed Conditional Use shall not have a significant adverse impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMT facilities.*

Complies. Staff the proposed change in use will not have significant impacts on public facilities and services. The dog park surface will be a highly permeable surface – similar to natural turf -- and will not significantly alter existing stormwater runoff. There are no anticipated negative transportation impacts, or any impacts on schools, police, fire and EMT facilities. No additional public impacts have been identified.

7. *Other Relevant Standards/LDRs. The development and operation of the proposed Conditional Use shall comply with all standards imposed on it by all other applicable provisions of the LDRs and all other Town Ordinances.*

Complies. Staff finds that the proposed use and building improvements comply with the provisions of the LDRs and with all other Town Ordinances.

8. *Previous Approvals. The proposed Conditional Use shall be in substantial conformance with all standards or conditions of any prior applicable permits or approvals*

Not applicable to this proposal.

ITEM B (Developed Recreation – Pickleball and Basketball Courts): Pursuant to Section 8.4.2.C (Conditional Use Permit Standards) of the Land Development Regulations, the following findings shall be made for the approval of a Conditional Use Permit.

1. *Compatibility with Future Character. The proposed Conditional Use shall be compatible with the desired future character of the area.*

Not applicable. This finding is not applicable according to the Wyoming Supreme Court.

2. *Use Standards. The proposed Conditional Use shall comply with the use-specific standards of Division 6.1.*

Complies. Staff finds that the proposal is compliant with the standards of Division 6.1. The proposed Developed Recreation uses are allowed uses within the Public/Semi-Public – (P/SP) zoning district with the approval of a Conditional Use Permit.

3. *Visual Impacts. The design, development, and operation of the proposed Conditional Use shall minimize the visual impact of the proposed use on adjacent lands.*

Complies. Staff finds that the proposed operation will minimize the visual impact on adjacent lands. The current sports courts are fenced in and have limits on their hours of operation. The new basketball court is partially screened in that it is located in the middle of the park between the proposed dog park that will be fenced and screened with landscaping and the existing fenced-in pickleball courts. Since the park already has pickleball and basketball courts, staff does not find there to be any significant new visual impacts.

4. *Minimizes adverse environmental impact. The development and operation of the proposed Conditional Use shall minimize adverse environmental impacts.*

Complies. Staff finds that the proposed use will not have an adverse environmental impact. All new hardscapes for the basketball courts and walkways will be required to comply with all Town grading and erosion control standards.

5. *Minimizes adverse impacts from nuisances. The development and operation of the proposed Conditional Use shall minimize adverse impacts from nuisances.*

Complies. Miller Park will continue to regulate the hours of the sports courts by shutting off the lights at 10 PM and limiting their use to only the summer months. All new lights will be downward pointing and dark sky compliant. Staff finds that use and operation minimize adverse impacts by maintaining its current operations and installing dark sky compliant lighting.

6. *Impact on Public Facilities. The proposed Conditional Use shall not have a significant adverse impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMT facilities.*

Complies. Staff finds that the proposed uses will not have significant impacts on public facilities and services. Minimal upgrades are needed to convert the existing basketball court to pickleball courts and install 2 new half-court basketball courts. In addition, there are no proposed changes to the existing water/sewer lines and all stormwater will be required to comply with Town standards for grading and erosion control.

7. *Other Relevant Standards/LDRs. The development and operation of the proposed Conditional Use shall comply with all standards imposed on it by all other applicable provisions of the LDRs and all other Town Ordinances.*

Complies. Staff finds that the proposed use and building improvements comply with the provisions of the LDRs and with all other Town Ordinances.

8. *Previous Approvals. The proposed Conditional Use shall be in substantial conformance with all standards or conditions of any prior applicable permits or approvals*

Not applicable to this proposal.

Fiscal Impact.

No fiscal impact identified at this time.

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 40 hours.

Attachments or Links.

Department Reviews

Applicant Submittal

Suggested Motion.

ITEM A: I move to **approve** a Conditional Use Permit (P22-207) for an Outdoor Recreation use at Miller Park, specifically for an off-leash dog park, at the property located at 255 W. Deloney Avenue based upon the findings and conditions presented in the staff report, the departmental reviews, and subject to this staff report dated January 17, 2023.

ITEM B: I move to **approve** a Conditional Use Permit (P22-265) for Developed Recreation uses at Miller Park, specifically to expand the pickleball courts and install new basketball courts, at the property located at 255 W.

Deloney Avenue based upon the findings and conditions presented in the staff report, the departmental reviews, and subject to this staff report dated January 17, 2023.



TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

TRANSMITTAL MEMO

Town of Jackson

- ☒ Public Works/Engineering
- ☒ Building
- ☐ Title Company
- ☒ Town Attorney
- ☒ Police

Joint Town/County

- ☒ Parks and Recreation
- ☒ Pathways
- ☒ Joint Housing Dept

Teton County

- ☐ Planning Division

- ☐ Engineer
- ☐ Surveyor- *Nelson*
- ☐ Assessor
- ☐ Clerk and Recorder
- ☐ Road and Levee

State of Wyoming

- ☐ Teton Conservation
- ☐ WYDOT
- ☐ TC School District #1
- ☐ Game and Fish
- ☐ DEQ

Federal Agencies

- ☐ Army Corp of Engineers

Utility Providers

- ☐ Qwest
- ☐ Lower Valley Energy
- ☐ Bresnan Communications

Special Districts

- ☒ START
- ☒ Jackson Hole Fire/EMS
- ☐ Irrigation Company

Date: August 18, 2022 Item #: P22-207 Planner: Paul Anthony Phone: 733-0440 ext. 1303 Email: panthony@jacksonwy.gov Owner Town of Jackson PO Box 1687 Jackson, WY 83001 Applicant/Agent: Teton County/Jackson Parks & Recreation – Steve Ashworth 307-733-5056	REQUESTS: The applicant is submitting a request for a Conditional Use Permit for Miller Park 255 W Deloney Ave PIDN: 22-41-16-28-4-18-001 For questions, please call Paul Anthony at 733-0440, x1303 or email to the address shown below. Thank you.
Please respond by: September 8, 2022 (with Comments)	

RESPONSE: For Departments not using Trak-it, please send responses via email to:
alangley@jacksonwy.gov



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: Miller Park Improvements
Physical Address: 255 W DELONEY AVENUE, JACKSON WY
Lot, Subdivision: LOTS 1 THRU 20, BLK 5, JACKSON ORIGINAL TOWNSITE (MILLER PARK) PIDN: 22-41-16-28-4-18-001

PROPERTY OWNER.

Name: TOWN OF JACKSON Phone: 307-733-3932
Mailing Address: PO BOX 1687 JACKSON, WY ZIP: 83001-1687
E-mail: _____

APPLICANT/AGENT.

Name: Teton County/Jackson Parks & Recreation Phone: 307-732-8485
Mailing Address: PO Box 811, Jackson, WY ZIP: 83001
E-mail: rrudd@tetoncountywy.gov

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: _____
____ 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 #: P21-121 Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: 8/10/21

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?

N/A **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

X **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>.

X **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

STEVE ASHWORTH

Name Printed

Date

8/16/22

DIRECTOR

Title

Miller Park Improvements Conditional Use Permit

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Introduction

Miller Park is a 3.5-acre special use park located in downtown Jackson. The park houses the University of Wyoming Extension offices and local 4-H administration. The park is bordered on all sides by on-street public parking and is surrounded by commercial businesses and lodging. Existing amenities in the park include a playground, two picnic shelters, basketball court, four pickleball courts, and a public restroom (See Figure 2).

Miller Park, property ID # 22-41-16-28-4- 18-001, is owned by the Town of Jackson under deed #387 WDNS 223-224, 10/22/1999. There are 1,927 residences and an estimate 4,606 residents within a one mile radius of the park; there are 587 residences and an estimated 1,403 residents within a half-mile radius of the park.

Zoning

Miller Park is currently zoned “Public/Semi Public” (P/SP). The site is not located in either the Natural Resource Overlay or Scenic Resource Overlay. Dogs will be confined on-site and will not interact with wildlife. There is no measurable natural wildlife habitat either on the property or on surrounding properties on all sides, so there will be no impact on any wildlife due to the proposed project.

Project Description

The proposed park plan will increase livability of the neighborhood surrounding the park and support existing and planned mixed-use residential and commercial development in the Downtown core. (See Figure 1: Miller Park Proposed Site Plan.) The Miller Park plan addresses several new features of the park that will improve its pedestrian access and recreation needs, to include:

- Dog off-leash area: the proposed plan provides a 0.15-acre synthetic turf fenced dog off-leash area in the southwest corner of the park. The location for the

proposed off-leash area is currently non-programmed and will not disrupt existing uses. The fenced area will be bordered on the outside with landscaping of trees and shrubs.

Dog urine and feces will be kept separate from surface water to protect water quality. Pet owners will be required to pick up after their dogs, and urine will be collected by a subsurface drainage system.

- Pickleball Courts: The park’s existing three pickleball courts will remain; the existing basketball court will be stripped and changed into a pickleball court. Three additional pickleball courts will be added.
- Basketball Courts: Two half-basketball courts will be added to replace the former court. These half-courts will have post-tension concrete surfaces and will include court lights. They will not be fenced.
- An internal pedestrian circulation system: The proposed plan develops accessible, paved sidewalk routes to all amenities in the park. These routes will also link the amenities (including park restrooms) to the perimeter sidewalk system and accessible parking.

Transportation Effects

The project is expected to have no significant impact on traffic. According to the ITE Trip Generation Manual, a 3.5-acre City Park normally generates 15 daily vehicle trips (9 arriving, 7 leaving). The off-leash facility will be a part of this total. Access to the site will use existing streets and sidewalks with 93 public parking spots immediately surround the park.

Drainage

Miller Park drains from east to west, with the low point being in the North-West corner and the high point being in the South-East corner (Sheet 3). The existing drainage will be preserved, with the exception of the Dog Off-Leash Area, which will have a drainage system separate from stormwater (Sheet 3).

General Operations

Miller Park shall continue to be managed and maintained by the Parks and Recreation Department. The department will seek partnerships for education, outreach, and clean-up of the dog-off leash area with local animal welfare groups, but the overall responsibility for these facilities will continue to be with Parks and Recreation.

The dog-off lease area will remain open throughout the winter. All other amenities will not be plowed, and access is not guaranteed during the winter months.

Signage: Signs and mutt-mitts shall be placed near parking areas and the dog off leash areas for collection and rules around dogs and dog waste. Signs shall be placed at the basketball and pickleball courts with department standard court rules and guidelines.

Operations, Administration and Maintenance: The facility will be open from dawn to dusk daily. These hours negate the need for lighting in the interior of the park. Overall responsibility for the facility will be with Teton County/Jackson Parks and Recreation Department. The Park shall be open consistent with other non-athletic field facilities, sunrise to sunset. Restroom shall be open from May 1st to October 1st and shelter facility reservations shall not occur when restrooms are not available. The shelter reservation program shall not exceed 50 people unless through a formal special event permit application.

Proposed Use

The proposed Dog Off-Leash Area falls within the “Outdoor Recreation” (TOJ-LDR 6.1.3.C) use, while the pickleball and basketball courts fall under the “Developed Recreation” use (TOJ-LDR 6.1.7.D). Both of these are allowed uses for the Public/Semi-Public zone.

Conditional Use Findings

Is compatible with the desired future character of the area:

Complies. The development of Miller Park is consistent with the Jackson/Teton County Comprehensive Plan’s stated goals to create quality public spaces in complete neighborhoods (Policy 3.2.e). Miller Park is located in District 2: Town Commercial core, an area made up of mostly transitional subareas that emphasize the development of mixed-use commercial and residential development with an improved pedestrian experience. Miller Park sits within the Downtown subarea, between the downtown core and Flat Creek corridor.

As a Transitional Subarea under the Comprehensive Plan, (CV-2-4) the Miller Park area will benefit from “redevelopment or a change in character” or would “benefit from reinvestment and revitalization.” As a complete neighborhood, this subarea is expected to provide easy access to housing, jobs and other amenities such as quality public spaces (CV-2-4;IV-28). Complete Neighborhoods should also provide recreation and other amenities within walking distance (1/4 to 1/2 mile) of residences. The Downtown subarea places particular emphasis on “improvements focusing on the pedestrian experience.” The proposed plan for Miller Park will improve pedestrian access with a public sidewalk and internal pedestrian path; the park’s proposed dog off-leash area will serve as local and visitor amenity easily accessed from the downtown hub.

The Downtown Subarea’s future character (IV-24) will serve the growth of mixeduse development and workforce housing, all of which will be served by an accessible park that meets the needs of Jackson residents.

Complies with the use specific standards:

Complies. Per the Town of Jackson’s Use Standards, Division 6.1, an outdoor recreation use in the Public/Semi-Public Zone requires a conditional use permit.

Minimizes adverse visual impacts:

Complies. The proposed dog-off leash area in Miller Park will be screened by landscaping. The fencing will be green plastisol- coated chain link; fence height will be four feet tall. The proposed surface of this off-leash area will be artificial turf, which will not require mowing or watering.

Minimizes adverse environmental impacts:

Complies. Miller Park's synthetic turf will require subsurface drainage, as per the manufacturer's specifications. The drainage will involve French drains and does not require connection to the system storm water system.

Minimizes adverse impacts from nuisances:

Complies. The proposed improvements to Miller Park will be in compliance with several aspects of the LDRs, to include provisions for:

- a. Light: Park lighting shall be downward pointing and compliant with LDR lighting requirements.
- b. Visual Impact: The off-leash facility will be attractively designed and landscaped with surrounding trees and shrubs which will partially screen the enclosures from view.
- c. Noise: Noise impacts from the proposed off-leash dog park are expected to be no greater than exiting noise generated from traffic or other park and recreation activities. Please refer to the Dog Off-Leash Area Operations Plan for a noise-impact study completed by PAWS. Noise will be reduced by foliage surrounding the enclosures. The facility will close at dusk when background noise levels are lower.
- d. Dog Waste: Pet owners will be required to collect their pets' waste and deposit it into a garbage receptacle. The park will be cleaned once a week, emptying garbage receptacles, and replenishing the supply of pick-up bags.

Minimizes adverse impacts on public facilities:

Complies: The off-leash area will not have public utilities. The surface will be 75 percent permeable surface – the same as natural turf -- and will not significantly alter existing stormwater runoff.

Complies with all other relevant standards of these LDRs and all other Town Ordinances:

Complies. This project complies with the standards outlined in the Town of Jackson Land Development Regulations, Division 8.4.2 Conditional Use Permit; Division 4.2.1 Public/Semi-Public zone intents, use standards and allowed uses.

Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals:

Not applicable. There have been no prior permits or approvals issued for this project.

Table 2: Summary of Development Standards

1. Structure Location & Mass	TOJ-LDR Standard	Miller Park Improvements	Complies?
LSR	N/A	N/A	Yes
Lot Coverage (max)	N/A	N/A	Yes
Street Setback (min)	N/A	N/A	Yes
Side Setback (min)	N/A	N/A	Yes
Rear Setback (min)	N/A	N/A	Yes
Height (max)	N/A	N/A	Yes
Stories (max)	N/A	N/A	Yes
Stories (LO) (max)	N/A	N/A	Yes
FAR (max)	N/A	N/A	Yes

2. Maximum Scale of Development	TOJ-LDR Standard	Miller Park Improvements	Complies?
	N/A	N/A	Yes

3. Building Design	TOJ-LDR Standard	Miller Park Improvements	Complies?
	Nonresidential Design Guidelines	Restroom Plans Conform	Yes

4. Site Development	TOJ-LDR Standard	May Park Improvements	Complies?
	N/A	N/A	Yes

5. Landscaping	TOJ-LDR Standard	Miller Park Improvements	Complies?
	N/A	N/A	Yes

6. Fencing	TOJ-LDR Standard	Miller Park Improvements	Complies?
	N/A	4' Dog Area Fencing 10' Sport Court Fencing	Yes

7. Environmental Standards	TOJ-LDR Standard	Miller Park Improvements	Complies?
Natural Resource Buffers (min)			
Cache Creek (south of Cache Creek Dr.)	20'	N/A	Yes
Flat Creek north of Hansen Ave.	25'	N/A	Yes
Flat Creek south of Hansen Ave.	50'	N/A	Yes
Wetland	30'	N/A	Yes
Irrigation Ditch Setback (min)	15'	N/A	Yes
Natural Resource Overlay (NRO)	N/A	Site Not Within NRO	Yes

8. Scenic Standards	TOJ-LDR Standard	Miller Park Improvements	Complies?
Exterior Lighting		N/A- No Park Lighting	Yes

9. Natural Hazards to Avoid	TOJ-LDR Standard	Miller Park Improvements	Complies?
Steep Slopes	<10% Slope		Yes
Unstable Soils	No Buildings in unstable soils	N/A	Yes
Fault Areas	Structures shall comply with the currently adopted Building Code for Seismic Zone 3	N/A	Yes
Floodplains	Chapter 15.30, Flood Damage Prevention, Municipal Code of the Town of Jackson	Not in Floodplain	Yes
Wildland Urban Interface	2021 International Fire Code and International Wildland-Urban Interface	N/A	Yes



10. Signs	TOJ-LDR Standard	Miller Park Improvements	Complies?
	N/A	See Narrative	Yes

11. Grading, Erosion Control, Stormwater	TOJ-LDR Standard	Miller Park Improvements	Complies?
Grading	5.7.2. Grading Standards	Grading Plan Will Comply	Yes
Erosion Control	5.7.3. Erosion Control Standards	Erosion Control Plan Will Comply	Yes
Stormwater Management	5.7.4. Stormwater Management Standards	SWPPP will Comply	Yes



Figure 1: Miller Park Existing Conditions (not to scale)



Town of Jackson
150 E Pearl Avenue
PO Box 1687, Jackson, WY 83001
P: (307)733-3932 F: (307)739-0919
www.jacksonwy.gov

Date:

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 : Larry Pardee/Roxanne Robinson

Being duly sworn, deposes and says that Town of Jackson is the owner in fee of the premises located at:
Name of property owner as listed on deed

Address of Premises: 255 W DELONEY AVENUE, JACKSON WY

Legal Description: 22-41-16-28-4-18-001

Please attach additional sheet for additional addresses and legal descriptions

And, that the person named as follows: Name of Applicant/agent: Teton County/Jackson Parks & Recreation

Mailing address of Applicant/agent: PO Box 811, Jackson, WY 83001

Email address of Applicant/agent: sashworth@tetoncountywy.gov, rrudd@tetoncountywy.gov

Phone Number of Applicant/agent: 307-355-9499

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 is 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) Conditional Use Permit

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.

Larry Pardee
Property Owner Signature

Roxanne Robinson
Title if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner

STATE OF Wyoming)
) SS.
COUNTY OF Teton)

The foregoing instrument was acknowledged before me by Larry Pardee this 1st
day of April, 2022. WITNESS my hand and official seal.

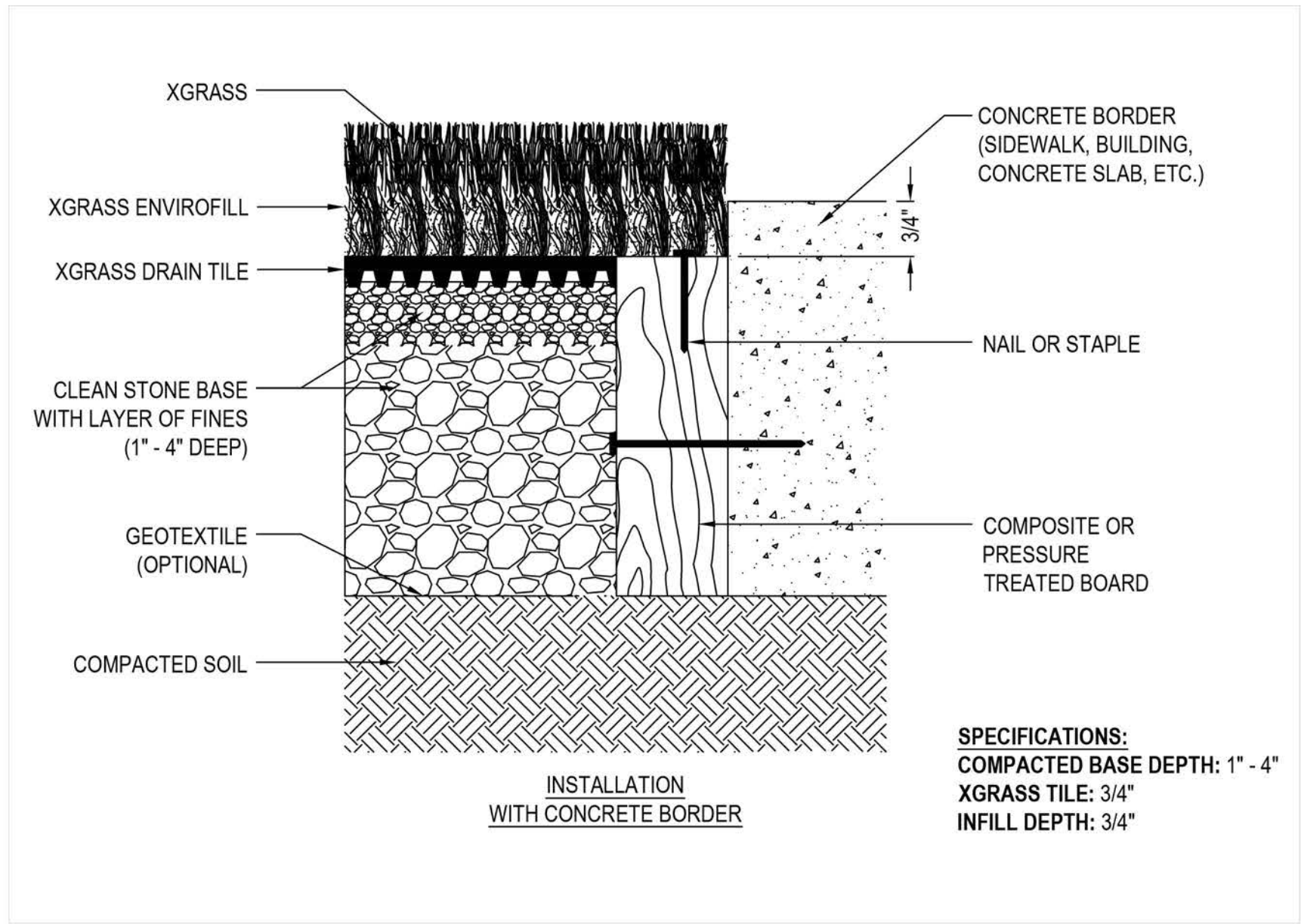
Shellie M Arellano
Notary Public

My commission expires





1
001 Miller Park Dog Off-Leash Area & Sport Courts Concept
1"=20'

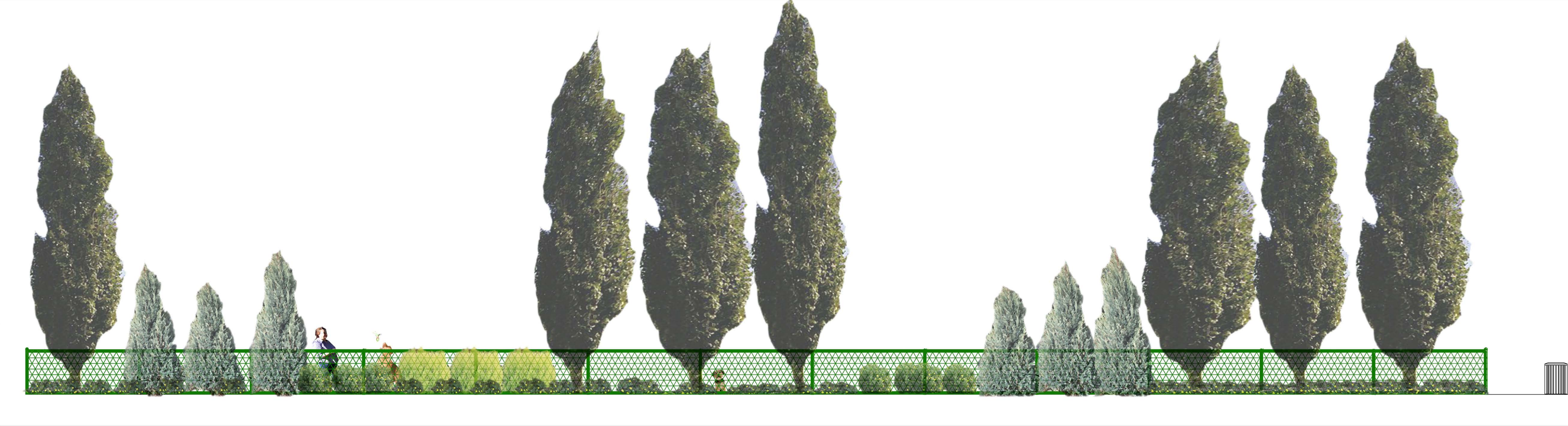


1
002 Dog Off-Leash Area Typical Synthetic Turf
Not To Scale



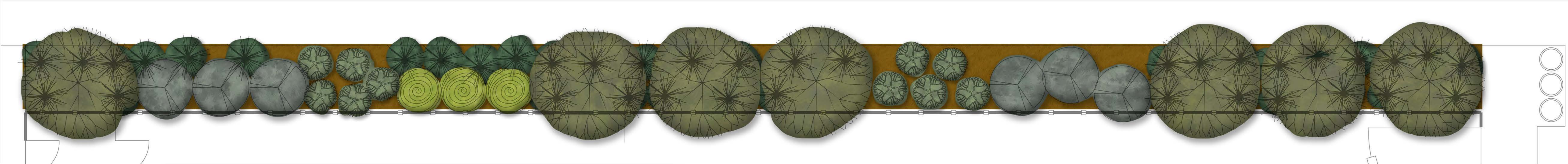
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003 Dog Off-Leash Area Synthetic Turf

Project Title: Miller Park Improvements	Address: 255 W Deloney Ave Jackson, WY 83001	Date: 4/ 2 /2022	Scale: N/A	Sheet #: 1 or 2	For Information Only Not for Construction		
Drawing Title: Layout/ Turf Details		Drawn By:SA	Version: 2				



2
001

Dog Off-Leash Area Plant Screening-N. Jackson St.
1"=20'



2
002

Dog Off-Leash Area Fence (N. Jackson St.)
1"=4'

Symbol	Common Name	Scientific Name	Mature Height/Width(ft)	Symbol	Common Name	Scientific Name	Mature Height/Width(ft)
Trees				Shrubs			
	Columnar Swedish Aspen	<i>Populus tremula</i> 'Erecta'	40'H x 10'W		Creeping Oregon Grape	<i>Mahonia repens</i>	1'H x 4'W
	Medora Rocky Mountain Juniper	<i>Juniperus scopulorum</i> 'Medora'	10'H x 5'W		Spirea	<i>Spirea thunbergii</i> Gold Thread™ ('Ogon')	4'H x 4'W
					Shrubby Cinquefoil	<i>Potentilla Fruticosa</i>	3'H x 3'W

1
005

Planting Schedule



Existing Drainage



Proposed Drainage

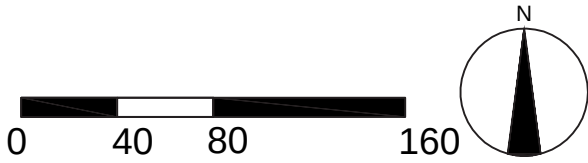
Key

Concentrated Flow (Swale)

Sheet Flow

Drainage Area Separate From Stormwater

Culvert



Project: Miller Park Improvements	Address: 255 W Deloney Ave Jackson, WY 83001	Date: 4/5/2022	Scale: 1"=80'	Version: 1	For Information Only Not For Construction		11
Drawing Title: Drainage Plan		Drawn By: RR	Sheet #: 1 of 1				



SOUND IMPACT STUDY FOR DOG PARKS IN JACKSON

How adding dogs would affect the perceived sound intensity for the nearest neighbors

UNDERSTANDING SOUND MEASUREMENT

GETTING FROM DECIBELS TO SOUND POWER

Decibels (dB) are a measure of sound pressure, which is how humans perceive the aural world via the eardrum. Decibels measured at the source can give us a useful starting point for 'loudness,' but because sound loses power as it passes through the atmosphere, it can't tell us much about real world experience of loudness.

Additionally, because of the bell curve of human perception, sound volume is not perceived linearly, but rather as a Log. This means that an increase of six Decibels is equal to a doubling of sound intensity.

To understand perceived volume (or Sound Power Level, SPL or L_p) we need to know the distance from the source, and the source's relationship to reflective surfaces like the ground or walls. We can calculate this using the following equation:

$$L_p = L_w - |10 * \log(\frac{Q}{4\pi * r^2})|$$

L_p = Sound Power Level

L_w = Sound Wattage Level

Q (reflective surface)

Q = 1 = none

Q = 2 = next to ground

Q = 3 = next to ground and wall

Q = 4 = in the corner of ground and two walls

r = distance to the source

ACCEPTED LOUDNESS OF COMMON SOURCES

15 dB	Whisper
45 dB	Library
50 dB	Passenger Car at City speeds @ 25'
60 dB	Normal Conversation
70 dB	Vacuum Cleaner
76 dB	Passenger car at 65 mph @ 25'
80 dB	Toilet Flushing
90 dB	Noisy Restaurant
110 dB	Baby Crying

METHODOLOGY

WE CALCULATED THE PERCEIVED SOUND INTENSITY OF ADDING DOGS FOR THE NEAREST NEIGHBORS

The perceived intensity of sound diminishes over distance, and is influenced by reflective surfaces like walls or the ground. To understand the impact of dogs on near neighbors, we calculated the intensity of a dog bark by the average distance (r) from the center of each park to the neighbors on the edge or across the street.

Average distances (r) from nearest neighbors to the center of the park in meters.

Emily's Pond	232.0 m	Sound measurements were taken between May 5 and May 27, 2021	Standardized dog bark decibel reading at source was 95 dB .
May Park	205.5 m		
Mike Yokel	128.2 m		
Miller Park	136.5 m		
Phil Baux	110.0 m		
Powderhorn Park	126.3 m		
		Max Temp: 72 deg.	
		Min Temp: 41 deg.	
		Avg. Temp: 55.4 deg.	

References

<https://www.linkedin.com/pulse/acoustics-spl-vs-swl-sound-pressure-level-power-chris-jones/>
<https://extension.purdue.edu/extmedia/VA/VA-18-W.pdf>
<https://pulsarinstruments.com/en/post/understanding-decibels-decibel-scale-and-noise-measurement-units>

ANECDOTAL OBSERVATIONS

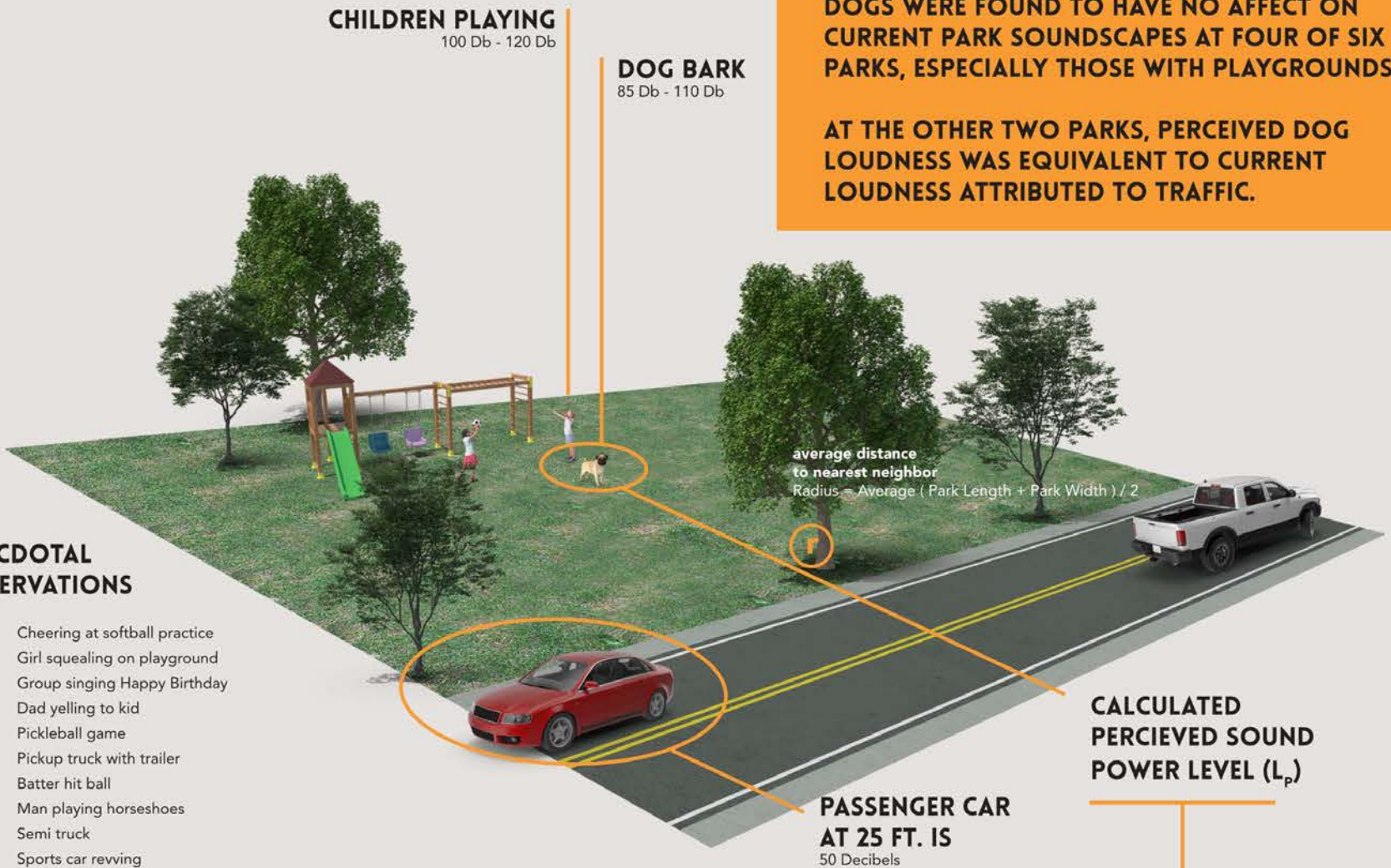
90 dB	Cheering at softball practice
89 dB	Girl squealing on playground
89 dB	Group singing Happy Birthday
88 dB	Dad yelling to kid
87 dB	Pickleball game
82 dB	Pickup truck with trailer
82 dB	Batter hit ball
81 dB	Man playing horseshoes
80 dB	Semi truck
79 dB	Sports car revving

INTERPRETATION OF FINDINGS

WE CALCULATED THE PERCEIVED SOUND INTENSITY OF ADDING DOGS FOR THE NEAREST NEIGHBORS

In four of the six parks (Emily's Pond, Mike Yokel, Phil Baux, Powderhorn) we found dog barks to contribute an imperceptible difference or none at all to the perceived volume of the park. While two of the parks (May Park, Miller Park) could have a larger sound impact to neighbors with the addition of dogs. Road and other ambient noise easily dwarfs the noise of the park.

Moreover, these findings represent the impact of sound to the nearest neighbors. As sound diminishes over distance, neighbors who are further away, or are separated by vegetation, fences, and buildings, will perceive an even lower sound impact from the park.



CONCLUSION

DOGS WERE FOUND TO HAVE NO AFFECT ON CURRENT PARK SOUNDSCAPES AT FOUR OF SIX PARKS, ESPECIALLY THOSE WITH PLAYGROUNDS.

AT THE OTHER TWO PARKS, PERCEIVED DOG LOUDNESS WAS EQUIVALENT TO CURRENT LOUDNESS ATTRIBUTED TO TRAFFIC.

PARK	* L_p represented in Decibels			INTERPRETATION
	CALCULATED PERCEIVED BARK L_p	CALCULATED PERCEIVED PARK L_p	DIFFERENCE IN PERCEIVED L_p	
Emily's Pond	45.73	48.53	-2.8	no louder
May Park	46.78	38.38	8.4	*currently does not have playground
Mike Yokel	50.88	60.08	-9.2	no louder
Miller Park	50.34	43.04	7.3	
Phil Baux	52.21	52.71	-.05	no louder
Powderhorn Park	51.01	49.41	1.6	statistically equivalent

▲ Equivalent to a passenger car at 25 ft.



DOGS MAKE NO MORE NOISE THAN CURRENTLY EXISTS

At every park with a playground, kids playing clocked louder volumes in more sensitive frequencies.

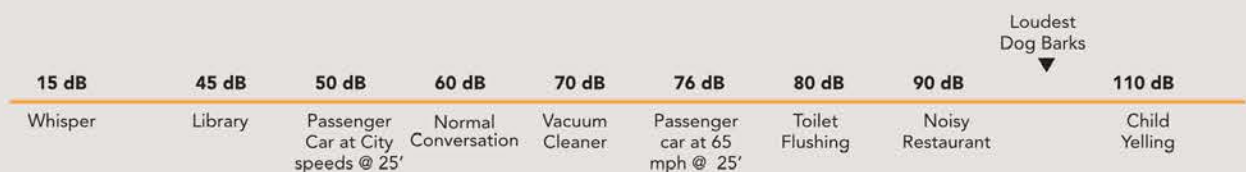
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ACCEPTED
LOUDNESS OF
COMMON SOURCES



FALSE

DOG PARKS WILL MAKE THE PARK WAY BUSIER AND LOUDER

In March, 2021, over 500 observations were recorded at the temporary, and ONLY, dog park in Jackson. The average number of dogs was 3, with a median of 4, matching that of people. The average number of cars was 3.

Moreover, at all parks with playgrounds, the addition of dogs to the soundscape would be equivalent or less than the current perceived loudness to neighbors.

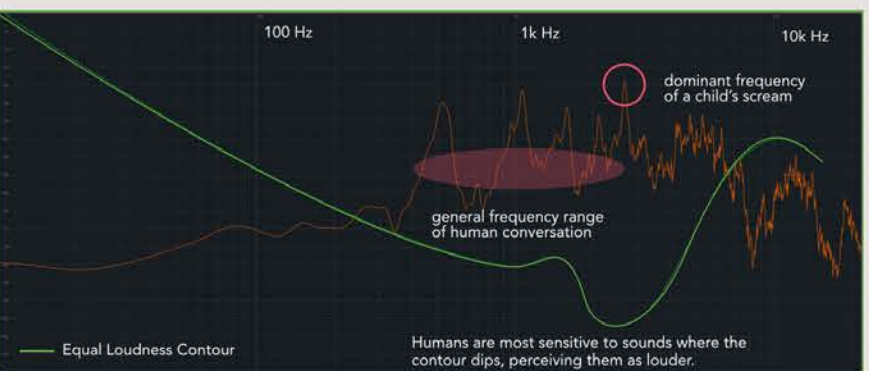
For the one park without a playground, May, the data is a poor indicator of dog's impact on sound. May Park is planning the addition of a playground.

	DOGS	HUMANS	CARS
AVERAGE	3	3	3
MEDIAN	4	4	3

FALSE

DOGS HAVE PIERCING BARKS AND STAND OUT FROM THE CURRENT SOUNDSCAPE

Kids screaming is louder (120 Db) than dog barks (97 Db). Human perception is even more sensitive to the frequency of a human child than a bark, making children's screams and laughter perceived as even louder. The lower frequencies of barks in larger breeds of dog fall in a spectrum of lower human aural sensitivity.



Adapted from: <https://medium.com/@nicolezini/why-are-crying-babies-so-damn-annoying-99d917d8764>

TRUE

PLAYGROUNDS ARE THE BIGGEST CONTRIBUTOR TO PARK LOUDNESS.

The quietest park that we observed, May park, currently does not have a playground. However, the addition of a playground is currently in the master plan. We expect the soundscape at May Park to increase in loudness to match the other parks when the playground is opened.

TRUE

DOG PARKS STEER COMMUNITY BEHAVIOR

When a community can see and interact with each other, social norms, taboos, and behaviors more readily take hold within the community.

With clear messaging and a strong culture around responsible behavior for owners (picking up poop, managing interactions with other dogs, keeping dogs under control) the dog park can improve the culture of dog owners beyond the dog park. Our trails and public spaces can become more harmonious spaces for mixed use and project a high standard for dog owners beyond the confines of the dog park.

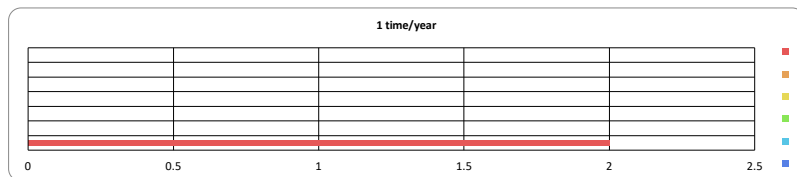
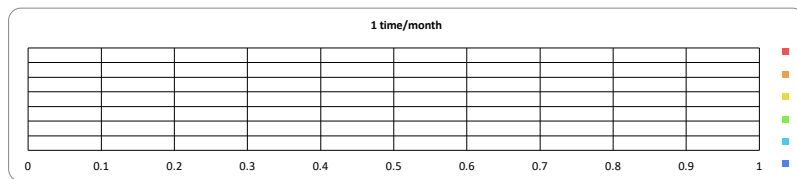
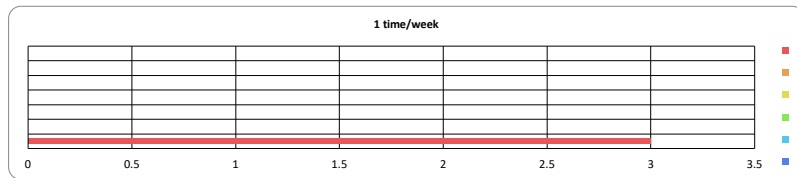
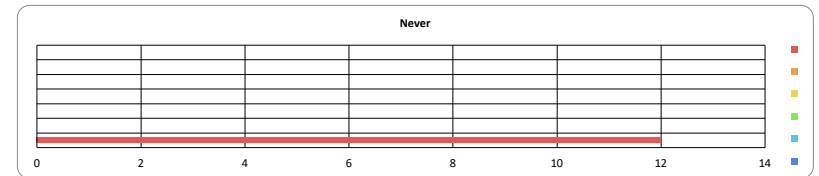
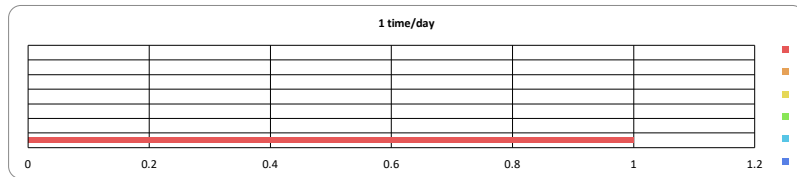
Miller Park
Question 1

How often would you use the proposed dog off-leash area proposed in the plan?

Frequency	Count	Percentage
1 time/day	1	5.56%
1 time/week	3	16.67%
1 time/month	0	0.00%
2 time/year	2	11.11%
Never	12	66.67%

Answered
Skipped

18
9

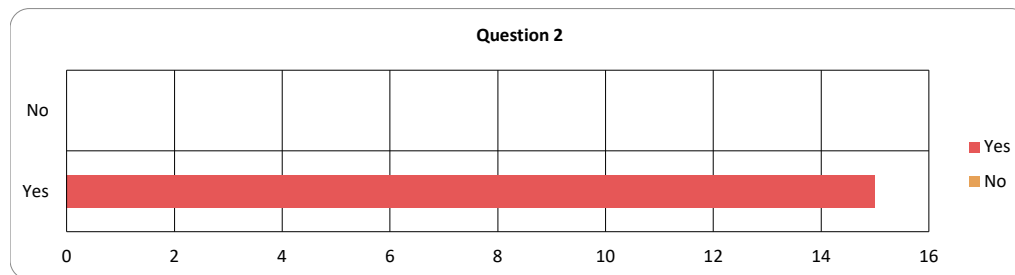


Miller Park

Question 2

Do you feel the proposed plan adequately provides pedestrian access around the park and to various ammenities?

Choice	Responses	
Yes	15	100.00%
No	0	0.00%
Answered	15	
Skipped	12	

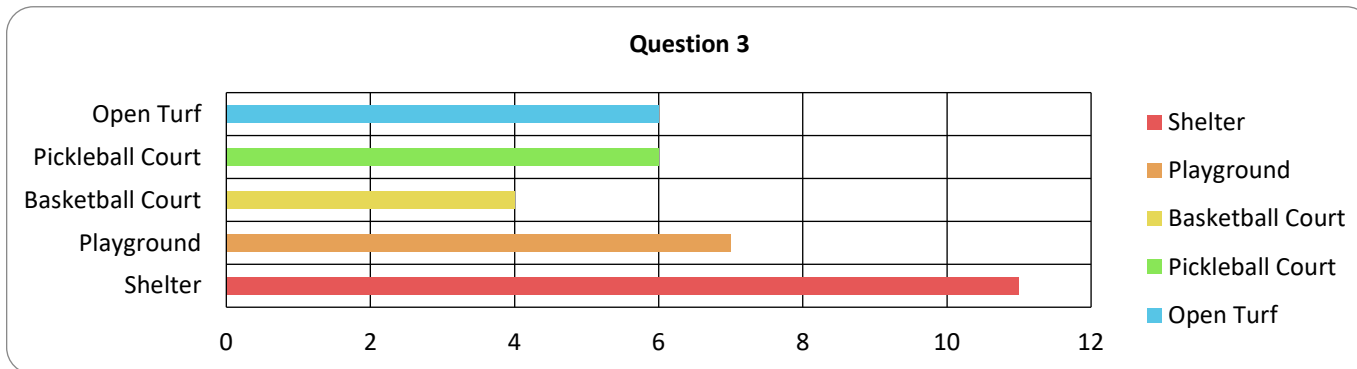


Miller Park

Question 3

What ammenities do you use at the park?

Choice	Responses	
Shelter	11	57.89%
Playground	7	36.84%
Basketball Court	4	21.05%
Pickleball Court	6	31.58%
Open Turf	6	31.58%
None	4	21.05263158
Answered	19	
Skipped	8	

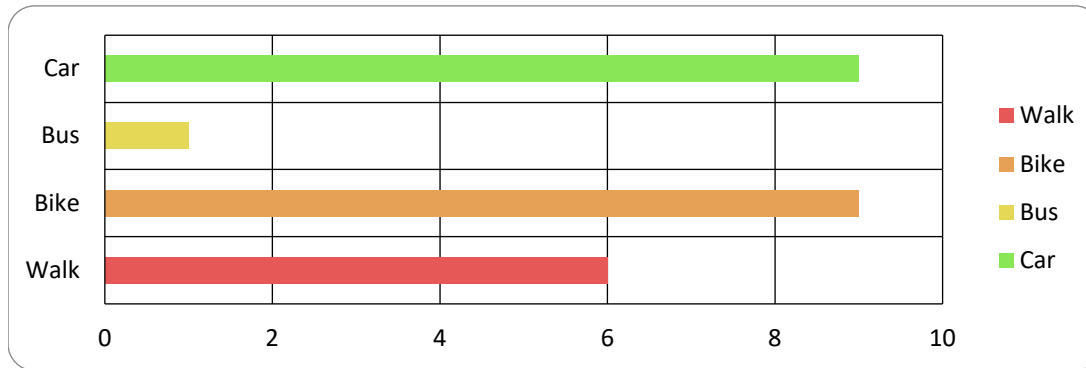


Miller Park

Question 4

How do you travel to Miller Park?

Choice	Responses
Walk	6
Bike	9
Bus	1
Car	9
Answered	18
Skipped	9



Miller Park

Question 5: Any comments or feedback.

Response

This is too much development of a well used park with limited parking. The parking is mostly for the commercial zone

Prefer no dog park

Pickleball courts are nice now, but I wouldn't add more. If you want to create a large pickleball facility, I think the rodeo grounds or stilson are better suited for a destination facility. We do not need to bring more people downtown.

Support dog park

Yes to off-leash dog park

Town of Jackson
Project Plan Review History
PLANNING

Project Number	P22-207	Applied	8/18/2022	AL
Project Name	CUP - 255 W Deloney Ave. - Miller Park	Approved		
Type	CUP	Closed		
Subtype		Expired		
Status	STAFF REVIEW	Status		
Applicant	Parks & Recreation	Owner	TOWN OF JACKSON	
Site Address		City	State	Zip
255 W DELONEY AVENUE		JACKSON	WY	83001
Subdivision		Parcel No	General Plan	
JACKSON ORIGINAL-TOWNSITE		22411628418001		

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact Notes Building Kelly Sluder	APPROVED	8/18/2022	9/8/2022	9/7/2022	
Fire Kathy Clay	NO COMMENT	8/18/2022	9/8/2022	8/18/2022	
Joint Housing Dept Kristi Malone	NO COMMENT	8/18/2022	9/8/2022		LDR 6.3.2.C.13 Exempt for P/SP
Legal Lea Colasuonno		8/18/2022	9/8/2022		
Parks and Rec Steve Ashworth		8/18/2022	9/8/2022		
Pathways Brian Schilling		8/18/2022	9/8/2022		
Planning Tyler Valentine (12/14/2022 10:29 AM TV)	APPROVED W/CONDITI	8/18/2022	9/8/2022	12/14/2022	
1. Prior to opening the dog park to the public, Chapter 7.05.020(J) of the Municipal Code shall be amended to allow dogs in certain or all Town parks.					
2. The applicant shall submit a physical development permit within 1 year of Council approval of the CUP, otherwise the CUP will expire.					

Type of Review Contact Notes	Status	Dates			Remarks
		Sent	Due	Received	
Police Michelle Weber	NO COMMENT	8/18/2022	9/8/2022	8/19/2022	

Public Works APPROVED W/CONDITI 8/18/2022 9/8/2022 9/2/2022
Matthew Doyle
(9/2/2022 11:28 AM MD)
CONDITIONAL USE PERMIT– APPROVED w CONDTITIONS

P22-207
ADDRESS: 255 West Deloney Avenue
OWNER: Town of Jackson
APPLICANT: Teton County/Jackson Parks & Recreation

9/2/2022
Matthew Doyle, 733-3079

DATE OF SUBMITTAL: 8/18/2022
DATE OF MATERIALS: 8/16/2022
REVISION NO.: 00

The engineering division has reviewed your application for a USE PERMIT submitted on and with application materials as dated above.

NOTES FOR APPROVAL

1. Additional Water or Sewer Capacity fees may be assessed with the building permit.

START 8/18/2022 9/8/2022
Darren Brugmann

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Town Council Meeting
Submitting Department:	Planning & Building	Presenter:	Kelly Sluder, Building Official
Agenda Item:	90 Day Stay of Demolition Permit Applications #B22-1098 and #B22-1068	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to consider a stay in the issuance of a demolition permit for structures addressed as 245 N Millward Ave. and 252 E. Simpson Building #1.

Requested Action.

Teton County Historic Preservation Board requests a 90-day stay on the Demolition Permit Application #B22-1098 at 245 N. Millward and #B22-1068 at 252 E. Simpson.

Recommendations.

ITEM A: B22-1098 / 245 North Millward Street (*Stone house*)

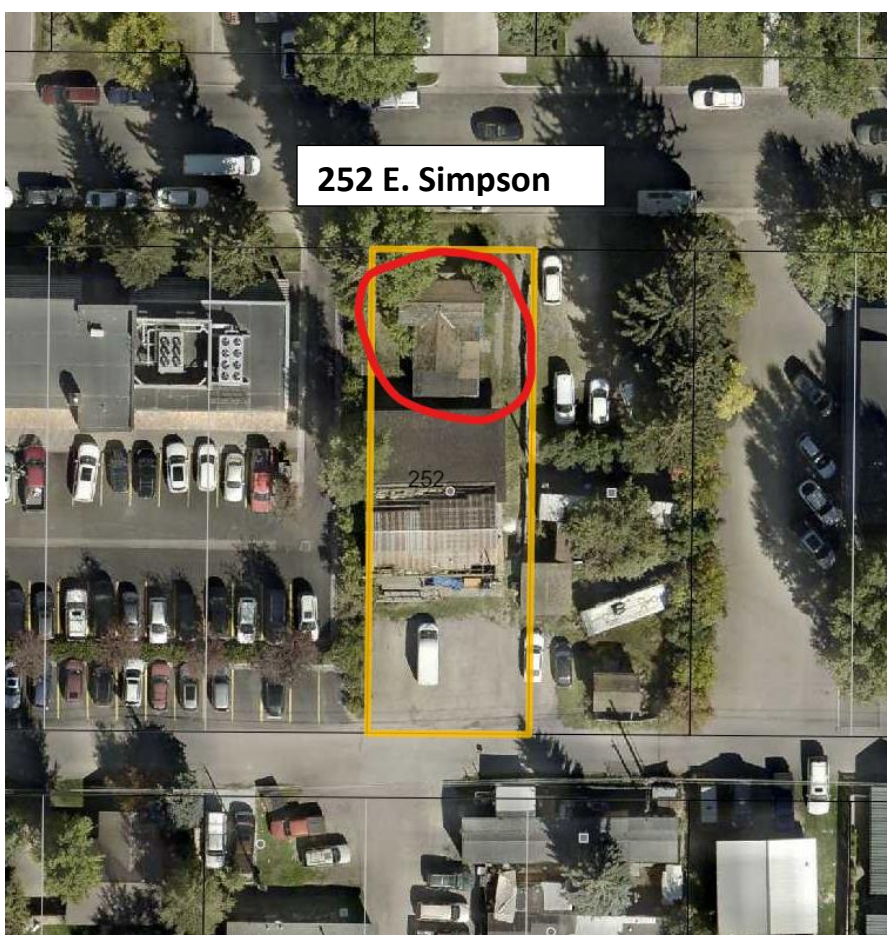
The Teton County Historic Preservation Board recommends a 90 stay on the issuance of the demolition permit.

ITEM B: B22-1068 / 252 East Simpson Avenue (*Single-family home*)

The Teton County Historic Preservation Board recommends a 90 stay on the issuance of the demolition permit.

Project Location.

The subject properties are addressed as 245 N. Millward Street and 252 E. Simpson Avenue. An aerial photo is shown on the following page showing the general location of the proposed structures



Background/Project Description.

On November 20, 2022, the Town received demolition permit applications (see attached) for structures at 245 N. Millward Ave. and 252 E. Simpson. The Teton County Historic Preservation Board, when notified of the application for demolition, stated it had an interest in the structures and wanted to discuss at their next Board meeting a request for stay of issuance of the demolition permit.

Pursuant to Town demolition procedures for structures listed on the Teton County Historic Preservation Board (the Board) non-exclusive list of structures which are either in excess of fifty (50) years old or are otherwise historically or architecturally significant, the application was forwarded to the Board for review and recommendation. In an email dated December 20, 2022, the Board requested that Town Council consider granting a 90-day stay on the issuance of the requested demolition permit to allow consideration of moving the structures at 245 N. Millward and 252 E. Simpson (Building #1). Municipal Code Section 15.38.020D.2.B states that the purpose of the stay is to allow public comment and in order for the applicant, the Board, and other interested parties to explore alternatives to demolition. In addition, Section 15.38.020D.2.B states that the Board shall cite the historic preservation principles upon which it is relying to make its comments or recommendations regarding the impact of such demolition on historic preservation.

Findings

There are no formal findings for approval of a stay related to a demolition permit. However, per Municipal Code Section 15.38.020D.2.B, in considering this request, staff notes that Council may choose to grant a stay in the issuance of the demolition permit up to a maximum of 90 days, but upon the completion of that time period, the permit would be issued, and the structures would be allowed to be removed as requested by the property owner.

Fiscal Impact.

No fiscal impact identified at this time.

Staff Impact.

Building staff took approximately 4 hours to process the request and complete this report.

Attachments or Links.

Teton County Historic Preservation Board Request (Email)
Demolition Permit Application

Suggested Motion.

ITEM A: B22-1098 / 245 North Millward Street (Stone house) I move to grant a ____ (up to 90) day stay on the issuance of Demolition Permit Application #B22-1098.

ITEM B: 252 East Simpson Avenue (Single-family home) I move to grant a ____ (up to 90) day stay on the issuance of Demolition Permit Application #B22-1068.

Teton County Historic Preservation Board
Jackson Historic Designation Criteria for Recommended Stay of Demolition
B22-1068 252 E Simpson Ave. Building #1

The structure identified as Building #1 at 245 E. Simpson Ave. Jackson Wyoming is found to be historically significant according to the Town of Jackson Designation Criteria to the Jackson Historic Register under the following criteria:

A. Age: Built in 1950, the structure is more than 50 years old per Teton County GIS

B. N/A

C. Architectural: Example of mid-century vernacular house that incorporates elements of popular mid-century design, but in a scaled down, humble way. These houses used to be common in Jackson but are becoming increasingly rare. They are often overlooked because they are low-style in their design. However, this "low-style" is still considered architecturally-significant within the fields of heritage preservation. Other character defining and intact design elements include: simple symmetry, picture window openings, running bond of roman-brick inspired masonry water table, horizontal clapboarding, shutters, small awning over front door, lack of front driveway or garage, and size of set back from the street.

While the structure has most likely undergone changes to its appearance since its original construction, these changes are not only in keeping with common mid-century alterations, but are a hallmark of vernacular houses from this time-period. They are considered character defining in their own right since they would fall within the period of significance for the house. In terms of historic integrity, the building retains location, design, materials, workmanship, and feeling.

The Teton County Historic Preservation Board recommends a ninety (90) day stay in the issuance of a demolition permit for public comment and in order for the applicant, the TCHPB and other interested parties to explore alternatives to demolition.



DEMOLITION PERMIT APPLICATION
Planning & Building Department
Building Division

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

For Office Use Only

Permit No.	Permit Fee:	Date Received:	Date Due:
------------	-------------	----------------	-----------

APPLICABILITY. The purpose of the Demolition Permit is to review and permit demolition of structures and utilities in accordance with Town of Jackson Municipal Code Section 15.38.

When is a Demolition Permit Required?

Demolition includes the act of demolishing or removing (including removals without destruction of the component elements of the structure):

- Fifty percent or more of the exterior walls of a building as measured continuously around the building coverage; or
- Fifty percent or more of the roof area as measured in plan view (defined as the view of a building from directly above which reveals the outer perimeter of building roof areas to be measured across a horizontal plane); or
- Any exterior wall facing a public street or right of way.

PROJECT INFORMATION.

Physical Address: 252 E. SIMPSON AVE.

PIDN: 22-41-16-34-2-16-005 Original Year Built: 1950

Please answer the following questions to the best of your ability if unknown please write UNKNOWN.

Years and Description of any Additions: UNKNOWN

Years and Description of any Remodels: UNKNOWN

Years and Description of any other Demolitions: UNKNOWN

PROJECT DESCRIPTION. Describe the precise nature of the proposed activity.

DEMOLITION OF ALL EXISTING STRUCTURES.

APPLICANT/AGENT. This is the responsible party for the permit, bonding, inspections, and execution of the work.

Name: Y2 CONSULTANTS Phone: (307)733-2999

Mailing Address: P.O. BOX 2870 ZIP: 83001

E-mail: zia@y2consultants.com/fdavidson@y2consultants.com

**If applicant is other than owner, a notarized Town of Jackson Letter of Authorization must accompany this application. Only the Owner or their authorized agent may sign the application.*

PROPERTY OWNER. If other than APPLICANT

Property Owner: TETON COUNTY, WYOMING Phone: (307)732-8585

Mailing Address: 185 S. WILLOW ST. ZIP: 83001

E-mail: pcote@tetoncountywy.gov

CONTRACTOR.

Name: TBD Phone: _____

E-mail: _____ License: _____

NOTICES. *The following information should be considered with any demolition permit application.*

A bond for the cost to abandon the water and sewer services as determined by Town Engineering is due at permit issuance.

An Encroachment (Public Right-of-Way Permit) must be submitted prior to any work within the right-of-way.

All work to be completed in accordance with the IBC Section 3303.

All public and commercial / multifamily facilities must be inspected by a trained professional for the presence of asbestos prior to demolition. For more information contact Linda Dewitt the Asbestos Coordinator with the Wyoming DEQ Air Quality Division 307-777-7394.

A notification of Demolition form is required to be sent to Asbestos.notice@wyo.gov 10-working days before the start of any demolition whether asbestos is present or not.

Performing demolition work without a permit may result in higher permit fees, fines, and/or loss of business license.

After Issuance permit is valid for 180 days.

Permit Fee of \$100 is due at time of permit issuance.

A 48-hour advanced notice is required to deliver demolition material to the County transfer station. Please call 307-733-7172.

DEMOLITION PERMIT SUBMITTAL REQUIREMENTS. *In order to be considered complete the following elements must be supplied with this application (Please contact the Engineering Division at 733-3079 with any questions regarding this permit):*

APPLICANT INITIALS

Application shall include the following items or acknowledgments:

FD

Notarized Town of Jackson Letter off Authorization, if applicant is other than the owner.

FD

Copy or receipt of written notification to the Wyoming DEQ Asbestos program. *See attached form for submittal to DEQ.*

FD

Demolition Plans showing:

- Extent of the demolition work
- Existing utilities to be abandoned and patching in the right-of way.
- Finished Conditions Plan or Statement: the vacant lot shall be backfilled and maintained to the existing grade or without slopes steeper than 2:1.
- Construction access point and access stabilization methods
- Equipment parking areas
- Location of construction and silt fencing

FD

Photographs of existing exterior conditions:

- elevation photos (front, back, sides) of each building or structure intended for removal.

If multiple structures or features are proposed for demolition, overall site photographs should be provided for context.

APPLICANT'S SIGNATURE, CERTIFICATION, AND AUTHORIZATION

Under penalty of perjury I hereby certify that I have read this application and state that, to the best of my knowledge, all of the information herein is true and correct and I swear that any information which may be hereafter given by me in hearing before the Planning Commission of Town of Jackson or the Town Council of the Town of Jackson shall be truthful and correct. I agree to comply with all Town, State, and Federal laws relating to the subject matter of this application and hereby authorize representatives of the Town of Jackson to enter the property described herein during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering the property.

In signing this application, I acknowledge that the Town's acceptance of this application does not constitute approval of a permit. I agree not to commence any work for which this application is being made prior to approval of this application by the appropriate Town agencies and payment of any fees due.



Signature of Owner or Authorized Applicant/Agent

11/7/22
Date

Forest Davidson

Name Printed

Agent
Title



Town of Jackson
 150 E Pearl Avenue
 PO Box 1687, Jackson, WY 83001
 P: (307)733-3932 F: (307)739-0919
 www.jacksonwy.gov

Date:

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 TETON COUNTY is the owner in fee of the premises located at:
Name of property owner as listed on deed

Address of Premises: 252/254 EAST SIMPSON AVE

Legal Description: 22-41-16-34-2-16-004 / 22-41-16-34-2-16-005

Please attach additional sheet for additional addresses and legal descriptions

And, that the person named as follows: Name of Applicant/agent: Y2 CONSULTANTS - FOREST DAVIDSON

Mailing address of Applicant/agent: P.O. Box 2870

Email address of Applicant/agent: fdavidson@y2consultants.com/zia@y2consultants.com

Phone Number of Applicant/agent: 307.733.2999

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 is 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 [Signature] Facilities Manager

Title if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual owner

STATE OF Wyoming)
) SS.
 COUNTY OF Teton)

The foregoing instrument was acknowledged before me by Paul Cote as Facilities Manager this 28th day of October 2022. WITNESS my hand and official seal.

[Signature]
 Notary Public



My commission expires: 03/29/2025



INSULATION INC.

July 20, 2022

Teton County
Attn: Shawn Remis
200 S Willow Street
Jackson, WY 83002

RE: Removing asbestos sheetrock and texture

Dear Shawn,

Enclosed are documents relating to the asbestos abatement work we performed at the vacant apartment building in Jackson, Wyoming. Specifically I have included:

- 1) Copy of the notification that was submitted to the Wyoming DEQ,
- 2) Fully executed disposal manifest,
- 3) Training documentation.

These documents should be filed and kept for an indefinite time. Thank you for the opportunity to work with you on this project.

Sincerely,

Tom Trapp
Insulation, Inc.

Enclosures

TT/tm



INSULATION INC.

June 15, 2022

Department of Environmental Quality
ATTN: Linda DeWitt
122 W 25th Street
Cheyenne, WY 82002

Dear Linda,

We have received a contract to remove asbestos from 2 walls and 2 room ceilings in a vacant apartment building in Jackson, Wyoming. Enclosed is the notification required by your office.

Please call if you have questions or wish to comment.

Sincerely,

Tom Trapp
Insulation, Inc.

Enclosures

TT/tm

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		<i>Jackson, WY</i> A. Signature B. Received by (Printed Name) _____ C. Date of Delivery _____ D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
1. Article Addressed to: WYOMING DEQ ATTN: LINDA DEWITT 122 W 25TH STREET CHEYENNE, WY 82002		3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
 9590 9402 6721 1060 8991 73		all Restricted Delivery	
7021 0350 0001 2235 0780		Domestic Return Receipt	

PS Form 3811, July 2020 PSN 7530-02-000-9053

Figure 3
STATE OF WYOMING
NOTIFICATION OF DEMOLITION AND RENOVATION

I. Facility Description (Include Building Name, Number, And Floor Or Room Number)

BLDG NAME: Old Apartments
ADDRESS: 252 E Simpson Ave.
CITY: Jackson STATE: WY ZIP: 83002 CONTACT: Shawn Remis
SITE DESCRIPTION (type of material being removed): Sheetrock and Texture

II. Facility Information (Identify Owner, Removal Contractor, And Other Operator)

OWNER NAME: Teton County
ADDRESS: 200 S Willow Street
CITY: Jackson STATE: WY ZIP: 83002
CONTACT PERSON: Shawn Remis TEL: 307-732-8409
REMOVAL CONTRACTOR: Insulation Inc
ADDRESS: P. O. Box 2205
CITY: Rock Springs STATE: WY ZIP: 82902
CONTACT PERSON: Tom Trapp TEL: 307-382-5882

OTHER OPERATOR:
ADDRESS:
CITY: STATE: ZIP:
CONTACT PERSON: TEL:

BUILDING SIZE: 1200 sq. ft. NUM OF FLOORS: 1 AGE IN YEARS: 40+
PRESENT USE: vacant PRIOR USE: apartments

III. Type Of Operation: ☒ D=Demo ☐ O=Ordered Demo ☐ R=Renovation ☐ E=Emergency Renovation

IV. Is Asbestos Present? ☒ YES ☐ NO Explain:

V. Procedure, Including Analytical Method, If Appropriate, Used To Detect The Presence Of Asbestos Material:
asbestos inspection

VI. Scheduled Dates Asbestos Removal (MM/DD/YY) START: 06-29-2022 COMPLETE: 06-30-2022

VII. Scheduled Dates Demo/Renovation (MM/DD/YY) START: COMPLETE:

VIII. Scheduled Work Hours: START: 8:00 am COMPLETE: 6:00 pm

IX. Approximate Amount Of Asbestos, Including: 1. Regulated ACM To Be Removed 2. Category I ACM Not Removed 3. Category II ACM Not Removed	RACM To Be Removed	Nonfriable Asbestos Material To Be Removed		Nonfriable Asbestos Material Not To Be Removed	
		CAT I	CAT II	CAT I	CAT II
PIPES					
SURFACE AREA	490 sq.ft				
VOL. RACM OFF FACILITY COMPONENT					

X. Description Of Planned Demolition Or Renovation Work And Method(S) To Be Used: Building to be demolished by the county for future site use

XI. Description Of Work Practiced And Engineering Controls To Be Used To Prevent Emissions Of Asbestos At The Demolition And Renovation Site: attached

Figure 3
STATE OF WYOMING
NOTIFICATION OF DEMOLITION AND RENOVATION

XII. Type Of Notification: ☒ O=Original ☐ R=Revised ☐ C=Cancelled
WPR Notice? ☐ Yes ☐ No

XIII. Waste Transporter #1 Insulation Inc.

ADDRESS: P. O. Box 2205
CITY: Rock Springs STATE: WY ZIP: 82902
CONTACT PERSON: Tom Trapp TEL: 307-382-3882
WASTE TRANSPORTER #2:

ADDRESS:
CITY: STATE: ZIP:
CONTACT PERSON: TEL:

XIV. WASTE DISPOSAL SITE

NAME: Sweetwater County Landfill
LOCATION: P. O. Box 252
CITY: Rock Springs STATE: WY ZIP: 82902
CONTACT PERSON: Kevin Herman TEL: 307-352-6869

XV. If demolition ordered by a government agency, please identify the agency below:

NAME: TITLE:

AUTHORITY:

DATE OF ORDER (MM/DD/YY):

DATE ORDERED TO BEGIN (MM/DD/YY):

XVI. For Emergency Renovations

DATE AND HOUR OF EMERGENCY (MM/DD/YY):

DESCRIPTION OF THE SUDDEN, UNEXPECTED EVENT:

EXPLANATION OF HOW THE EVENT CAUSED UNSAFE CONDITIONS OR WOULD CAUSE EQUIPMENT DAMAGE OR AN UNREASONABLE FINANCIAL BURDEN:

XVII. Description of procedures to be followed in the event that unexpected asbestos is found or previously nonfriable asbestos material becomes crumbled, pulverized or reduced to powder: attached

XVIII. I certify that an individual trained in the provision of this regulation (40 CFR Part 61, Subpart M) will be on site during the demolition or renovation and evidence that the required training has been accomplished by this person will be available for inspection during normal business hours (required 1 year after promulgation).



Date: 06-15-2022

(Signature of Owner/Operator)

XIX. I certify that the above information is correct.



Date: 06-15-2022

(Signature of Owner/Operator)

INSULATION INC

ATTACHMENT TO ASBESTOS NOTIFICATION

Project: Teton County abandoned apartment asbestos abatement asbestos removal of 2 walls in apartment #6 and #7 and 2 room ceilings in apartment #3 and #5.

XI: Description Of Work Practiced And Engineering Controls To Be Used To Prevent Emissions Of Asbestos At The Demolition And Renovation Site: Area flagged off with signage. Poly on floors. HVAC vents sealed off. Negative air filtration in use. All workers AHERA trained with disposable clothing and negative pressure respirators. Sheetrock to be removed wet with pry bars and double bagged. All walls not covered will be wet wiped and locked down. All poly, suits, and ACM will be bagged and transported to the Sweetwater County landfill for disposal.

XVII. Description of procedures to be followed in the event that unexpected asbestos is found or previously nonfriable asbestos material becomes crumbled, pulverized or reduced to powder:

If unexpected asbestos is found or previously nonfriable asbestos becomes crumbled:

Procedure –

- 1) Stop Work.
- 2) Notify owner and DEQ.
- 3) Ensure no emissions to non contained areas.
- 4) if friable, full containment, shower, any additional environmental controls needed to be installed.
- 5) After DEQ permit is revised and accepted, continue work.

Sweetwater County Solid Waste Disposal District 1
PO Box 1493 Rock Springs WY 82902-1493
307-352-6869

Transaction 91451 Hauler Insulation Inc - 220606
Date 7/1/22 10:29 am Vehicle 4t26311

Load Operation Account
Received Insulation Inc - 220606
Gross 15320 lb
Tare 14040 lb
Net 1280 lb

Pass	Date	Scale Name	Weight	Operator
1	7/1/22 10:17 am	Scale 1	15320 lb	Erik
2	7/1/22 10:29 am	Scale 1	14040 lb	Erik

Material Non Friable Asbestos Unit Price Per tn
Net Weight 1280 lb
Units 0.64 tn
Price \$39.72

Note teton county, jackson, 252 e. simpson

Transaction Total Amount \$39.72



SWEETWATER COUNTY SOLID WASTE DISPOSAL DISTRICT NO. 1

P.O. Box 1493, Rock Springs, WY 82902-1493 (307) 352-6869 Fax (307) 352-6867

ROCK SPRINGS LANDFILL USE PERMIT

Permit No. 210118
For District Use Only

Name of Disposer: Teton county Name of Hauler: Insulation Inc.
 Address: 200 S Willow ST Address: De Bar 2205
 City, State, Zip: Jackson WY, City, State, Zip: Rock Springs WY
 Telephone: 307-732-8407 Telephone: 307-352-3227
 Fax Number: _____ Fax Number: Insulation Inc. 307-352-3227
 Disposal Fee: Bill Hauler Type of Truck: Dumpbed
 Billing Address: _____ License No. of Truck: _____
 Type/Description of Waste: Sheet Rock Frequency of Disposal: Once
 Estimated Quantity: _____ No X
 If waste includes tires, indicate here: Yes _____

Name of Waste Generator: _____
 (Address/Location) Teton county 257 E. Simpson

The Operator to whom this permit is issued hereby agrees that he will comply with all rules and regulations of the District pertaining to the disposal of solid waste and that he will be liable for and promptly pay the District for any applicable disposal charges as noted below and for any damage done to the District property by his employees or associates.

[Signature]
 Applicant Signature

7-1-22
 Date

 Title (Disposer/Hauler/Other)

THIS SECTION TO BE COMPLETED BY LANDFILL PERSONNEL

Disposal Fee: IN-DISTRICT RATE: N/C Comments: _____
 OUT OF DISTRICT RATE: \$5/ton (20 min)
 Method of Measurement: _____
 Ton BBL Other
 Method of Payment: _____
 Prepayment Cash/Check Invoice
 Approved by: _____ Date: _____
 General Manager

Expires: _____

A copy of this permit shall be kept in the vehicle for which it was issued and shall be available for inspection by personnel of the District at such times as said vehicle is at the District site.

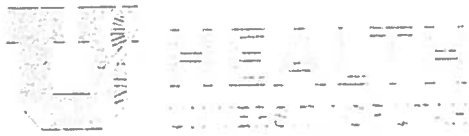
Copies:

White - Solid Waste District

Pink - Truck

Canary - Scalehouse

Gold - Applicant



Rocky Mountain Center
for Occupational and Environmental Health
250 East 200 South, Suite 100 - Room G113
Salt Lake City UT 84111
Phone: (801) 581-4055

THIS CERTIFIES THAT

Scott Pryor

*HAS COMPLETED THE REQUISITE TRAINING FOR
ASBESTOS ACCREDITATION UNDER TSCA TITLE II*

ATTENDED AN ANNUAL REFRESHER COURSE IN

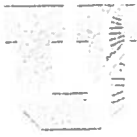
*PRACTICES AND PROCEDURES IN
ASBESTOS ABATEMENT*

Asbestos Contractor/Supervisor Refresher

DATE: March 3, 2022
NUMBER: 220150
EXPIRES: March 3, 2023
CREDITS: 0.80 CEUs / 1.34 ABIH CM Points


Laz E. Dominguez

Continuing Education - Operations Manager



HEALTH
UNIVERSITY OF UTAH

Rocky Mountain Center
for Occupational and Environmental Health
250 East 200 South, Suite 100 - Room G113
Salt Lake City UT 84111
Phone: (801) 581-4055

THIS CERTIFIES THAT

Tom Trapp

*HAS COMPLETED THE REQUISITE TRAINING FOR
ASBESTOS ACCREDITATION UNDER TSCA TITLE II*

ATTENDED AN ANNUAL REFRESHER COURSE IN

*PRACTICES AND PROCEDURES IN
ASBESTOS ABATEMENT*

Asbestos Contractor/Supervisor Refresher

DATE: April 28, 2022
NUMBER: 220254
EXPIRES: April 28, 2023
CREDITS: 0.80 CEUs / 1.34 ABIH CM Points


Liz E. Dominguez

Continuing Education - Operations Manager

CHC Training

Environmental Compliance Certification Experts

www.chctraining.com

303.412.6360

855.60.CERTIFY

Colorado State Approval No. 22651

1775 W. 55th Avenue
Denver, Colorado 80221
United States of America

CERTIFICATE OF ACHIEVEMENT

This certificate is awarded to:

JASON MARSH

In recognition of satisfactory completion of the EPA approved annual asbestos refresher training in accordance with the Model Accreditation Plan (MAP) (40 CFR Part 763, Subpart F, Appendix C), ALL of the

topics of asbestos control Act (1974) and Colorado regulation No. 7500000

CONTRACTOR / SUPERVISOR

COURSE COMPLETION:

MAY 14, 2022

EXPIRATION DATE:

MAY 14, 2023

COURSE HOURS:

8.0

Stephanie A. Wilson

CEO & Training Program Manager

Charles D. Miller

Instructor

Colorado Environmental

01/21/20

The following is signed and dated:

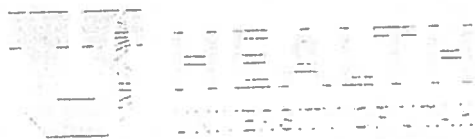
2022 07/24 AS, (C) Environmental Compliance (CIVIL) 19



Renew this Certificate



Verify this Certificate



Rocky Mountain Center
for Occupational and Environmental Health
250 East 200 South, Suite 100 - Room G113
Salt Lake City UT 84111
Phone: (801) 581-4055

THIS CERTIFIES THAT

Danny Hoopes

*HAS COMPLETED THE REQUISITE TRAINING FOR
ASBESTOS ACCREDITATION UNDER TSCA TITLE II*

ATTENDED AN ANNUAL REFRESHER COURSE IN

*PRACTICES AND PROCEDURES IN
ASBESTOS ABATEMENT*

Asbestos Contractor/Supervisor Refresher

DATE: April 28, 2022
NUMBER: **220241**
EXPIRES: April 28, 2023
CREDITS: 0.80 CEUs / 1.34 ABIH CM Points

Luz E. Dominguez
Luz E. Dominguez

Continuing Education - Operations Manager



INSULATION INC.

September 6, 2022

Teton County
Attn: Shawn Remis
200 S Willow Street
Jackson, WY 83002

Dear Shawn,

Enclosed are documents relating to the asbestos abatement work we performed at 250 and 252 East Simpson in Jackson, Wyoming. Specifically I have included:

- 1) Copy of the notification that was submitted to the Wyoming DEQ,
- 2) Fully executed disposal manifest,
- 3) Training documentation.

These documents should be filed and kept for an indefinite time. Thank you for the opportunity to work with you on this project.

Sincerely,

Tom Trapp
Insulation, Inc.

Enclosures

TT/tm

August 11, 2022

Department of Environmental Quality
ATTN: Linda DeWitt
122 W 25th Street
Cheyenne, WY 82002

Dear Linda,

We have received a contract to remove asbestos containing materials from a vacant apartment building and residence in Jackson, Wyoming. Enclosed is the notification required by your office.

Please call if you have questions or wish to comment.

Sincerely,

Tom Trapp
Insulation, Inc.

Enclosures

TT/tm

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: WYOMING DEPT. ATTN: LINDA DEWITT 122 W. 25th STREET CHEYENNE, WY 82002 2. Article Number (Transfer from previous label) 7021 0350 0001 2235 0810		3. Service Type ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail (over \$500) ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
A. Signature X		B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	

Figure 3
STATE OF WYOMING
NOTIFICATION OF DEMOLITION AND RENOVATION

I. Facility Description (Include Building Name, Number, And Floor Or Room Number)

BLDG NAME: Old Apartments
ADDRESS: 250, 252 E Simpson Avenue
CITY: Jackson STATE: WY ZIP: 83002 CONTACT: Shawn Remis
SITE DESCRIPTION (type of material being removed): Tar roofing, tar beam sealant, window glaze

II. Facility Information (Identify Owner, Removal Contractor, And Other Operator)

OWNER NAME: Teton County
ADDRESS: 200 S Willow Street
CITY: Jackson STATE: WY ZIP: 83002
CONTACT PERSON: Shawn Remis TEL: 307-732-5778
REMOVAL CONTRACTOR: Insulation Inc
ADDRESS: P. O. Box 2205
CITY: Rock Springs STATE: WY ZIP: 82902
CONTACT PERSON: Tom Trapp TEL: 307-382-3882

OTHER OPERATOR:
ADDRESS:
CITY: STATE: ZIP:
CONTACT PERSON: TEL:

BUILDING SIZE: 1200 sq. ft., 580 sq. ft. NUM OF FLOORS: 1 AGE IN YEARS: 40+
PRESENT USE: vacant PRIOR USE: apartments, residence

III. Type Of Operation: ☒ D=Demo ☐ O=Ordered Demo ☐ R=Renovation ☐ E=Emergency Renovation

IV. Is Asbestos Present? ☒ YES ☐ NO Explain:

V. Procedure, Including Analytical Method, If Appropriate, Used To Detect The Presence Of Asbestos Material:
asbestos inspection

VI. Scheduled Dates Asbestos Removal (MM/DD/YY) START: 08-29-2022 **COMPLETE:** 08-30-2022

VII. Scheduled Dates Demo/Renovation (MM/DD/YY) START: **COMPLETE:**

VIII. Scheduled Work Hours: START: 8:00 am **COMPLETE:** 6:00 pm

IX. Approximate Amount Of Asbestos, Including: 1. Regulated ACM To Be Removed 2. Category I ACM Not Removed 3. Category II ACM Not Removed	RACM To Be Removed	Nonfriable Asbestos Material To Be Removed		Nonfriable Asbestos Material Not To Be Removed	
		CAT I	CAT II	CAT I	CAT II
PIPES					
SURFACE AREA	184 sq.ft.				
VOL. RACM OFF FACILITY COMPONENT					

X. Description Of Planned Demolition Or Renovation Work And Method(S) To Be Used: Building to be demolished by the county for future site use

XI. Description Of Work Practiced And Engineering Controls To Be Used To Prevent Emissions Of Asbestos At The Demolition And Renovation Site: attached

Figure 5
STATE OF WYOMING
NOTIFICATION OF DEMOLITION AND RENOVATION

XII. Type Of Notification: ☒ O=Original ☐ R=Revised ☐ C=Cancelled
WPR Notice? ☐ Yes ☐ No

XIII. Waste Transporter #1 Insulation Inc.

ADDRESS: P. O. Box 2205
CITY: Rock Springs STATE: WY ZIP: 82902
CONTACT PERSON: Tom Trapp TEL: 307-382-3882
WASTE TRANSPORTER #2:

ADDRESS:
CITY: STATE: ZIP:
CONTACT PERSON: TEL:

XIV. WASTE DISPOSAL SITE

NAME: Sweetwater County Landfill
LOCATION: P. O. Box 252
CITY: Rock Springs STATE: WY ZIP: 82902
CONTACT PERSON: Kevin Herman TEL: 307-352-6869

XV. If demolition ordered by a government agency, please identify the agency below:

NAME: TITLE:

AUTHORITY:

DATE OF ORDER (MM/DD/YY):

DATE ORDERED TO BEGIN (MM/DD/YY):

XVI. For Emergency Renovations

DATE AND HOUR OF EMERGENCY (MM/DD/YY):

DESCRIPTION OF THE SUDDEN, UNEXPECTED EVENT:

EXPLANATION OF HOW THE EVENT CAUSED UNSAFE CONDITIONS OR WOULD CAUSE EQUIPMENT DAMAGE OR AN UNREASONABLE FINANCIAL BURDEN:

XVII. Description of procedures to be followed in the event that unexpected asbestos is found or previously nonfriable asbestos material becomes crumbled, pulverized or reduced to powder: attached

XVIII. I certify that an individual trained in the provision of this regulation (40 CFR Part 61, Subpart M) will be on site during the demolition or renovation and evidence that the required training has been accomplished by this person will be available for inspection during normal business hours (required 1 year after promulgation).



Date: 08-11-2022 (Signature of Owner/Operator)

XIX. I certify that the above information is correct.



Date: 08-11-2022 (Signature of Owner/Operator)

INSULATION INC

ATTACHMENT TO ASBESTOS NOTIFICATION

Project: Teton County abandoned apartments and residence. These buildings have 2 addresses although the county considers this one lot.

252 E Simpson Ave:

- 1) Roof tar on lower 4' of metal roofing, 177 sq. ft.
- 2) Beam sealant tar. located where 6 beams penetrate the exterior wall. this was sealed with tar sealant. 3 sq. ft.

250 E Simpson Ave:

- 3) Window glaze on 5 windows, 2 sq. ft.
- 4) Roof jack sealant. around 4 roof jacks. 1 sq. ft.

Shed:

- 5) Window glaze around 1 window, .5 sq. ft.

XI: Description Of Work Practiced And Engineering Controls To Be Used To Prevent Emissions Of Asbestos At The Demolition And Renovation Site: Area flagged off with signage. Amended water is use. All workers AHERA trained. Disposable clothing and negative pressure respirators in use.

Tar on metal roofing to be removed intact. Joist screws will be removed. roof wetted, metal to be cut above the tar section and sheets to be rolled up like carpet from 1 side to the other. Roll of metal to be burrito wrapped in 2 layers of 6 mil.

Tar on beams to be removed with a bag held beneath tar to be scrapped off with scrappers and wet wiped with solvent rags.

Window glaze to be removed intact. the entire window will be bagged for disposal.

Roof Jacks will also be removed intact. the pipe will be cut off and roofing cut around jack will be sliced and removed with the roof jack. This will be bagged whole on each roof jack.

All poly, suits, and ACM will be double bagged wet for disposal at the Sweetwater County Landfill.

XVII. Description of procedures to be followed in the event that unexpected asbestos is found or previously nonfriable asbestos material becomes crumbled, pulverized or reduced to powder:

If unexpected asbestos is found or previously nonfriable asbestos becomes crumbled:

Procedure –

- 1) Stop Work.
- 2) Notify owner and DEQ.
- 3) Ensure no emissions to non contained areas.
- 4) If friable. full containment. shower, any additional environmental controls needed to be installed.
- 5) After DEQ permit is revised and accepted. continue work.

SWEETWATER COUNTY SOLID WASTE DISPOSAL DISTRICT NO. 1

P.O. Box 1493, Rock Springs, WY 82902-1493 (307) 352-6869 Fax (307) 352-6867

ROCK SPRINGS LANDFILL USE PERMIT

Name of Disposer:	<u>Teton County</u>	Permit No.	<u>210118</u>
Address:	<u>200 S Willow St</u>	Name of Hauler:	<u>INSULATION, INC.</u>
City, State, Zip:	<u>Jackson, WY 83002</u>	Address:	<u>PO BOX 2205</u>
Telephone:	<u>307-732-5778</u>	City, State, Zip:	<u>ROCK SPRINGS, WY 82902</u>
Fax or E-Mail:		Telephone:	<u>307-382-3383</u>
Disposal Fee:	<u>bill hauler</u>	Fax or E-Mail:	<u>insulationinc@hotmail.com</u>
Billing Address:	<u>PO BOX 2205</u>	Type of Truck:	<u>PICKUP DUMPED</u>
Type/Description of Waste:	<u>tar-sealant</u>	Acct Payable Contact:	<u>TOM TRAPP</u>
Estimated Quantity:	<u>500 #</u>	NON-FRIABLE ASBESTOS	<u>window g/lze</u>
If waste includes tires, indicate here:	Yes ☐ No ☒	Frequency of Disposal:	<u>ONCE</u>

Name of Waste Generator: 250 and 252 E Simpson Ave, Jackson WY 83002
 (Address/Location):

The Operator to whom this permit is issued hereby agrees that he will comply with all rules and regulations of the District pertaining to the disposal of solid waste and that he will be liable for and promptly pay the District for any applicable disposal charges as noted below and for any damage done to the District property by his employees or associates

[Signature] 1/22/2021
 Applicant Signature Date

HAULER
 Title (Disposer/Hauler/Other)

THIS SECTION TO BE COMPLETED BY LANDFILL PERSONNEL

Disposal Fee:	IN-DISTRICT RATE	<u>N/C</u>	Comments
	OUT OF DISTRICT RATE	<u>\$55/ton (\$20 Min.)</u>	<u>OK to Invoile</u>
Method of Measurement:	<u>X</u>	<u>BSL</u>	<u>Insulation Inc</u>
	Ton	Other	<u>for D/W</u>
Method of Payment:	<u>Prepayment</u>	<u>Cash/Check/CC</u>	<u>ADL</u>
Approved by:	<u>[Signature]</u>	<u>1/22/21</u>	
	General Manager	Date	
Expires:	<u>12/31/2022</u>		

A copy of this permit shall be kept in the vehicle for which it was issued and shall be available for inspection by personnel of the District at such times as said vehicle is at the District site

Copies: White - Solid Waste District Pink - Truck Canary - Scalehouse Gold - Applicant

Sweetwater County Solid Waste Disposal District 1
PO Box 1493 Rock Springs WY 82902-1493
307-352-6869

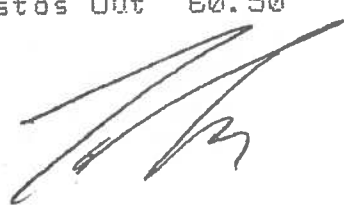
Transaction	99962	Hauler	Insulation Inc - 220606
Date	9/1/22 12:30 pm	Vehicle	4t26311

Load	1		
Operation	Received	Gross	14460 lb
Account	Insulation Inc - 220606	Tare	13800 lb
		Net	660 lb

Pass	Date	Scale Name	Weight	Operator
1	9/1/22 12:17 pm	Scale 1	14460 lb	Erik
2	9/1/22 12:30 pm	Scale 1	13800 lb	Erik

Material	Price	Per	Net Weight	Units	Price
Non Friable Asbestos Out	60.50	tn	660 lb	0.33 tn	\$20.00

Note jackson



Transaction Total Amount \$20.00



CHC Training

Environmental Compliance Certification Experts

Colorado State Approval No. 22651

www.chctraining.com

303.412.6360

855.60.CERTIFY

1775 W. 55th Avenue
Denver, Colorado 80221
United States of America

CERTIFICATE OF ACHIEVEMENT

This certificate is awarded to:

JASON MARSH

In recognition of satisfactory completion of the EPA-approved annual asbestos refresher training in accordance with the Model Accreditation Plan (MAP) (40 CFR Part 763, Subpart E, Appendix C), AHERA of the Toxic Substances Control Act (TSCA), and Colorado Regulation No. 8 entitled:

CONTRACTOR / SUPERVISOR

COURSE COMPLETION:

MAY 14, 2022

EXPIRATION DATE:

MAY 14, 2023

COURSE HOURS:

8.0



Verify this Certificate

Phanapa A. Wilson

CEO & Training Program Manager

Credentialed License ID:

51231138



Sharon D. Ware

Instructor

CHC Training Certificate No.:

R22-0784-A5-CO Live-Remote-COVID-19



Renew this Certificate



HEALTH
UNIVERSITY OF UTAH

Rocky Mountain Center
for Occupational and Environmental Health
250 East 200 South, Suite 100 - Room G113
Salt Lake City UT 84111
Phone: (801) 581-4055

THIS CERTIFIES THAT

Tom Trapp

*HAS COMPLETED THE REQUISITE TRAINING FOR
ASBESTOS ACCREDITATION UNDER TSCA TITLE II*

**ATTENDED AN ANNUAL REFRESHER COURSE IN
PRACTICES AND PROCEDURES IN
ASBESTOS ABATEMENT**

Asbestos Contractor/Supervisor Refresher

DATE: April 28, 2022
NUMBER: **220254**
EXPIRES: April 28, 2023
CREDITS: 0.80 CEUs / 1.34 ABIH CM Points

A handwritten signature in black ink, reading 'Luz E. Dominguez'.

Luz E. Dominguez

Continuing Education - Operations Manager



HEALTH
UNIVERSITY OF UTAH

Rocky Mountain Center
for Occupational and Environmental Health
250 East 200 South, Suite 100 - Room G113
Salt Lake City UT 84111
Phone: (801) 581-4055

THIS CERTIFIES THAT

Scott Pryor

*HAS COMPLETED THE REQUISITE TRAINING FOR
ASBESTOS ACCREDITATION UNDER TSCA TITLE II*

**ATTENDED AN ANNUAL REFRESHER COURSE IN
PRACTICES AND PROCEDURES IN
ASBESTOS ABATEMENT**

Asbestos Contractor/Supervisor Refresher

DATE: March 3, 2022
NUMBER: **220150**
EXPIRES: March 3, 2023
CREDITS: 0.80 CEUs / 1.34 ABIH CM Points

Luz E. Dominguez

Luz E. Dominguez

Continuing Education - Operations Manager

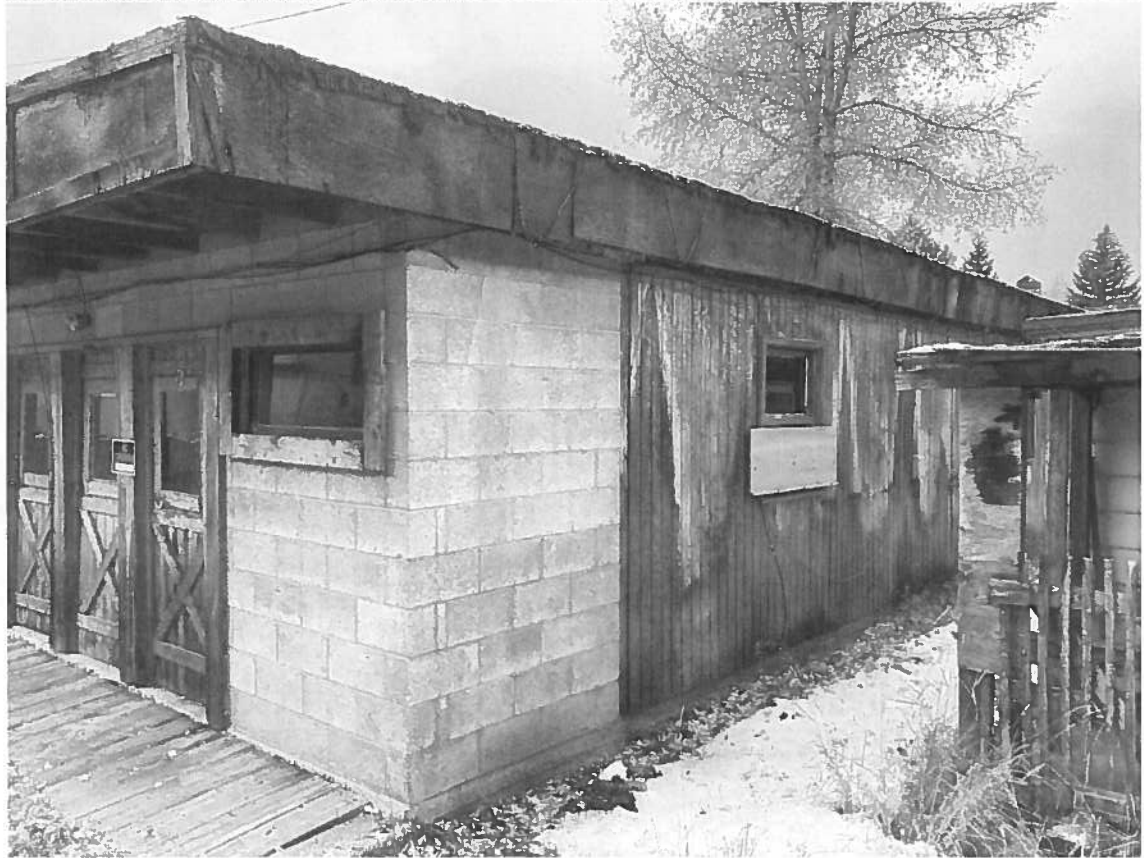
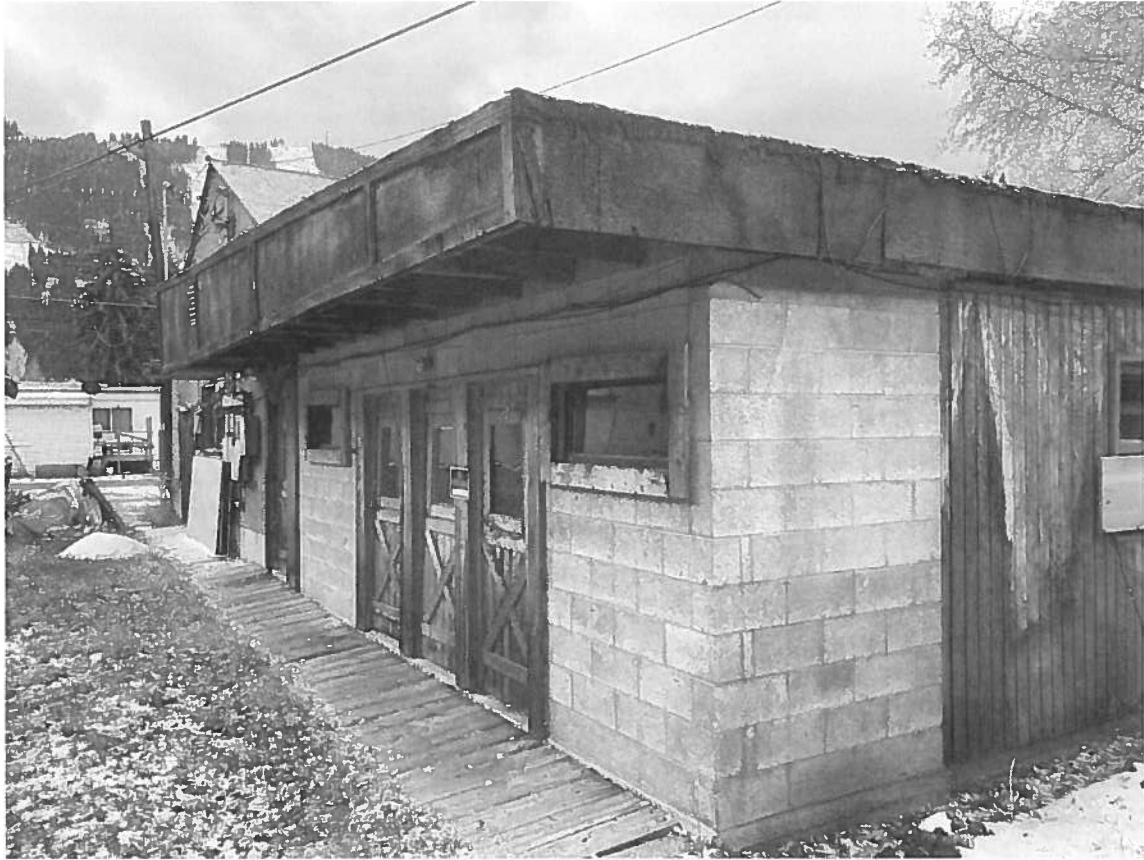




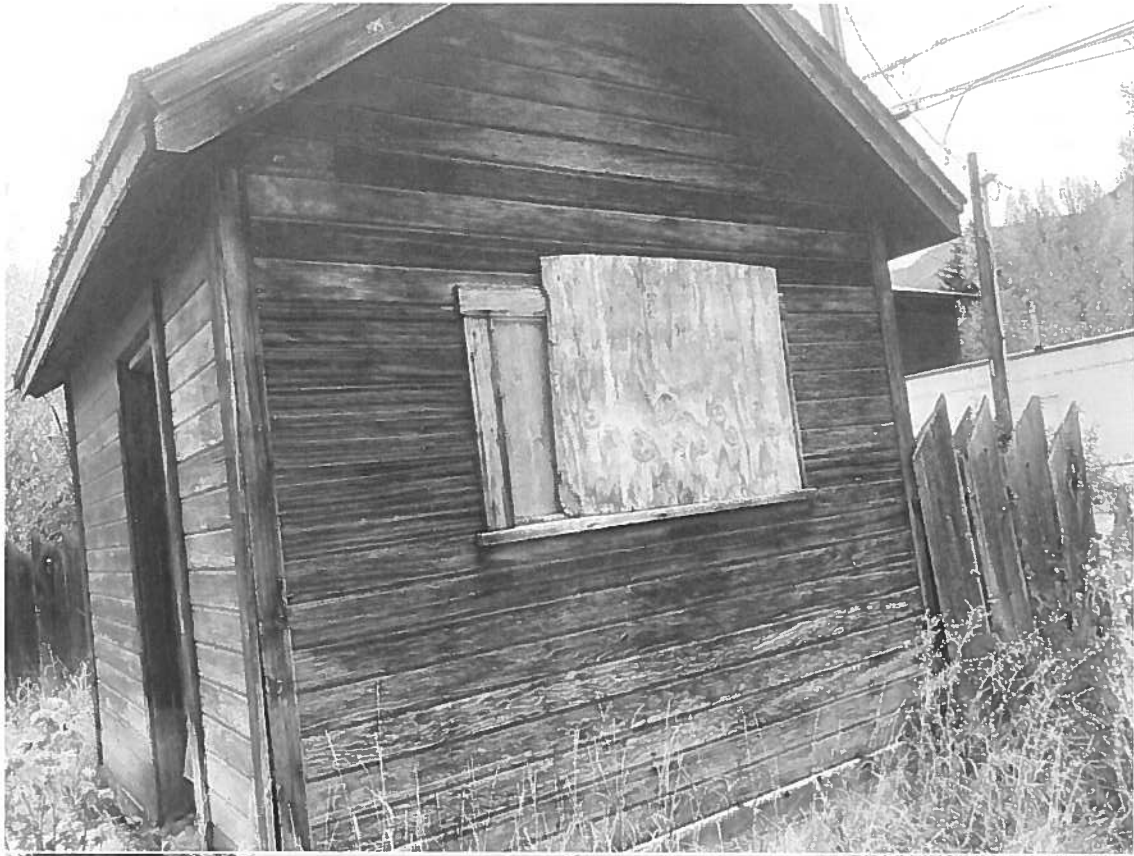


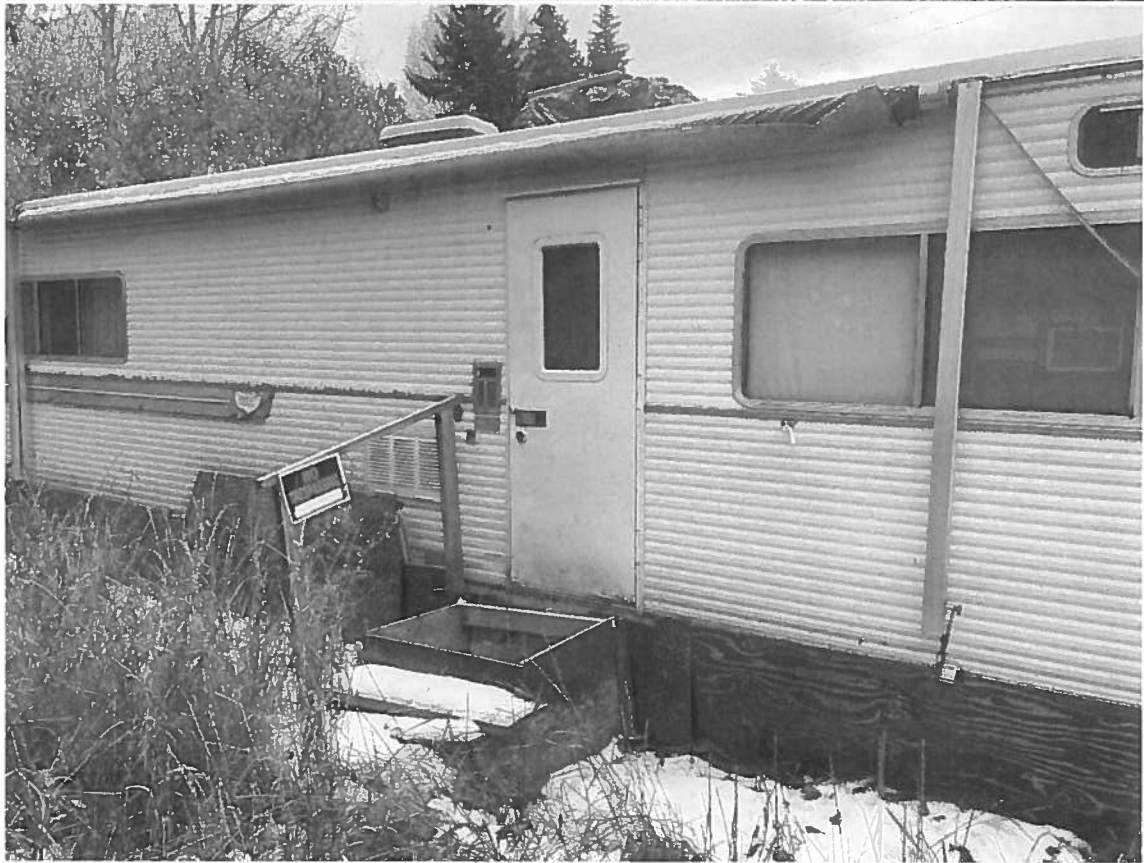




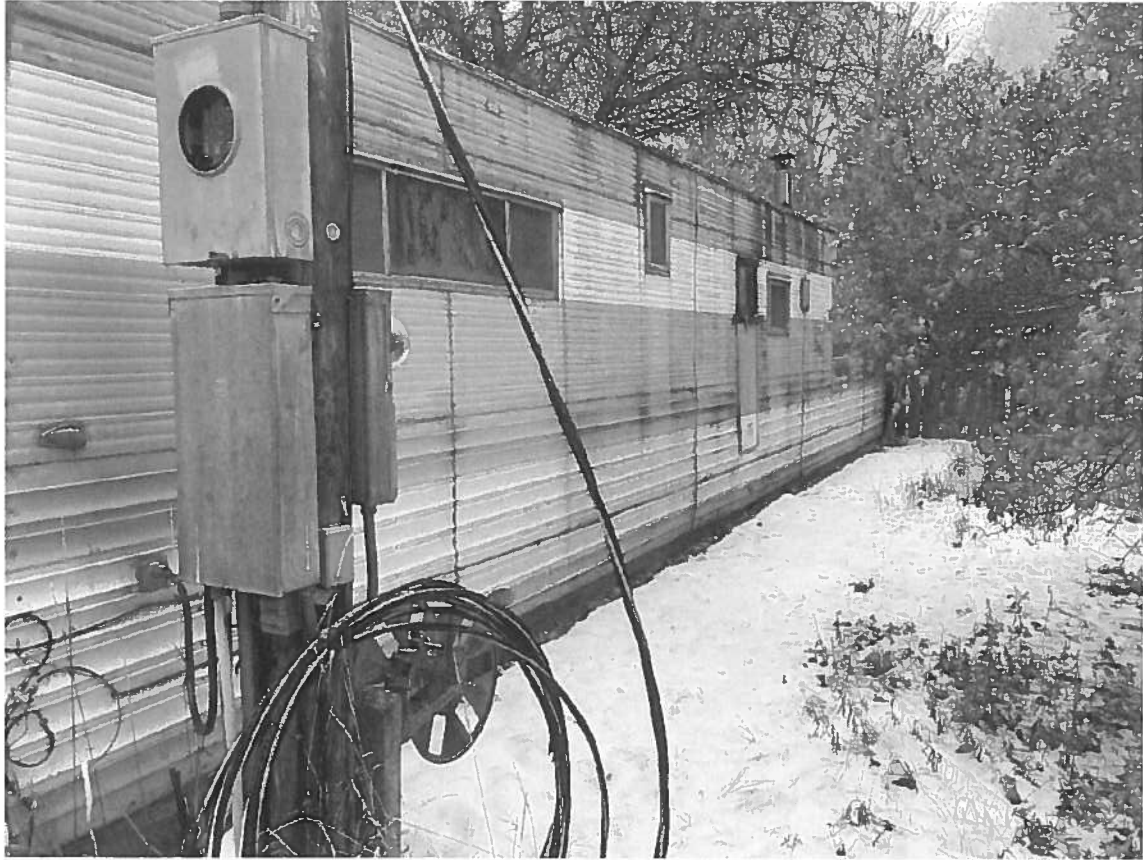












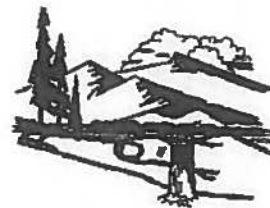




Matthew H. Mead, Governor

Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Todd Parfitt, Director

MEMORANDUM

To: Building Owners and Operators

From: Linda Dewitt, State of Wyoming Asbestos Program Coordinator
Karin Schubert, State of Wyoming Asbestos Inspector

Subject: Asbestos Inspection and Notification Requirements

On October 26, 1993, Wyoming adopted the revised National Emission Standard for Hazardous Air Pollutants (NESHAP) regulation, for asbestos renovation and demolition projects.

Summary of Asbestos Program Requirements:

1. Private residences or apartments with four or fewer dwelling units are exempt from the regulations except for proper disposal of asbestos-containing waste. If a residential property is being renovated or demolished so that the property can be used for commercial purposes (commercial building, parking lot, et al.), the exemption does not apply.
2. All public and commercial facilities must be inspected for the presence of asbestos, in the area where the project will occur, prior to any renovation or demolition activity; or all suspect materials must be treated as if Regulated. Inspections are required regardless of the age of construction. The inspection must be conducted by a trained Asbestos Building Inspector.
3. Written notification to the Asbestos Program is required ten (10) working days prior to the removal of asbestos-containing material (ACM). The form can be found at: <http://deq.wyoming.gov/aqd/asbestos/resources/forms/> and must be submitted by:

Mail: Air Quality Division, 200 W 17th Street, 3rd Floor Cheyenne, Wyoming 82002; or
Fax: (307) 777-6937 (followed by a mailed original); or,
Scan and email: asbestos.notice@wyo.gov (followed by a mailed original).

4. Notification is required to be turned in 10-working days prior to the start of all demolition projects for public and commercial buildings whether asbestos is present or not. Moving a building is considered a demolition project.
5. The regulations require that each person performing or supervising an abatement project in public and commercial buildings (including schools) be trained. Work practice and disposal requirements may differ based on the type of material involved.
6. All Regulated Asbestos-Containing Material (friable, or non-friable made friable) must be removed from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material. Exceptions may be allowed for certain non-friable materials that are in good shape, have not become, and will not be made Regulated. Material can be made Regulated by subjecting it to sanding, grinding, cutting, abrading or extensive breakage or any action that will crumble, pulverize or reduce the asbestos-containing material to powder.
7. All waste ACM must be properly disposed of at an approved landfill.
8. If a facility is to be intentionally burned, all asbestos-containing material must be removed prior to burning.

If you have questions or need additional information, please feel free to contact Linda Dewitt, Asbestos Program Coordinator, at (307) 777-7394; or Karin Schubert, Asbestos Inspector, at (307) 777-7584.

Asbestos Notification Instructions

A Notification of Demolition and Renovation Form is required to be turned in at least 10-working days prior to the start of any renovation that will create or disturb any amount of Regulated Asbestos-Containing Material (RACM) and every demolition project. The 10-working days is a federal and state regulatory requirement that was written to give regulators enough time to plan so that they can visit renovation projects while they are active or demolition projects before they start, to determine if they have had a thorough inspection. This wait is required in every state.

These instructions have been created to help you fulfill this requirement. We will accept forms from other states as long as they have all of the required project information. All notification forms must be signed in order for them to be valid. Incomplete notification forms may result in the delayed start of a project or even enforcement action. The notification must be legible and received no later than 10-working days prior to the beginning of the asbestos removal activity or demolition project. Please submit this form to:

Air Quality Division, Asbestos Program
200 West 17th Street, 3rd floor
Cheyenne, WY 82002

OR Email to:
Asbestos.notice@wyo.gov
Or Fax to:
307-777-6937

Revisions of this notice are required if any of the basic information on the notice (work dates, abatement contractor, disposal locations) changes. The notice is also required to be revised if the amount of material increases or decreases by more than 20%.

- I. **Facility Description:** The facility refers to the building that is being renovated or demolished. It often has a name such as "Hilltop Grocery" or you may use something more generic such as "Vacant Home" if it is not named. The address must include the street number, street name, city and state and must be accurate. Add floor numbers and room numbers where smaller renovations are to be conducted within larger facilities. The Site Description should include a specific description of the types and amounts of asbestos-containing building materials that are being disturbed or removed. More than one building may be listed if it is on the same lot (such as Keepers Real Estate and shed).
- II. **Facility Information:** Enter the name, address, contact person and telephone number of the following:
 - a. **Owner:** Legal owner of the site at which asbestos is being removed or demolition planned.
 - b. **Removal Contractor:** Asbestos abatement contractor used to remove, stabilize or clean up asbestos material in the facility.
 - c. **Other Operator:** Demolition contractor, General contractor or any other person who leases, operates, controls or supervises the site.
 - d. *If additional parties share responsibility for the site, demolition activity, renovations or ACM removal; include complete information (including name, address, contact person, and telephone number) on additional sheets submitted with this form.*
 - e. **Building Size:** Provide approximate size in square feet.
 - f. **Number of Floors:** Enter the number of floors including basement or ground level floors.
 - g. **Age in Years:** Enter the approximate age of the facility.
 - h. **Present Use:** Identify the primary use of the facility (Hospital, School, Public Building, Commercial, Residential etc.).
 - i. **Prior Use:** Identify previous uses of the facility.

Asbestos Notification Instructions

III. Type of Operation:

- a. D=DEMO (Demolition): A project that includes the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations, or the intentional burning of any facility.
- b. O=ORDERED DEMO: Demolitions of facilities that are structurally unsound and in danger of imminent collapse may be ordered by government agencies that control public safety. A copy of the demolition order document (including contact information), or a copy of a signed, stamped report from a licensed structural engineer must accompany this type of notification form.
- c. R=RENOVATION: A project that means altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component (but not removal of a load-supporting member).
- d. E=EMERGENCY RENOVATION: A renovation operation that was not planned but results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden.

IV. **Is Asbestos Present?** Answer "Yes" or "No" regardless of the amount or type of asbestos.

V. **Procedure Used to Detect the Presence of Asbestos Material:** If an inspection was performed, please state the individual/company that performed the inspection(s) and the date of the inspection(s). Describe the analytical methods employed if you know them (bulk analysis, composite sampling, Polarized Light Microscopy, point counting Transmission Electron Microscopy, or other).

VI. **Scheduled Dates Asbestos Removal (MM/DD/YY):** Enter the scheduled dates for asbestos removal work, which includes any work which may break up, dislodge, or disturb asbestos material, such as salvage operations. *(Site preparation and salvage operations can be undertaken previous to the start date only if the asbestos-containing material is not disturbed).*

VII. **Schedules Dates Demo/Renovation (MM/DD/YY):** Enter the scheduled dates for the renovation and/or demolition activity. If you are not sure of the exact dates, provide the entire date range and send additional emails revising the dates as the project proceeds (within 10-working days of the start of the project).

- a. **NOTE:** If the asbestos removal, demolition activity or renovation work is going to be performed in separate phases, attach a separate piece of paper with the dates and a description of each phase.

VIII. **Scheduled Work Hours:** Enter the work hours and the days you will be working.

IX. **Approximate Amount of Asbestos:**

Use the following units when reporting amounts of asbestos:

Linear Feet for insulation around pipes and elbows only (TSI).

Square Feet for most asbestos containing materials (including caulking and glazing).

Cubic Feet should be used only for debris being cleaned up.

Asbestos Notification Instructions

- a. RACM to be removed: List the amount of friable asbestos material, nonfriable asbestos-containing material that has become friable and nonfriable asbestos-containing material that has been, or will become crumbled, pulverized or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations.
- b. Nonfriable Asbestos Material To Be Removed: For renovation and demolition projects, list the amount of nonfriable asbestos-containing material that will be removed in an intact state (without becoming regulated).
- c. Nonfriable Asbestos Material Not To Be Removed: For demolition projects only – list the amount of nonfriable asbestos-containing material that will remain in the building during demolition.

Category I = nonfriable asbestos-containing (>1%) packings, gaskets, resilient floor covering, and asphalt roofing products.

Category II = nonfriable asbestos-containing (>1%) material not in Category I such as tar-based coatings, cement asbestos materials, cloth-covered wiring, etc.).

- X. **Description of Planned Demolition or Renovation Work, and Method(s) to be Used:** Describe the location and types of asbestos-containing material which will be affected during this project. Describe the general steps and methods that will be followed to remove this project's asbestos-containing material.
- XI. **Description of Engineering Controls and Work Practices to be Used to Control Emissions of Asbestos:** Describe the work practices and engineering controls selected to prevent the release of asbestos fibers during the asbestos removal work, such as negative pressure containment, wetting, use of HEPA vacuums, et al. Be as specific as possible.
- XII. **Type of Notification:**
 - i. O=Original: This is the first notification for an upcoming project.
 - ii. R=Revised: This notification is a revision of a prior notification. Specify in email or cover letter what the changes are (don't make us look for them).
 - iii. C=Cancelled: Project has been cancelled. Note: An email is acceptable to cancel a project.
 - iv. WPR Notice: Leave blank.
- XIII. **Waste Transporter:** Enter the names, addresses, contact persons, and telephone numbers of the persons or companies responsible for transporting ACM from the removal site to the waste disposal site. If the removal contractor or owner is the waste transporter, state "same as removal contractor" or "same as removal owner".
- XIV. **Waste Disposal Site:** Identify the waste disposal site, including the complete name, physical location, and telephone number of the facility. If ACM is to be disposed of at more than one site, provide complete information for each disposal location on an additional sheet submitted with the form and clearly indicate which type of waste will be taken to which site.
- XV. **If Demolition Was Ordered by a Government Agency, Please Identify the Agency:** Provide the name of the responsible official, title and agency or authority under which the demolition order was issued.

Asbestos Notification Instructions

- XVI. **If Applies - For Emergency Renovations:** Provide the date and time of the unexpected event. Provide a short description of the event and the unsafe conditions, equipment damage, or financial burden resulting from the event. A separate letter from the Owner must be received that provides enough detail to evaluate whether a renovation meets requirements for an emergency. (See Emergency Waiver instructions for more information).
- XVII. **Description of Procedures to Be Followed in the Event that Unexpected Asbestos is Found or Previously Non-friable Asbestos Material becomes Crumbled, Pulverized, or Reduced to Powder:** Describe what actions and work practices will be taken to address these unexpected events and keep asbestos emissions to a minimum.
- XVIII. **Certification of Presence of Trained Supervisor:** The notifying individual must certify that a person trained in asbestos-removal procedures will supervise the demolition or renovation. This trained individual is responsible for the activity on-site.
- XIX. **Required Verification:** Certify the accuracy and completeness of the information provided by signing and dating the notification form. Notifications that are not signed, will not be processed.

Associated Definitions

ACM: Stands for Asbestos Containing Material. Any material containing more than 1% of six types of asbestos minerals: Chrysotile, Crocidolite, Tremolite, Actinolite, Amosite or Anthophyllite.

Category I nonfriable ACM: asbestos-containing packings, gaskets, resilient floor covering (floor tile, sheet vinyl and mastics), and asphalt roofing products (roof tar, roof shingles, rolled roofing, built-up tar on flat roofs) containing more than 1% asbestos.

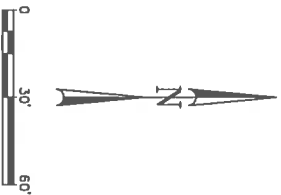
Category II nonfriable ACM: includes any material, excluding Category I nonfriable ACM, containing more than 1% asbestos...that when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure (cement asbestos products, cloth-covered wiring, tar-based coatings).

Friable: any material containing more than 1% asbestos....that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.

Regulated Asbestos-Containing Material (RACM): (a) Friable asbestos material, (b) Category I nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, abrading or extensive breakage, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations.

DEMOLITION PLAN

SCALE: $\frac{3}{32}$ "=1'-0"



DEMOLITION PLAN NOTES

- NO KNOWN BURIED TANKS ON SITE. IF BURIED TANK IS ENCOUNTERED OWNER SHALL BE CONTACTED IMMEDIATELY.
- CONTRACTOR TO PROVIDE CONSTRUCTION FENCE DURING DEMOLITION AS NECESSARY FOR PUBLIC SAFETY.
- EXISTING CONCRETE CURB AT PROPERTY LINE ON WEST SIDE OF LOT TO REMAIN.
- KEEP ALL VEGETATION AND IRRIGATION AT WEST SIDE OF PROPERTY TOWARD COUNTY BUILDING.
- CONTRACTOR TO PROVIDE DUST CONTROL.
- HOSE BIB AT COUNTY BUILDING IS AVAILABLE FOR USE. ADDITIONAL WATER SOURCE MAY BE NECESSARY.
- PROVIDE ALL NECESSARY TEMPORARY FACILITIES.
- GAS LINE TO BE TERMINATED AT PROPERTY LINE. GAS COMPANY TO BE CONTACTED FOR DEMOLITION INSTRUCTIONS.
- CONTRACTOR TO VERIFY AND MARK PROPERTY CORNERS.
- ALL ULMAC TREES TO BE REMOVED AND ALL PINE TREES TO REMAIN.
1. POWER POLE AND LINES TO BE REMOVE.
 2. POWER POLE TO REMAIN
 3. SIGNS TO BE RECLAIMED BY OWNER.
 4. REMOVE TRAILER UNITS INTACT IF POSSIBLE.
 5. REMOVE FENCE BETWEEN CORRESPONDING NOTES. LEAVE OTHER FENCE IN PLACE.

LEGEND

- | | |
|--|-----------------------|
| | PROPERTY LINE |
| | ELECTRICITY LINE |
| | SEWER LINE |
| | WATER MAIN |
| | WATER LINE |
| | FENCE |
| | ITEM TO BE DEMOLISHED |
| | DEBRIS STORAGE AREA |
| | GRAVEL HARSCAPE |

DRAWN BY:	JYC
REVIEWED BY:	JYC

SIMPSON DEMO
TETON COUNTY
252, 254 SIMPSON ST
JACKSON, WY 83001

JOB NO.: 22088
SET TITLE:

PERMIT SET

PLOT DATE: October 7, 2022
TITLE DATE:

DEMOLITION PLAN
SHEET:

D1.0



ENGINEERING, SURVEYING & PLANNING
LANDSCAPE ARCHITECTURE, GIS
NATURAL RESOURCE SERVICES

307 733 2999

FINISH SITE PLAN

SCALE: $\frac{3}{32}$ "=1'-0"



FINISH PLAN NOTES

- EXISTING CONCRETE CURB AT PROPERTY LINE ON WEST SIDE OF LOT TO REMAIN.
KEEP ALL VEGETATION AND IRRIGATION AT WEST SIDE OF PROPERTY TOWARD COUNTY BUILDING.
HOSE BIG AT COUNTY BUILDING IS AVAILABLE FOR USE. ADDITIONAL WATER SOURCE MAY BE NECESSARY.
PROVIDE ALL NECESSARY TEMPORARY FACILITIES.
CONTRACTOR TO VERIFY AND MARK PROPERTY CORNERS.
ADDITIONAL FILL MAY BE REQUIRED FOR SITE LEVELING AFTER DEMOLITION.
PROVIDE 1" TO 2" CRUSHED ROCK AS NECESSARY TO CREATE PROPER SITE DRAINAGE TO STREET OR ALLEY WAY.
PROVIDE 2" MIN OF TOP SOIL AND THE FOLLOWING SEED MIX (AS NEEDED) THROUGHOUT SITE NOT CONSISTING OF HARDSCAPING.
• SANDBERG BLUEGRASS (35%)
• CALIFORNIA OATGRASS (30%)
• PRAIRIE JUNGGRASS (35%)
1. BUCK AND RAIL FENCE AT APPROXIMATELY 48FT FROM SOUTH PROPERTY LINE WITH PEDESTRIAN BREAK AT CENTER.
2. BLOCK AND RAIL FENCE AT APPROXIMATELY 88FT FROM SOUTH PROPERTY LINE WITH PEDESTRIAN BREAK AT CENTER.
3. PROVIDE BREAK IN FENCE FOR PEDESTRIAN AND BIKE TRAFFIC
4. PROVIDE 2" TO 3" OF CRUSHED ROCK FOR GRAVEL HARDSCAPE

LEGEND

- PROPERTY LINE
ELECTRICITY LINE
SEWER LINE
WATER MAIN
WATER LINE
FENCE
ITEM TO BE DEMOLISHED
DEBRIS STORAGE AREA
GRAVEL HARDSCAPE



y2consultants.com
307 733 2999

CONSULTANTS

ENGINEERING, SURVEYING & PLANNING
LANDSCAPE ARCHITECTURE, GIS
NATURAL RESOURCE SERVICES

DRAWN BY:	JMC
REVIEWED BY:	JMC

SIMPSON DEMO
TETON COUNTY
252, 254 SIMPSON ST
JACKSON, WY 83001

JOB NO:	22088
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FINISH SITE PLAN
SHEET:

F1.0



DEMOLITION PERMIT APPLICATION

Planning & Building Department Building Division

150 East Pearl Ave.
P.O. Box 1687
Jackson, WY 83001

ph: (307) 733-0440

www.townofjackson.com

For Office Use Only

Permit No.	Permit Fee:	Date Received:	Date Due:
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APPLICABILITY. The purpose of the Demolition Permit is to review and permit demolition of structures and utilities in accordance with Town of Jackson Municipal Code Section 15.38.

When is a Demolition Permit Required?

Demolition includes the act of demolishing or removing (including removals without destruction of the component elements of the structure):

- Fifty percent or more of the exterior walls of a building as measured continuously around the building coverage; or
- Fifty percent or more of the roof area as measured in plan view (defined as the view of a building from directly above which reveals the outer perimeter of building roof areas to be measured across a horizontal plane); or
- Any exterior wall facing a public street or right of way.

PROJECT INFORMATION.

Physical Address: 245 N. Millward Ave, Jackson, WY

PIDN: 22-41-16-28-4-05-004 Original Year Built: 1941

Please answer the following questions to the best of your ability if unknown please write UNKNOWN.

Years and Description of any Additions: Unknown

Years and Description of any Remodels: Unknown

Years and Description of any other Demolitions: Unknown

PROJECT DESCRIPTION. Describe the precise nature of the proposed activity.

Removal of the existing residential structure.

APPLICANT/AGENT. This is the responsible party for the permit, bonding, inspections, and execution of the work.

Name: Adam Janak Phone: 307-201-5324

Mailing Address: 185 East Hansen Ave, Jackson, WY ZIP: 83001

E-mail: ajanak@nwks.com

**If applicant is other than owner, a notarized Town of Jackson Letter of Authorization must accompany this application. Only the Owner or their authorized agent may sign the application.*

PROPERTY OWNER. If other than APPLICANT

Property Owner: 245 265 MILLWARD LLC C/O KAIKOA LLC Phone: 718-310-7724

Mailing Address: 3610 N Moose Wilson Rd, Wilson, WY ZIP: 83014

E-mail: stUARTSUNA@gmail.com

CONTRACTOR.

Name: Matarozzi Pelsinger Builders Phone: 307-699-7878

E-mail: cdrews@matpelbuilders.com License: #747611

NOTICES. <i>The following information should be considered with any demolition permit application.</i>	
A bond for the cost to abandon the water and sewer services as determined by Town Engineering is due at permit issuance.	
An Encroachment (Public Right-of-Way Permit) must be submitted prior to any work within the right-of-way.	
All work to be completed in accordance with the IBC Section 3303.	
All public and commercial / multifamily facilities must be inspected by a trained professional for the presence of asbestos prior to demolition. For more information contact Linda Dewitt the Asbestos Coordinator with the Wyoming DEQ Air Quality Division 307-777-7394.	
A notification of Demolition form is required to be sent to Asbestos.notice@wyo.gov 10-working days before the start of any demolition whether asbestos is present or not.	
Performing demolition work without a permit may result in higher permit fees, fines, and/or loss of business license.	
After Issuance permit is valid for 180 days.	
Permit Fee of \$100 is due at time of permit issuance.	
A 48-hour advanced notice is required to deliver demolition material to the County transfer station. Please call 307-733-7172.	
DEMOLITION PERMIT SUBMITTAL REQUIREMENTS. <i>In order to be considered complete the following elements must be supplied with this application (Please contact the Engineering Division at 733-3079 with any questions regarding this permit):</i>	
APPLICANT INITIALS	Application shall include the following items or acknowledgments:
AJ	Notarized Town of Jackson Letter off Authorization, if applicant is other than the owner.
AJ N/A	Copy or receipt of written notification to the Wyoming DEQ Asbestos program. <i>See attached form for submittal to DEQ.</i>
AJ	Demolition Plans showing: • Extent of the demolition work • Existing utilities to be abandoned and patching in the right-of way. • Finished Conditions Plan or Statement: the vacant lot shall be backfilled and maintained to the existing grade or without slopes steeper than 2:1. • Construction access point and access stabilization methods • Equipment parking areas • Location of construction and silt fencing
AJ	Photographs of existing exterior conditions: • elevation photos (front, back, sides) of each building or structure intended for removal. If multiple structures or features are proposed for demolition, overall site photographs should be provided for context.

APPLICANT'S SIGNATURE, CERTIFICATION, AND AUTHORIZATION

Under penalty of perjury I hereby certify that I have read this application and state that, to the best of my knowledge, all of the information herein is true and correct and I swear that any information which may be hereafter given by me in hearing before the Planning Commission of Town of Jackson or the Town Council of the Town of Jackson shall be truthful and correct. I agree to comply with all Town, State, and Federal laws relating to the subject matter of this application and hereby authorize representatives of the Town of Jackson to enter the property described herein during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering the property.

In signing this application, I acknowledge that the Town's acceptance of this application does not constitute approval of a permit. I agree not to commence any work for which this application is being made prior to approval of this application by the appropriate Town agencies and payment of any fees due.



Signature of Owner or Authorized Applicant/Agent

Adam Janak, Northworks Architects & Planners

Name Printed

11/10/22

Date

Partner

Title



Town of Jackson
150 E Pearl Avenue
PO Box 1687, Jackson, WY 83001
P: (307)733-3932 F: (307)739-0919
www.jacksonwy.gov

Date: 4/12/2022

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: STUART SUNA, MANAGER

Being duly sworn, deposes and says that 245 265 Millward LLC is the owner in fee of the premises located at:
Name of property owner as listed on deed

Address of Premises: 245 and 265 N. Millward St.

Legal Description: Lots 2-3-4-5, Block 2 Original Town of Jackson, Plat 100

Please attach additional sheet for additional addresses and legal descriptions

And, that the person named as follows: Name of Applicant/agent: Northworks Architects and Planners, LLC

Mailing address of Applicant/agent: PO Box 4027 Jackson, WY 83001

Email address of Applicant/agent: ajanak@nwks.com

Phone Number of Applicant/agent: 307-201-5324

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 is 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) Pre-Application Conference

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

MANAGER LLC

Title if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner

STATE OF WYOMING)
) SS.

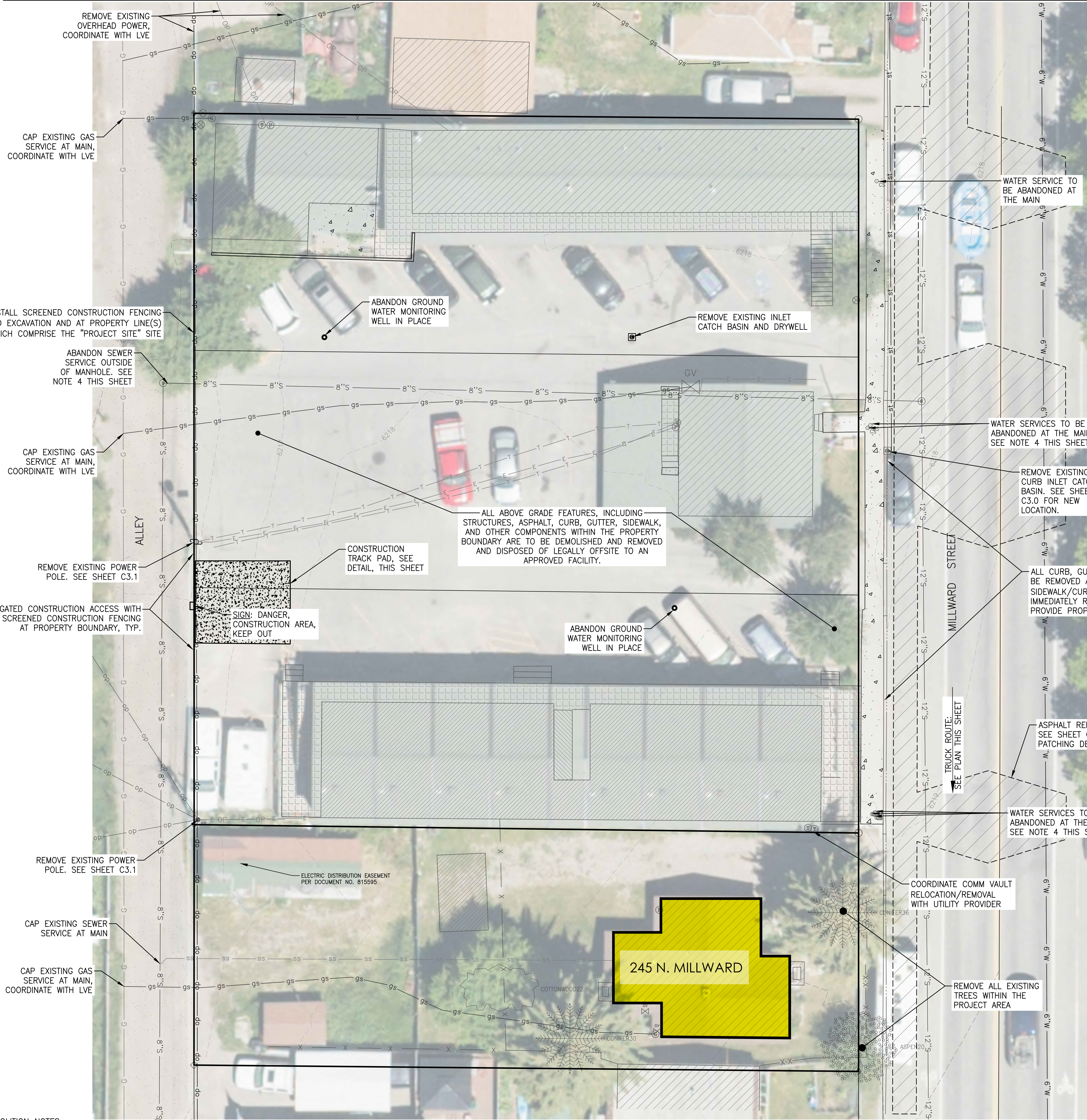
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by STUART SUNA this 12TH
day of APRIL, 2022. WITNESS my hand and official seal. MANAGER, 245 265 MILLWARD LLC

George P. Putnam
Notary Public

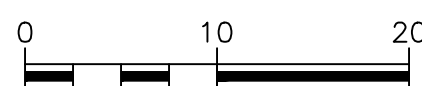
11/15/2024
My commission expires:



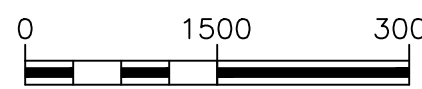


- DEMOLITION NOTES**
- CONSTRUCTION ACTIVITIES SHALL OCCUR 2023/2024, DEMOLITION ACTIVITIES ARE SCHEDULED FOR MAY-JULY 2023.
 - CONTRACTOR SHALL INSTALL CONSTRUCTION ACCESS TRACK PAD AT THE CONSTRUCTION ENTRANCE, SEE DETAIL 1 THIS SHEET.
 - CONTRACTOR SHALL PREVENT TRACKING OF SOIL ONTO THE ROAD AND CLEAR ROAD OF ANY SOILS WHEN NECESSARY.
 - ALL EXISTING UTILITY SERVICES TO BE ABANDONED AT THE MAIN, OR CONNECTING MANHOLE/VAULT AS REQUIRED BY UTILITY PROVIDER. EXISTING UTILITIES WILL BE ABANDONED IN COORDINATION WITH THE UTILITY PROVIDER. EXISTING WATER AND SEWER SERVICES ARE SHOWN IN PLAN BASED ON THE TOWN OF JACKSON GIS. COORDINATION WITH TOJ PUBLIC WORKS WILL BE REQUIRED TO DETERMINE ABANDONMENT(CAPPING AND PLUGGING) REQUIREMENTS AND WHICH SERVICES ARE LIVE AND REQUIRE ABANDONMENT PRIOR TO CONSTRUCTION.
 - ASBESTOS CONTAINING MATERIALS MAY BE PRESENT. REFER TO TESTING REPORT.
 - A TOJ ENCROACHMENT PERMIT WILL BE REQUIRED. PERMIT MUST BE SUBMITTED TO TOWN OF JACKSON PRIOR TO ANY WORK IN RIGHT-OF-WAY.
 - TEMPORARY CONSTRUCTION FENCING TO BE SCREENED PER TOWN OF JACKSON REQUIREMENTS.
 - GATED ENTRY TO REMAINED CLOSED AT ALL TIMES EXCEPT WHEN CONSTRUCTION EQUIPMENT AND/OR DEMOLITION DEBRIS IS BEING MOVED IN OR TRUCKED OUT.

DEMO SITE PLAN



**TRUCK ROUTE/
VICINITY PLAN**

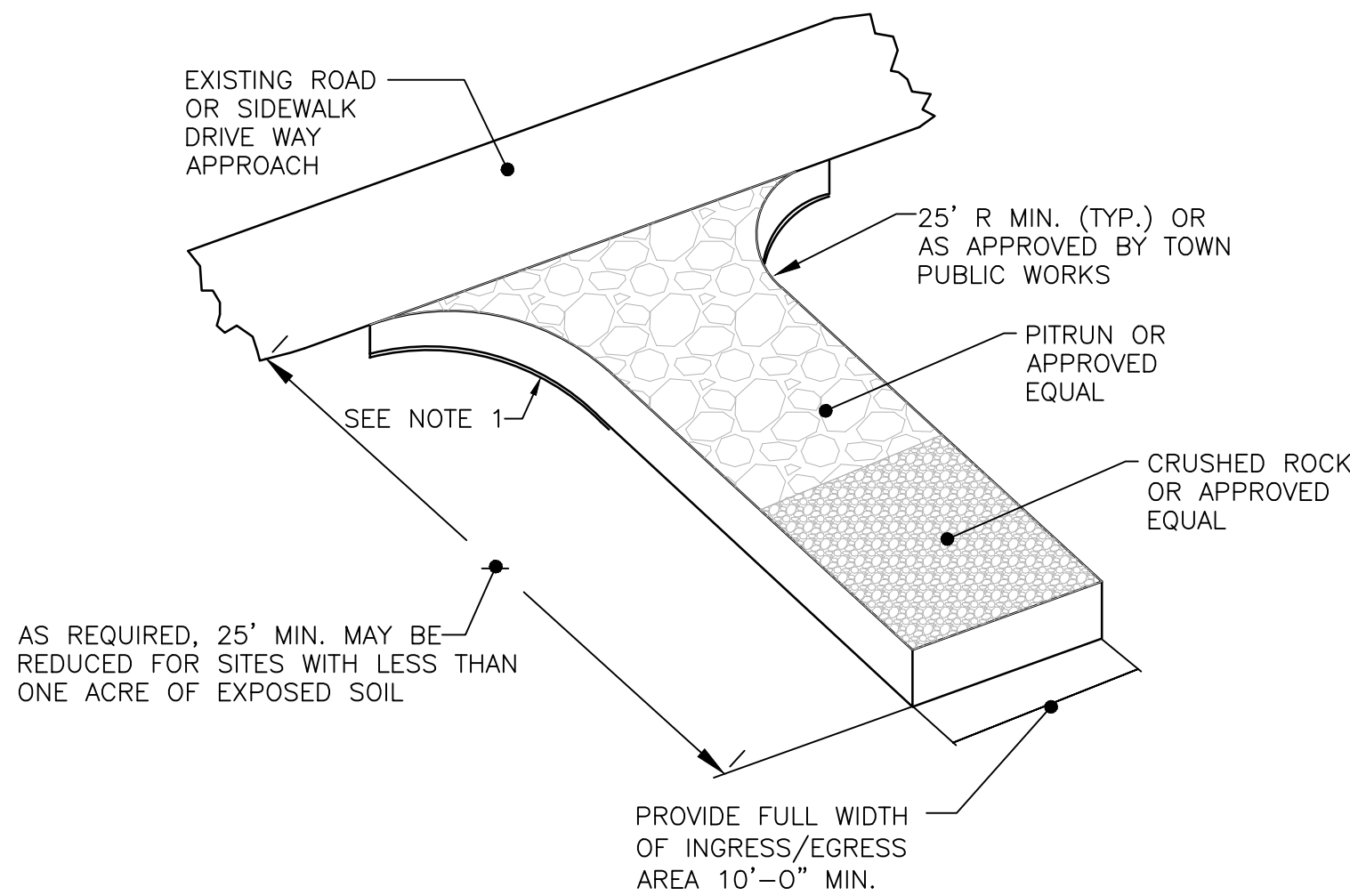


TRUCK ROUTE:
LEAVE SITE TO SOUTH ON N. MILLWARD ST.
TURN WEST ON BROADWAY AVE TO ACCESS
HIGHWAY 191 SOUTH OF TOWN



DANGER SIGN

(1 REQUIRED)



- NOTES:
1. PLACE CONSTRUCTION GEOTEXTILE FOR SOIL STABILIZATION UNDER THE CRUSHED ROCK FROM THE EDGE OF THE EXISTING ROADWAY TO THE RADIUS RETURNS, OR AS DIRECTED BY PUBLIC WORKS.
2. ENTRANCE SHALL BE REMOVED AND RECONSTRUCTED AS REQUIRED TO PREVENT EXCESS TRACKING OF MATERIALS ONTO RIGHT-OF-WAY, OR WHEN DIRECTED BY THE TOWN PUBLIC WORKS DEPARTMENT.

**1
C1.1 CONSTRUCTION TRACK PAD DETAIL
N.T.S.**

NORTHWORKS

CHICAGO | JACKSON HOLE | SAN FRANCISCO | PHILADELPHIA

185 E. Hansen Avenue Jackson Hole, Wyoming 83001
T 307-201-5324 www.nwks.com

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Any discrepancies shall be reported immediately to the Architect before proceeding. Only figured dimensions should be used. Contractors and fabricators to verify all dimensions on site prior to beginning work.

ISSUED DATE	ISSUED FOR
1 09/21/2022	Issue for Design Development

PROFESSIONAL SEAL

Project
Millward Street Apartments

245 & 265 N. Millward St., Jackson, WY
83001

2210	Project No. 22-020-02
Drawer	Drawn By BRADEN OLSON
Checker	Checked By JOSH KILPATRICK
Discipline	Drawing No.

C1.1

Drawing Name
DEMO SITE PLAN

EXISTING BUILDING PHOTOS
245 N. MILLWARD



MILLWARD CONSTRUCTION MANAGEMENT PLAN

245 & 265 North Millward Street, Jackson, Wyoming 83001
Lots 245 & 265



PROJECT SCOPE

The Millward Street Apartment project is a mixed-use development of 5,000 Square Feet of commercial space, 44 prefabricated apartment units, and 8 site built units. There will be a basement portion located under the commercial space with site parking located under the podium of the entire building. The apartments will have private balconies and half of these will overlook a green roof. The covered outdoor parking will be accessible via the alley at the rear of the building. The General Contractor will carry out site management in five phases referenced in the attached site construction management plans. The demolition phase will be contained by a fence and all construction activity occurs on site. The excavation phase will involve off haul and coordination with Town regarding right of way permits for sewer and utilities. The General Contractor will construct a pedestrian protective walkway bridge. The next three phases The General Contractor will apply for a right of way use permit for a lane closure that will be occupied by a mobile crane for no longer than 6 days.

The General contractor will conduct proactive neighbor outreach program to ensure all neighbors impacted by the project are aware of the schedule, duration, and magnitude of the project.



PROJECT SCHEDULE

The construction schedule will run concurrently for 30 months beginning May 2023 ending October 2025. First mobilization of demolition of existing structures will last for two weeks beginning June of 2023. It will be necessary for a right way permit for shoring and utilities beginning July 2023. We will have a temporary site crane delivered January 2024 and will remain on site until August of 2024. The General contractor will store prefabricated units on an additional site located on the corner of West Snow King Avenue and Cache. The general contractor will provide traffic control and notification to the Town of Jackson Police Department of the traffic interruptions and will provide traffic control.

PUBLIC IMPACT

The General Contractor will coordinate with the town to identify the properties and businesses most impacted by the construction information regarding schedule, traffic control, right of way use via email list and site signage. The general contractor will make the information available through a direct point of contact and will create and follow a public impact statement. The general contractor will also provide all contact lists of the public to the Town of Jackson Engineering Division.

The General contractor will maintain transparency of all conflicts of schedule for any shared use areas, special events, capital improvement projects and will accommodate with these events to minimize public impact. The contractor recognizes that this project is located on the trucking route and will make efforts to minimize disruption through signage and traffic control.

CONSTRUCTION PARKING

Construction parking will be self-enforced through staffing and signage. The general contractor will utilize onsite parking during excavation on half of the leveled site and access will be provided via Milward alley. The General Contractor will encourage carpooling and will provide shuttling of staff to and from the site when offsite parking is needed during the course of construction. Offsite parking will occur on the owner's additional site located on the corner of West Snow King and Cache Street. The general contractor will be able to return to onsite parking once the podium of the building concrete is placed and cured February 2024. The general contractor will conduct weekly sub-contractor meetings to enforce and maintain parking restrictions during construction.

SITE LOGISTICS

The General contractor will maintain a work schedule of 7:00 AM to 7:00 PM Monday through Friday and 8:00 AM – 5:00 PM on Weekends and Holidays during the course of construction.

The General Contractor will have a construction trailer on site for most of the construction until it is possible to utilize the parking area or commercial space to decongest the site parking. The general contractor will also maintain the appropriate number of trash and recycling roll-off containers during the entirety of the project. Initially, these containers will be located on the leveled site and will inevitably be moved around the perimeter of the building as progress continues. Concrete washout containment will be located as indicated on the attached site plan



and will be maintained from September 2023 to February 2024. Portable bathrooms will be maintained on site during the course of construction and located on the North end of the Millward Alley side of the site.

The entire site will have a steel construction fence with green masking along all four of the neighboring sides of the site. Gates will be located on the Millward alley and Millward Street side of the property.

Deliveries will mostly land on the Millward alley side of the property, while the mobilization of the prefabricated units will require a shut down of one lane of traffic. This lane closure will be required periodically during January 2024 through August of 2024. The total estimated days of closure will last approximately 6 days however, we cannot assess exactly when this will occur during the afore mentioned dates.

The haul route will follow the Town of Jackson's trucking route. The staging of the prefabricated modular units will be located at the corner of West Snow King Avenue and Cache Street. The route will begin on West Snow King, travel West to South Millward and continue North to the Site.

TEMPORARY USE OF STREET, ALLEYS, AND PUBLIC PROPERTY

The worksite will encroach into the right of way North and South on Millward to the back of the sidewalk. The General Contractor will provide pedestrian protective structure in compliance with all codes and regulations. The site barriers will not interfere with the town's snow removal and the General Contractor will remove all snow along the barrier after each snow event or Town

snow removal. Off haul of snow removal will not end at the fairgrounds and will end at the Owner's site on West King Street.

Construction materials and equipment will be stored inside of the protective fence or at the owner's other site on West Snow King Street. The General contractor will ensure that all fire hydrants, fire department connections, alarm boxes, catch basins, or manholes will not be obstructed by materials or equipment. The general contractor will ensure that there is no material or equipment interfering or obstructing with normal observation of traffic signals or hinder use of travel.

No material or equipment will be stored within 20' of an intersection to hinder or obstruct normal observation of traffic signals or hinder use. The general contractor will ensure that no material or equipment will interfere with the passage of water in the gutter and will ensure there is protection against all utility fixtures and the sight of all utility fixture shall not be obstructed.

RIGHT OF WAY PERMITS

- Continuous Sidewalk bridge from south end of the property to the north end
- Temporary Lane closure from south end of the property to the north end.
- Utility interruption for sewer, gas, and electric.



RESTRICTIONS

The General contractor will be in compliance with Jackson municipal code 12.08.040.B and the winter use in accordance with 12.08.320.

STORM WATER MANAGEMENT

The general contractor will follow best practices regarding storm water management. The project will have erosion control measures on the lower grade of the property. The General Contractor will use sand trap and oil interceptors for all areas recommended by the civil consultant team to protect any catch basins located on adjacent roadways and alleys.

CRANE

The location of the mobile crane will be within the delineated lane closure and delivery area. The range and height are not determined yet as the number of picks and sizes are still being determined. However, there will be no moving of materials over an open to the public areas. The General Contractor will amend this document showing the exact size and range of picks. The mobile Crane will have a maximum range of 160' from the center of the lane closure to the west side of the property. All picks will be contained within the construction area and the temporary delivery area. The General Contractor acknowledges picks are not allowed adjacent to areas open to the public unless they are within a fenced construction zone. The General Contractor will ensure cranes will be operated by certified operator and follow industry and OSHA standards.

PROTECTION OF PEDESTRIAN

The General Contractor will provide pedestrian protective walkway 8' tall with screening and guardrail. The construction barrier will extend the full length of the construction site and openings will be protected by gates that are controlled access points. The contractor will have a construction Drive-off grate to minimized dirt and gravel transfer and will maintain the adjacent areas of the roadway. The Barrier will not interfere with Town of Jackson snow removal. All applicable pedestrian signage will be used and will maintain ADA compliance.

STABIIZED CONSTRUCTION ACCESS

The General Contractor will provide and maintain a stabilized construction access. The general contractor will use a Drive-Off Grate at each gate and will broom sweep as necessary to remove tracked soil and mud.

TRAFFIC CONTROL

The General contractor will follow best practices for traffic control for all major deliveries and mobilizations as well as Crane picks. The General contractor will develop a relationship with neighbors and businesses to inform in advance and will use local police and traffic control guidance.



MATAROZZI ■ PELSINGER BUILDERS, INC.

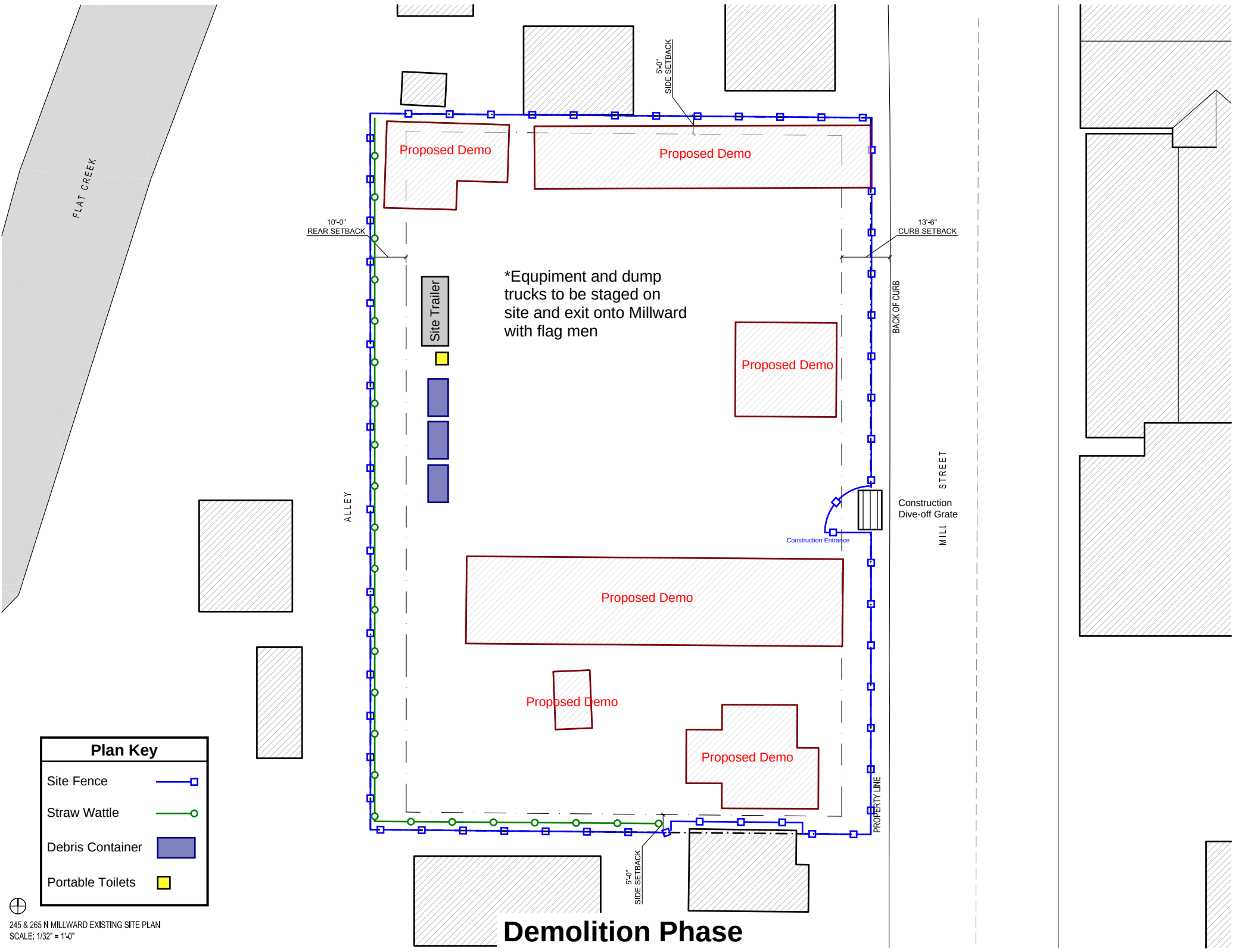
PO BOX 3098 ■ JACKSON, WY 83001 ■ PHONE: 307-690-6621 ■ FAX: 415-285-7266

SHORING

The General contractor will follow best practices for shoring and will provide type and right of way permit necessary to perform. The General Contractor will provide an encroachment agreement within a right of way permit if necessary.

STAGING

The General contractor has acknowledged that there may be a need to use the owner's additional lot to store prefabricated units. Should this decision come to fruition, the General Contractor will identify that lot as West Snow King and Cache Street. The General contractor will apply for a conditional use permit and will delineate all structures and laydown areas intended to be used. The General contractor will also utilize a construction barrier no less than 8' tall with grates and Drive-off grates as well as providing 20' unobstructed view at the corner of West Snow King and Cache Street.



FLAT CREEK

10'-0"
REAR SETBACK

5'-0"
SIDE SETBACK

13'-6"
CURB SETBACK

Proposed Demo

Proposed Demo

Proposed Demo

*Equipment and dump
trucks to be staged on
site and exit onto Millward
with flag men

Site Trailer

Proposed Demo

Proposed Demo

Proposed Demo

BACK OF CURB

MILL
STREET

Construction
Dive-off Grate

Construction Entrance

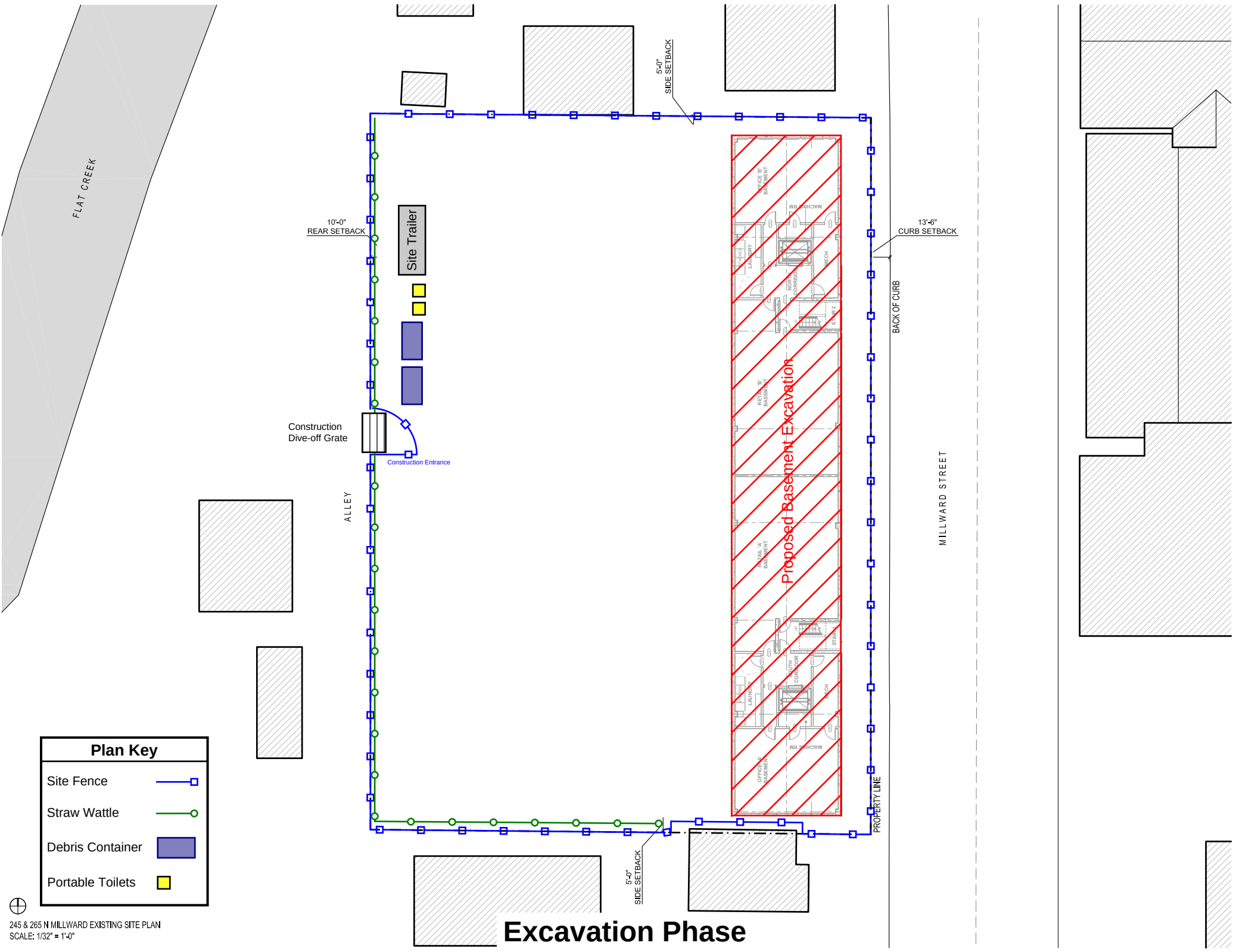
PROPERTY LINE

5'-0"
SIDE SETBACK

Demolition Phase

Plan Key

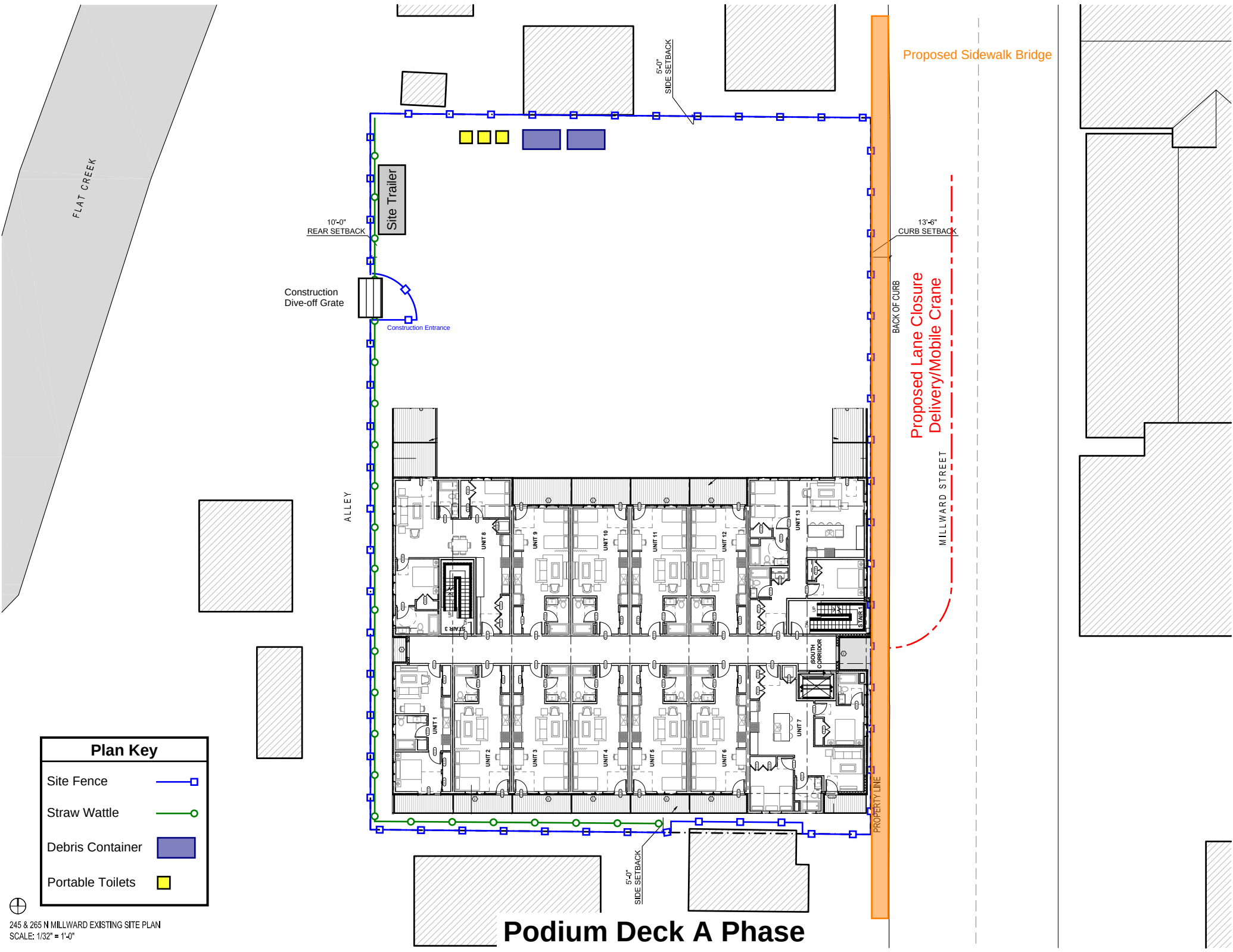
- Site Fence
- Straw Wattle
- Debris Container
- Portable Toilets



Plan Key	
Site Fence	
Straw Wattle	
Debris Container	
Portable Toilets	

245 & 265 N MILLWARD EXISTING SITE PLAN
SCALE: 1/32" = 1'-0"

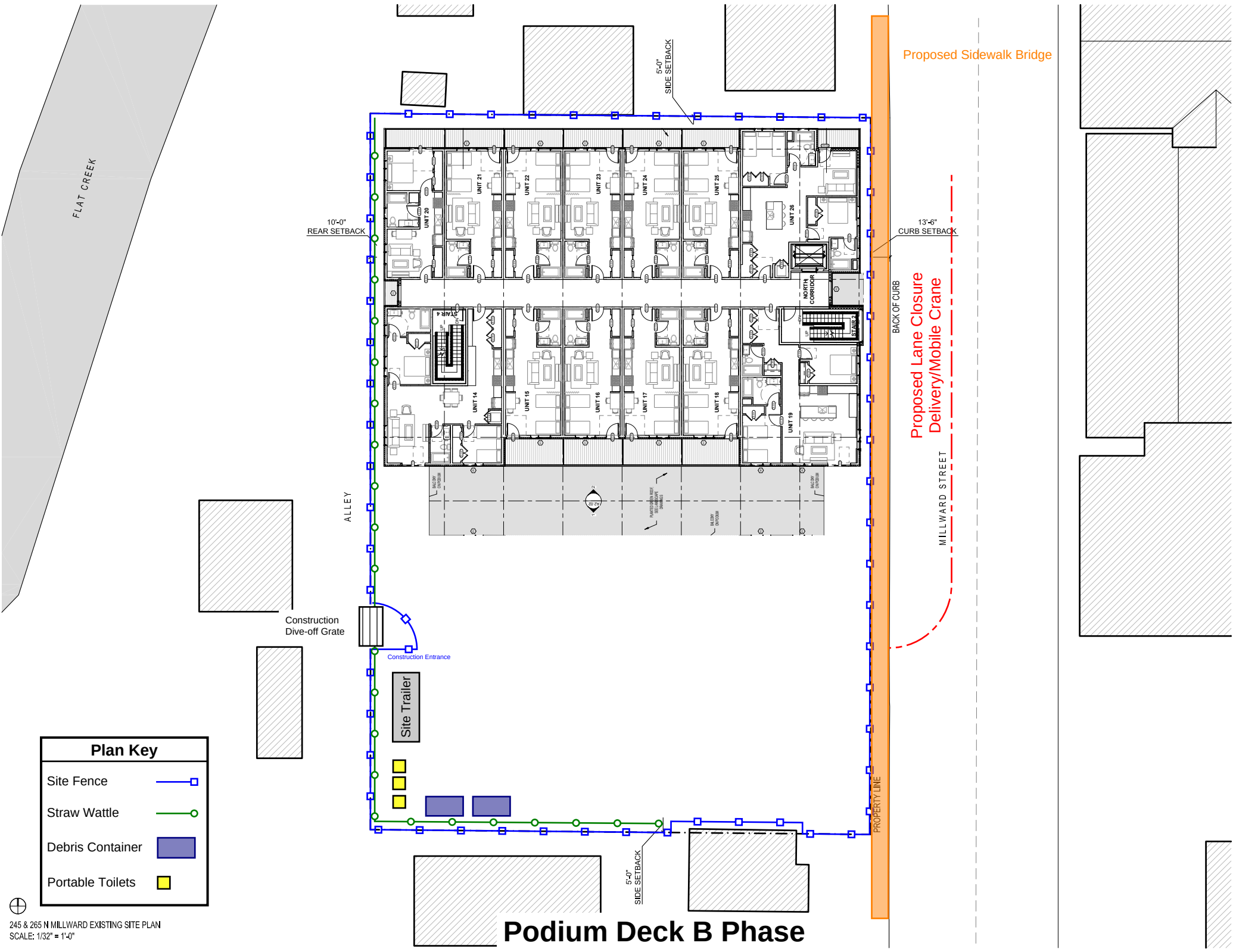
Excavation Phase



Plan Key	
Site Fence	
Straw Wattle	
Debris Container	
Portable Toilets	

245 & 265 N MILLWARD EXISTING SITE PLAN
SCALE: 1/32" = 1'-0"

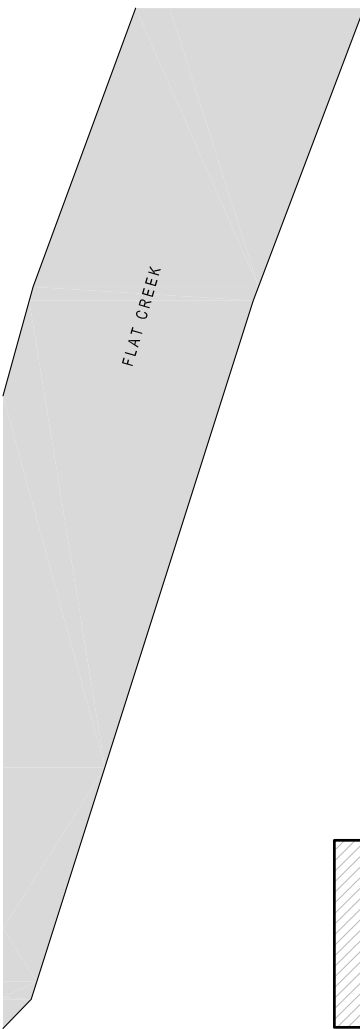
Podium Deck A Phase



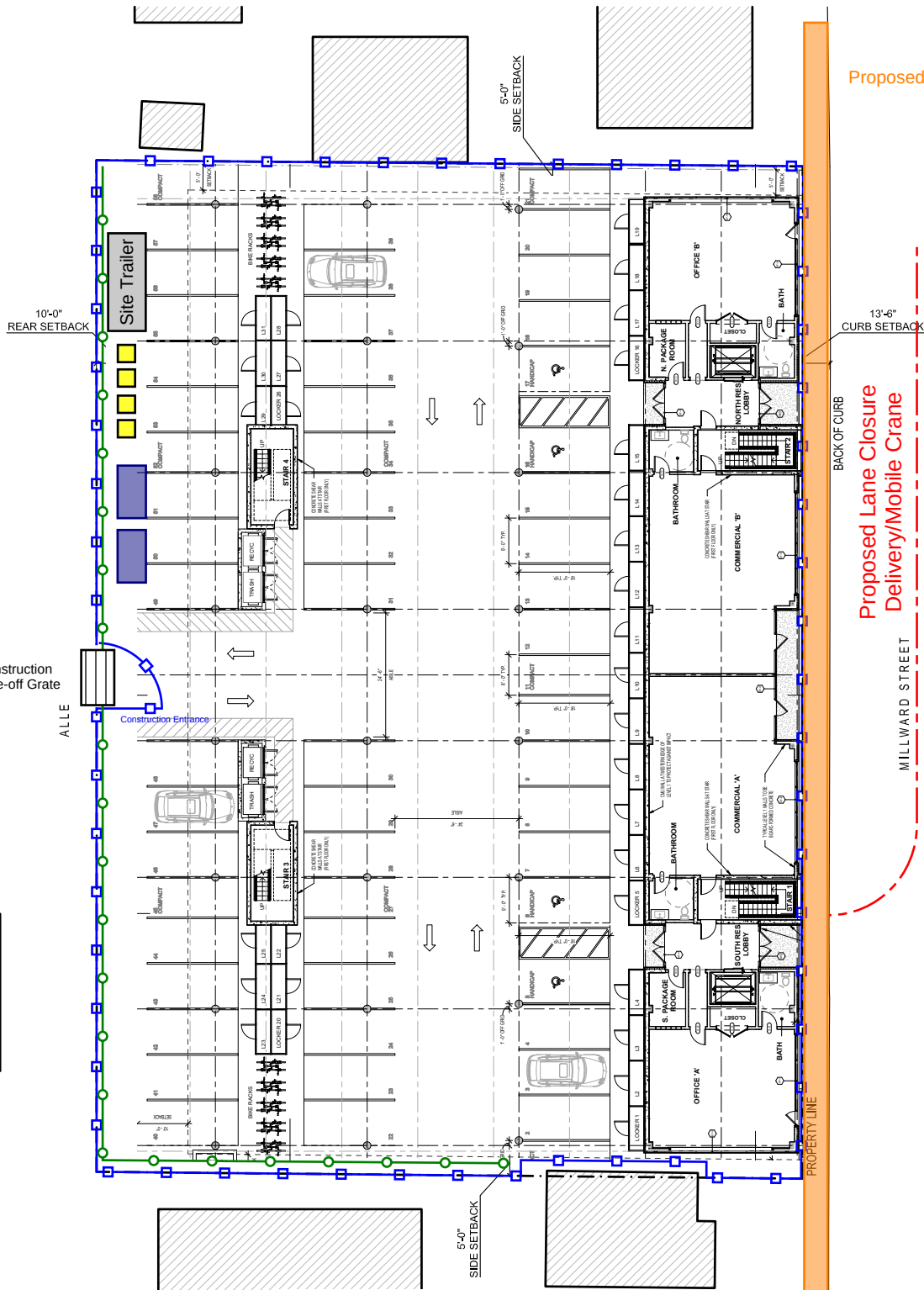
Plan Key	
Site Fence	
Straw Wattle	
Debris Container	
Portable Toilets	

245 & 265 N MILLWARD EXISTING SITE PLAN
 SCALE: 1/32" = 1'-0"

Podium Deck B Phase



Plan Key	
Site Fence	
Straw Wattle	
Debris Container	
Portable Toilets	



Proposed Sidewalk Bridge

Proposed Lane Closure
Delivery/Mobile Crane

Fitout Phase

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Regular
Submitting Department:	Administration	Presenter:	Tyler Sinclair
Agenda Item:	Town Manager Resolution and Next Steps	Public Comment:	Yes

Purpose & Policy Considerations.

For Town Council to review and consider a resolution establishing a revised Town Manager Job Description, and decide next steps in the hiring of a new Town Manager.

Requested Action.

Town Council to review and approve a resolution establishing a revised Town Manager Job Description and decide next steps in the hiring of a new Town Manager.

Recommendations.

Staff recommends approval of a resolution establishing a revised Town Manager Job Description.

Background.

At the January 9, 2023, Town Council meeting Council 1) directed staff to prepare a Resolution for Council consideration at the January 17, 2023, Town Council meeting setting forth the Town Manager's job description; 2) approved the Recommended Town Manager Performance Evaluation Process as presented; and 3) approved the next steps and target timeline all as set forth.

Council discussed and provided initial direction on a revised Town Manager job description at the November 21, 2022, workshop. Council discussion and direction included adding additional categories/domains, not prioritizing duties and requirements, including similar community experience, a shift towards a Chief Executive Officer/Chief Administrative Officer from a Chief Operating Officer, to include personal management and project management responsibilities and to provide a performance review process. In addition, Council requested staff complete research regarding state requirements for the Town Manager. Staff has worked with our consultant Caitlin Hemrickhouse of Baker Tilly to complete the proposed documents for Council consideration as attached to this report.

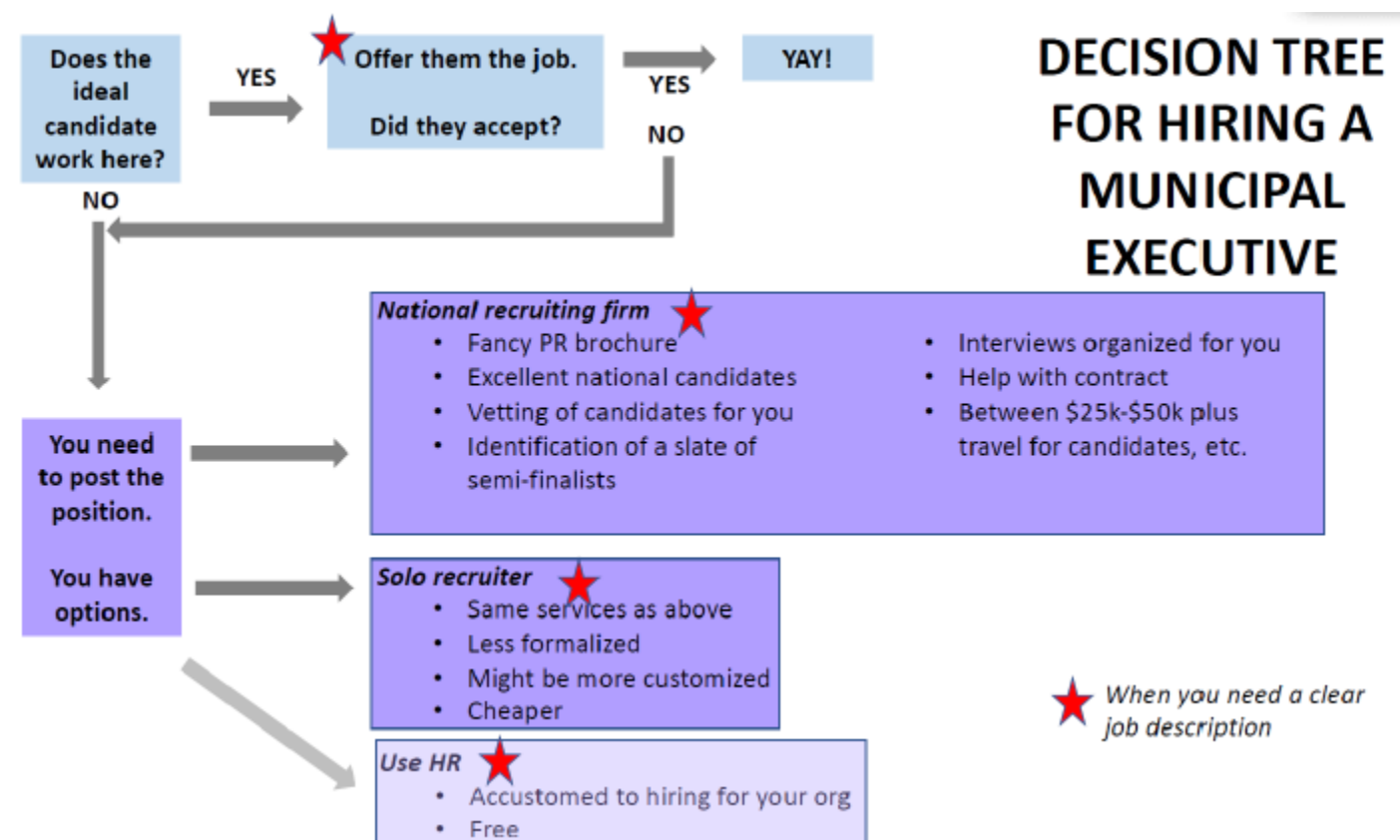
At the October Council retreat Council provided direction on desirable characteristics and requirements of the next Town Manager as described in the attached Town Council Retreat – Meeting Notes. At Council's direction from the October Council retreat, staff reached out to Baker Tilly, the consultant group the Town is currently working with on its Class and Compensation study, to request they work on a Town Manager job description based on Council's input.

As discussed at the Retreat by Council at the November workshop and as revised by staff, the next steps and timeline for hiring a Town Manager are proposed as follows:

1. Review and finalize the job description and direct staff to prepare a resolution for adoption. 11/21/22 & 1/9/23
2. Adopt the updated job description by resolution. 1/17/23
3. Work with Baker Tilly and Heidi Brinkman to develop performance metrics, finalize a performance evaluation instrument for the Town Manager, and adopt a performance evaluation process and timeline. 1/17/23
4. Select a path forward for hiring a Town Manager based on possibilities presented at October retreat. 1/17/23
5. Set clear annual performance expectations. 1/17/23
6. Hire a Town Manager. By, or before 8/31/23
7. Review and revise job description every 3 years.

Analysis.

With the approval of a new Town Manager job description and Performance Review process the next step in the process will be for Council to provide direction on following options on how to proceed.



Based upon Council discussion and direction on the above alternatives, staff will assist in preparing a motion for consideration by Council.

Possible Alternatives.

See above.

Comprehensive Plan & Priority Alignment.

The ability for Council to make meaningful progress towards achieving the goals and objectives of the Comprehensive Plan are tied to the leadership of a professional Town Manager and a well-functioning Town organization.

Fiscal Impact.

None at this time.

Staff Impact.

The staff impact of moving forward with this project is positive in that the Town Manager will have an updated job description, clear performance expectations, and an updated performance review instrument and process. Staff has spent approximately 24 hours on this project to date and expects to spend an additional 12 hours prior to completion.

Attachments or Links.

Resolution

Staff Report, dated January 9, 2023

Suggested Motions

Item 1

I move to approve Resolution 23-01.

Item 2

I move to direct staff to _____.

RESOLUTION 23-01

TOWN MANAGER DUTIES AND RESPONSIBILITIES

WHEREAS, the Town of Jackson has by ordinance established the position of Town Manager; and

WHEREAS, Jackson Municipal Code § 2.12.030 provides that the Town Manager shall be the chief administrative officer of the Town government and shall act pursuant to a job description as approved, and from time to time amended, by Resolution of the Town Council; and

WHEREAS, the Town of Jackson wishes to establish by resolution, as provided by ordinance, the job description of the Town Manager.

NOW, THEREFORE, be it hereby resolved by the Town Council of the Town of Jackson, Wyoming, in regular session duly assembled, that:

The job description of the Town Administrator shall include and may be described as follows:

General Definition of Work

The Town Manager is responsible for day-to-day administration of all departments and oversees and manages strategic Town initiatives. This position performs complex work by serving as a visionary leader enabling priority projects; directing and coordinating all Town employees; carrying out directives of the Mayor and Town Council; establishing administrative procedures to increase effectiveness and efficiency of Town government; and establishing and maintaining procedures to facilitate communications between citizens and Town government. Performs related work as apparent or assigned. Work involves setting policies and goals under the direction of the Town Council. Supervision is exercised over all organizational personnel. *The duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

Essential Functions and Competencies

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodation may be made to enable an individual with disabilities to perform the essential functions.

Essential Administrative Functions

Carries out directives of the Mayor and Town Council which require administrative implementation and is responsible for overall administration of Town.

- Ensures compliance with and administration of all municipal statutory regulations and municipal code.
- Prepares an administrative plan including an organization chart and administrative

procedures, which defines authority and responsibility for all Town positions and Departments not appointed by the Mayor and Council.

- Oversees all personnel management actions related to Town employees. Selects department directors and assigns/delegates responsibilities to them.
- Able to identify problems and develop strategies to determine the best way to solve them including best practices and outside the box thinking.
- Establishes administrative procedures to increase the effectiveness and efficiency of Town government according to current practices in local government, consistent with directives of Mayor and Town Council.
- Establishes and maintains procedures to facilitate communications between citizens and Town government to assure that complaints, recommendations, public input and other matters receive prompt attention and consideration by responsible officials.
- Maintains availability and appropriately responds to various operational needs of the Town beyond standard business hours.
- Keeps informed and works with the Town Attorney concerning current Federal, State, County and Town legislation and administrative rules affecting the Town; submits appropriate recommendations and reports on such matters to Town Council.
- Assures that the news media is kept informed about the operations of the Town and that all open meeting rules and regulations are followed.
- Oversees Town facilities, assets, and land acquisition to ensure adequate resources are available for Town operations.

Essential Strategic Leadership Functions

Works with elected officials, citizens, and other stakeholders to design and carry out strategic initiatives and plans and provides the leadership necessary for implementation.

- Provides strategic oversight of the annual budget and 5-year financial model and is responsible for fiscal management of Town operations. Directs the Town's financial and budget activities to fund operations, maximize investments, and increase efficiency.
- Acts as the Town Chief Administrative Officer (CAO) responsible for determining and formulating policies and providing overall strategy for the Town as directed by the Mayor and Town Council. Plans, directs, or coordinates operational activities at the highest level of management with the help of department directors and managers.
- Represents the Mayor and Town Council in matters involving legislative and intergovernmental affairs when authorized by the Mayor and Town Council.
- Supports and implements the Comprehensive Plan through public and private sector cooperation along with other Town plans for housing, transportation, capital improvements, etc.
- Collaborates with internal and external partners to ensure Town and overall community goals and objectives are supported.
- Maximizes available fiscal resources to accomplish Town core services and other priorities including leveraging grant opportunities aligned with Town vision and strategy.
- Analyzes Town operations to evaluate the performance of its staff in meeting Council objectives to determine budgetary effectiveness, maximize efficiency, and implement policy change.

Critical Competencies

The following competencies are necessary to support Town administration and strategic leadership functions of this position.

- Visionary leader with the ability to incorporate multiple perspectives and data into strategic community initiatives.
- Ability to think strategically to continuously advance the organization with changing operational needs.
- Must be a transparent communicator and possess the ability to coach staff and lead a dynamic team that provides services requiring a variety of professional experience and diverse skillsets.
- Must be comfortable being accessible, visible, and immersed in the fabric of the community, serving as the face of Town operations.
- Enables effective implementation of Town projects, both administrative and strategic in nature, by employing project management skills related to project budgeting, change management, and delegation and time management. This includes but is not limited to capital projects and strategic plans.
- Possesses an understanding of the demographics and dynamics of residents, businesses, and community members to prioritize various organizational and community needs. Models articulate, effective and respectful oral, written, and visual skills with Council, the public, leadership team and department employees. Develops and accurately communicates Town and department messaging during public interactions.
- Creates a positive environment where employees feel confident bringing their true selves to work.
- Demonstrates self-awareness and a commitment to equity including developing a network with diverse perspectives and consulting diverse resources to better understand complex equity issues that impact staff and Town stakeholders. Continuously expands knowledge, applying what is learned. Believes there is always more to learn and provides continual learning opportunities to employees.
- Understands and upholds the separation of duties between the Town Council and the Town Manager whereby the Town Council is responsible for policy decisions and the Town Manager is responsible for implementation of those decisions.

Desired Educational Qualifications

A Bachelor's degree in Business Administration, Public Administration, Urban Planning, or a closely related field with at least 7 years of professional experience in a related field and at least 5 years serving as a department director, Assistant Town Manager, Deputy Manager, or similar level of leadership responsibilities. A master's degree and designation recognized through the International City Manager Association Credentialed Manager (ICMA-CM) are highly desired. Experience in a leadership role in a community with similar challenges and opportunities as Jackson is preferred. Any equivalent combination of education and experience that provides the required knowledge and skills will be considered.

DATED THIS _____ DAY OF January 2023.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

STAFF REPORT



Meeting Date:	January 9, 2023	Meeting Title:	Regular
Submitting Department:	Administration	Presenter:	Tyler Sinclair
Agenda Item:	Town Manager Job Description and Process Update	Public Comment:	Yes

Purpose & Policy Considerations.

For Town Council to review a revised Town Manager Job Description, review a Town Manager Performance Review Process, affirm next steps, and a timeline moving forward.

Requested Action.

Staff is requesting feedback on a draft Town Manager job description, performance review process, affirmation of next steps in the process of hiring a Town Manager, and review and agreement on a timeline moving forward.

Recommendations.

Staff recommends approval of the proposed Town Manager job description, performance review process, next steps, and timeline as presented.

Background.

Council discussed and provided initial direction on a revised Town Manager job description at the November 21, 2022, workshop. Council discussion and direction included adding additional categories/domains, not prioritizing duties and requirements, including similar community experience, a shift towards a Chief Executive Officer/Chief Administrative Officer from a Chief Operating Officer, to include personal management and project management responsibilities and to provide a performance review process. In addition, Council requested staff complete research regarding state requirements for the Town Manager. Staff has worked with our consultant Caitlin Hemrickhouse of Baker Tilly to complete the proposed documents for Council consideration as attached to this report.

At the October Council retreat Council provided direction on desirable characteristics and requirements of the next Town Manager as described in the attached Town Council Retreat – Meeting Notes. At Council's direction from the October Council retreat, staff reached out to Baker Tilly, the consultant group the Town is currently working with on its Class and Compensation study, to request they work on a Town Manager job description based on Council's input.

As discussed at the Retreat by Council at the November workshop and as revised by staff, the next steps and timeline for hiring a Town Manager are proposed as follows:

1. Review and finalize the job description and direct staff to prepare a resolution for adoption. 11/21/22 & 1/9/23
2. Adopt the updated job description by resolution. 1/17/23
3. Work with Baker Tilly and Heidi Brinkman to develop performance metrics, finalize a performance evaluation instrument for the Town Manager, and adopt a performance evaluation process and timeline. 1/17/23
4. Select a path forward for hiring a Town Manager based on possibilities presented at October retreat. 1/17/23
5. Set clear annual performance expectations. 1/17/23
6. Hire a Town Manager. By, or before 8/31/23
7. Review and revise job description every 3 years.

Analysis.

The desired outcome of this process is to approve a new job description, establish a performance evaluation process, and set a timeline for selecting and onboarding a new Town Manager. The goal of these documents and process are to set clear expectations for the next Town Manager and to provide an incoming Town Manager clarity in terms of working for

a five-member elected board.

Staff has attached a revised Town Manager job description incorporating direction from Council provided at the November 21 meeting for Council consideration. Staff notes that based upon Council discussion, the job description has been updated to include reference to the Town Manager acting as the *Town Chief Administrative Officer (CAO)* responsible for determining and formulating policies and providing overall strategy for the Town as directed by the Mayor and Town Council. This title and definition were selected based upon information from the [International City/County Management Association \(ICMA\)](#).

In addition, please see attached a **Recommended Town Manager Performance Evaluation Process** and documents associated with that process. Staff notes that when referring to a consultant in these documents this would be similar to the role that Heidi Brinkman was contracted for recently to assist in the previous Town Manager and Town Attorney reviews.

Staff's review of state statute revealed that a Mayor and Council may hire a Town Administrator. There is no further direction in state statutes regarding the role and function of this position other than allowing first class cities to further define the role. Staff attached Chapter 2.12, *Town Manager*, of the Jackson Municipal Code that defines the Town Manager role and function. In addition, staff attached the current resolution outlining the Town Manager Duties and Responsibilities currently being revised.

Possible Alternatives.

The Council may choose to make any desired amendments to the proposed job description, performance evaluation process, or proposed timeline they deem necessary.

Comprehensive Plan & Priority Alignment.

The ability for Council to make meaningful progress towards achieving the goals and objectives of the Comprehensive Plan are tied to the leadership of a professional Town Manager and a well-functioning Town organization.

Fiscal Impact.

The letter of engagement contains a cost of \$2,500 for the work of preparing the job description and creating performance metrics for the Town Manager to be utilized in the performance evaluation process.

Staff Impact.

The staff impact of moving forward with this project is positive in that the Town Manager will have an updated job description, clear performance expectations, and an updated performance review instrument and process. Staff has spent approximately 18 hours on this project to date and expects to spend an additional 12 hours prior to completion.

Attachments or Links.

Revised Draft Town Manager job description.
Recommended Town Manager Performance Evaluation Process
Jackson Municipal Code Chapter 2.12 Town Manager
Resolution 94-29 Town Administrator Duties and Responsibilities
Council Workshop, November 21 - Slide Deck
Town Council Retreat – Meeting Notes
Town Council Retreat – Slide Deck

Suggested Motion.

I move to 1) direct staff to prepare a Resolution for Council consideration at the January 17, 2023, Town Council meeting setting forth the Town Manager's job description; 2) approve the Recommended Town Manager Performance

Evaluation Process; and 3) approve the next steps and target timeline all as set forth in this staff report. **OR** as amended by Council.



Town of Jackson, Wyoming

Town Manager - Job Description

Title: Town Manager

FLSA Status: Exempt

Department: Administration

Updated: 1/5/2022

General Definition of Work

The Town Manager is responsible for day-to-day administration of all departments and oversees and manages strategic Town initiatives. This position performs complex work by serving as a visionary leader enabling priority projects; directing and coordinating all Town employees; carrying out directives of the Mayor and Town Council; establishing administrative procedures to increase effectiveness and efficiency of Town government; and establishing and maintaining procedures to facilitate communications between citizens and Town government. Performs related work as apparent or assigned. Work involves setting policies and goals under the direction of the Town Council. Supervision is exercised over all organizational personnel.

Essential Functions and Competencies

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodation may be made to enable an individual with disabilities to perform the essential functions.

Essential Administrative Functions

Carries out directives of the Mayor and Town Council which require administrative implementation and is responsible for overall administration of Town.

- Ensures compliance with and administration of all municipal statutory regulations and municipal code.
- Prepares an administrative plan including an organization chart and administrative procedures, which defines authority and responsibility for all Town positions and Departments not appointed by the Mayor and Council.
- Oversees all personnel management actions related to Town employees. Selects department heads and assigns/delegates responsibilities to them.
- Able to identify problems and develop strategies to determine the best way to solve them including best practices and outside the box thinking.
- Establishes administrative procedures to increase the effectiveness and efficiency of Town government according to current practices in local government, consistent with directives of Mayor and Town Council.
- Establishes and maintains procedures to facilitate communications between citizens and Town government to assure that complaints, recommendations, public input and other matters receive prompt attention and consideration by responsible officials.
- Maintains availability and appropriately responds to various operational needs of the Town beyond standard business hours.
- Keeps informed and works with the Town Attorney concerning current Federal, State, County and Town legislation and administrative rules affecting the Town; submits appropriate recommendations and reports on such matters to Town Council.
- Assures that the news media is kept informed about the operations of the Town and that all open meeting rules and regulations are followed.
- Oversees Town facilities, assets, and land acquisition to ensure adequate resources are available for Town operations.



Town of Jackson, Wyoming

Town Manager - Job Description

Essential Strategic Leadership Functions

Works with elected officials, citizens, and other stakeholders to design and carry out strategic initiatives and plans and provides the leadership necessary for implementation.

- Provides strategic oversight of the annual budget and 5 year financial model and is responsible for fiscal management of Town operations. Directs the Town's financial and budget activities to fund operations, maximize investments, and increase efficiency.
- Acts as the Town Chief Administrative Officer (CAO) responsible for determining and formulating policies and providing overall strategy for the Town as directed by the Mayor and Town Council. Plans, directs, or coordinates operational activities at the highest level of management with the help of department heads and managers.
- Represents the Mayor and Town Council in matters involving legislative and intergovernmental affairs when authorized by the Mayor and Town Council.
- Supports and implements the Comprehensive Plan through public and private sector cooperation along with other Town plans for housing, transportation, capital improvements, etc.
- Collaborates with internal and external partners to ensure Town and overall community goals and objectives are supported.
- Maximizes available fiscal resources to accomplish Town core services and other priorities including leveraging grant opportunities aligned with Town vision and strategy.
- Analyzes Town operations to evaluate the performance of its staff in meeting Council objectives to determine budgetary effectiveness, maximize efficiency, and implement policy change.

Critical Competencies

The following competencies are necessary to support Town administration and strategic leadership functions of this position.

- Visionary leader with the ability to incorporate multiple perspectives and data into strategic community initiatives.
- Ability to think strategically to continuously advance the organization with changing operational needs.
- Must be a transparent communicator, and possess the ability to coach staff and lead a dynamic team that provides services requiring a variety of professional experience and diverse skillsets.
- Must be comfortable being accessible, visible, and immersed in the fabric of the community, serving as the face of Town operations.
- Enables effective implementation of Town projects, both administrative and strategic in nature, by employing project management skills related to project budgeting, change management, and delegation and time management. This includes but is not limited to capital projects and strategic plans.
- Possesses an understanding of the demographics and dynamics of residents, businesses, and community members to prioritize various organizational and community needs.
- Models articulate, effective and respectful oral, written, and visual skills with Council, the public, leadership team and department employees. Develops and accurately communicates Town and department messaging during public interactions.
- Creates a positive environment where employees feel confident bringing their true selves to work.
- Demonstrates self-awareness and a commitment to equity including developing a network with diverse perspectives and consulting diverse resources to better understand complex equity issues that impact staff and Town stakeholders.
- Continuously expands knowledge, applying what is learned. Believes there is always more to learn and provides continual learning opportunities to employees.
- Understands and upholds the separation of duties between the Town Council and the Town Manager whereby the Town Council is responsible for policy decisions and the Town Manager is responsible for implementation of those decisions.



Town of Jackson, Wyoming

Town Manager - Job Description

Desired Educational Qualifications

A Bachelor's degree in Business Administration, Public Administration, Urban Planning or a closely related field with at least 7 years of professional experience in a related field and at least 5 years serving as a department director, Assistant Town Manager, Deputy Manager, or similar level of leadership responsibilities. A masters degree and designation recognized through the International City Manager Association Credentialed Manager (ICMA-CM) are highly desired. Experience in a leadership role in a community with similar challenges and opportunities as Jackson is preferred. Any equivalent combination of education and experience that provides the required knowledge and skills will be considered.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.



Town of Jackson, Wyoming

Town Manager Performance Evaluation Process

Recommended Town Manager Performance Evaluation Process

The following outlines the recommended process for completing the Town Manager annual performance evaluation. This process should be conducted by an outside entity (i.e. "consultant") who can be objective and independent. The consultant may have a preferred process that differs slightly from this recommended process and the Town Council should use discretion in how the final process is implemented.

Step 1: Engage a consultant to perform the Town Manager performance evaluation. This service is commonly provided by consulting firms serving public sector entities. Procurement for this service should be led by a position such as Finance Director, HR Manager, etc. Town Council should have the opportunity to review submissions from qualified consultants and accept/reject the recommendation of staff for the preferred consultant.

Step 2: 6 weeks prior to the end of the fiscal year, reiterate the performance evaluation process to Council and the Town Manager so expectations and deadlines are clearly defined.

Step 3: 6 weeks prior to the end of the fiscal year, provide the Town Manager with the self-assessment form. *See attached self-assessment form.*

Step 4: Beginning 6 weeks prior to the end of the fiscal year the consultant interviews the Mayor, councilmembers and direct reports to the Town Manager using a series of agreed-upon, open-ended questions. Questions should be used to gain insight into the Town Manager's performance and develop feedback themes. *See attached feedback questions to use as a base.* The consultant will likely have preferred questions.

Step 5: Consultant prepares summarized feedback based on interviews. This is blended feedback categorized into themes. Feedback should not be attributed to individuals.

Step 6: An Executive Session to discuss Town Manager performance with the Town Council and Town Manager is scheduled for no more than two weeks after the start of the next fiscal year (i.e. if reviewing performance for FY23, the closed session should be scheduled within the first two weeks of FY24).

Step 7: At least 5 working days prior to the above-mentioned Executive Session, consultant reviews summarized feedback with the Town Manager in preparation for the session with Council to discuss Town Manager performance.

Step 8: At least 5 working days prior to the Executive Session, consultant provides Town Manager self-assessment to Town Council.

Step 9: Consultant facilitates Executive Session with Town Council and Town Manager to discuss summarized feedback, the Town Manager's self-assessment, and finalize performance goals for the current fiscal year. *Note: performance goals are different than Town-wide strategic goals and key performance indicators. Performance goals are specific to the Town Manager's embodiment of the critical competencies outlined in the job description (i.e. their commitment to continuous learning through completion of a credentialing program). Strategic Town-wide goals and performance indicators would be set through a strategic planning process or a Council-retreat. Many local governments with strategic plans require the Town Manager to regularly update the Council on advancement of those Town-wide goals through both qualitative data and quantitative performance metrics.*



Town of Jackson, Wyoming

Town Manager Performance Evaluation Process

Step 10: Consultant produces a summary of restated performance goals for the Town Manager covering the current fiscal year and obtains sign-off from the Town Manager. Goals are reviewed and agreed upon by Town Council in Executive Session within 5 weeks of the start of the current fiscal year.

Additional process notes/recommendations

Expanded 360 feedback

Every two years, or other agreed upon timeframe the Town could solicit broader organizational feedback regarding Town Manager performance from all Town employees. This would most easily be captured through a survey response and could be captured in a broader employee engagement/satisfaction survey. Alternatively, the Town could request that the consultant who conducts the Town Manager performance evaluation selects a certain number of employees to engage in the facilitated feedback (in addition to the direct reports of the Town Manager).

Town Manager feedback – first 6 months

When the Town hires a permanent Town Manager, the first 6 months will be critical to establishing expectations and Council's support of the success of the new Town Manager. Below are key actions recommended for the Council:

- Within 4 weeks of hiring the Town Council and new Town Manager should meet in an Executive Session so that the Council can share its strategic priorities and establish expectations for the remainder of the fiscal year with the new Town Manager. This session can be facilitated by a consultant, if needed.
- Within the first 8 weeks of hiring, the Mayor and each councilmember should meet individually with the new Town Manager, to start to establish a foundation of a working relationship.
- Within three to four months of hiring, the Council and Town Manager should have an Executive Session where the Town Manager may bring forth a summary of their first 90 days and any challenges/impediments faced, for open discussion.
- The Town should engage with an outside consultant to facilitate a 6-month review of the Town Manager. This does not need to be as robust as the annual process outlined earlier but is a best practice in ensuring that the Town Manager and Council are aligned on expectations and that the Town Manager is adjusting to the new role. This would include a mini-self assessment focused solely on achievements and challenges within the first 6 months and feedback from the Mayor and Town Council



Town of Jackson, Wyoming

Town Council facilitated feedback and 360 feedback

The following questions are a basis for facilitated Town Council feedback about Town Manager performance and 360 feedback from the Town Manager's direct reports. The vendor selected by the Town may have preferred questions and/or develop these questions in conjunction with a working group of the Town Council.

Town Council facilitated interview questions

1. How would you describe your working relationship with {Town Manager}?
2. What skills/attributes/knowledge do you value most in the {Town Manager}?
3. Are there core competencies as outlined in the job description that the Town Manager does not exhibit?
4. In what areas has the Town Manager helped achieved Town goals? Where have they fallen short? What is your understanding of why goals were not met?
5. Are there areas for improvement? How would you prioritize these areas?

360 direct report interview questions

1. Describe your working relationship with {Town Manager}.
2. Are there behaviors or skillsets that aren't currently being demonstrated by {Town Manager} but are important to the success of the Town and/or your professional development?
3. Are there behaviors exhibited by {Town Manager} that impede your ability or your team's ability to achieve Town goals or perform day-to-day work?
4. Are there behaviors or skillsets of {Town Manager} that are positive and should be continued?



Town of Jackson, Wyoming

Town Manager Self-Assessment Form

Purpose and instructions:

The purpose of the Town Manager self-assessment is to provide a basis for conversation with the Mayor and Town Council about Town Manager's performance over a defined period-of-time. The self-assessment should be completed by the Town Manager and provided to the Mayor and Town Council within five working days of a scheduled executive session to discuss the Town Manager's performance.

Performance Period:

Competency assessment: For each critical competency presented below, the Town Manager must provide up to 3 examples about how they demonstrated this competency during the performance period. Responses should be illustrative but brief. Keep each response to 200 words or less.

Competency 1: Visionary leader with the ability to incorporate multiple perspectives and data into strategic community initiatives.

Competency 2: Ability to think strategically to continuously advance the organization with changing operational needs.

Competency 3: Transparent communicator who possesses the ability to coach staff and lead a dynamic team that provides services requiring a variety of professional experience and diverse skillsets.

Competency 4: Comfort being accessible, visible and immersed in the fabric of the community, and serving as the face of Town operations.

Competency 5: Enables effective implementation of Town projects, both operational and strategic in nature, by employing project management skills related to change management, project budgeting, delegation, and time management, including but not limited to capital projects and strategic plans.

Competency 6: Understands demographics and dynamics at play among residents, businesses, and community members, and is able to prioritize various organizational and community needs.

Competency 7: Models articulate, effective and respectful oral, written and visual skills with Council, the public, leadership team and department employees. Develops and accurately communicates Town and department messaging during public interactions.



Town of Jackson, Wyoming

Town Manager Self-Assessment Form

Competency 8: Creates a positive environment where employees feel confident bringing their true selves to work.

Competency 9: Demonstrates self-awareness and a commitment to equity including developing a network with diverse perspectives and consulting diverse resources to better understand complex equity issues that impact staff and Town stakeholders.

Competency 10: Continuously expands knowledge, applying what is learned. Believes there is always more to learn and provides continual learning opportunities to employees.

Competency 11: Understands and upholds the separation of duties between the Town Council and the Town Manager whereby the Town Council is responsible for policy decisions and the Town Manager implements those decisions.

Additional questions: Provide a response to each question. Responses should not exceed 300 words.

Question 1: Describe any challenges or limitations impacting your ability to manage day-to-day Town administration and/or demonstrate the critical competencies outlined earlier in this form.

Question 2: Outline proposed performance goals for the upcoming performance period. These should be directly related to the critical competencies. Goals do not need to have a 1:1 relationship with the critical competency but all competencies should be incorporated within one or more goals. The following goals serve as examples:

- Continue to build positive relationships with and understanding of community members through public events such as Town halls, listening sessions, and presence at community events. (Addresses competencies 4 and 6)
- Expand my professional and industry knowledge, with the intent of applying sound management practices and innovative local government practices to the Town, through active participation in the Wyoming Association of Municipalities and the International City/County Management Association. (Addresses competencies 1, 2, 5 and 10)

Question 3: Identify resource needs from the Town Council to overcome challenges/limitations outlined in Question 1 and/or support performance goals outlined in Question 2.

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.)

RESOLUTION 94-29
TOWN ADMINISTRATOR DUTIES AND RESPONSIBILITIES

WHEREAS, the Town of Jackson has by ordinance established the position of Town Administrator; and

WHEREAS, the Town Administrator ordinances of the Town of Jackson, more particularly Section 2.12.030 of the Municipal Code of the Town of Jackson, provide that the Town Administrator shall be the Chief Administrative Officer of the Town government and shall act pursuant to a job description as approved and from time to time amended by Resolution of the Town Council; and

WHEREAS, the Town of Jackson has a duly appointed and acting Town Administrator and wishes to establish by resolution as provided by ordinance, the duties and obligations of the Town Administrator;

NOW, THEREFORE, be it hereby resolved by the Mayor and Town Council of the Town of Jackson, Wyoming, in regular session duly assembled, that:

1. The job description of the Town Administrator shall include and may be described as follows:

(A) General Duties.

- (1) Carry out directives of the Mayor and Town Council which require administrative implementation, reporting promptly to the Mayor and Town Council any difficulties encountered;
- (2) Be responsible for the administration of all day-to-day operations of the Town government including the monitoring of all Town ordinances, resolutions, council meeting minutes and state statutes;
- (3) Prepare a plan of administration, including an organization chart, which defines authority and responsibility for all non-statutory positions of the Town; and submit it to the Town Council for adoption as the official organization and administrative procedure for the Town;
- (4) Establish, when necessary, administrative procedures to increase the effectiveness and efficiency of Town government according to current practices in local government, not inconsistent with paragraph 3 above or directives of the Mayor and Town Council;
- (5) Keep informed, under the guidance of the Town Attorney, concerning current Federal, State and County legislation and administrative rules affecting the Town and submit appropriate reports and recommendations on those matters to the Town Council;
- (6) Keep informed concerning the availability of Federal, State and County funds for local programs. Assist department heads and the Town Council in obtaining these funds;
- (7) Represent the Mayor and Town Council in matters involving legislative and intergovernmental affairs when authorized by the Mayor and Town Council;
- (8) Act as public information officer for the Town with the responsibility of assuring that the news media are kept informed about the operations of the Town and that all open meeting rules and regulations are followed;
- (9) Establish and maintain procedures to facilitate communications between citizens and Town government to assure that complaints, grievances, recommendations and other matters receive prompt attention by the responsible official, and to assure that all such matters are expeditiously resolved;
- (10) Promote the economic well-being and growth of the Town through public and private sector cooperation.

B. Responsibilities to the Town Council.

- (1) Attend all meetings of the Town Council, unless excused by the Mayor or by majority vote of the Town Council, assisting the Mayor and the Town Council as required in the performance of their duties;
- (2) Arrange for notices complying with open meeting laws to be given of all Town Council meetings. Arrange for such notices for committee meetings when required by state statute;
- (3) In coordination with the Mayor, the Town Council and the Town Clerk, ensure that appropriate agendas are prepared for all meetings of the Town Council, all Town Council committees and all other appropriate committees and commissions of the Town, together with such supporting material as may be required; with nothing in this subsection being construed as to give the Administrator authority to limit or in any way prevent matters from being considered by the Town Council or any of its committees and commissions;
- (4) Assist the Town Attorney in preparation of ordinances and resolutions as requested by the Mayor and Town Council, or as needed;
- (5) Keep the Mayor and Town Council regularly informed about the activities of the Administrator's office by oral or written reports to regular and special meetings of the Town Council;
- (6) Receive directives from the Mayor in the event that action normally requiring Town Council approval is necessary in emergency situations at a time when the Town Council cannot meet.

C. Personnel.

- (1) Be responsible for the administrative direction and coordination of all employees of the Town according to the established organization procedures;
- (2) Be responsible for the appointment, promotion, suspension or termination of any non-statutory employees of the Town;
- (3) Evaluate the performance of department heads and equivalent personnel;
- (4) Evaluate in conjunction with department heads, the performance of all employees on an annual basis;
- (5) Serve as the Personnel Director of the Town with responsibilities to establish and maintain complete and current personnel records, including specific job descriptions, for all Town employees; recommend salary and wage scales for Town employees; recruit and evaluate applicants for Town positions; enforce high standards of performance by Town employees; assure that Town employees have proper working conditions; administer the grievance procedures of the Town; work closely with department heads to resolve promptly personnel problems or grievances; and carry out other duties listed in the ordinance or resolution defining the position of Personnel Director;
- (6) Work closely with department heads to assure that employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills and act as the approving authority for requests by employees to attend conferences, meetings, training schools, and the like, if funds have been budgeted for these activities.

D. Budgeting and Purchasing.

- (1) Be responsible for preparation, posting and publishing, including all official notices required, of the annual Town budget and Town budget proceedings in accordance with guidelines as may be provided by the Town Council and in coordination with department heads, and pursuant to State statutes, for review and approval by the Mayor and the Town Council;
- (2) Administer the budget as adopted by the Town Council;
- (3) Report regularly to the Town Council on the current fiscal position of the Town;
- (4) Supervise the accounting system of the Town and insure that the System employs methods in accordance with current professional accounting practices;
- (5) Serve as the purchasing agent for the Town, supervising all purchasing and contracting for supplies and services, subject to the purchasing procedures established by the Town Council and any limitation contained in the State statutes.

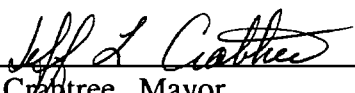
E. Cooperation.

- (1) All employees of the Town shall cooperate with and assist the Administrator so that the Town government shall function effectively and efficiently.

2. The foregoing job description may be amended from time to time by resolution of the Town Council duly adopted. In addition to the duties set for above, the Administrator shall carry out any and all duties and assignments specifically given to and directed by the Mayor and Town Council as such additional duties and assignments may from time to time be required.

DATED THIS 19TH DAY OF DECEMBER, 1994.

TOWN OF JACKSON



Jeff L. Crabtree, Mayor

ATTEST:



Roxanne DeVries, Deputy Town Clerk

Town Manager Update



Purpose & Policy Considerations

- For Town Council to review a revised Town Manager Job Description,
- Affirm next steps, and
- Review the timeline moving forward.



Background

Most Important

- **Strategic thinking**
- **Integrity**
- **Professional (respectful)**
- **Vision**
 - Direction for the organization
 - How to get there
- **CEO-type role/skills**
 - Organization management
 - Public-facing
 - Visionary
 - Strategic
- **Hires experts and doesn't second guess/ micromanage**
- **Raw intelligence/experience/mental agility**
 - Education that is relevant
- **Communication**
- **Sophistication**
 - Understanding who lives here
 - Discernment
 - Experience
 - Focuses on what's important
- **Empathetic**
 - Self-awareness
 - Caring
 - Emotional Intelligence
- **Boundaries**
 - Role defined w/ TC
 - Able to push back, willingness
- **Humility**
 - DEI, as an example
 - Emotional Intelligence
- **Growth Mindset**

Title: Town Manager

FLSA Status: Exempt

Department: Administration

Updated: 11/17/2022

General Definition of Work

Performs complex work by directing and coordinating all Town employees; carrying out directives of the Mayor and Town Council; performing administration of day-to-day operations of Town government; establishing administrative procedures to increase effectiveness and efficiency of Town government; acting as public information officer; establishing and maintaining procedures to facilitate communications between citizens and Town government. Performs related work as apparent or assigned. Work involves setting policies and goals under the direction of the Town Council. Supervision is exercised over all organizational personnel.

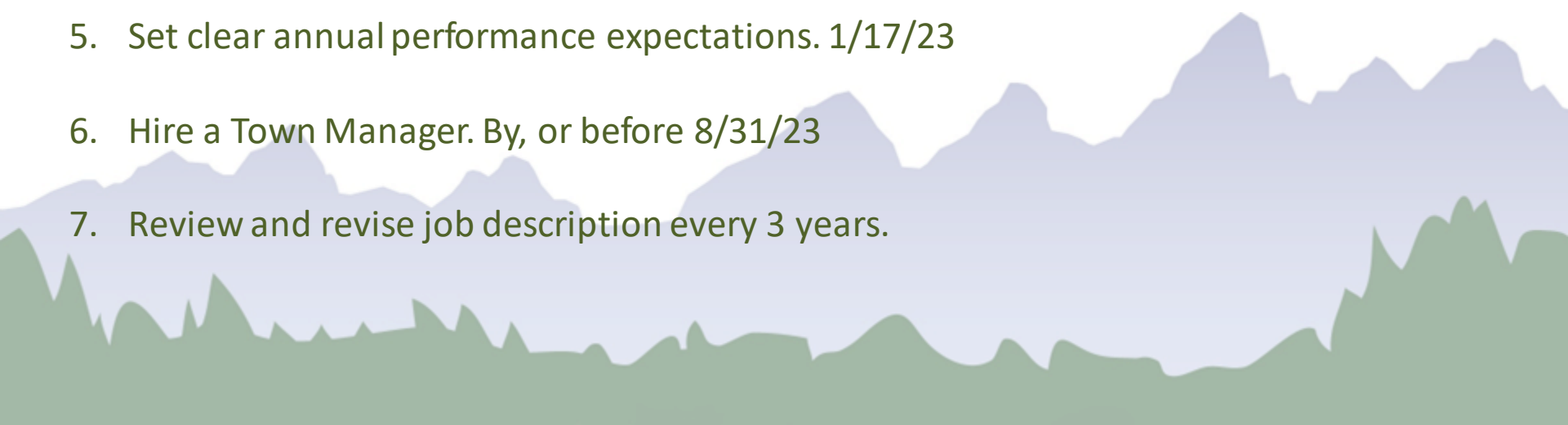
Essential Functions and Competencies

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodation may be made to enable an individual with disabilities to perform the essential functions.

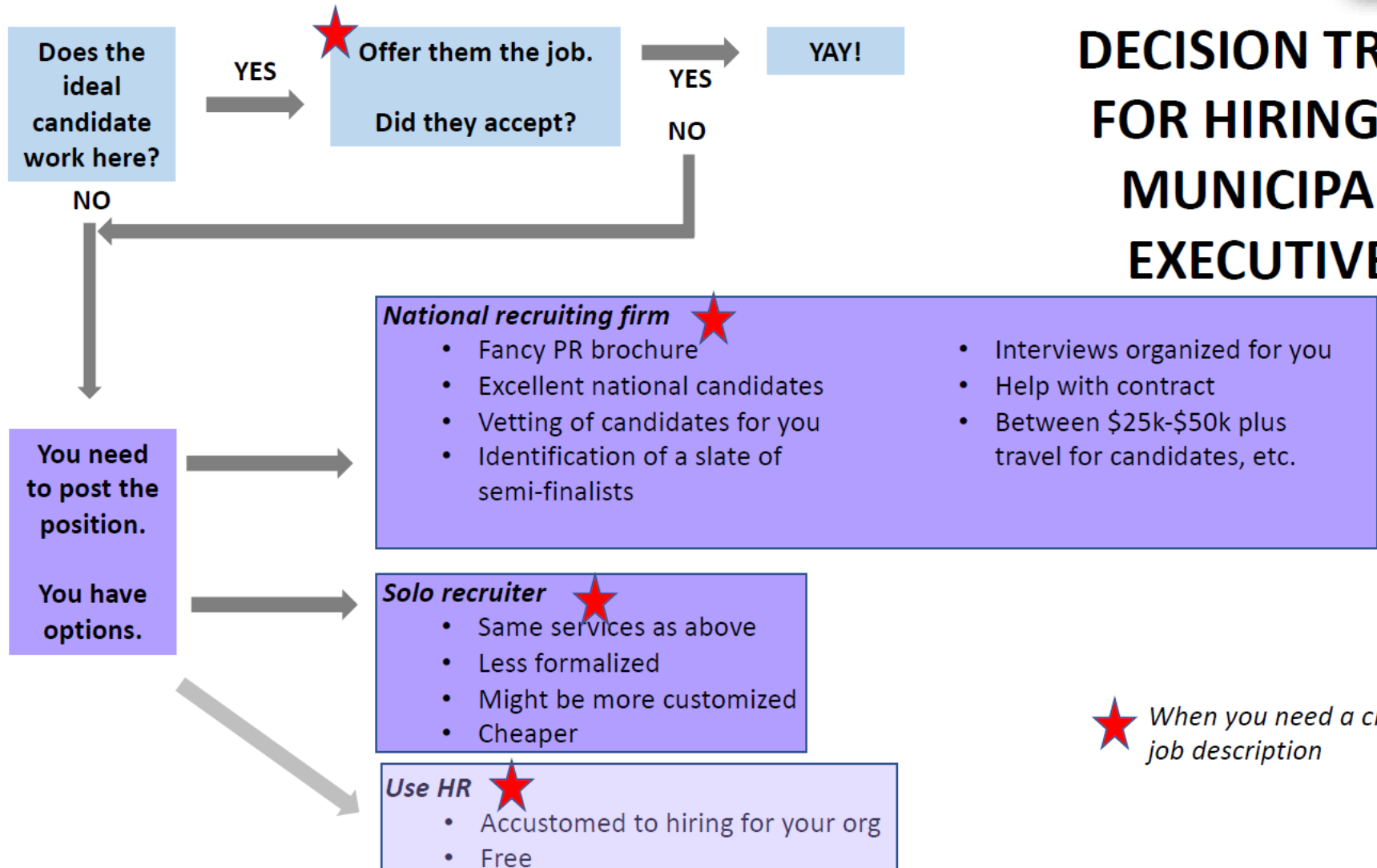
Essential Functions

- Carries out directives of the Mayor and Town Council which require administrative implementation; reports promptly to the Mayor and Town Council any difficulties encountered.

Next Steps and Timeline

1. Review and finalize the job description and direct staff to prepare a resolution for adoption. 11/21/22
 2. Adopt the updated job description by resolution. 12/5/22
 3. Work with Baker Tilly and Heidi Brinkman to develop performance metrics, finalize a performance evaluation instrument for the Town Manager, and adopt a performance evaluation process and timeline. 12/19/22
 4. Select a path forward for hiring a Town Manager based on possibilities presented at October retreat. 12/19/22
 5. Set clear annual performance expectations. 1/17/23
 6. Hire a Town Manager. By, or before 8/31/23
 7. Review and revise job description every 3 years.
- 
- A decorative graphic at the bottom of the slide featuring a range of stylized mountains. The mountains are rendered in two colors: a light purple/lavender for the upper peaks and a muted green for the lower slopes and valleys. The style is simple and modern, with soft, rounded mountain shapes.

DECISION TREE FOR HIRING A MUNICIPAL EXECUTIVE



Suggested Motion

- I move to 1) direct staff to prepare a Resolution for Council consideration at the December 5, 2022 Town Council meeting setting forth the Town Manager's job description and 2) approve the next steps and target timeline as set forth in this staff report.



**Jackson Town Council Fall Retreat
Snow King Mountain Resort – Grand View Lodge, Fireside Room
October 24, 2022
Town Manager Discussion Notes**

Next steps

- Type notes from meeting (Heather)
- Get an external body/human to draft the job description (Tyler to work with Baker Tilly)
- Draft internal annual performance renewal process (Baker Tilly, with consultation by Heidi)
- Check in with Town Council by mid-November (Tyler)
- Aim to select a path forward by 12/31/22
- Aim to have permanent Town Manager on board no later than 8/31/23

Most Important

- **Strategic thinking**
- **Integrity**
- **Professional (respectful)**
- **Vision**
 - Direction for the organization
 - How to get there
- **CEO-type role/skills**
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- **Boundaries**
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 - Able to push back, willingness
- **Humility**
 - DEI, as an example
 - Emotional Intelligence
- **Growth Mindset**

- Performance reviews
- Personal growth
- Motivated to improve
- **Commitment to equity**
 - Organization
 - Community
 - Info sharing
 - Operationalizing Equity
 - Bias control
- **Team player**
 - Highly collaborative
- **Coach**
 - Decide and lead
- **Core services**
 - Operating responsibilities
- **Local knowledge**
 - Not assuming done research
- **Time commitment**
 - Ability/willingness to be available if/when needed
- **Looking for a relationship**
- **Reasonable balance of expectations and resources for staff**

Jackson Town Council Retreat

Municipal Best Practices for Executive Hiring and Management
October 2022

Purpose of the Day: Identify important characteristics and competencies for the Jackson Town Manager considering industry best practices to ensure a successful process and selection



Town Manager Position

- Best practices overview: managing, job descriptions
- Review perspectives from interviews and surveys
- Council discussion

Hiring a Town Manager

- Best practices and options for hiring
- Council discussion

Next Steps

BEST PRACTICES

- **Develop a job description**
- **Hire a town/city/county manager**
- **Set clear annual performance expectations**
 - Annual project or focal area priorities
 - Annual targets or benchmarks for incremental achievement (how much, how many, how far)
- **Hold annual performance evaluation for accountability**
 - Assess performance against priorities and benchmarks
 - Set priorities and benchmarks for the next year
- **Review and revise job description every 3 years (ish)**
 - Even if you're satisfied with executive performance
 - Provide and discuss revised job description at annual review
 - Adjust performance expectations accordingly



COUNCIL ROLE

Set Direction

Provide Clear Expectations

Hold Executive Accountable

- Write the job description
- Set annual expectations
 - Include internal leadership and people management
 - Can include general expectation for organizational restructuring
- Hold annual performance review
- Review/revise job description
- *Do these as a full body or after clear and public assignment of responsibility to a committee of 2 or 3.*

EXECUTIVE ROLE

Lead the Organization

Manage the People

Advance Priorities / Meet Targets

- Structure the organization appropriately
- Write job descriptions and hire senior staff
- Provide clear expectations for senior staff
- Hold annual performance reviews for senior staff
- Oversee implementation of priorities, achievement of targets
- Report to Council; provide periodic updates on progress
- Ask Council for help if/when needed
- Ask Council for clarity if priorities shift or context changes

Deeper Dive into Job Descriptions: Important Skills

(NCSU study)

Baseline Skills	Core Skills (common on TM job postings)	Necessary Skills (not specific to posting)	Differentiators (increases likelihood of career success)
Communication Skills	Budgeting	Business Administration	Community development
Planning	Public Administration	Staff Management	Community relations
Building Effective Relationships	Local Government	Customer Service	Land use
Teamwork / Collaboration	Economic Development	Project Management	Labor relations
Organizational Skills		Scheduling	

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Teamwork / Collaboration	Economic Development	Project Management	Labor relations
Organizational Skills		Scheduling	



Review of Perspectives from Interviews and Surveys

A close-up, slightly blurred photograph of a desk. In the upper center, a white computer keyboard is partially visible. To its left, a calendar page with numbers 16, 23, 29, 30, 31, 24, and 25 is visible. Below the keyboard and calendar are several notebooks with brown covers. Some notebooks have colorful tabs (purple, teal, grey) sticking out. The text "A note about methodology and focus" is overlaid in the center in a black, sans-serif font.

A note about methodology and focus

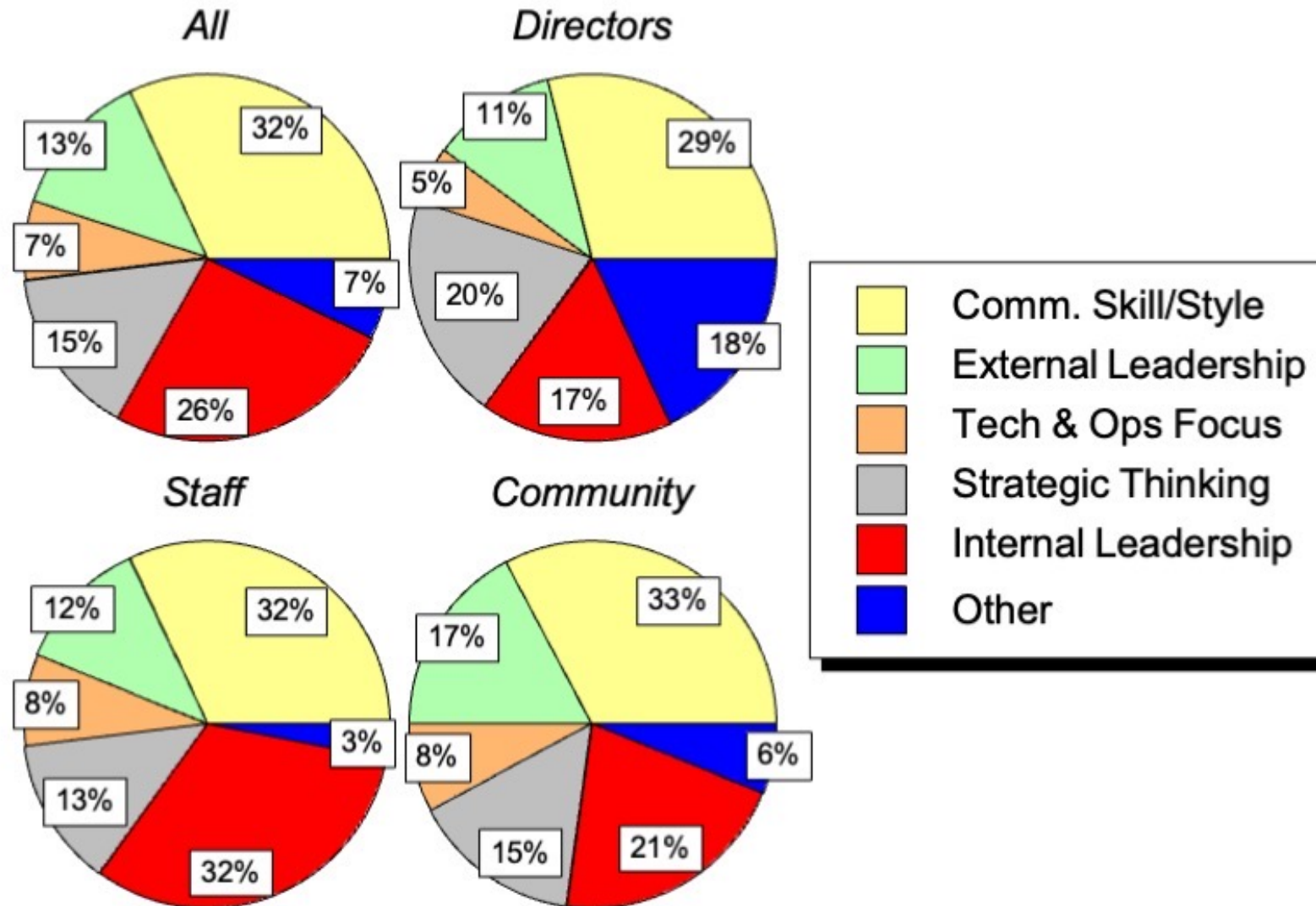
Respondents

Respondent Category	Interview	Survey	TOTAL
Directors	7	3	10
Staff	5	38	43
Community Members/External Partners/Others	5	21	26
TOTAL	17	62	79

Emergent Themes from Interviews and Surveys

- **Strategic Thinking & Change Management**
 - Big picture view & integration
 - Focus on needed change & careful management of change
 - Create shared expectations & understanding, advise
- **Community Leadership & Partner Engagement**
 - Visibility
 - Proactive engagement; build bridges
 - Knowledge of town & community/businesses
 - Provide analysis and recommendations
- **Internal Leadership & People Management**
 - Collective identity (big picture view & integration)
 - Culture improvement (trust, morale, support, inclusion)
 - Clarity (roles, vision, expectations)
 - Consistency (policies, procedures, accountability)
 - Talent recruitment, development, retention
- **Communication Skill & Style**
 - Professional skill
 - Interpersonal skill & emotional intelligence
 - Skilled at conflict resolution (facilitating & engaging in)
 - Transparent, ethical, accountable
 - Compassionate & inspirational
- **Technological & Operational Knowledge & Focus**
 - Budget & finance
 - Planning & community development
 - HR
 - Educated
 - Experience as TM
- **Other**

Town Manager Qualities, by Theme





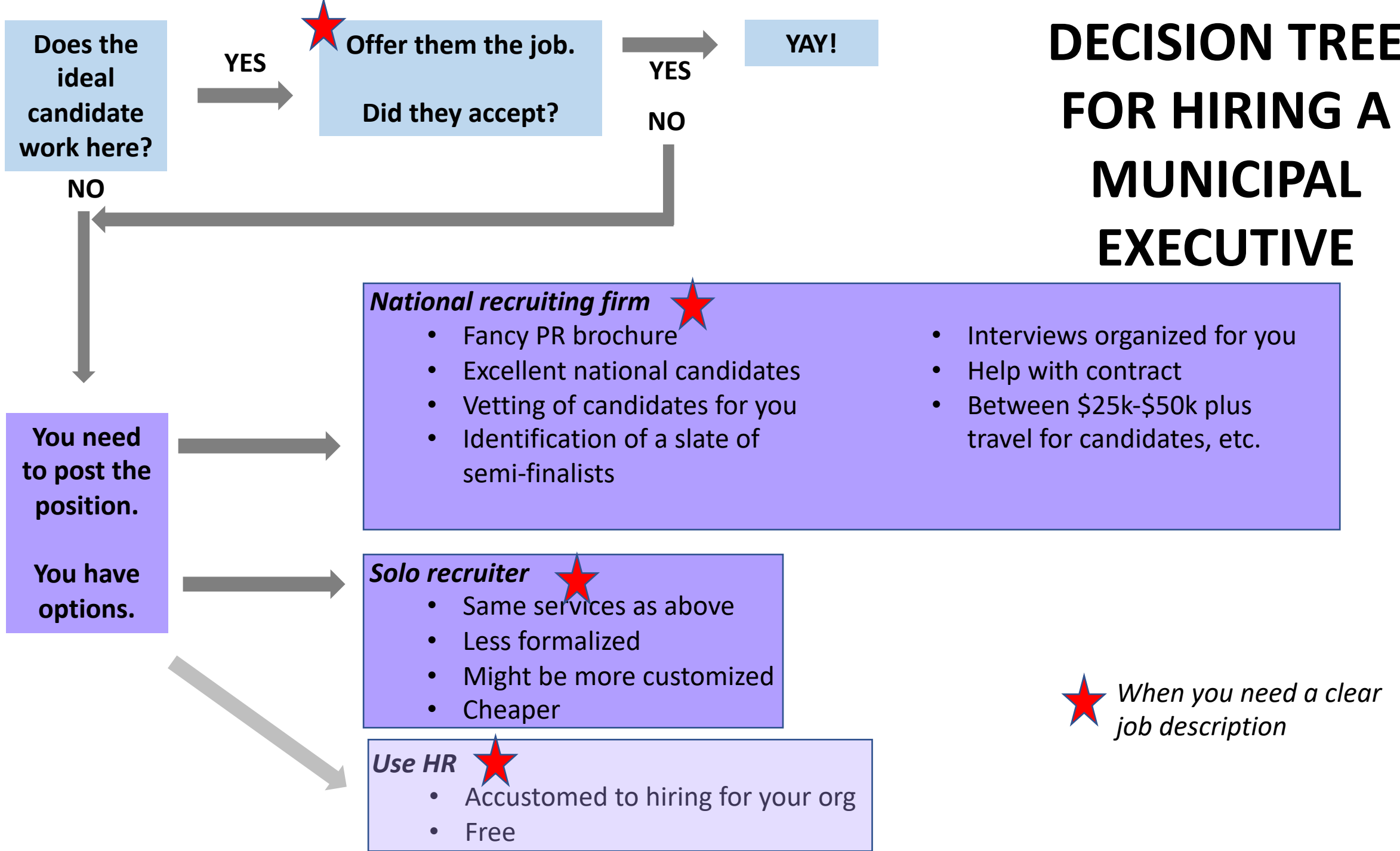
COUNCIL DISCUSSION



We're
HIRING

Hiring a Town Manager: Best Practices and Considerations

DECISION TREE FOR HIRING A MUNICIPAL EXECUTIVE



If you want to attract great external candidates, recruitment brochures are a must!

Town of Vail, Colorado TOWN MANAGER

Town of Eagle, Colorado Town Manager

Hiring Range: \$150,000 – \$175,000 - DOQ
Plus excellent benefits

Town of Telluride, Colorado TOWN MANAGER



THE CITY OF CORPUS CHRISTI, TEXAS SEEKS AN EXCEPTIONAL LEADER TO SERVE AS ITS NEXT... ASSISTANT CITY MANAGER

THE COMMUNITY

The City of Corpus Christi is a beautiful coastal city in the South Texas region, located 130 miles southeast of San Antonio. Nicknamed the "Sparkling City by the Sea" Corpus Christi is the Nueces County Seat, and one of the largest seaports in the United States. Spanish explorer Alonzo Alvarez de Pineda discovered the area in 1519 and named the settlement and surrounding bay in honor of the Roman Catholic Feast Day of Corpus Christi (Body of Christ- Ecclesiastical Latin) as he discovered the area on Western Christian feast day.

Settlers established the first trading post in 1838-39, as the area became the site of the encampment of the U.S. Army in 1845 prior to the war with Mexico and incorporated the city in 1852. The City then adopted its first City Charter in 1876. Over the years, Corpus Christi has grown into a regional hub for marketing, processing, packaging and distribution of agricultural commodities for a 12-county trade area. Additionally, the diversity of the City's economy, which is a blend of various business industries, including petrochemical, tourism, health care, retail, education, shipping, agriculture and the military. Today, the City of Corpus Christi is the eighth largest city in Texas, and the 61st largest city in the US, with a population of 327,406 based on the City's 2020 estimate.

Area attractions include the Padre Island National Seashore, Texas State Aquarium, and the USS Lexington, a retired WWII aircraft carrier, the American Bank Center, an entertainment complex that offers an auditorium, convention center and arena. Additionally, Corpus Christi serves as the home of Texas A&M University Islander Basketball, IceRayz Hockey and AF2 Sharks football. The American Bank Center hosts concerts, family shows and conventions having served more than 2 million visitors in the past five years. Corpus Christi is also the home of the Corpus Christi Hooks, a minor league baseball team of the Texas League, the Double-A affiliate of the Houston Astros baseball team that plays at Whataburger Field adjacent to the Port of Corpus Christi within view of the Harbor Bridge.

Seeking
experienced
professional

ing assisted by KRW Associates, LLC.

Submitted to:

com

2022

April 4, 2022. (5:00 PM Mountain)

KRW
Public Sector Executive



The City of Fort Collins, Colorado
Invites Qualified Candidates to Apply for

CITY MANAGER

The Opportunity

The City of Fort Collins faces a pivotal moment in our community as we transform from a big town to a small city. We are looking for a compassionate servant leader with a collaborative management style who can build on our strengths and lean into our challenges with a commitment to listen to all voices as we work on mutual goals to strengthen the region and our city.

columbia
excellence in executive recruiting since 2005

Common Elements of Recruitment Brochures

Job description and expectations

Description of ideal and successful candidate

Community highlights (historical info; growth projection; unique attractive characteristics)

Town/city organization and vision of success; values, priorities, awards and accolades

Town/city council

Pictures of people and places

Opportunity, compensation and benefits

How to apply



COUNCIL DISCUSSION

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Regular
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Municipal Code Cleanup: Repealing Ordinances	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to review and consider two ordinances repealing Chapter 5.48 (bingo and pull tabs) and Sections 10.04.160 (O) and (P) (vehicle advertising) as part of ongoing Municipal Code maintenance.

Requested Action.

Staff requests Council review and consider the repealing ordinances.

Recommendations.

Staff recommends Council review and consider the repealing ordinances.

Background.

The Municipal Code requires ongoing maintenance to keep it current and the two draft ordinances attached to this staff report, though different, do that.

First, Ordinance H repeals all of Chapter 5.48, which regulated bingo and pull tabs, as the result of the recent enactment by the state legislature of a state law that now regulates these games (and the parties hosting them).

Second, Ordinance I repeals two subsections of Title 10 relating to displaying a vehicle primarily for the purpose of sale as a result of a 2015 U.S. Supreme Court case that has been interpreted to limit signage of all kinds.

Analysis.

The Legal Department has reviewed the law and cases in these two areas (games of chance at the state level and sign law at the federal level) and determined the best course of action is to repeal these regulations from the Municipal Code because they are not congruent with those superseding laws.

Possible Alternatives.

Council could elect to leave these laws in place.

Comprehensive Plan & Priority Alignment.

This item aligns with policy 8.1, the delivery of quality services to the community.

Fiscal Impact.

The Town of Jackson contracts with the company MuniCode to host the Code and process changes enacted by Council. The supplement service to codify new ordinances costs \$3,000 annually and does not fluctuate with the number of ordinances enacted by Council, thus the fiscal impact of this ordinance (and all) codification is minimal.

The Town is, pursuant to statute, required to publish ordinances in a newspaper of general circulation in the community (which is the News & Guide weekly). The cost of publication varies, depending on ordinance length, and is a minimum of \$700 for short ordinances.

Staff Impact.

The Legal Department spent 10 hours researching the legal background for these two issues and drafting the attached ordinances.

The Clerk's Office anticipates spending approximately an hour coordinating with MuniCode when new ordinances are enacted.

Attachments or Links.

Ordinance H (repealing Chapter 5.48 bingo and pull tabs)

Ordinance I (repealing Subsections 10.04.160(O) and (P))

Suggested Motion.

I move Ordinance H on first reading.

I move Ordinance I on first reading

ORDINANCE H

AN ORDINANCE REPEALING SECTION 1 OF ORDINANCE 1281 AND JACKSON MUNICIPAL CODE §§ 5.48.010, 5.48.020, 5.48.030, 5.48.039, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, AND 5.48.180; SECTION 3 OF ORDINANCE 1280 AND JACKSON MUNICIPAL CODE §§ 5.48.050 AND 5.48.210; SECTION 12 OF ORDINANCE 860 AND JACKSON MUNICIPAL CODE §§ 5.48.010, 5.48.020, 5.48.030, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, AND 5.48.180, 5.48.190, 5.48.200, AND 5.48.210; AND 1 OF ORDINANCE 432 AND JACKSON MUNICIPAL CODE § 5.48.010, 5.48.020, 5.48.030, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, 5.48.180, 5.48.190, 5.48.210 AN 5.48.220; REGARDING BINGO AND PULL TABS 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.

The following are hereby repealed:

- a. Section 1 of Ordinance 1281 and Jackson Municipal Code §§ 5.48.010, 5.48.020, 5.48.030, 5.48.039, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, and 5.48.180; and
- b. Section 3 of Ordinance 1280 and Jackson Municipal Code §§ 5.48.050 and 5.48.210; and
- c. Section 12 of Ordinance 860 and Jackson Municipal Code §§ 5.48.010, 5.48.020, 5.48.030, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, and 5.48.180, 5.48.190, 5.48.200, and 5.48.210, and
- d. Section 1 of Ordinance 432 and Jackson Municipal Code § 5.48.010, 5.48.020, 5.48.030, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, 5.48.180, 5.48.190, 5.48.210 and 5.48.220.

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 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 _____, 2023.

PASSED 2ND READING THE _____ DAY OF _____, 2023.

PASSED AND APPROVED THE _____ DAY OF _____, 2023.

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 _____, _____.

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

ORDINANCE I

AN ORDINANCE REPEALING SECTIONS 18(J) AND (K) OF ORDINANCE NO. 131; SECTION 1 OF ORDINANCE NO. 610 AND JACKSON MUNICIPAL CODE 10.04.160(P) AND (Q); SECTION 1 OF ORDINANCE NO. 1043 AND JACKSON MUNICIPAL CODE 10.04.160(P) AND (Q); SECTION 1 OF ORDINANCE NO. 1311 AND JACKSON MUNICIPAL CODE 10.04.160(O) AND (P); REGARDING PARKING PROHIBITIONS 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.

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- a. Sections 18(j) and (k) Of Ordinance No. 131; and
- b. Section 1 of Ordinance No. 610 and Jackson Municipal Code 10.04.160(P) AND (Q); and
- c. Section 1 of Ordinance No. 1043 and Jackson Municipal Code 10.04.160(P) AND (Q); and
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ATTEST:

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STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Regular
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Municipal Code Cleanup: Repealing Ordinances	Public Comment:	Yes

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I move Ordinance I on first reading

ORDINANCE H

AN ORDINANCE REPEALING SECTION 1 OF ORDINANCE 1281 AND JACKSON MUNICIPAL CODE §§ 5.48.010, 5.48.020, 5.48.030, 5.48.039, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, AND 5.48.180; SECTION 3 OF ORDINANCE 1280 AND JACKSON MUNICIPAL CODE §§ 5.48.050 AND 5.48.210; SECTION 12 OF ORDINANCE 860 AND JACKSON MUNICIPAL CODE §§ 5.48.010, 5.48.020, 5.48.030, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, AND 5.48.180, 5.48.190, 5.48.200, AND 5.48.210; AND 1 OF ORDINANCE 432 AND JACKSON MUNICIPAL CODE § 5.48.010, 5.48.020, 5.48.030, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, 5.48.180, 5.48.190, 5.48.210 AN 5.48.220; REGARDING BINGO AND PULL TABS 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.

The following are hereby repealed:

- a. Section 1 of Ordinance 1281 and Jackson Municipal Code §§ 5.48.010, 5.48.020, 5.48.030, 5.48.039, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, and 5.48.180; and
- b. Section 3 of Ordinance 1280 and Jackson Municipal Code §§ 5.48.050 and 5.48.210; and
- c. Section 12 of Ordinance 860 and Jackson Municipal Code §§ 5.48.010, 5.48.020, 5.48.030, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, and 5.48.180, 5.48.190, 5.48.200, and 5.48.210, and
- d. Section 1 of Ordinance 432 and Jackson Municipal Code § 5.48.010, 5.48.020, 5.48.030, 5.48.040, 5.48.050, 5.48.060, 5.48.070, 5.48.080, 5.48.090, 5.48.100, 5.48.120, 5.48.130, 5.48.140, 5.48.150, 5.48.160, 5.48.170, 5.48.180, 5.48.190, 5.48.210 and 5.48.220.

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 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 _____, 2023.

PASSED 2ND READING THE _____ DAY OF _____, 2023.

PASSED AND APPROVED THE _____ DAY OF _____, 2023.

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 _____, _____.

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

ORDINANCE I

AN ORDINANCE REPEALING SECTIONS 18(J) AND (K) OF ORDINANCE NO. 131; SECTION 1 OF ORDINANCE NO. 610 AND JACKSON MUNICIPAL CODE 10.04.160(P) AND (Q); SECTION 1 OF ORDINANCE NO. 1043 AND JACKSON MUNICIPAL CODE 10.04.160(P) AND (Q); SECTION 1 OF ORDINANCE NO. 1311 AND JACKSON MUNICIPAL CODE 10.04.160(O) AND (P); REGARDING PARKING PROHIBITIONS 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.

The following are hereby repealed:

- a. Sections 18(j) and (k) Of Ordinance No. 131; and
- b. Section 1 of Ordinance No. 610 and Jackson Municipal Code 10.04.160(P) AND (Q); and
- c. Section 1 of Ordinance No. 1043 and Jackson Municipal Code 10.04.160(P) AND (Q); and
- d. Section 1 of Ordinance No. 1311 and Jackson Municipal Code 10.04.160(O) AND (P).

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 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 _____, 2023.

PASSED 2ND READING THE _____ DAY OF _____, 2023.

PASSED AND APPROVED THE _____ DAY OF _____, 2023.

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 _____, _____.

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:	January 17, 2022	Meeting Title:	Regular Town Council Meeting
Submitting Department:	Town Clerk	Presenter:	Riley Taylor
Agenda Item:	Ordinance G: Jackson Municipal Code Recodification	Public Comment:	Yes

Purpose & Policy Considerations.

The statutory authority to codify ordinances and provide comprehensive revisions to the Jackson Municipal Code is granted to the Town Council by Wyoming State Statute 15-1-103(a)(xxxviii) regarding the general powers of governing bodies. The statute states that governing bodies of all cities and towns may, "Cause compilations, codifications and comprehensive revisions to be made of all ordinances in force and provide for their distribution, sale and exchange."

Requested Action.

To approve Ordinance G on first reading.

Recommendations.

Staff recommends the Town Council adopt Ordinance G on first reading, an ordinance providing for the general revision and recodification of the Town of Jackson Municipal Code.

Background.

Funding was approved in the FY23 budget for the recodification of the Jackson Municipal Code as well as ongoing updates to the Jackson Municipal Code. Codification is the process of consolidating legislation of a general and permanent nature and organizing it into a logical and sequential code of ordinances. This can be a laborious and time-consuming task depending upon the frequency and complexity of ordinances. In the early 1990's the Town of Jackson utilized an outside service for codifying ordinances adopted by the Town Council and incorporating them into the Jackson Municipal Code and the code has been available on the Town's website for simple searches. From the mid 1990s until now, the Town Clerk has been responsible for codifying adopted ordinances and this has occurred every three to six months. The number and complexity of adopted ordinances has steadily increased over the years making this codification process increasingly time consuming.

The Town has contracted with Municode to prepare this recodification of the Jackson Municipal Code. This recodification addresses numbering of sections, formatting, consistency in referencing ordinances, as well as drastically improving the research capability for staff and the public through the online platform. This recodification contains no changes to the substance or content of the Jackson Municipal Code. Research can be conducted into the history of an ordinance so that an older version can be compared with the amended version, providing the legislative history of each law. The online version also provides the ability to click on a link to the ordinance referenced in the code that will take you to the ordinance itself. Additionally, the supplementation service provided by Municode ensures that codification should be available within 10-15 days of the receipt of an ordinance. Moving forward, all ordinances amending the Jackson Municipal Code will be codified and incorporated into the Jackson Municipal Code by Municode.

The recodification by Municode was provided at no cost to the Town and the supplement service will cost approximately \$3000 each year, regardless of the number of ordinances passed. The initial agreement with

Municode is for 3 years and would then continue on a year to year basis until terminated by either party. The funding for this service is encompassed with in the IT budget.

The Town is currently working with Municode to update the Land Development Regulations as well as staff has struggled to keep up with amendments and codification of the Land Development Regulations. This project will continue to be worked on in the next 12 months.

Once Municode is completely online and available to the public, staff will conduct an outreach and educational campaign to inform the public of this improved public service.

Analysis.

This ordinance, like franchise agreements, will not be codified or amend the Jackson Municipal Code.

Possible Alternatives.

- Approve Ordinance G on first reading.
- Continue Ordinance G to the next available meeting.

Comprehensive Plan & Priority Alignment.

The Jackson Municipal Code is the compilation of all laws passed by the Jackson Town Council. Those laws reflect actions supporting the Comprehensive Plan in all areas of Town government. Additionally, this recodification that provides better service to the Town and its constituents is in direct alignment with Section 8: Quality Community Service Provision as it will improve the timeliness and efficiency of the public's access to the Jackson Municipal Code.

Fiscal Impact.

There was no charge for the initial conversion and republication of the code. The supplement service to codify new ordinances costs \$3,000 annually.

Staff Impact.

The Town Clerk has spent approximately 12 hours reviewing content for Municode, preparing a style guide, reviewing proofs, preparing a new procedure for submitting supplements, and drafting this staff report. The legal department has spent approximately 16 hours to date. Several additional hours were spent by the administrative team and members of the IT department during this process.

The staff impact of contracting out supplements to the Jackson Municipal Code are significant. Moving forward, the Town Clerk estimates it will be approximately 1 hour spent on each ordinance reviewing and verifying the work conducted by MuniCode. When the Jackson Municipal Code was codified in house by the Town Clerk, the estimate of time spent was approximately 3 hours per ordinance. The time involved updating the code, posting it on the web, and printing paper supplements for those on a specified list.

Attachments or Links.

Ordinance G.

Suggested Motion.

I move to approve Ordinance G on first reading, an ordinance providing for the general revision and

recodification of the Town of Jackson Municipal Code

ORDINANCE G

AN ORDINANCE PROVIDING FOR THE GENERAL REVISION AND RECODIFICATION OF THE TOWN OF JACKSON MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council has adopted certain ordinances of general application of the Town; and

WHEREAS, the ordinances have been previously codified in the Town of Jackson Municipal Code; and

WHEREAS, the Code is published by means of print distribution and is also available through online access through the Town's website; and

WHEREAS, the Council has considered a recodification and general revision of the Code,

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

SECTION I.

The Town of Jackson Municipal Code shall be generally revised and recodified and the sections therein renumbered as follows:

PREFACE

Chapter 1 GENERAL PROVISIONS

Chapter 2 ADMINISTRATION AND PERSONNEL

Chapter 3 RESERVED

Chapter 4 RESERVED

Chapter 5 BUSINESS LICENSES AND REGULATIONS

Chapter 6 LIQUOR LICENSES AND PERMITS

Chapter 7 ANIMALS

Chapter 8 HEALTH AND SAFETY

Chapter 9 PUBLIC PEACE, MORALS, AND WELFARE

Chapter 10 VEHICLES AND TRAFFIC

Chapter 11 RESERVED

Chapter 12 STREETS AND PUBLIC PLACES

Chapter 13 UTILITIES

Chapter 14 SUBDIVISION REGULATIONS

Chapter 15 BUILDINGS AND CONSTRUCTION

Chapter 16 HOUSING

Chapter 17 SUBDIVISIONS

Chapter 18 ZONING

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 _____, 2023.

PASSED 2ND READING THE ____ DAY OF _____, 2023.

PASSED AND APPROVED THE ____ DAY OF _____, 2023.

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 _____, _____.

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

ORDINANCE 1339

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1196 AND 1277; SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART); AND SECTIONS 6.2.2.F AND 9.5 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING ELECTRIC VEHICLE SUPPLY EQUIPMENT 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 town of Jackson Ordinance Nos. 1196 and 1277; Section 2 of Town of Jackson Ordinance No. 1074 (PART); and sections 6.2.2.F and 9.5 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

[See Next Page]

LDR Section 6.2.2. Required Parking and Loading

F. 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 (Example: Attached Dwelling Unit or Apartment)	30%	5%
Lodging	30%	5%
Other Nonresidential (Example: Retail or Office)	30%	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.

LDR 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.

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 DECEMBER , 2022.
PASSED 2ND READING THE 9 DAY OF JANUARY , 2023.
PASSED AND APPROVED THE ____ DAY OF JANUARY , 2023.

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 18 day of January, 2023.

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: January 17, 2023

RE: Town Manager's Report

Funding Request from the Snake River Headwaters Watershed Group

Jackson Hole Trout Unlimited has received partial funding from The Community Foundation of Jackson Hole to launch the Snake River Headwaters Watershed Group (SRHWG), a collaborative that engages stakeholders to design solutions and leverage resources needed to address the complex issues facing our watershed such as drought and limited water quantities, water quality and habitat degradation, lowered water tables, and system management. The Town of Jackson has been invited to participate in this group as a stakeholder alongside federal agencies, Teton County, nonprofits, businesses, and scientists. Staff sees great potential in participation in the collaborative, whose work dovetails with many of our own objectives related to water quality, ecosystem health indicators, and the water quality, water quantity and climate resiliency portions of the Town Sustainability Plan. Trout Unlimited has contributed or secured \$27,000 of the \$40,000 needed and is requesting \$2,500 from the Town of Jackson to help bring this project to fruition. Staff supports using \$2,500 of the \$75,000 in the budget designated as match funding for climate action projects. The letter of request is attached to the Town Manager's Report. With approval of the Town Manager's report, staff will provide \$2500 in funding for this purpose.

Bear Resistant Trash Ordinance

In the January 11th News and Guide, an article was published regarding bear-resistant trash containers in Teton County. This article has led to an increase in the volume of calls related to bear-resistant trash cans as well as some confusion between Town and County regulations. When Town staff drafted the new bear-resistant trash ordinance, they were aware that the 95-gallon Rehrig can had been removed from the Interagency Grizzly Bear Committee's (IGBC) list of bear-resistant products. This awareness resulted in the following wording in our ordinance, "Bear-resistant container" means a self-locking container or dumpster that is certified to be bear-resistant by the Interagency Grizzly Bear Committee (IGBC) or is approved by an alternative organization designated by the Town at the time of purchase". The 95-gallon Rehrig cans that were purchased in good faith when those cans were on the list are acceptable until the cans wear out and need to be replaced, usually in four or five years. We communicated with waste haulers that all future purchases should be containers that are on the IGBC list. There is currently no alternative organization that can approve containers. However, in the recent past there were two certifying organizations, so we added the wording regarding an alternative organization to keep flexibility if another organization is created in the future.

Letter of Support for Environmental Protection Agency Solid Waste Infrastructure for Recycling Grant Application

At the December 5, 2022 Regular Town Council meeting, Town Council approved Sustainable Strategies (S2) to continue pursuit of an EPA SWIFR (Environmental Protection Agency Solid Waste Infrastructure for Recycling) grant for \$2,500,000 to increase recycling capacity for plastics, lithium batteries, fuel canisters, and other materials. S2 has been working with Teton County ISWR (Integrated Solid Waste and Recycling) to complete this grant, and respectfully requests a letter of support for this project from the Mayor. Staff have included a draft letter for consideration, and request the return of a signed letter by January 20, 2023. With the Town Council's approval of the Town Manager's report, staff will have this letter executed by Mayor Levinson.



Jackson Town Council
P.O. Box 1687
Jackson, WY 83001

RE: Snake River Headwaters Watershed Group Collaborative Funding

Dear Council Members,

Trout Unlimited is reaching out to you at the recommendation of Tanya Anderson, Ecosystem Stewardship Administrator, regarding potential funding for the initial creation of a new formal watershed group for the Snake River Headwaters.

Since 2016, TU's Snake River Headwaters Initiative has been focused on the upper Snake River watershed, out of recognition of this area as an incredibly high priority for conservation. We consider it to be one of the last, best places for native cutthroat trout – a high elevation, cold water sanctuary that is arguably one of the most resilient and intact cutthroat trout fisheries in the lower 48. The watershed is a core economic driver regionally and its health is critical to our wildlife, ecosystems, and collective future. However, our watershed faces a series of intertwining challenges including extended drought and limited water quantities, water quality and habitat degradation, lowered water tables, and system management including irrigation flows from Jackson Lake.

These challenges require collaborative solutions, which in turn require having all the stakeholders at the table. While local water-focused organizations work well together, we lack a formal watershed group with representation from the full range of regional water users. Trout Unlimited (TU) and partners are currently working to establish a new community-based watershed group in Teton County, the Snake River Headwaters Watershed Group (SRHWG). By creating a group spanning water users and advocates, we can identify aligned interests and design solutions to the complex issues we face. The SRHWG will be designed to complement and elevate, not duplicate other ongoing efforts.

We were recently awarded a grant from the Community Foundation of Jackson Hole, but received partial funding for our request. We are seeking funding from key stakeholders to help close the gap needed to complete our proposed scope of work with LegacyWorks Group for designing and setting up the new watershed group in a manner that engages all stakeholders inclusively and prepares us for a larger grant funding request for FY 24. We respectfully ask the Town of Jackson, as an important stakeholder in the future watershed group, to consider a request for \$2,500 from your Ecosystem Stewardship budget. Thank you for your consideration and please let me know if you have any questions.

Sincerely,

Leslie Steen
NW Wyoming Program Director
Leslie.Steen@tu.org

307-699-1022

Trout Unlimited is the nation's oldest and largest coldwater fisheries conservation organization dedicated to conserving, protecting and restoring North America's trout and salmon and their watersheds. Follow TU on [Facebook](#), [Twitter](#), [Instagram](#), and our [blog](#) for all the latest information on trout and salmon conservation.



Teton County to Improve and Expand Recycling Center

Teton County will increase recycling rates by 25% through a groundbreaking partnership with the National Forest Service and National Park Service and find innovative solutions for recycling to reduce greenhouse gas emissions and protect its natural wonders.

Teton County Integrated Solid Waste and Recycling (ISWR) seeks \$2,500,000 in USEPA Solid Waste Infrastructure For Recycling (SWIFR) Grant Program funding with \$1,250,000 in local match to complete transformative upgrades to its Recycling Center. Renovations will increase bale storage, create a safe location to store lithium batteries and propane/isobutane containers, install a truck scale, and provide accessible covered recycling to the public. Teton County ISWR will work with Grand Teton National Park, Yellowstone National Park, Bridger Teton National Forest, other regional partners to launch an education and outreach campaign for the more than 3 million visitors a year to increase recycling rates by 25%, reducing contamination in recyclables and eliminating the associated greenhouse gases once the expansion is complete.



Teton County and the Town of Jackson, WY, are home to abundant natural wonders that support a thriving outdoor recreation-based tourism economy. Protecting Teton County's wild places, economic vibrancy, and public safety in the face of the warming climate will require systemic changes to the way residents and visitors use energy and consume materials. ISWR and partners seek to close gaps in the circular economy that prevent the safe recycling/reuse of goods that are critical to Jackson's greenhouse gas reduction goals.

Teton County, where 95% of electric energy is purchased from clean sources, is a statewide leader in investing in electric vehicle infrastructure to reduce greenhouse gas emissions. However, ISWR and the national parks are currently without a safe way to store, recycle or dispose of lithium batteries of all types, and are highly flammable. ISWR will be unable to implement recycling solutions for the batteries without a safe location to store the reactive material. Teton County also lacks storage and a method to recycle propane and isobutane canisters used by outdoor enthusiasts in the national parks and forests. Left abandoned either in an urban setting or within national lands, they pose significant wildland fire danger and risk to firefighters. ISWR proposes to build a battery storage facility with an adjacent canister processing area to safely store lithium batteries and recycle propane and isobutane canisters. The proposed improvements to the recycling center also include a truck scale to more efficiently weigh recyclable material on site, enhance the accuracy of diversion data, and increase revenue to help support the program into the future. ISWR will also create an outdoor covered residential recycling area to promote residential recycling. Teton climate can be challenging with an average of 146 inches of snow per year. Safe, covered recycling will increase the capture of recyclable materials and protect the material from degradation.

Teton County became a Zero Waste Community in 2014 with the overall goal of increasing waste diversion from the landfill from 34% to 60% by the year 2030. Upgrades to the recycling center will bring this percentage to 45% and revolutionize recycling, not only in Teton County, but also for Grand Teton National Park, Yellowstone National Park, Bridger Teton National Forest, and other partners. US EPA resources will reduce the impact that the over 3 million visitors a year have on the community and the environment. Grant funding will ensure that Teton County reaches its Zero Waste goal while reducing greenhouse gases, decreasing wildland fire danger, and creating groundbreaking solutions for recycling lithium batteries.

*CONTACT Brenda Ashworth, Superintendent of Solid Waste and Recycling,
at 307-733-7678 or bashworth@tetoncountywy.gov for more information*



The Honorable Michael Regan
U.S. EPA Administrator
1200 Pennsylvania Avenue, NW
Washington, DC 20460

December 19, 2022

RE: The Town of Jackson supports Teton County Integrated Solid Waste and Recycling's (ISWR) "Creating a Circular Economy to Achieve Zero Waste" Project.

Dear Mr. Regan,

I write to express the Jackson Town Council's support for Teton County's grant application for USEPA's Solid Waste Infrastructure for Recycling (SWIFR) funding for its "Creating a Circular Economy to Achieve Zero Waste" project. With SWIFR funding, Teton County ISWR will complete transformative upgrades to its recycling center which include increasing bale storage, creating a safe location to store lithium batteries and propane/isobutane containers, installing a truck scale, and providing accessible covered recycling to the public. These upgrades, as well as partnerships with the Town of Jackson, Grand Teton National Park, Yellowstone National Park, Bridger Teton National Forest, and other regional partners, will help to increase recycling rates by 25%, reduce contamination in recyclables, and decrease greenhouse gases associated with the waste stream.

The Town of Jackson has partnered with Teton County in a joint zero waste goal of diverting 60% of all waste from the landfill by 2030. This goal dovetails with the Town of Jackson's goal to be Net Zero by 2030. Materials management plays a critical role in reducing emissions for our community, both through recycling materials that are energy intensive to produce, and by reducing the number of trucks that transport our community's waste one hundred miles to a landfill in Idaho. The Town of Jackson supports ISWR's "Creating a Circular Economy to Achieve Zero Waste" project because the additional storage capacity will enable us to increase our local recycling rate while providing safe storage of recycling materials.

The Town of Jackson is situated in the heart of the Greater Yellowstone Ecosystem. We are the gateway to Grand Teton and Yellowstone National Parks, the National Elk Refuge and Bridger Teton National Forest, and much of our community resides in the Wildland Urban Interface. As an outdoor recreation tourism destination that attracts more than 3 million visitors a year, we have a unique opportunity to demonstrate innovative recycling approaches to a broad audience while stewarding our natural environment. In particular, safe storage of propane and isobutane canisters, castaways of the outdoor recreation industry that have an outsized impact on our small community, will reduce urban and wildland fire risk. The ability to store and recycle lithium batteries will also assist our rapid transition to electric vehicles for Town of Jackson operations and community wide.



The Town of Jackson will be an active partner through the grant process and commits to using our networks to increase knowledge of improved recycling options with both the local resident population and visitors.

Please give Teton County's ISWR "Creating a Circular Economy to Achieve Zero Waste" project the highest consideration for funding. The time is now to support innovative partnerships that reduce greenhouse gases and spur creative ideas to further a circular economy and ensure that Teton County reaches its Zero Waste goals.

Sincerely,

Mayor Hailey Morton Levinson
Town of Jackson

xc: Teton County ISWR