

Regular Town Council Meeting

August 5, 2024

6:00 PM

Town Council Chambers

Chair: Hailey Morton Levinson

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

The Town reserves the right to close Public Comment via Zoom at any time. In-person comment will continue to be taken and written comments can always be submitted to Town Council by emailing electedofficials@jacksonwy.gov.

To join, click link or copy it to your browser: <https://us02web.zoom.us/j/82952057043?pwd=P3Mb4GBz3z20NEDKvT9iH7EXMh5XGm.1>

Or join at zoom.com with Webinar ID: **829 5205 7043** and Password: **83001** or by phone: **+1 669 444 9171**

II. OPENING

- A. Call to Order and Roll Call
- B. Pledge of Allegiance
- C. Land Acknowledgement

III. PUBLIC COMMENT

This section is reserved for public comment about items not included in this agenda. Public comment is limited to 3 minutes. As a general practice, Council does not discuss, debate, or act on issues raised under public comment. Council may or may not discuss an issue raised under Public Comment later in the meeting during Matters from Mayor and Council at their discretion. If you would like to communicate with Council during the meeting about an item on the agenda, please wait until public comment has been called for that item. Public comment may also be submitted to Council at any time by emailing electedofficials@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. July 15, 2024 Regular Town Council Workshop
 - 2. July 15, 2024 Regular Town Council Meeting
- B. Disbursements
- C. Teton County Search and Rescue Sewer and Water Connection and Use Agreements (E24-00031 & E24-0032) (Brian Lenz)
- D. Sagebrush Estoppel Certificate and Termination Notice (Lea Colasuonno)
- E. Memorandum of Understanding with Travel and Tourism Board for Mountain Town 2030 (Tanya Anderson)
- F. Corrective Access Easement Approval for 155 Center Street (E24-0134) (Brian Lenz)

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

- A. Legal
 - 1. Parking Ticket Procedure: Updating Procedure and Process (Lea Colasuonno)

B. Planning and Building

1. Temporary Emergency Building Moratorium (PM24-004) (Paul Anthony)

VI. ORDINANCES

- A. Ordinances A-F: Ordinances Regarding Flood Damage Prevention, Municipal Capital Construction Projects, Contractor Licensing, Building Demolition, Enforcement of Title 15, and Licensing Construction Contractors (First Reading, Lea Colasuonno)
1. Ordinance A: An Ordinance Regarding Flood Prevention Damage
 2. Ordinance B: An Ordinance Regarding Municipal Capital Construction Projects
 3. Ordinance C: An Ordinance Regarding Contractor Licensing
 4. Ordinance D: An Ordinance Regarding Building Demolition
 5. Ordinance E: An Ordinance Regarding Enforcement of Title 15
 6. Ordinance F: An Ordinance Regarding Licensing Construction Contractors
- B. Ordinances G-I: Ordinances Regarding Civil Parking Authority, Community Service Unit, and Parking Regulations (First Reading, Lea Colasuonno)
1. Ordinance G: An Ordinance Regarding Civil Parking Authority
 2. Ordinance H: An Ordinance Regarding Community Service Unit
 3. Ordinance I: An Ordinance Regarding Parking Regulations
- C. Ordinances J-L: Ordinances Amending the LDRs Regarding the Community Development Director, Noise, and Findings of Consistency (First Reading, Katelyn Page)
1. Ordinance J: An Ordinance Amending the LDRs Regarding the Community Development Director (P24-042)
 2. Ordinance K: An Ordinance Amending the LDRs Regarding Noise (P24-043)
 3. Ordinance L: An Ordinance Amending the LDRs Regarding Findings of Consistency (P24-044)

VII. MATTERS FROM MAYOR AND COUNCIL

- A. Planning Commission/Board of Adjustment (PC/BOA) Reappointment (Lynsey Lenamond)

VIII. MATTERS FROM THE TOWN MANAGER

- A. Town Manager's Report

IX. ADJOURN

Pledge of Allegiance

I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands,
one Nation under God, indivisible, with liberty and justice for all.

Land Acknowledgement

We recognize that the land we are gathering on is the ancestral homeland of the Mountain Shoshone People who stewarded it for thousands of years and that many other tribes also lived upon and cared for this area including the Bannock, Blackfoot, Crow, Eastern Shoshone, Gros Ventre, Nez Perce, Northern Arapaho tribes, and others. With gratitude, we honor Indigenous Peoples, past and present. We also acknowledge the sovereignty of the Native nations closest to Jackson whose land was taken through broken treaties that resulted in the creation of the Wind River and Fort Hall Indian Reservations. We recognize this acknowledgement is simply a first step. The Town of Jackson is committed to continued and informed action to connect with indigenous people.

TOWN COUNCIL PROCEEDINGS – UNAPPROVED

JULY 15, 2024

JACKSON, WYOMING

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

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

PLANNING COMMISSION: Anne Schuler, Abigail Petri, Laura Bonich, Steph Wise, and Thomas Smits.

STAFF: Tyler Sinclair (via Zoom), Roxanne Robinson, Lea Colasuonno, April Norton, Tyler Valentine, Paul Anthony, Michelle Weber, Susan Scarlata, and Riley Taylor.

Workshop for Temporary Emergency Building Moratorium (PM24-004). Paul Anthony made staff comment. Council and the Planning Commission held discussion with staff.

Council and the Planning Commission recessed at 2:11 p.m. and reconvened at 2:23 p.m.

Paul Anthony continued staff comment. Margie Lynch, Amy Kushak, Michael Stern, Tom Yanos, Perri Stern, Daniel Ragsdale, Michael Kudar, Jesse Rauch, and Serese Kudar made public comment.

Council and the Planning Commission recessed at 3:49 p.m. and reconvened at 3:57 p.m.

Council and the Planning Commission held discussion. On behalf of the Town Council, a motion was made by Jonathan Schechter and seconded by Arne Jorgensen to continue the Emergency Building Moratorium item. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Jessica Sell Chambers left the meeting at 4:45 p.m.

Matters from Mayor and Council. There was no discussion.

Council Priorities and Upcoming Agendas. There was no discussion.

Adjourn. On behalf of the Town Council, a motion was made by Jonathan Schechter and seconded by Jim Rooks to adjourn. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

On behalf of the Planning Commission, a motion was made by Laura Bonich and seconded by Anne Schuler to adjourn. Anne Schuler called for the vote. The vote showed all in favor. The motion carried. The workshop adjourned at 4:50 p.m.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

Minutes: rt. Publish JH News & Guide: July 24, 2024

TOWN COUNCIL PROCEEDINGS - UNAPPROVED

JULY 15, 2024

JACKSON, WYOMING

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

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

STAFF: Tyler Sinclair (via Zoom), Roxanne Robinson, Lea Colasuonno, Kelly Thompson, Floren Poliseo, Brian Lenz, Michelle Weber, Paul Anthony, Tyler Valentine, and Riley Taylor.

The Pledge of Allegiance was led by Mayor Morton Levinson. The Land Acknowledgement was read by Mayor Morton Levinson. Mayor Morton Levinson introduced Lupita Ruiz Perez – Community Service Officer, Olivia Oliver – Community Service Officer, Abe Czarnecki – Street Operator/Utility Locator, April Martinez Mejia – Community Service Officer, Tom Maxwell – Police Department Intern, and Des Concannon – Transportation Intern.

Public Comment. Stefan Fodor made public comment.

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

- A. **Meeting Minutes.** To approve meeting minutes from the July 1, 2024 Regular Town Council meeting and July 8, 2024 Special Town Council Meeting.
- B. **June Municipal Court Report.** To accept the June Municipal Court Report into record.
- C. **Approval of an Agreement for Final Design of Public Artwork – Stilson Transit Center.** To approve a Final Design of Public Artwork for the future Stilson Transit Center in a cost not to exceed \$10,000 and authorize the Mayor to execute all necessary documents.
- D. **Canopy Encroachment Agreement with CCC's Ranch Inn, LLC at 45 E Pearl Ave. (E24-0040).** To approve the Encroachment Agreement for the canopy in South Cache Street with CCC's Ranch Inn, LLC and authorize the Mayor to execute the Agreement, subject to final approval by the Town Engineer and Town Attorney.
- E. **Shoring Encroachment Agreement with CCC's Ranch Inn, LLC at 45 E Pearl Ave. (E24-0041).** To approve the Encroachment Agreement for the shoring with CCC's Ranch Inn, LLC and authorize the Mayor to execute the Agreement, subject to final approval by the Town Engineer and Town Attorney.
- F. **Appointment of Special Municipal Officers.** To appoint Bea Simms, Olivia Oliver, Alise Prestrude, Lupita Ruiz Perez and April Martinez Mejia as Special Municipal Officers.
- G. **Amendment and Restatement Special Restriction for 1070 Elk Run Lane Unit 6.** To approve the Complete Amendment and Restatement Deed Restriction for Workforce Ownership Housing Located at 1070 Elk Run Lane Unit 6, Town of Jackson Wyoming and authorize the Mayor to sign the restriction.
- H. **Consideration of Housing Restrictions for Powderhorn Housing Phase 2.** To approve the Restrictions and authorize the Mayor to sign the Restrictions.

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

Disbursements. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to approve the disbursements as presented, with the addition of approve the disbursements as presented, with the additions of \$340,081.00 payable to Avail Valley Construction for the purpose of Spring and Fall Patching and \$19,848.06 payable to W.A.R.M. Property Insurance Pool for the purpose of FY25 coverage. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion

carried. 107 WEST DESIGN, LLC \$1,625.00; ACE EQUIPMENT & SUPPLY \$197.75; ACE HARDWARE \$9,980.43; ADAMS, MELANIE \$284.00; ALPHAGRAPHICS \$807.44; AMAZON \$2,901.84; ANDERS GLASS AND TINT \$950.00; APPLE INC \$13,488.00; ARBOR WORKS TREE SERVICE, LLC \$1,575.00; ARCHITECTURAL BUILDING SUPPLY \$141.46; AT&T \$295.11; AVAIL VALLEY CONSTRUCTION-IDAHO, LLC \$340,081.00; BEST BEST & KRIEGER \$2,689.50; BIG R RANCH & HOME \$54.95; BISON LUMBER \$13,374.49; BOLAND, ANITA \$2,200.00; BRIGGS, ERIC L \$89.95; BURKHOLDER, SHAWN \$1,942.50; CARQUEST AUTO PARTS INC. \$104.91; CASELLE INC. \$1,973.00; CENTER FOR THE ARTS \$8,775.00; CENTURYLINK \$135.20; CHARLIE'S PLUMBING OF JH \$579.00; CITY OF DRIGGS \$1,889.38; CIVICPLUS \$4,301.28; CONRAD & BISCHOFF INC. \$29,043.28; CONTROL SYSTEM TECHNOLOGY, INC. \$2,400.00; DAVID DEL ANGEL SANCHEZ \$126.00; DEX IMAGING \$495.13; DIGITELLIGENT, INC \$1,520.00; DIVISION OF VICTIM SERVICES \$150.00; DLT SOLUTIONS, INC. \$8,788.74; E.R. OFFICE EXPRESS \$93.39; EKOS, INC \$80.00; ELAN ONE CARD \$13,313.44; ENERGY LABORATORIES INC. \$1,574.00; ETNA TRADE PARK LLC \$4,062.00; EVANS CONSTRUCTION INC \$1,012.05; FIGJAM ENTERPRISES, LLC \$5,160.00; FISHPAUGH, KELLIE \$1,152.48; GARCIA, ISRAEL \$160.00; HAWLEY, FLAVIANNA \$315.88; HD FOWLER COMPANY \$2,067.84; HDLA \$1,593.75; HIGH COUNTRY LINEN \$803.87; HIRST APPLGATE, LLP \$5,876.76; HUNT CONSTRUCTION INC \$20,385.00; ICMA MEMBERSHIP \$12,000.00; IDAHO TRAFFIC SAFETY, INC. \$50,905.00; INTERSTATE BATTERY \$268.90; IVY OUTDOOR SERVICES LLC \$18,112.50; JACKSON CURBSIDE INC. \$1,530.00; JACKSON HOLE AIRPORT \$5,505.00; JACKSON HOLE LAW, PC \$3,505.00; JACKSON HOLE NEWS & GUIDE \$8,310.20; JACKSON LUMBER INC \$110.46; JACKSON WHOLE FAMILY HEALTH \$380.00; JEWISON, SAMUEL LEE \$200.69; JORGENSEN ASSOCIATES, PC \$6,098.74; KEENAN, PETER \$2,300.00; KILMER'S BG DISTRIBUTING \$2,860.00; KZJH \$4,608.00; LEPCO \$974.32; LOCAL GOV'T LIABILITY POOL \$1,515.00; LOWER VALLEY ENERGY INC \$40,436.71; MARKMAN, JASON \$4,795.00; MASTERCARE CLEANING, LLC \$224.00; MATTHEW BENDER & CO., INC. \$344.61; MOUNTAIN FIRE PROTECTION \$200.00; MSC INDUSTRIAL SUPPLY CO \$909.84; NAPA AUTO PARTS INC. \$484.98; NELSON ENGINEERING \$11,457.00; ON SIGHT LAND SURVEYORS INC. \$300.00; OPERATOR 6 EXECUTIVE SECURITY LLC \$7,645.06; PALINDROME STUDIO \$2,281.79; PEAK WATER SERVICES, LLC \$1,647.55; POLISEO, FLOREN \$140.00; QUADIENT LEASING USA, INC. \$309.70; QUICK BROWN FOX LLC \$450.00; R & A SAFETY LLC \$452.50; RAMANATHAN, BRINDA \$2,500.00; READ, WRITE, ROAR! LLC \$11,900.00; RENDEZVOUS INSURANCE INC. \$146,508.50; RIDGELINE EXCAVATION INC \$5,000.00; RINK-TEC INTERNATIONAL, INC \$48,308.22; RIPLEYS VACUUM CENTER, INC \$217.00; RON'S TOWING LLC \$1,300.00; RUI INC. DBA VILLAGE GARDNER \$668.36; SAFETY SUPPLY & SIGN CO., INC. \$7,630.18; SCHWARTZ, ANDY \$8,334.00; SHERWIN-WILLIAMS CO. \$3,841.78; SILVERSTAR \$3,760.85; SMITH, MEGAN AMANDA \$6,700.00; SPACESAVER INTERNATIONAL, LLC \$37,517.00; SPRING CREEK ANIMAL HOSPITAL \$794.07; SPSC POA - SOUTH PARK SERVICES CTR POA \$303.82; STEWART, DANIEL \$2,204.72; STINKY PRINTS, INC \$81.07; STONE, KIRK \$2,940.00; SUBLETTE COUNTY SHERIFF'S OFFICE \$12,740.00; SUNRISE ENVIRONMENTAL \$183.04; SUPOWIT, DEBORAH \$155.00; TETON COUNTY CLERK \$597,198.72; TETON COUNTY PUBLIC HEALTH \$200.00; TETON COUNTY SHERIFF'S-JAIL \$1,008.00; TETON COUNTY TREASURER \$65,591.00; TETON COUNTY-FUND 10 \$34,150.67; TETON COUNTY-FUND 13 \$9,376.17; TETON LUNCH COUNTER \$28,225.00; TETON MOTORS INC \$4,798.07; TETON ROPE ACCESS AND SERVICES, LLC \$200.00; TETON TRASH REMOVAL, INC. \$114.00; THE AFTERMARKET PARTS COMPANY, LLC \$283.98; THE RADAR SHOP \$2,605.00; THOMPSON LOGGING, INC \$7,147.00; T-MOBILE \$55.99; TMSC LLC \$5,014.71; TOP TIER TOOLS LLC \$1,526.00; US HOMES LLC \$1,560.00; VISA \$29,535.84; VOICES JACKSON HOLE \$3,750.00; W.A.R.M. PROPERTY INSURANCE \$19,848.06; WAM \$1,080.00; WESTERN STATE \$1,384.54; WHITE GLOVE CLEANING, INC. \$3,158.13; WILSON, JOHN \$2,200.00; WRENCH IT PLUMBING & HEATING INC \$431.85; WSP USA ENVIRONMENT & INFRASTRUCTURE INC \$4,058.75; WYOMING FIRST AID & SAFETY \$87.63; WYOMING LAW ENFORCEMENT \$100.00; YELLOW IRON EXCAVATION, LLC \$1,864.66

Acknowledgement and Consent to Collateral Assignment for The Loop Project. Lea Colasuonno made staff comment. Stephan Fodor spoke on behalf of the developer. A motion was made by Jim Rooks and seconded by Jonathan Schechter to authorize the Mayor to execute the Acknowledgment and Consent to Collateral Assignment on behalf of the Town, subject to minor changes by the Town Attorney. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Memorandum of Understanding (MOU) for Joint Funding Between the Town of Jackson and Teton County. Mayor Morton Levinson announced that Councilman Jorgensen would like to reconsider the vote from the July 8, 2024 Special Joint Information Meeting. A motion was made by Arne Jorgensen and seconded by Jim Rooks to reconsider the vote on the motion to approve the Memorandum of Understanding for Joint Funding between the Town of Jackson and Teton County, subject to minor non-substantive changes by legal staff. Mayor Morton Levinson called for the vote. The vote showed 4-

1 with Arne Jorgensen, Jim Rooks, Jonathan Schechter, and Mayor Morton Levinson in favor and Jessica Sell Chambers opposed. The motion carried.

The vote to approve the Memorandum of Understanding for Joint Funding, subject to minor non-substantive changes by legal staff was reconsidered. Tyler Sinclair and Lea Colasuonno made staff comment. Council held discussion. There was no public comment. Mayor Morton Levinson called for the vote on the motion to approve the Memorandum of Understanding for Joint Funding, subject to minor non-substantive changes by legal staff. The vote showed 4-1 with Arne Jorgensen, Jim Rooks, Jonathan Schechter, and Mayor Morton Levinson in favor and Jessica Sell Chambers opposed. The motion carried.

Planned Unit Development Amendment, Development Plan, Conditional Use Permit, and Fee Waiver Request for the Presbyterian Church of Jackson Hole Housing Development (P23-206, P23-204, P24-007, P24-024). Tyler Valentine, Lea Colasuonno, and Paul Anthony made staff comment. Bill Collins spoke on behalf the Presbyterian Church of Jackson Hole. Council held discussion with staff.

Council recessed at 7:12pm and reconvened at 7:23pm.

Council continued to hold discussion with staff and the applicant. James Musclow, David Ellerstein, Dan Heilig, Tara Ellerstein, Calvin Anderson, Scott Garland, and Jessica Jaubert made public comment. Mark Turner spoke on behalf of Presbyterian Church of Jackson Hole.

A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve PUD Amendment P23-206 to amend the Cottonwood Park CNMP to allow “Multi-family Residential” (i.e., condominiums, townhomes, apartments) and “Institutional” (i.e., church) as allowed uses at the property addressed at 1201 South Park Loop Road, based upon the findings presented in the staff report, the departmental reviews, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve Development Plan P23-204 for a two phase development of 21-townhome units totaling 25,466 sf of above-ground habitable at the property addressed 1201 South Park loop Road, based upon the condition that the applicant will, prior to certificate of occupancy record a workforce deed restriction against each of the 20 units (excepting the required affordable unit); the departmental reviews; and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve Conditional Use Permit P24-007 for a new Institutional use, specifically for a 1,500 sf ancillary church building at the property addressed at 1201 South Park Loop Road, based upon the findings and condition presented in the staff report, the departmental reviews, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve a fee waiver request to waive all planning and building permit application fees and direct staff to refund any application fees that have already been collected. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Request for an LDR Text Amendment to Replace the Title of Community Development Director and to Introduce the Title of Planning and Building Director (P24-042). Paul Anthony made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve LDR Text Amendment P24-042 based upon the findings presented in the staff report, the departmental reviews, minor changes by staff, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Request for an LDR Text Amendment to Repeal Sections Referencing Noise Standards (P24-043). Paul Anthony made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve LDR Text Amendment P24-043 based upon the findings presented in the staff report, the departmental reviews,

minor changes by staff, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Request for an LDR Text Amendment to Findings of Approval (P24-044). Paul Anthony made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jessica Sell Chamber and seconded by Jim Rooks to approve LDR Text Amendment P24-044 based upon the findings presented in the staff report, the departmental reviews, minor changes by staff, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Resolution 24-16: Specific Purpose Excise Tax (SPET) Resolution for Justice Center. 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 Jessica Sell Chambers to approve the Joint Resolution approving the proposition for an additional 1% Specific Purpose Excise Tax in Teton County, State of Wyoming, said proposition to be placed on the general election ballot on November 5, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

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

Ordinance V. An Ordinance Relating to Credit Cards as a Form of Payment and Credit Card Processing Fee.

AN ORDINANCE ADDING SECTION 1.01.130 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON RELATING TO CREDIT CARDS AS A FORM OF PAYMENT AND CREDIT CARD PROCESSING FEE; 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:

There was no public comment. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to approve Ordinance V at third reading and designate it Ordinance 1375. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Ordinance W. An Ordinance Regarding Water Fees.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NOS. 1358, 1319, 1271, 1071, 992, 935, 866, 538, 410, AND 270; SECTION 2 OF ORDINANCE NO. 743; SECTION 3 OF ORDINANCE NO. 664; AND SECTION 13.04.050 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING WATER FEES; 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:

Ordinance X. An Ordinance Regarding Wastewater Fees.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NOS. 1358, 1319, 1271, 991, 936, 867 AND 576; SECTION 2 OF ORDINANCE NOS. 745 AND 122; SECTION 7 OF ORDINANCE NO. 677; AND SECTION 13.08.020 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING WASTEWATER FEES; 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:

There was no public comment. A motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to approve Ordinance W at third reading and designate it Ordinance 1376 and approve Ordinance X at third reading and designate it Ordinance 1377. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Matters from Mayor and Council. Council discussed the letter they previously sent to the Teton County Commission regarding an extension of the fairgrounds lease.

Town Manager’s Report. Tyler Sinclair made staff comment. The Town Manager’s report contained updates on WAM Resolutions, Town of Jackson Employee Housing Stock, USDA Farmers Market Promotion Program, BOR WaterSMART Grant, and DOE Charging and Fueling Infrastructure Grant. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to approve the Town Manager’s Report. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to adjourn. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried. The meeting adjourned at 8:23 p.m.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

Minutes: rt. Publish JH News & Guide: July 24, 2024

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
51	ACE HARDWARE	855107	BATTERY ALKIN	01/16/2024	7.49	.00	
51	ACE HARDWARE	85683	SPRAY PAINT	07/18/2024	59.97	.00	
51	ACE HARDWARE	863773	BATTERIES	04/17/2024	19.99	.00	
51	ACE HARDWARE	863796	BATTERIES	04/17/2024	8.99	.00	
51	ACE HARDWARE	863987	key set	04/19/2024	11.99	.00	
51	ACE HARDWARE	870141	BATTERIES	06/06/2024	31.98	.00	
51	ACE HARDWARE	872377	MITER SAW STAND	06/21/2024	259.99	.00	
51	ACE HARDWARE	873010	REPEL DEEP WOODS	06/26/2024	23.96	.00	
51	ACE HARDWARE	873020	KILLER WED AND GRS	06/26/2024	79.98	.00	
51	ACE HARDWARE	873031	VELCRO	06/26/2024	33.62	.00	
51	ACE HARDWARE	873108	DEEP WOODS OFF SPRAY	06/27/2024	16.47	.00	
51	ACE HARDWARE	873115	WALLPLATES	06/27/2024	5.98	.00	
51	ACE HARDWARE	873201	CHAIN	06/27/2024	2.64	.00	
51	ACE HARDWARE	873275	PVC CHEM GLOVES	06/28/2024	20.98	.00	
51	ACE HARDWARE	873364	CORDLESS DRILL	06/28/2024	249.99	.00	
51	ACE HARDWARE	873695	MITER SAW	07/02/2024	869.98	.00	
51	ACE HARDWARE	873840	BOX FAN	07/02/2024	34.99	.00	
51	ACE HARDWARE	873909	PLUNGER	07/03/2024	41.97	.00	
51	ACE HARDWARE	873960	SUPPLIES	07/03/2024	16.97	.00	
51	ACE HARDWARE	873975	STIHL LINE AND MOTOMIX	07/03/2024	53.98	.00	
51	ACE HARDWARE	874103	ADDATEE HOSE DISCHARGE	07/05/2024	61.96	.00	
51	ACE HARDWARE	874123	HOSE MENDER, HOSE CLAMP	07/05/2024	30.93	.00	
51	ACE HARDWARE	874145	TEFLON TAPE	07/05/2024	9.78	.00	
51	ACE HARDWARE	874331	CARR SCREWS	07/08/2024	2.50	.00	
51	ACE HARDWARE	874351	WEATHERSTRIPPING	07/08/2024	20.98	.00	
51	ACE HARDWARE	874417	DRILL BIT	07/09/2024	64.99	.00	
51	ACE HARDWARE	874448	KNEE PADS	07/09/2024	39.99	.00	
51	ACE HARDWARE	874541	RETAINING RINGS	07/09/2024	2.67	.00	
51	ACE HARDWARE	874719	PIPE CAP	07/10/2024	8.99	.00	
51	ACE HARDWARE	874760	BATTERIES	07/11/2024	13.99	.00	
51	ACE HARDWARE	874792	FOLDING EARMUFF	07/11/2024	29.99	.00	
51	ACE HARDWARE	874869	MARKING PAINT	07/11/2024	604.26	.00	
51	ACE HARDWARE	874944	TRASH CAN	07/12/2024	219.96	.00	
51	ACE HARDWARE	874960	MARKING PAINT	07/12/2024	35.97	.00	
51	ACE HARDWARE	874994	GREASE	07/12/2024	19.73	.00	
51	ACE HARDWARE	875069	GLUE	07/12/2024	5.49	.00	
51	ACE HARDWARE	875211	DRAIN CLEANER	07/15/2024	39.99	.00	
51	ACE HARDWARE	875212	SNAP HOOK	07/15/2024	7.49	.00	
51	ACE HARDWARE	875347	ROPE	07/16/2024	14.85	.00	
51	ACE HARDWARE	875366	ROPE	07/16/2024	17.82	.00	
51	ACE HARDWARE	875421	NIPPLE	07/16/2024	21.77	.00	
51	ACE HARDWARE	875507	RLR CVR	07/17/2024	13.98	.00	
51	ACE HARDWARE	875652	SPRAY PAINT	07/18/2024	55.96	.00	
51	ACE HARDWARE	875655	SPRAY CAN HANDLE	07/18/2024	12.98	.00	
51	ACE HARDWARE	875665	PAINT	07/18/2024	194.99	.00	
51	ACE HARDWARE	875669	HOLE PLUG	07/18/2024	8.68	.00	
51	ACE HARDWARE	875725	SOCKETS	07/18/2024	1.50	.00	
51	ACE HARDWARE	875729	FLOOR FINSH	07/18/2024	39.98	.00	
51	ACE HARDWARE	875863	SUPPLIES	07/19/2024	126.32	.00	
51	ACE HARDWARE	875897	FLEX TAPE	07/19/2024	19.99	.00	
51	ACE HARDWARE	875961	key KRAFTER	07/19/2024	21.96	.00	
51	ACE HARDWARE	875962	TRIMMER	07/19/2024	249.99	.00	
51	ACE HARDWARE	875980	COUPLE SET SCREWS	07/19/2024	1.79	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
51	ACE HARDWARE	876161	PLIERS	07/22/2024	36.98	.00	
51	ACE HARDWARE	876202	CM ILTERS	07/22/2024	81.97	.00	
Total 51:					3,993.08	.00	
5726	AMAZON	113-0924347-0	CARDS	06/24/2024	51.90	.00	
5726	AMAZON	113-8508022-9	CARDS	06/24/2024	58.36	.00	
5726	AMAZON	113-9257772-4	BOOKS	06/24/2024	126.06	.00	
5726	AMAZON	11WX-WXM1-	SHELTER SUPPLIES	06/08/2024	130.36	.00	
5726	AMAZON	11XG-RKKJ-G	USB ADAPTER PACK	07/16/2024	132.40	.00	
5726	AMAZON	1M4D-GQ4X-F	SUPPLIES	06/23/2024	493.33	.00	
5726	AMAZON	1PWQ-YMF4-F	STORAGE RACK	07/12/2024	280.72	.00	
Total 5726:					1,273.13	.00	
6214	AMERICAN TOWER CORPORAT	4622531	fy25 SNOW KING	06/27/2024	6,180.00	.00	
6214	AMERICAN TOWER CORPORAT	4622531	fy25 SNOW KING	06/27/2024	1,000.00	.00	
6214	AMERICAN TOWER CORPORAT	4622531	fy25 SNOW KING	06/27/2024	1,700.00	.00	
Total 6214:					8,880.00	.00	
2763	AMERIWEST WATER SERVICES	24-113	ALL-QWEST GALLON TOTES	07/10/2024	19,159.83	.00	
Total 2763:					19,159.83	.00	
4389	APPLE INC	MA91228814	IPAD PRO	07/12/2024	2,148.00	.00	
Total 4389:					2,148.00	.00	
4088	AVAIL VALLEY CONTRUCTION-I	24-3204 0624	2024 SPRING PATCHING	06/19/2024	340,081.00	340,081.00	07/15/2024
Total 4088:					340,081.00	340,081.00	
5681	BECKER ARENA PRODUCTS IN	613120 U	DEPOSIT	07/23/2024	128,772.30	.00	
Total 5681:					128,772.30	.00	
4774	BIG R RANCH & HOME	1676717	JEANS	07/09/2024	49.99	.00	
4774	BIG R RANCH & HOME	1677132	THERMOMETER	07/10/2024	49.99	.00	
Total 4774:					99.98	.00	
3500	BISON LUMBER	2407-847924	CONCRETE MIX	07/02/2024	46.84	.00	
Total 3500:					46.84	.00	
1560	BLUE SPRUCE CLEANERS,INC	070124	JUNE DRY CLEANING	07/01/2024	259.31	.00	
Total 1560:					259.31	.00	
6244	BLUE360 MEDIA, LLC	IN2407234308	WYO CRIME AND TRAFFIC LAW	07/10/2024	742.56	.00	
Total 6244:					742.56	.00	
6727	BRIGGS, ERIC L	29856	TOOLS	07/11/2024	205.10	.00	
6727	BRIGGS, ERIC L	29857	TOOLS	07/11/2024	4.95	.00	
6727	BRIGGS, ERIC L	30011	CIRCUIT TESTER	07/18/2024	79.95	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6727:					290.00	.00	
5	CARQUEST AUTO PARTS INC.	6090-658297	CONCRETE CLEANER	07/13/2024	17.06	.00	
Total 5:					17.06	.00	
39	CASPER COLLEGE	558	REGISTRATION FOR RILEY TAY	07/11/2024	369.00	.00	
Total 39:					369.00	.00	
544	CENTURYLINK	333897059 072	Monthly bill for account 33389705	07/07/2024	2,085.80	.00	
Total 544:					2,085.80	.00	
4984	CHAPA STRIPES OF IDAHO	00-25	STRIPING WEST BROADWAY	06/30/2024	11,100.00	.00	
4984	CHAPA STRIPES OF IDAHO	007-23	RE STRIPE PARKING	06/22/2024	3,900.00	.00	
4984	CHAPA STRIPES OF IDAHO	007-24	LAYOUT STRIPE PEARL	06/22/2024	350.00	.00	
Total 4984:					15,350.00	.00	
7089	CHARLIE'S PLUMBING OF JH	12181	DELONEY RESTROOMS	07/09/2024	412.00	.00	
7089	CHARLIE'S PLUMBING OF JH	12199	CLOGGED URINAL	07/03/2024	425.00	.00	
Total 7089:					837.00	.00	
5967	CITY OF DRIGGS	BBSTART2024	BUS BARN RENT	06/04/2024	1,749.60	.00	
Total 5967:					1,749.60	.00	
6114	CLIMB WYOMING	063024	4th quarter payment	06/30/2024	1,531.25	.00	
Total 6114:					1,531.25	.00	
605	CNA SURETY	58177209 0724	BOND #58177209	07/03/2024	1,047.50	.00	
Total 605:					1,047.50	.00	
514	CONRAD & BISCHOFF INC.	IN-035688-24	DEF BULK	04/26/2024	312.51	.00	
514	CONRAD & BISCHOFF INC.	IN-138398-24	DEF BULK	07/02/2024	686.73	.00	
514	CONRAD & BISCHOFF INC.	IN-155707-24	DIESEL AND FUEL	07/12/2024	30,113.39	.00	
Total 514:					31,112.63	.00	
4887	CONTROL SYSTEM TECHNOLO	11275	CONTROL SERVICE	07/23/2024	1,500.00	.00	
4887	CONTROL SYSTEM TECHNOLO	11278	CONTROL SERVICE WWTP	07/23/2024	5,267.50	.00	
4887	CONTROL SYSTEM TECHNOLO	11281	WELL #3	07/23/2024	750.00	.00	
Total 4887:					7,517.50	.00	
1691	CORE & MAIN LP	U291514	BALL CURB FIPT	05/22/2024	1,122.48	.00	
1691	CORE & MAIN LP	U534333	MACH GAL ANTENNA	05/22/2024	15,875.70	.00	
1691	CORE & MAIN LP	U906069	GASKET	05/20/2024	222.00	.00	
1691	CORE & MAIN LP	U945163	MACH GAL	06/26/2024	15,681.20	.00	
1691	CORE & MAIN LP	U945170	BALL CURB FIPT	06/26/2024	2,010.56	.00	
1691	CORE & MAIN LP	V172003	3/4 MACH	07/10/2024	38,220.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1691:					73,131.94	.00	
3001	CREATIVE ENERGIES, LLC	9981	HOME RANCH EGUAGE	07/03/2024	2,175.00	.00	
Total 3001:					2,175.00	.00	
6829	DARKTRACE HOLDINGS LIMITE	DTGBRO1-100	SUBSCRIPTION BUNDLE	07/12/2024	34,074.00	.00	
Total 6829:					34,074.00	.00	
7111	DAWSON INFRASTRUCTURE S	INV214272	ROCKET NOZZLES	07/19/2024	495.00	.00	
Total 7111:					495.00	.00	
4918	DEAN'S PEST CONTROL LLC	90976	PEST CONTROL	05/24/2024	100.00	.00	
4918	DEAN'S PEST CONTROL LLC	91181	PEST MANAGEMENT	05/11/2024	350.00	.00	
4918	DEAN'S PEST CONTROL LLC	91467	RODENT CONTROL	06/10/2024	110.00	.00	
4918	DEAN'S PEST CONTROL LLC	91822	RODENT CONTROL	06/14/2024	60.00	.00	
4918	DEAN'S PEST CONTROL LLC	91852	RODENT CONTROL	06/17/2024	110.00	.00	
4918	DEAN'S PEST CONTROL LLC	92226	RODENT CONTROL	06/17/2024	150.00	.00	
Total 4918:					880.00	.00	
3881	DEX IMAGING	AR11511342	CONTRACT COPIER	06/21/2024	98.50	.00	
Total 3881:					98.50	.00	
7037	DICK ANDERSON CONSTRUCTI	071224	PAY APP #23 CORE FACILITY	07/12/2024	7,543.55	.00	
Total 7037:					7,543.55	.00	
6883	DIVISION OF CHILD SUPPORT	0712/2024	DCSE CASE #0005405448	07/12/2024	509.23	509.23	07/11/2024
6883	DIVISION OF CHILD SUPPORT	072424	DCSE CASE #0005405448	07/24/2024	509.23	509.23	07/24/2024
Total 6883:					1,018.46	1,018.46	
2934	DLT SOLUTIONS, INC.	SI659419	Annual maintenance for AutoCAD	07/15/2024	8,393.74	.00	
Total 2934:					8,393.74	.00	
6939	DYNAMIC CONTROLS, LLC	38318	START BUS ADO	06/30/2024	1,944.00	.00	
6939	DYNAMIC CONTROLS, LLC	38323	DOOR ACCESS UPGRADE	06/30/2024	122,855.00	.00	
6939	DYNAMIC CONTROLS, LLC	38324	START BUS DOOR ACCESS	06/30/2024	15,544.00	.00	
6939	DYNAMIC CONTROLS, LLC	38325	TOWN HALL DOORS	06/30/2024	9,604.00	.00	
Total 6939:					149,947.00	.00	
3408	E.R. OFFICE EXPRESS	22436	FOLDERS	07/02/2024	71.86	.00	
3408	E.R. OFFICE EXPRESS	22498	PAPER	07/17/2024	63.82	.00	
3408	E.R. OFFICE EXPRESS	22502	Office CHAIR	07/12/2024	250.00	.00	
3408	E.R. OFFICE EXPRESS	22511	office supplies	07/17/2024	49.84	.00	
3408	E.R. OFFICE EXPRESS	22519	Office Supplies	07/19/2024	132.85	.00	
Total 3408:					568.37	.00	
6844	EKOS, INC	9405	FUEL SITE MODULE	07/15/2024	80.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6844:					80.00	.00	
7446	ELAN ONE CARD	CD 3840 06/23	ALBERTSONS-COMMUNITY DE	06/23/2024	131.42	.00	
7446	ELAN ONE CARD	CD 3840 06/23	HEALTHY B-COMMUNITY DEVE	06/23/2024	87.12	.00	
7446	ELAN ONE CARD	CD 3840 06/23	SMITHS-COMMUNITY DEVELOP	06/23/2024	352.84	.00	
7446	ELAN ONE CARD	CD 3840 06/23	RAD BIKES-ADMINISTRATION	06/23/2024	222.60	.00	
7446	ELAN ONE CARD	CD 3840 06/23	PICAS-ADMINISTRATION	06/23/2024	119.48	.00	
7446	ELAN ONE CARD	CD 3840 06/23	CANVA-COMMUNITY DEVELOP	06/23/2024	189.99	.00	
7446	ELAN ONE CARD	CD 3840 06/23	MAILCHIMP-COMMUNITY DEVE	06/23/2024	75.00	.00	
7446	ELAN ONE CARD	CD 3840 06/23	NAMEBADGES-COMMUNITY DE	06/23/2024	24.60	.00	
7446	ELAN ONE CARD	CD 3840 06/23	4IMPRINT-COMMUNITY DEVEL	06/23/2024	532.53-	.00	
7446	ELAN ONE CARD	CD 3840 06/23	4IMPRINT-COMMUNITY DEVEL	06/23/2024	780.32	.00	
7446	ELAN ONE CARD	CD 3840 06/23	ALBERTSONS-COMMUNITY DE	06/23/2024	462.46	.00	
7446	ELAN ONE CARD	CD 3840 06/23	TARGET-ADMINISTRATION	06/23/2024	33.71	.00	
7446	ELAN ONE CARD	CD 3840 06/23	PROMOTIONS NOW-COMMUNI	06/23/2024	2,039.00	.00	
7446	ELAN ONE CARD	CD 3840 06/23	ACE HARDWARE-ADMINISTRAT	06/23/2024	37.09	.00	
7446	ELAN ONE CARD	CD 3840 06/23	AMAZON-COMMUNITY DEVELO	06/23/2024	73.98	.00	
7446	ELAN ONE CARD	Finance 9639 0	TRAVELOCITY-SEWER DEPART	06/23/2024	135.45	.00	
7446	ELAN ONE CARD	Finance 9639 0	TRAVELOCITY-FINANCE	06/23/2024	135.46	.00	
7446	ELAN ONE CARD	Finance 9639 0	TRAVELOCITY-WATER DEPART	06/23/2024	135.45	.00	
7446	ELAN ONE CARD	IT 7309 06/23/2	DISH NETWORK-TOWN-WIDE S	06/23/2024	144.74	.00	
7446	ELAN ONE CARD	IT 7309 06/23/2	GO DADDY-INFORMATION TEC	06/23/2024	199.98	.00	
7446	ELAN ONE CARD	IT 7309 06/23/2	SECURITY PRODUCTS-INFORM	06/23/2024	2,381.37	.00	
7446	ELAN ONE CARD	IT 7309 06/23/2	GARMIN-INFORMATION TECHN	06/23/2024	64.95	.00	
7446	ELAN ONE CARD	IT 7309 06/23/2	AMAZON-INFORMATION TECHN	06/23/2024	78.99	.00	
7446	ELAN ONE CARD	P&B 5582 06/2	WHOLE FOODS-TOWN-WIDE S	06/23/2024	168.27	.00	
7446	ELAN ONE CARD	P&B 5582 06/2	ALBERTSONS-PERSONNEL/TO	06/23/2024	156.87	.00	
7446	ELAN ONE CARD	P&B 5582 06/2	WHOLE FOODS-TOWN-WIDE S	06/23/2024	125.95	.00	
7446	ELAN ONE CARD	P&B 5582 06/2	ALBERTSONS-TOWN-WIDE SE	06/23/2024	63.11	.00	
7446	ELAN ONE CARD	P&B 5582 06/2	CHEYENNE AREA CONVENTIO	06/23/2024	470.00	.00	
7446	ELAN ONE CARD	P&B 5582 06/2	YIPPEE I O CANDY-PERSONNE	06/23/2024	45.00	.00	
7446	ELAN ONE CARD	PD 0494 06/23/	BLACKBURN DRUG-POLICE - P	06/23/2024	234.00	.00	
7446	ELAN ONE CARD	PD 0494 06/23/	SINKS COFFEE-POLICE - PATR	06/23/2024	4.69	.00	
7446	ELAN ONE CARD	PD 0494 06/23/	AMAZON AUDIBLE-POLICE - PA	06/23/2024	15.85	.00	
7446	ELAN ONE CARD	PD 0494 06/23/	COWFISH-POLICE - PATROL	06/23/2024	139.27	.00	
7446	ELAN ONE CARD	PD 0494 06/23/	LANDER COFFEE-POLICE - PAT	06/23/2024	12.35	.00	
7446	ELAN ONE CARD	PD 0494 06/23/	MAVERIK-POLICE - PATROL	06/23/2024	28.88	.00	
7446	ELAN ONE CARD	PD 0494 06/23/	COWFISH-POLICE - PATROL	06/23/2024	277.05	.00	
7446	ELAN ONE CARD	PD 7867 06/23/	ALBERTSONS-POLICE - PATRO	06/23/2024	50.48	.00	
7446	ELAN ONE CARD	PD 7867 06/23/	K2 ENERGY SOLUTIONS-POLIC	06/23/2024	476.00	.00	
7446	ELAN ONE CARD	PD 7867 06/23/	HORSE EDUCATION-POLICE SP	06/23/2024	541.03	.00	
7446	ELAN ONE CARD	PD 7867 06/23/	EXXON-POLICE SPECIAL OPER	06/23/2024	42.46	.00	
7446	ELAN ONE CARD	START 4059 0	ALASKA AIRLINES-START	06/23/2024	85.97	.00	
7446	ELAN ONE CARD	START 4059 0	ALASKA AIRLINES-START	06/23/2024	887.62	.00	
7446	ELAN ONE CARD	START 4059 0	ALLIANZ TRAVEL INSUR-START	06/23/2024	60.85	.00	
7446	ELAN ONE CARD	START 4059 0	DOUBLE TREE-START	06/23/2024	1,416.32	.00	
7446	ELAN ONE CARD	START 9251 0	COSTCO-START	06/23/2024	19.99	.00	
7446	ELAN ONE CARD	START 9251 0	QUALITY LOGO PRODUCTS-ST	06/23/2024	730.41	.00	
7446	ELAN ONE CARD	START 9251 0	OTC BRANDS-START	06/23/2024	40.90	.00	
7446	ELAN ONE CARD	START 9251 0	COSTCO-START	06/23/2024	14.72	.00	
7446	ELAN ONE CARD	START 9251 0	PAYPAL JACKSON HOLE-START	06/23/2024	50.00	.00	
7446	ELAN ONE CARD	START 9251 0	STAPLES-START	06/23/2024	71.48	.00	
7446	ELAN ONE CARD	WWTP 2901 0	EGAUGE SYSTEMS-SEWER DE	06/23/2024	20.00	.00	
Total 7446:					13,622.99	.00	
1134	ENERGY LABORATORIES INC.	628223B	SHORT PAID	05/07/2024	10.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1134	ENERGY LABORATORIES INC.	643171	ANALYSIS PARAMETER	07/15/2024	167.00	.00	
1134	ENERGY LABORATORIES INC.	643172	INFLUENT AND EFFLUENT	07/15/2024	469.00	.00	
1134	ENERGY LABORATORIES INC.	644728	INFLUENT AND EFFLUENT	07/22/2024	469.00	.00	
1134	ENERGY LABORATORIES INC.	645135	CONTROL HOUSES	07/23/2024	148.00	.00	
Total 1134:					1,263.00	.00	
7489	EQUALITY STATE STRATEGIES	TOJ2024001	MEETINGS	06/30/2024	2,500.00	.00	
Total 7489:					2,500.00	.00	
6293	EVOLUTION CONCRETE CUTTI	10787	TOJ BIKE NETWORK	07/08/2024	2,130.00	.00	
Total 6293:					2,130.00	.00	
3550	EXPOSURE SIGNS INC	8314	DECALS	07/18/2024	327.50	.00	
Total 3550:					327.50	.00	
7168	FALL RIVER RURAL ELECTIC	51773001 0724	CHATHAM LOOP 51773001	07/19/2024	57.08	.00	
Total 7168:					57.08	.00	
3524	FEUZ EXCAVATION & TRUCKIN	063024	CONCRETE PAD FOR BIKES	06/30/2024	7,243.25	.00	
Total 3524:					7,243.25	.00	
7487	FLAT CREEK	072624	RELEASE BOND 910 POWDERH	07/26/2024	9,000.00	9,000.00	07/26/2024
Total 7487:					9,000.00	9,000.00	
668	FREEDOM MAILING SERVICE I	48192	UTILITY BILLING	07/05/2024	904.96	.00	
668	FREEDOM MAILING SERVICE I	48192	UTILITY BILLING	07/05/2024	904.96	.00	
Total 668:					1,809.92	.00	
4982	FRONTIER PRECISION, INC	301562	FIELDPOINT	06/04/2024	1,642.50	.00	
4982	FRONTIER PRECISION, INC	301562	FIELDPOINT	06/04/2024	1,642.50	.00	
Total 4982:					3,285.00	.00	
7287	GARCIA, ISRAEL	0048	TRANSLATION SERVICES	07/10/2024	80.00	.00	
7287	GARCIA, ISRAEL	0049	TRANSLATION SERVICES	07/11/2024	40.00	.00	
Total 7287:					120.00	.00	
7482	GARDEN CAPITAL	071124	RELEASE BOND 865 WHEATLEI	07/11/2024	39,379.06	39,379.06	07/11/2024
Total 7482:					39,379.06	39,379.06	
7104	GEDDES, GLENN	071924	REIMBURSE	07/19/2024	11.46	.00	
7104	GEDDES, GLENN	071924G	REIMBURSE SAFETY GLASSES	07/19/2024	40.23	.00	
Total 7104:					51.69	.00	
324	GFOA	2457583 0724	Kelly Thompson dues 300197846	06/18/2024	170.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 324:					170.00	.00	
4212	GILLIG LLC	41144357	LATCH LANDLE	03/24/2024	166.80	.00	
4212	GILLIG LLC	41194196	SENSOR	07/08/2024	261.81	.00	
Total 4212:					428.61	.00	
7342	HARMONY DESIGN, INC	063024	GARMAN DESIGN	06/30/2024	1,396.50	.00	
7342	HARMONY DESIGN, INC	24094	E BIKE SAFETY	06/19/2024	851.50	.00	
Total 7342:					2,248.00	.00	
4823	HARRISON HOSPITALITY PROP	072324	RELEASE BOND 175 N JACKSO	07/23/2024	363,215.00	363,215.00	07/23/2024
Total 4823:					363,215.00	363,215.00	
96	HIGH COUNTRY LINEN	0438052	MATS @ SHELTER	05/08/2024	83.53	.00	
96	HIGH COUNTRY LINEN	0442458	BAGS,SHOP TOWELS,MATS AN	06/03/2024	28.30	.00	
96	HIGH COUNTRY LINEN	0442458	BAGS,SHOP TOWEL,MATS AND	06/03/2024	50.63	.00	
96	HIGH COUNTRY LINEN	0442853	MATS @ TOWN HALL	06/04/2024	237.25	.00	
96	HIGH COUNTRY LINEN	0443806	LAUNDRY BAGS,TOWELS,MATS	06/10/2024	28.30	.00	
96	HIGH COUNTRY LINEN	0443806		06/10/2024	50.63	.00	
96	HIGH COUNTRY LINEN	0444630	sSTREET	06/13/2024	18.27	.00	
96	HIGH COUNTRY LINEN	0444630	WATER	06/13/2024	26.03	.00	
96	HIGH COUNTRY LINEN	0444630	WWTP	06/13/2024	13.30	.00	
96	HIGH COUNTRY LINEN	0444630	BUILD MAINT	06/13/2024	23.51	.00	
96	HIGH COUNTRY LINEN	0444630	FACILTIY	06/13/2024	.01-	.00	
96	HIGH COUNTRY LINEN	0444630	SEWER	06/13/2024	14.95	.00	
96	HIGH COUNTRY LINEN	0444630	ADMIN	06/13/2024	9.98	.00	
96	HIGH COUNTRY LINEN	0444630	FACILTIY	06/13/2024	6.65	.00	
96	HIGH COUNTRY LINEN	0444630	ADMIN	06/13/2024	9.99	.00	
96	HIGH COUNTRY LINEN	0445204	LAUNDRY BAGS,SHOP TOWEL	06/17/2024	50.63	.00	
96	HIGH COUNTRY LINEN	0445204	LAUNDRY BAGS,SHOP TOWEL	06/17/2024	28.30	.00	
96	HIGH COUNTRY LINEN	0445993	WATER	06/20/2024	26.03	.00	
96	HIGH COUNTRY LINEN	0445993	SEWER	06/20/2024	14.95	.00	
96	HIGH COUNTRY LINEN	0445993	STREET	06/20/2024	18.27	.00	
96	HIGH COUNTRY LINEN	0445993	FACILTIY	06/20/2024	6.65	.00	
96	HIGH COUNTRY LINEN	0445993	ADMIN	06/20/2024	9.98	.00	
96	HIGH COUNTRY LINEN	0445993	BUILD MAINT	06/20/2024	9.92	.00	
96	HIGH COUNTRY LINEN	0445993	FACILTIY	06/20/2024	.01-	.00	
96	HIGH COUNTRY LINEN	0445993	WWTP	06/20/2024	13.30	.00	
96	HIGH COUNTRY LINEN	0445993	ADMIN	06/20/2024	9.99	.00	
96	HIGH COUNTRY LINEN	0446585	SHOP TOWELS,MOPS,MATS	06/24/2024	50.63	.00	
96	HIGH COUNTRY LINEN	0446585	SHOP TOWELS,MOPS,MATS	06/24/2024	28.30	.00	
96	HIGH COUNTRY LINEN	0447389	SEWER	06/27/2024	14.95	.00	
96	HIGH COUNTRY LINEN	0447389	ADMIN	06/27/2024	7.63	.00	
96	HIGH COUNTRY LINEN	0447389	WATER	06/27/2024	26.03	.00	
96	HIGH COUNTRY LINEN	0447389	WWTP	06/27/2024	13.30	.00	
96	HIGH COUNTRY LINEN	0447389	ADMIN	06/27/2024	12.33	.00	
96	HIGH COUNTRY LINEN	0447389	FACILTIY	06/27/2024	6.65	.00	
96	HIGH COUNTRY LINEN	0447389	STREET	06/27/2024	18.27	.00	
96	HIGH COUNTRY LINEN	0447389	BUILD MAINT	06/27/2024	152.71	.00	
96	HIGH COUNTRY LINEN	0448036	MATS @ 155 E PEARL	07/01/2024	11.17	.00	
96	HIGH COUNTRY LINEN	0448393	MATS @ TOWN HALL	07/02/2024	237.25	.00	
96	HIGH COUNTRY LINEN	0448835	ADMIN	07/04/2024	9.98	.00	
96	HIGH COUNTRY LINEN	0448835	SEWER	07/04/2024	14.95	.00	
96	HIGH COUNTRY LINEN	0448835	BUILD MAINT	07/04/2024	14.55	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
96	HIGH COUNTRY LINEN	0448835	FACILTIY	07/04/2024	6.65	.00	
96	HIGH COUNTRY LINEN	0448835	SHOP SUPPLIES	07/04/2024	46.35	.00	
96	HIGH COUNTRY LINEN	0448835	FACILTIY	07/04/2024	.01-	.00	
96	HIGH COUNTRY LINEN	0448835	ADMIN	07/04/2024	9.99	.00	
96	HIGH COUNTRY LINEN	0448835	STREET	07/04/2024	18.27	.00	
96	HIGH COUNTRY LINEN	0448835	WATER	07/04/2024	26.03	.00	
96	HIGH COUNTRY LINEN	0448835	WWTP	07/04/2024	13.30	.00	
96	HIGH COUNTRY LINEN	0449467	MATS @ HOME RANCH	07/08/2024	23.45	.00	
96	HIGH COUNTRY LINEN	0449986	MATS @ WWTP	07/10/2024	66.85	.00	
96	HIGH COUNTRY LINEN	0450249	WWTP	07/11/2024	13.30	.00	
96	HIGH COUNTRY LINEN	0450249	BUILD MAINT	07/11/2024	11.90	.00	
96	HIGH COUNTRY LINEN	0450249	FACILTIY	07/11/2024	6.65	.00	
96	HIGH COUNTRY LINEN	0450249	sEWER	07/11/2024	14.95	.00	
96	HIGH COUNTRY LINEN	0450249	WATER	07/11/2024	28.78	.00	
96	HIGH COUNTRY LINEN	0450249	STREET	07/11/2024	18.27	.00	
96	HIGH COUNTRY LINEN	0450249	ADMIN	07/11/2024	12.33	.00	
96	HIGH COUNTRY LINEN	0450249	SHOP SUPPLIES	07/11/2024	12.36	.00	
96	HIGH COUNTRY LINEN	0450249	FACILTIY	07/11/2024	.01-	.00	
96	HIGH COUNTRY LINEN	0450249	ADMIN	07/11/2024	12.32	.00	
96	HIGH COUNTRY LINEN	0450855	MATS @ START	07/15/2024	202.85	.00	
96	HIGH COUNTRY LINEN	0451260	MATS @ TOWN HALL	07/16/2024	237.25	.00	
96	HIGH COUNTRY LINEN	0451410	MATS @ SHELTER	07/17/2024	81.15	.00	
96	HIGH COUNTRY LINEN	0452348	MATS @ HOME RANCH	07/22/2024	53.45	.00	
96	HIGH COUNTRY LINEN	S0442320	TOWELS	05/31/2024	217.03	.00	
96	HIGH COUNTRY LINEN	S0444045	OLD BAT MOPS	06/10/2024	35.00	.00	
96	HIGH COUNTRY LINEN	S0450211	BAR MOPS	07/10/2024	81.11	.00	
96	HIGH COUNTRY LINEN	S0451061	KLEENLINE	07/15/2024	64.88	.00	
Total 96:					2,722.47	.00	
503	HUNT CONSTRUCTION INC	11218	ASPen HILL DUSTGUARD	06/25/2024	2,045.00	.00	
Total 503:					2,045.00	.00	
4736	IDAHO CHILD SUPPORT RECEI	071224	case #426985	07/12/2024	564.20	564.20	07/11/2024
4736	IDAHO CHILD SUPPORT RECEI	072424	case#426985	07/24/2024	564.20	564.20	07/24/2024
Total 4736:					1,128.40	1,128.40	
3323	IDAHO TRAFFIC SAFETY, INC.	195686	STRIPING	06/12/2024	26,350.00	.00	
3323	IDAHO TRAFFIC SAFETY, INC.	227982	CROSSWALK STRIPING	06/01/2024	850.00	.00	
Total 3323:					27,200.00	.00	
7492	INTERACTION ASSOCIATES IN	IN0001570	ESSENTIAL FACILITATION WOR	07/11/2024	23,612.06	.00	
Total 7492:					23,612.06	.00	
2640	INTERNAL REVENUE SERVICE	070824	FEDERAL EXCISE TAX	07/08/2024	891.94	891.94	07/16/2024
Total 2640:					891.94	891.94	
106	INTERSTATE BATTERY	950002309	BATTERIES	07/08/2024	231.90	.00	
106	INTERSTATE BATTERY	950002400	BATTERIES	07/15/2024	401.85	.00	
Total 106:					633.75	.00	
2	JACKSON CURBSIDE INC.	00032013	DOWNTOWN RECYCLING	07/10/2024	1,530.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
2	JACKSON CURBSIDE INC.	00032039	PW RECYCLING	07/10/2024	255.00	.00	
2	JACKSON CURBSIDE INC.	00032043	TOWN HALL RECYCLING	07/10/2024	555.00	.00	
Total 2:					2,340.00	.00	
6931	JACKSON DOWNTOWNER, LLC	JKD-1035	START ON DEMAND AUGUST	07/09/2024	45,139.00	.00	
6931	JACKSON DOWNTOWNER, LLC	JKD-1035	START ON DEMAND JUNE	07/09/2024	64,596.83	.00	
6931	JACKSON DOWNTOWNER, LLC	JKD-1036	ADJUSTMENT JUNE	07/12/2024	594.72	.00	
Total 6931:					110,330.55	.00	
7163	JACKSON GROUP LOCKBOX	671669IF	FILTERS	07/01/2024	407.09	.00	
7163	JACKSON GROUP LOCKBOX	6733614IF	ORANGE GLOVES	07/16/2024	12.50	.00	
7163	JACKSON GROUP LOCKBOX	673592IF	ORANGE GLOVES	07/18/2024	75.00	.00	
Total 7163:					494.59	.00	
131	JACKSON HOLE NEWS & GUID	366958	AD#428562	06/30/2024	1,184.40	.00	
131	JACKSON HOLE NEWS & GUID	367393	AD#429525	07/10/2024	66.50	.00	
131	JACKSON HOLE NEWS & GUID	367424	AD#429755	07/10/2024	456.00	.00	
131	JACKSON HOLE NEWS & GUID	367572	AD#429593	07/17/2024	385.00	.00	
131	JACKSON HOLE NEWS & GUID	367640	AD#429842	07/17/2024	38.00	.00	
131	JACKSON HOLE NEWS & GUID	367681	AD#429952	07/17/2024	627.00	.00	
131	JACKSON HOLE NEWS & GUID	367788	AD#429935	07/24/2024	445.00	.00	
131	JACKSON HOLE NEWS & GUID	367845	AD#430046	07/24/2024	38.00	.00	
131	JACKSON HOLE NEWS & GUID	367879	AD#429996	07/24/2024	888.00	.00	
131	JACKSON HOLE NEWS & GUID	367880	AD#429978	07/24/2024	304.00	.00	
131	JACKSON HOLE NEWS & GUID	367881	AD#429968	07/24/2024	672.00	.00	
Total 131:					5,103.90	.00	
114	JACKSON LUMBER INC	0000996142-0	CINDER BLOCKS	06/06/2024	108.72	.00	
114	JACKSON LUMBER INC	0001003604-0	DOOR	07/08/2024	120.42	.00	
Total 114:					229.14	.00	
6890	JAMF SOFTWARE, LLC	INV398128	JAMF PRO	07/16/2024	4,333.80	.00	
Total 6890:					4,333.80	.00	
239	JH20 WATER CONDITIONING &	3582	water @ WWTP	06/18/2024	60.00	.00	
239	JH20 WATER CONDITIONING &	3947	BOTTLE DELONIZED WATER, DI	07/16/2024	100.00	.00	
Total 239:					160.00	.00	
139	JORGENSEN ASSOCIATES, PC	54056	PROFESSIONAL SERVICE05.18.	07/18/2024	13.00	.00	
139	JORGENSEN ASSOCIATES, PC	54067	PROFESSINOAL SERVICE 05.18	07/22/2024	1,391.25	.00	
139	JORGENSEN ASSOCIATES, PC	54077	TOJ SNOW KING TANK OVERFL	07/22/2024	3,176.25	.00	
Total 139:					4,580.50	.00	
7441	KEN GARFF FORD CHEYENNE	071724	2024 FORD VAN	07/17/2024	601,414.00	.00	
Total 7441:					601,414.00	.00	
5691	LEPCO	58253	CHEM DELIVERY	07/19/2024	228.80	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5691:					228.80	.00	
7201	LOPEZ, CHRYSTAL	072424	BOOTS	07/24/2024	100.00	.00	
Total 7201:					100.00	.00	
677	MACY'S SERVICES	115914	reNTAL	06/30/2024	144.00	.00	
Total 677:					144.00	.00	
6571	MALLORY SAFETY & SUPPLY	5934616	JR BADGES	06/28/2024	2,430.00	.00	
Total 6571:					2,430.00	.00	
7488	MAPCHHAN, DHIRAN	063024	POLICE OFFICER TESTING AND	06/30/2024	1,958.77	.00	
Total 7488:					1,958.77	.00	
6881	MATEOSKY CONSTRUCTION	070924	return bond 430 E Simpson	07/09/2024	3,000.00	3,000.00	07/11/2024
Total 6881:					3,000.00	3,000.00	
7494	MATTERHACKERS	MH230626	BAMBU LAB PROFESSIONAL B	04/10/2024	3,234.00	.00	
Total 7494:					3,234.00	.00	
3839	MATTHEW BENDER & CO., INC.	41814886	WY STATS	06/24/2024	138.61	.00	
Total 3839:					138.61	.00	
5465	MIDCO DIVING & MARINE SERV	5643	WATER RESEVOIR CLEANING	07/02/2024	9,536.00	.00	
5465	MIDCO DIVING & MARINE SERV	5644	WATER RESERVOIR CLEANING	07/02/2024	4,926.00	.00	
Total 5465:					14,462.00	.00	
6770	MOBILITY FOREFRONT LLC	MFFINV0213	NOVEMBER RENT	10/01/2023	35,000.00	.00	
6770	MOBILITY FOREFRONT LLC	MFFINV0255	MONTHLY RENT JUNE	05/01/2024	35,000.00	.00	
6770	MOBILITY FOREFRONT LLC	MFFINV0261	MONTHLY RENT JULY 2024	06/01/2024	35,000.00	.00	
6770	MOBILITY FOREFRONT LLC	MFFINV0267	MONTHLY RENT AUGUST	07/01/2024	35,000.00	.00	
Total 6770:					140,000.00	.00	
7491	MOUNTAIN MODERN JH	7012024	MT2030 ROOMS	07/01/2024	2,003.00	.00	
Total 7491:					2,003.00	.00	
4623	MSC INDUSTRIAL SUPPLY CO	7022584001	MISC SUPPLIES	06/20/2024	448.16	.00	
4623	MSC INDUSTRIAL SUPPLY CO	7048482002	ELECTRICAL TAPE	07/08/2024	52.69	.00	
Total 4623:					500.85	.00	
5973	MURDOCH MEMORIALS	060124	VALUE ROCKS	06/01/2024	1,000.00	.00	
Total 5973:					1,000.00	.00	
257	NAPAAUTO PARTS INC.	228794	SPARK PLUGS	06/18/2024	4.00	.00	
257	NAPAAUTO PARTS INC.	229165	BATTERY	06/19/2024	125.29	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
257	NAPA AUTO PARTS INC.	230903	BATTERY	06/25/2024	397.28-	.00	
257	NAPA AUTO PARTS INC.	231494	SHOP TOWELS	06/27/2024	28.43	.00	
257	NAPA AUTO PARTS INC.	231592	FILTERS	06/27/2024	23.85	.00	
257	NAPA AUTO PARTS INC.	231759	AUX BATTERY	06/28/2024	180.00	.00	
257	NAPA AUTO PARTS INC.	231877	VEHICLE STANDS	06/28/2024	68.00	.00	
257	NAPA AUTO PARTS INC.	232313	COUPLERS	07/01/2024	40.81	.00	
257	NAPA AUTO PARTS INC.	232325	PARTS	07/01/2024	206.90	.00	
257	NAPA AUTO PARTS INC.	233899	SENSOR	07/08/2024	78.29	.00	
257	NAPA AUTO PARTS INC.	234216	OIL FILTER	07/09/2024	18.36	.00	
257	NAPA AUTO PARTS INC.	234472	GLOVES	07/09/2024	19.98	.00	
257	NAPA AUTO PARTS INC.	234544	WIPER BLADES	07/09/2024	349.63	.00	
257	NAPA AUTO PARTS INC.	234632	BELTS	07/10/2024	103.68	.00	
257	NAPA AUTO PARTS INC.	234739	SPARK PLUGS	07/10/2024	109.71	.00	
257	NAPA AUTO PARTS INC.	234952	REGULATOR	07/11/2024	53.80	.00	
257	NAPA AUTO PARTS INC.	235020	LAMP	07/11/2024	29.32	.00	
257	NAPA AUTO PARTS INC.	235956	FILTERS	07/15/2024	8.88	.00	
257	NAPA AUTO PARTS INC.	236332	FILTERS AND WIPER BLADES	07/16/2024	92.96	.00	
257	NAPA AUTO PARTS INC.	236781	SQUEEGEE	07/17/2024	10.29	.00	
257	NAPA AUTO PARTS INC.	236886	WATER PUMP AND BELT	07/17/2024	142.53	.00	
Total 257:					1,297.43	.00	
187	NELSON ENGINEERING	64576	TOJ BIKE NETWORK	06/06/2024	1,739.00	.00	
187	NELSON ENGINEERING	64820	SCOTT MAPLE LANE BIKE/PED	07/03/2024	1,060.00	.00	
187	NELSON ENGINEERING	64832	TOJ BIKE NETWORK	07/03/2024	540.00	.00	
Total 187:					3,339.00	.00	
1504	ONE CALL OF WYOMING	71854	JUNE TICKETS	07/08/2024	211.87	.00	
1504	ONE CALL OF WYOMING	71854	JUNE TICKETS	07/08/2024	211.88	.00	
Total 1504:					423.75	.00	
7356	ONTKO, BRYAN	062724	REIMB FOR TRAVEL	06/27/2024	59.00	.00	
Total 7356:					59.00	.00	
3222	OTIS ELEVATOR COMPANY	SH17106001	ELEVATOR SERVICE	07/02/2024	6,825.00	.00	
Total 3222:					6,825.00	.00	
7302	Pacific Creek Holdings LLC	071724	release bond 115 West Snow King	07/17/2024	5,000.00	5,000.00	07/18/2024
Total 7302:					5,000.00	5,000.00	
7070	PEAK WATER SERVICES, LLC	INVPWS2882	CONTRACT SERVICES	07/17/2024	9,000.00	.00	
Total 7070:					9,000.00	.00	
7490	PHOENIX CARS LLC	PS-INV104007	WINDSHIELD	06/11/2024	1,256.83	.00	
Total 7490:					1,256.83	.00	
4894	PLATT	5118773	QUA ELECTRICAL	07/17/2024	11.16	.00	
Total 4894:					11.16	.00	
6483	PREMIER TRUCK- SALT LAKE C	775587252	SENSOR	03/19/2024	309.76	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6483:					309.76	.00	
1839	RAFTER J IMPROV/SERV DIST	4756	ANIMAL SHELTER	07/01/2024	146.43	.00	
Total 1839:					146.43	.00	
7460	RAMANATHAN, BRINDA	072924	355 W DELONEY JULY	07/29/2024	2,500.00	.00	
Total 7460:					2,500.00	.00	
7493	RIMU CONSTRUCTION	1131	DRYWALL WORK	07/10/2024	1,187.58	.00	
Total 7493:					1,187.58	.00	
4989	RIPLEYS VACUUM CENTER, IN	220000008019	PAPER	07/01/2024	112.00	.00	
4989	RIPLEYS VACUUM CENTER, IN	220000008020	PAPER	07/01/2024	305.00	.00	
4989	RIPLEYS VACUUM CENTER, IN	220000008022	PAPER	07/01/2024	764.00	.00	
4989	RIPLEYS VACUUM CENTER, IN	220000008023	HAND TOWELS	07/01/2024	240.00	.00	
Total 4989:					1,421.00	.00	
4723	RON'S TOWING LLC	24-35033	TOWING	07/16/2024	375.00	.00	
Total 4723:					375.00	.00	
861	ROTARY CLUB OF JACKSON H	1312	3RD QUARTER DUES TYLER SI	07/01/2024	275.00	.00	
Total 861:					275.00	.00	
3694	RUSH INTERNATIONAL TRUCK	3037775454	PARTS	07/01/2024	1,700.00	.00	
3694	RUSH INTERNATIONAL TRUCK	3037889536	SHIPPING CHARGES	07/05/2024	60.57	.00	
Total 3694:					1,760.57	.00	
7121	S4 FLATS LLC	072524	910 SIMON LANE	07/25/2024	32,312.23	.00	
Total 7121:					32,312.23	.00	
7248	SEASONS HANDYWORKS AND	2135	BUDGE DRIVE STREET MAINT	07/08/2024	710.00	.00	
Total 7248:					710.00	.00	
6721	SENECA COMPANIES, INC	S-INV031084	ATENNA SYSTEM	07/02/2024	2,825.18	.00	
Total 6721:					2,825.18	.00	
7486	Serenity Inc.	072424	Release original payment and ren	07/24/2024	100,000.00	100,000.00	07/24/2024
Total 7486:					100,000.00	100,000.00	
7484	SERVPRO OF JACKSON HOLE	1624	MOLD REMEDIATION	06/18/2024	3,822.53	3,822.53	07/16/2024
Total 7484:					3,822.53	3,822.53	
6028	SETCOM CORPORATION	57498	WIRELESS SUPERMIC	07/17/2024	2,324.21	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6028:					2,324.21	.00	
4359	SHERWIN-WILLIAMS CO.	1783-8	PAINT	07/19/2024	1,800.00	.00	
Total 4359:					1,800.00	.00	
7435	SHORELINE CONSULTING	0000256	JULY FACILITATION	06/30/2024	6,250.00	.00	
Total 7435:					6,250.00	.00	
6365	SIGN IT NOW INC	11261	STICKERS	06/17/2024	192.50	.00	
Total 6365:					192.50	.00	
4548	SILVER CREEK SUPPLY	0016451187-00	LEAD FREE BRASS BUSHING	06/28/2024	17.27	.00	
Total 4548:					17.27	.00	
7106	SMITH PSYCHOLOGICAL SERVI	8658	EVALUATION	07/09/2024	400.00	.00	
Total 7106:					400.00	.00	
7050	SOSA'S JANITORIAL SERVICE	0000050	CLEANING TOWN HALL	07/21/2024	9,000.00	.00	
Total 7050:					9,000.00	.00	
3961	SPECTRUM	173067801070	MONTHLY SERVICES	07/07/2024	99.99	.00	
Total 3961:					99.99	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334629346	ANIMAL CARE	07/16/2024	162.93	.00	
1505	SPRING CREEK ANIMAL HOSPI	5334629635	ANIMAL CARE	07/23/2024	199.52	.00	
Total 1505:					362.45	.00	
241	ST JOHN'S HOSPITAL	50000921	COLLECTION FEE	06/19/2024	65.00	.00	
Total 241:					65.00	.00	
3989	STINKY PRINTS, INC	74610	PARKLET SIGNAGE	06/05/2024	120.80	.00	
Total 3989:					120.80	.00	
7485	SUAREZ, GABRIEL	072324	BAIL REFUND CASE 24-07-0022,	07/23/2024	250.00	250.00	07/23/2024
Total 7485:					250.00	250.00	
1054	SUNRISE ENVIRONMENTAL	147461	STREET SUPPLIES	07/08/2024	712.18	.00	
Total 1054:					712.18	.00	
7076	SUSTAINABLE STRATEGIES DC	3999	GRANT CONSULTING SERVICE	07/01/2024	7,500.00	.00	
Total 7076:					7,500.00	.00	
4514	TEAM LABORATORY CHEMICAL	INV0041838	FINE ROAD PATCH	06/27/2024	2,061.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4514:					2,061.00	.00	
7204	TETON COUNTY	063024	refund animal shelter overpaymen	06/30/2024	21,833.00	.00	
7204	TETON COUNTY	063024	refund for animal shelter overpay	06/30/2024	2,177.32	.00	
Total 7204:					24,010.32	.00	
6703	Teton County Alternative to Incarc	063024	town portion of local government	06/30/2024	6,584.50	.00	
Total 6703:					6,584.50	.00	
6678	TETON COUNTY FAIR	96471	fy24 rodeo grounds	06/07/2024	80,000.00	.00	
Total 6678:					80,000.00	.00	
581	TETON COUNTY INTEGRATED	680856	DUMP FEE	07/12/2024	60.00	.00	
581	TETON COUNTY INTEGRATED	9773	CARDBOARD PICKUP	07/01/2024	360.00	.00	
581	TETON COUNTY INTEGRATED	9962	SHREDDING FEES	07/11/2024	31.45	.00	
Total 581:					451.45	.00	
6902	TETON COUNTY PUBLIC WORK	2024-11	TASK WORK ORDER #1 Grant A	07/18/2024	7,611.10	.00	
6902	TETON COUNTY PUBLIC WORK	2024-11	TASK WORK ORDER #2 Stilson	07/18/2024	46,571.88	.00	
6902	TETON COUNTY PUBLIC WORK	2024-11	TASK WORK ORDER #3 Public E	07/18/2024	714.88	.00	
6902	TETON COUNTY PUBLIC WORK	2024-11	TASK WORK ORDER #2 Transit	07/18/2024	1,979.89	.00	
6902	TETON COUNTY PUBLIC WORK	2024-11	TASK WORK ORDER #5 Constr	07/18/2024	268.42	.00	
Total 6902:					57,146.17	.00	
2327	TETON COUNTY SHERIFF-DISP	033124	jan-mar	03/31/2024	69,041.38	.00	
2327	TETON COUNTY SHERIFF-DISP	063024	APRIL-June Billing	06/30/2024	12,433.57	.00	
2327	TETON COUNTY SHERIFF-DISP	123123	OCT-DEC	12/31/2023	3,848.73	.00	
Total 2327:					85,323.68	.00	
55	TETON COUNTY SHERIFF'S-JAI	676	JUNE INMATES	07/10/2024	576.00	.00	
Total 55:					576.00	.00	
268	TETON MOTORS INC	5110469	CREDIT	07/08/2024	1,019.39-	.00	
268	TETON MOTORS INC	5110470	SENSOR	07/08/2024	181.60	.00	
268	TETON MOTORS INC	5110536	OIL PAN	07/11/2024	207.88	.00	
268	TETON MOTORS INC	5110544	CABIN FILTER	07/12/2024	76.04	.00	
268	TETON MOTORS INC	5110552	CLUTCH KIT	07/12/2024	228.84	.00	
268	TETON MOTORS INC	5110589	CREDIT	07/16/2024	76.04-	.00	
268	TETON MOTORS INC	5110590	filterS	07/16/2024	47.22	.00	
268	TETON MOTORS INC	5110613	INDICATO	07/18/2024	15.03	.00	
Total 268:					338.82-	.00	
3030	TETON VIEW LANDSCAPE CON	071724	return bond E24-0099 1085 Greg	07/17/2024	4,000.00	4,000.00	07/17/2024
Total 3030:					4,000.00	4,000.00	
298	TETON YOUTH & FAMILY SERVI	012624	2ND QUARTER PAYMENT	01/16/2024	102,226.00	.00	
298	TETON YOUTH & FAMILY SERVI	063024	4TH QUARTER PAYMENT	06/30/2024	102,226.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 298:					204,452.00	.00	
3237	THE AFTERMARKET PARTS CO	83422760	WIPER BLADES	06/26/2024	263.95	.00	
3237	THE AFTERMARKET PARTS CO	83429289	RUB RAIL	07/01/2024	19.15	.00	
3237	THE AFTERMARKET PARTS CO	83429343	FILTER	07/02/2024	128.44	.00	
3237	THE AFTERMARKET PARTS CO	83435258	RING	07/09/2024	5.36	.00	
3237	THE AFTERMARKET PARTS CO	83436510	SWITCH	07/10/2024	41.29	.00	
Total 3237:					458.19	.00	
3955	THOMSON WEST	850387867	INFORMATION CHARGES	07/01/2024	465.07	.00	
3955	THOMSON WEST	850387867	INFORMATION CHARGES	07/01/2024	465.07	.00	
Total 3955:					930.14	.00	
6363	TMSC LLC	2024-005-10C	CORP YARD	07/15/2024	2,535.00	.00	
6363	TMSC LLC	2024-005-10F	FACILITIES MAINTENANCE	07/15/2024	5,474.14	.00	
6363	TMSC LLC	2024-005S-01	TS AND REPAIR LIGHTING	06/30/2024	10,357.20	.00	
Total 6363:					18,366.34	.00	
7483	TODAY CASH	071224	GARNISHMENT 2831795 GABLE	07/12/2024	170.28	170.28	07/11/2024
7483	TODAY CASH	072424	garnishment 2831795 gable	07/24/2024	170.28	170.28	07/24/2024
Total 7483:					340.56	340.56	
7311	TOP TIER TOOLS LLC	CEP3880398O	AIR HAMMER TOOL	07/09/2024	547.95	.00	
7311	TOP TIER TOOLS LLC	CEP3880410O	DRAWER SLIDE KIT	07/09/2024	115.50	.00	
Total 7311:					663.45	.00	
6000	TRAFFIC SAFETY STORE	INV910435	LITE WEIGHT BARRICADES	06/26/2024	6,543.96	.00	
6000	TRAFFIC SAFETY STORE	INV910437	REFLECTIVE ROLLUPS SIGNS	06/26/2024	8,552.09	.00	
Total 6000:					15,096.05	.00	
4649	ULINE	180159698	6 STEP WORK PLATFORM	07/03/2024	1,844.82	.00	
4649	ULINE	181034798	STORAGE RACKS	07/25/2024	1,231.71	.00	
Total 4649:					3,076.53	.00	
706	USA BLUE BOOK	INV00407615	PRESSURE REGULATOR	06/28/2024	253.90	.00	
Total 706:					253.90	.00	
1949	VERIZON WIRELESS	9968038483	MONTHLY SERVICES	07/01/2024	9,851.32	.00	
Total 1949:					9,851.32	.00	
3420	VISA	Admin 2963 06	OUTBACK-PERSONNEL/TOWN	06/23/2024	50.00	.00	
3420	VISA	Admin 2963 06	STAPLES-PERSONNEL/TOWN C	06/23/2024	22.84	.00	
3420	VISA	Admin 2963 06	MD NURSERY-PERSONNEL/TO	06/23/2024	12.72	.00	
3420	VISA	Admin 2963 06	HAMPTON INN-MAYOR & TOWN	06/23/2024	283.22	.00	
3420	VISA	Admin 2963 06	WYOMING BAR-PERSONNEL/T	06/23/2024	100.00	.00	
3420	VISA	Admin 2963 06	MAVERIK-PERSONNEL/TOWN C	06/23/2024	25.00	.00	
3420	VISA	Admin 2963 06	WHOLE FOODS-PERSONNEL/T	06/23/2024	82.43	.00	
3420	VISA	Admin 2963 06	CABELA'S-PERSONNEL/TOWN	06/23/2024	50.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3420 VISA		Admin 2963 06	CHECKR-PERSONNEL/TOWN C	06/23/2024	151.23	.00	
3420 VISA		Admin 2963 06	HAMPTON INN-MAYOR & TOWN	06/23/2024	283.22	.00	
3420 VISA		Admin 2963 06	STAPLES-PERSONNEL/TOWN C	06/23/2024	297.32	.00	
3420 VISA		Admin 2963 06	MARRIOTT MUENCHEN-COMM	06/23/2024	127.06	.00	
3420 VISA		Admin 2963 06	TJ MAXX-PERSONNEL/TOWN C	06/23/2024	32.81	.00	
3420 VISA		Admin 2963 06	NEW WEST KNIFE WORKS-PER	06/23/2024	495.05	.00	
3420 VISA		Admin 2963 06	YIPPY I O CANDY-PERSONNEL/	06/23/2024	44.00	.00	
3420 VISA		Admin 2963 06	CREDIT-MAYOR & TOWN COUN	06/23/2024	31.16-	.00	
3420 VISA		Admin 2963 06	CREDIT-PERSONNEL/TOWN CL	06/23/2024	100.00-	.00	
3420 VISA		Admin 2963 06	MARRIOTT MUENCHEN-COMM	06/23/2024	131.73	.00	
3420 VISA		Admin 2963 06	CUTTY'S-PERSONNEL/TOWN C	06/23/2024	50.00	.00	
3420 VISA		Admin 2963 06	FORT FRAME-PERSONNEL/TO	06/23/2024	843.75	.00	
3420 VISA		Admin 2963 06	HAMPTON INN-MAYOR & TOWN	06/23/2024	216.41	.00	
3420 VISA		Admin 2963 06	HAMPTON INN-MAYOR & TOWN	06/23/2024	517.00	.00	
3420 VISA		Admin 2963 06	ALBERTSONS-PERSONNEL/TO	06/23/2024	95.31	.00	
3420 VISA		Admin 2963 06	CABELA'S-PERSONNEL/TOWN	06/23/2024	50.00	.00	
3420 VISA		Admin 2963 06	STAPLES-PERSONNEL/TOWN C	06/23/2024	39.70	.00	
3420 VISA		Admin 2963 06	TETON MOUNTAINEERING-PER	06/23/2024	50.00	.00	
3420 VISA		Admin 2963 06	WYOMING BAR-PERSONNEL/T	06/23/2024	100.00	.00	
3420 VISA		Admin 2963 06	HAMPTON INN-MAYOR & TOWN	06/23/2024	517.00	.00	
3420 VISA		Admin 2963 06	THE WORT-PERSONNEL/TOWN	06/23/2024	139.52	.00	
3420 VISA		Admin 2963 06	REI-PERSONNEL/TOWN CLERK	06/23/2024	50.00	.00	
3420 VISA		Admin 2963 06	THE BISTRO-PERSONNEL/TOW	06/23/2024	50.00	.00	
3420 VISA		Admin 2963 06	COOLWORKS-START	06/23/2024	169.00	.00	
3420 VISA		Admin 2963 06	HAMPTON INN-MAYOR & TOWN	06/23/2024	4.50	.00	
3420 VISA		Admin 2963 06	WHOLE FOODS-TOWN-WIDE S	06/23/2024	659.96	.00	
3420 VISA		Admin 2963 06	REI-PERSONNEL/TOWN CLERK	06/23/2024	50.00	.00	
3420 VISA		Admin 2963 06	INDEED-PERSONNEL/TOWN CL	06/23/2024	79.20	.00	
3420 VISA		Admin 2963 06	PEARL STREET BAGELS-PERS	06/23/2024	41.97	.00	
3420 VISA		Admin 2963 06	HAMPTON INN-MAYOR & TOWN	06/23/2024	314.38	.00	
3420 VISA		Admin 2963 06	STAPLES-PERSONNEL/TOWN C	06/23/2024	43.63	.00	
3420 VISA		Admin 2963 06	PEARL STREET BAGELS-PERS	06/23/2024	100.00	.00	
3420 VISA		Admin 2963 06	MAVERIK-PERSONNEL/TOWN C	06/23/2024	50.00	.00	
3420 VISA		Admin 2963 06	AMAZON-PERSONNEL/TOWN C	06/23/2024	79.49	.00	
3420 VISA		Admin 2963 06	PEARL STREET BAGELS-PERS	06/23/2024	71.82	.00	
3420 VISA		Admin 2963 06	HAMPTON INN-MAYOR & TOWN	06/23/2024	283.22	.00	
3420 VISA		Admin 2963 06	SKINNY SKIS-PERSONNEL/TO	06/23/2024	349.95	.00	
3420 VISA		Admin 6864 06	DELTA AIRLINES-ADMINISTRATI	06/23/2024	25.00	.00	
3420 VISA		Admin 6864 06	AMERICAN PLANNING ASSOC-	06/23/2024	763.00	.00	
3420 VISA		Admin 6864 06	GMBH FREISING-COMMUNITY	06/23/2024	39.87	.00	
3420 VISA		Admin 6864 06	LOS CABOS FAMILY-ADMINIST	06/23/2024	120.00	.00	
3420 VISA		Admin 6864 06	BUBBAS-ADMINISTRATION	06/23/2024	25.18	.00	
3420 VISA		Admin 6864 06	BUBBAS-ADMINISTRATION	06/23/2024	40.31	.00	
3420 VISA		Admin 6864 06	MARRIOTT-COMMUNITY PROM	06/23/2024	131.73	.00	
3420 VISA		Admin 6864 06	MARRIOTT-COMMUNITY PROM	06/23/2024	143.32	.00	
3420 VISA		Admin 6864 06	PLANETIZEN-ADMINISTRATION	06/23/2024	37.49	.00	
3420 VISA		Animal 2344 06	CUTTYS-ANIMAL SHELTER/CO	06/23/2024	80.00	.00	
3420 VISA		Animal 2344 06	SMITHS-ANIMAL SHELTER/CON	06/23/2024	12.38-	.00	
3420 VISA		Animal 2344 06	TETON TAILS-ANIMAL SHELTER	06/23/2024	107.58	.00	
3420 VISA		Animal 2344 06	SMTIHS-ANIMAL SHELTER/CON	06/23/2024	10.00-	.00	
3420 VISA		Animal 2344 06	VET APPAREL-ANIMAL SHELTE	06/23/2024	181.45	.00	
3420 VISA		Animal 2344 06	SMITH-ANIMAL SHELTER/CONT	06/23/2024	123.85	.00	
3420 VISA		Animal 2344 06	SMITHS-ANIMAL SHELTER/CON	06/23/2024	99.95	.00	
3420 VISA		Animal 2344 06	PETS PLACE PLUS-ANIMAL SH	06/23/2024	98.38	.00	
3420 VISA		Animal 2344 06	VET APPAREL-ANIMAL SHELTE	06/23/2024	246.95	.00	
3420 VISA		Animal 2344 06	TARGET-ANIMAL SHELTER/CON	06/23/2024	41.94	.00	
3420 VISA		Animal 2344 06	PETS PLACE PLUS-ANIMAL SH	06/23/2024	289.55	.00	
3420 VISA		Animal 2344 06	DOG-ANIMAL SHELTER/CONTR	06/23/2024	50.88	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3420 VISA		Animal 2344 06	VET APPAREL-ANIMAL SHELTE	06/23/2024	38.00-	.00	
3420 VISA		CD 1016 06/23	CASPER STAR TRIBUNE-COMM	06/23/2024	4.99	.00	
3420 VISA		IT 6908 06/23/2	MICROSOFT ANSWER DESK-IN	06/23/2024	499.00	.00	
3420 VISA		PD 0355 06/23/	DELTA AIR-POLICE - PATROL	06/23/2024	617.95	.00	
3420 VISA		PD 0355 06/23/	CHICK FILET-POLICE - PATROL	06/23/2024	16.50	.00	
3420 VISA		PD 0355 06/23/	CITY BUFFET-POLICE - PATROL	06/23/2024	25.38	.00	
3420 VISA		PD 0355 06/23/	HOTWIRE SALES-POLICE - PAT	06/23/2024	237.34	.00	
3420 VISA		PD 0355 06/23/	TARGET-POLICE - PATROL	06/23/2024	23.31	.00	
3420 VISA		PD 0355 06/23/	CHEVRON-POLICE - PATROL	06/23/2024	63.75	.00	
3420 VISA		PD 0355 06/23/	EXXON-POLICE - PATROL	06/23/2024	58.49	.00	
3420 VISA		PD 0355 06/23/	TEXAS ROADHOUSE-POLICE -	06/23/2024	97.10	.00	
3420 VISA		PD 0355 06/23/	ALLIANZ TRAVEL INSURANCE-P	06/23/2024	77.00	.00	
3420 VISA		PD 0355 06/23/	CHEYENNE LITTLE AMERICA-P	06/23/2024	120.91	.00	
3420 VISA		PD 0355 06/23/	MAVERIK-POLICE - PATROL	06/23/2024	22.12	.00	
3420 VISA		PD 0355 06/23/	FBI LEEDZ-POLICE - PATROL	06/23/2024	795.00	.00	
3420 VISA		PD 0355 06/23/	APPLEBEES-POLICE - PATROL	06/23/2024	20.78	.00	
3420 VISA		PD 0355 06/23/	EXXON-POLICE - PATROL	06/23/2024	25.73	.00	
3420 VISA		PD 0355 06/23/	CHEVRON-POLICE - PATROL	06/23/2024	55.84	.00	
3420 VISA		PD 0355 06/23/	SNAKE RIVER ROASTING-POLI	06/23/2024	55.00	.00	
3420 VISA		PD 0355 06/23/	CALIFORNIA MEXIAN FOOD-PO	06/23/2024	16.94	.00	
3420 VISA		PD 0355 06/23/	FREDDY'S -POLICE - PATROL	06/23/2024	12.80	.00	
3420 VISA		PD 0355 06/23/	REVZILLA MOTORSPORTS-POL	06/23/2024	171.18	.00	
3420 VISA		PD 0355 06/23/	MAVERIK-POLICE - PATROL	06/23/2024	47.25	.00	
3420 VISA		PD 0355 06/23/	CONOCO-POLICE - PATROL	06/23/2024	38.81	.00	
3420 VISA		PD 0355 06/23/	EXXON-POLICE - PATROL	06/23/2024	25.03	.00	
3420 VISA		PD 1064 06/23/	HOLIDAY INN-POLICE - COMMU	06/23/2024	240.76	.00	
3420 VISA		PD 1064 06/23/	EXXON-POLICE - COMMUNITY	06/23/2024	44.05	.00	
3420 VISA		PD 1064 06/23/	KUM N GO-POLICE - PATROL	06/23/2024	16.79	.00	
3420 VISA		PD 1064 06/23/	HOLIDAY INN-POLICE - COMMU	06/23/2024	240.76	.00	
3420 VISA		PD 1064 06/23/	AMERICAN RED CROSS-POLIC	06/23/2024	280.00	.00	
3420 VISA		PD 1064 06/23/	EXXON-POLICE - COMMUNITY	06/23/2024	13.74	.00	
3420 VISA		PD 1064 06/23/	5.11 INC-POLICE - COMMUNITY	06/23/2024	521.52	.00	
3420 VISA		PD 1064 06/23/	HOLIDAY STATIONS-POLICE - C	06/23/2024	34.55	.00	
3420 VISA		PD 1064 06/23/	MAVERICK-POLICE - COMMUNI	06/23/2024	40.37	.00	
3420 VISA		PD 1064 06/23/	PAD THAI-POLICE - COMMUNIT	06/23/2024	46.00	.00	
3420 VISA		PD 1064 06/23/	WYOMING RIB N CHOPHOUSE-	06/23/2024	54.79	.00	
3420 VISA		PD 1064 06/23/	HOLIDAY INN-POLICE - COMMU	06/23/2024	240.76	.00	
3420 VISA		PD 1064 06/23/	EXXON-POLICE - PATROL	06/23/2024	26.03	.00	
3420 VISA		PD 1064 06/23/	WALMART-POLICE - COMMUNIT	06/23/2024	36.78	.00	
3420 VISA		PD 1064 06/23/	CREDIT-POLICE - PATROL	06/23/2024	50.87-	.00	
3420 VISA		PD 1064 06/23/	EXXON-POLICE - COMMUNITY	06/23/2024	35.83	.00	
3420 VISA		PD 1115 06/23/	ALBERTSONS-POLICE - PATRO	06/23/2024	6.35	.00	
3420 VISA		PD 1115 06/23/	CANVA-POLICE - PATROL	06/23/2024	119.40	.00	
3420 VISA		PD 1255 06/23/	STAPLES-POLICE - INVESTIGAT	06/23/2024	296.76	.00	
3420 VISA		PD 1255 06/23/	UPS-POLICE - INVESTIGATIONS	06/23/2024	12.39	.00	
3420 VISA		PD 1255 06/23/	STAPLES-POLICE - INVESTIGAT	06/23/2024	203.50	.00	
3420 VISA		PD 1255 06/23/	UPS-POLICE - INVESTIGATIONS	06/23/2024	16.63	.00	
3420 VISA		PD 1255 06/23/	EXXON-POLICE - PATROL	06/23/2024	64.15	.00	
3420 VISA		PD 1255 06/23/	EXXON-POLICE - PATROL	06/23/2024	40.91	.00	
3420 VISA		PD 1255 06/23/	NATIONAL ASSIC-POLICE - PAT	06/23/2024	750.00	.00	
3420 VISA		PD 1255 06/23/	EXXON-POLICE - PATROL	06/23/2024	23.91	.00	
3420 VISA		PD 1255 06/23/	CREDIT-POLICE - INVESTIGATI	06/23/2024	169.58-	.00	
3420 VISA		PD 1255 06/23/	UPS-POLICE - INVESTIGATIONS	06/23/2024	16.59	.00	
3420 VISA		PD 1255 06/23/	EX PELICAN-POLICE - INVESTI	06/23/2024	449.52	.00	
3420 VISA		PW 4142 06/23	HOME DEPOT-EMPLOYEE HOU	06/23/2024	2,068.42	.00	
3420 VISA		PW 4142 06/23	AMAZON -STREET	06/23/2024	1,615.36	.00	
3420 VISA		PW 4142 06/23	AMAZON CREDIT-PUBLIC WOR	06/23/2024	205.00-	.00	
3420 VISA		PW 4142 06/23	HOME DEPOT-EMPLOYEE HOU	06/23/2024	495.44	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3420	VISA	PW 4142 06/23	TETON CONSERVATION DISTRI	06/23/2024	240.00	.00	
3420	VISA	PW 4142 06/23	TARGET-EMPLOYEE HOUSING	06/23/2024	67.82	.00	
3420	VISA	PW 4142 06/23	AMAZON-PUBLIC WORKS	06/23/2024	36.41	.00	
3420	VISA	PW 4142 06/23	AMAZON-PUBLIC WORKS	06/23/2024	139.99	.00	
3420	VISA	PW 4142 06/23	TARGET-TOWN HALL BUILDING	06/23/2024	635.98	.00	
3420	VISA	PW 4704 06/23	USPS-STREET	06/23/2024	53.47	.00	
3420	VISA	PW 4704 06/23	FIREHOSE SUPPLY-STREET	06/23/2024	66.02	.00	
3420	VISA	PW 4704 06/23	ALBERTSONS-WATER DEPART	06/23/2024	168.21	.00	
3420	VISA	PW 4704 06/23	TARGET-PUBLIC WORKS	06/23/2024	191.19	.00	
3420	VISA	PW 4704 06/23	AMAZON-SPORTS AND EVENT	06/23/2024	164.58	.00	
3420	VISA	PW 4704 06/23	PSI SERVICES-WATER DEPART	06/23/2024	106.00	.00	
3420	VISA	PW 4704 06/23	BIG HOLE BBQ-TOWN ENGINEE	06/23/2024	148.55	.00	
3420	VISA	PW 4704 06/23	LOWES-EMPLOYEE HOUSING	06/23/2024	980.88	.00	
3420	VISA	START 4100 0	STAPLES-START	06/23/2024	9.31	.00	
3420	VISA	START 4100 0	ALBERTSONS-START	06/23/2024	62.07	.00	
3420	VISA	START 4100 0	ALBERTSONS-START	06/23/2024	179.89	.00	
3420	VISA	START 4100 0	COSTCO-START	06/23/2024	57.21-	.00	
3420	VISA	Victim 9126 06/	SHERATON DALLAS-VICTIM SE	06/23/2024	582.33	.00	
3420	VISA	Victim 9126 06/	STAPLES-VICTIM SERVICES	06/23/2024	193.89	.00	
3420	VISA	Victim 9126 06/	STAPLES-VICTIM SERVICES	06/23/2024	76.65	.00	
3420	VISA	Victim 9126 06/	4IMPRINT-VICTIM SERVICES	06/23/2024	1,942.26	.00	
3420	VISA	Victim 9126 06/	COCA COLA-VICTIM SERVICES	06/23/2024	16.24	.00	
3420	VISA	Victim 9126 06/	PSA WORLDWIDE-VICTIM SERV	06/23/2024	1,452.75	.00	
3420	VISA	Victim 9126 06/	COCA COLA-VICTIM SERVICES	06/23/2024	27.00	.00	
Total 3420:					27,898.42	.00	
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	257.43	257.43	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	1,369.39	1,369.39	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	198.02	198.02	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	46.46	46.46	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	12.19	12.19	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	401.37	401.37	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	4,402.92	4,402.92	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	1,180.00	1,180.00	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	917.75	917.75	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	697.64	697.64	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	2,121.11	2,121.11	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	92.16	92.16	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	2,386.91	2,386.91	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	568.17	568.17	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	1,702.98	1,702.98	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	1,595.59	1,595.59	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	383.86	383.86	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	384.62	384.62	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	356.44	356.44	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	469.16	469.16	07/16/2024
2736	W.A.R.M. PROPERTY INSURAN	1718	CYBER ASSESSMENT FY2025	07/01/2024	303.89	303.89	07/16/2024
Total 2736:					19,848.06	19,848.06	
517	WAM	17906	TYLER SINCLAIR	05/28/2024	35.00	.00	
517	WAM	17981	FY25 MEMBERSHIP DUES	07/01/2024	13,327.17	.00	
Total 517:					13,362.17	.00	
2247	WATKINS, MARK	071824	REIMB FOR MILEAGE	07/18/2024	72.05	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 2247:					72.05	.00	
6226	WEST COAST CODE CONSULT	UT24-579B-00	PLAN REVIEW FEES JUNE	07/03/2024	2,975.00	.00	
Total 6226:					2,975.00	.00	
563	WESTBANK SANITATION	4561115T022	WWTP trash	07/01/2024	1,132.12	.00	
Total 563:					1,132.12	.00	
1640	WESTERN STATE	IN002850356	SERVICE CALL	07/10/2024	823.68	.00	
1640	WESTERN STATE	Q000373022-3	2024 CATERPILLAR 140	07/10/2024	349,626.52	.00	
Total 1640:					350,450.20	.00	
472	WHITE GLOVE CLEANING, INC.	1978B	1450 WEST STREET	06/30/2024	307.40	.00	
472	WHITE GLOVE CLEANING, INC.	2008B	940 SIMON LANE	06/30/2024	345.51	.00	
472	WHITE GLOVE CLEANING, INC.	9702	JANITORIAL SERVICES	06/30/2024	400.00	.00	
472	WHITE GLOVE CLEANING, INC.	9728	SK HOUSING CLEANING	06/30/2024	400.00	.00	
472	WHITE GLOVE CLEANING, INC.	9730	PUBLIC WORKS	06/30/2024	800.00	.00	
472	WHITE GLOVE CLEANING, INC.	9731	PARKING GARAGE	06/30/2024	250.00	.00	
472	WHITE GLOVE CLEANING, INC.	9732	BUNK HOUSE	06/30/2024	125.00	.00	
Total 472:					2,627.91	.00	
437	WORT HOTEL	07122024	DEPOSIT	07/12/2024	10,000.00	.00	
Total 437:					10,000.00	.00	
2548	WYOMING CONF OF BLDG OFF	071924	MEMBERSHIP FEES LOGAN PR	07/19/2024	50.00	.00	
2548	WYOMING CONF OF BLDG OFF	071924	MEMBERSHIP FEES KELLY SLU	07/19/2024	50.00	.00	
Total 2548:					100.00	.00	
Grand Totals:					3,394,760.72	890,975.01	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
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Report Criteria:

- Detail report.
- Invoices with totals above \$0 included.
- Paid and unpaid invoices included.

STAFF REPORT



Meeting Date:	August 5, 2024	Meeting Title:	Town Council Regular - Consent
Submitting Department:	Public Works	Presenter:	Brian Lenz
Agenda Item:	Teton County Search and Rescue – Sewer and Water Connection Use Agreements (E24-00031&0032)	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to consider and approve Connection and Use Agreements for sewer collection and treatment and water supply services for the existing development, Teton County Search and Rescue (TCSAR) facility at 300 Batch Plant Road.

Requested Action.

Staff requests Town Council review and approve the connection and use agreements.

Recommendations.

Staff recommends Town Council approve the connection and use agreements.

Background.

Town Council approved the County's request for services at the March 18, 2024 regular Town Council meeting. The Connection and Use Agreements are the second part of the Town Process for county service requests as described below.

TOWN PROCESS FOR SEWER AND WATER SERVICE REQUESTS

For all developments that request connection to Town sewer services, are outside the Town corporate limits, and are outside existing contracted service areas, the Town applies the following process.

Step 1: Request for Service

A Miscellaneous Planning Application is filed by an applicant to request Town sewer service(s). Staff review of this application is used by Town Council to make an initial determination on whether to provide services or not. This initial step is based upon preliminary information provided by the applicant and includes staff identifying the conditions of approval that will be further defined in a Connection and Use Agreement (CUA). The Applicant is currently proceeding through Step 1. If Council approves the requests for service, the Applicant will advance to Step 2.

Step 2: Connection and Use Agreements

Staff works with the Applicant (and any other relevant parties) to draft a CUA that includes the conditions of approval identified during Step 1 and other necessary contract terms. If approved by Council, the CUA will be executed and recorded against the property.

Step 3: Permits to Construct

Prior to construction of any infrastructure connecting to the Town's systems, all fees must be paid and permits for the construction of said infrastructure must be issued by the Town.

Analysis & Key Policy Questions.

The applicant has completed the work required as part of the request approval and has agreed to the terms of the agreements.

Possible Alternatives.

1. Direct Staff to modify the agreements.
2. Vote against the agreements.
3. Other.

Comprehensive Plan & Priority Alignment.

This project relates to the Town Comprehensive Plan Common Value #1- Ecosystem Stewardship.

- Policy 1.2.c: Monitor and maintain water quality – calls for monitoring cumulative impacts on water quality and the effectiveness of mitigation efforts and strive to exceed State and Federal requirements for quality and monitoring to enhance water quality in the area.

Fiscal Impact.

The application, permit, and processing fees for these requests and agreements were waived with the request in accordance with the 1998 Cooperative Agreement for Payment of Fees for Publicly Sponsored or Co-Sponsored Projects between the Town of Jackson and Teton County.

Staff Impact.

Step 1: Staff time during Step 1 has been approximately 10-12 hours between Public Works, Planning, Legal and Administration staff.

Step 2: Drafting and Consideration of Connection and Use Agreements for Water and Sewer Services will each have the following impacts.

- CUA Drafting: approximately 4-8 hours for Administration and Public Works, and 6-8 hours for Legal, for a total of 14-24 hours.
- CUA Finalization and Staff Reports: 2-4 Hours for each Administration, Legal, and Public Works for a total of 6 to 12 hours.

Step 3: Connection Permits for a system can take 8-24 hours.

While staff strives to streamline the process, these requests for service outside the corporate limits of the Town are time intensive, including significant time to review, draft, execute and administer the CUA.

The impact to the Town of providing wastewater service to the Applicant at this time is minimal but contributes to the cumulative impact to Public Works staff who maintain the sewer systems, the Finance Department that handles the billing, and to the Wastewater Treatment Plant capacity as the Town continues to connect more customers both within and outside of Town limits.

Attachments or Links.

- Water Connection Agreement
- Wastewater Connection and Use Agreement.

Suggested Motion.

I move to:

1. approve the Water Connection Agreement between the Town and Teton County, subject to final approval by the Town Engineer and Town Attorney; and,
2. approve the Wastewater Connection and Use Agreement between the Town and Teton County, subject to final approval by the Town Engineer and Town Attorney.

**WATER SUPPLY AGREEMENT BETWEEN
THE TOWN OF JACKSON AND TETON COUNTY, WYOMING**

This Water Supply Agreement (“**Agreement**”) is made and entered in to by the Town of Jackson, a municipal corporation of the State of Wyoming, of P.O. Box 1687, Jackson, WY 83001 (“**Utility**”) and Teton County Wyoming, a duly organized county of the State of Wyoming (“**Teton County**”).

RECITALS

WHEREAS, the Utility is the owner and operator of a public water supply and associated facilities, including supply wells, storage tanks, and distribution mains (“**Water Supply System**”), and by means of these facilities makes potable water supply services available to residents of the Town of Jackson and, in some instances, to adjacent or nearby areas of Teton County, Wyoming; and

WHEREAS, the Town of Jackson Municipal Code, as amended, provides that the Utility has exclusive control and management of the Water Supply System provided to all users within the Town of Jackson and those voluntarily electing to connect, but lying outside the corporate limits of the Town of Jackson, and has the authority, from time to time, to make such rules and regulations as are necessary for the complete management and control of the system; and

WHEREAS, Town of Jackson Municipal Code, as amended, provides, further, that the Utility shall not be responsible for water service pipes and water service laterals or any of their appurtenant elements extending from the outside diameter of the Water Supply System to the point of use; and

WHEREAS, Teton County leases a parcel of land within Government Lots 5, 10, 11, and 12 of Section 32, T41N, R116W, 6th P.M. for the operations base for Teton County Search and Rescue, where they store equipment, train members, and manage search and rescue operations; and

WHEREAS, the specific portion leased is Wyoming State Office of State Lands and Investments – Special Use Lease Agreement: SU-00549; Legal Description ID A1261000000UGKSAA4, approximately 1.24 Acres and is addressed as 300 Batch Plant Road (“**Property**”), which is located outside the Town of Jackson; and

WHEREAS, the Property is currently served by an on-site well and Teton County seeks to construct a water system that will connect to the Utility’s Water Supply System; and

WHEREAS, on March 18, 2024 the Jackson Town Council voted to approve a connection to the Property, specifically the Teton County Search and Rescue facility as it exists at the time of application, 8 employees and meeting space for up to 75 occupants, with a water demand of 15,500 gallons average per month; 31,000 gallons maximum per month, and a peak demand of 1,000 gallons per minute for fire suppression (“**Approved Development**”), all as more particularly described and set forth in **Exhibit 1**, subject to conditions of approval, all of which is memorialized in the public record; and

WHEREAS the purpose of this Agreement is to formalize procedures between the Utility and Teton County for water supply connection, and to clarify the terms and conditions under which any owner of property that is not within the Approved Development (an “**Outside Party**”) may connect to the Utility Water Supply System through the Teton County Water System (as defined below);

NOW THEREFORE, it is hereby agreed that for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, on their own behalf and for all successors in interest or assigns, mutually covenant and agree as follows:

1. Connection to the Utility Water Supply System.

- A. Permission to Connect Teton County Water System
 - i. Utility hereby authorizes Teton County to connect its watermain, services, and appurtenances (“**Teton County Water System**”) for the Approved Development to the Utility’s Water Supply System. Water service shall be provided through a watermain and appurtenances thereto, all as more particularly described and set forth in **Exhibit 1**, attached hereto and made a part hereof by this reference.
 - ii. This Agreement is exclusive to the one connection set forth in **Exhibit 1**. This Agreement does not grant Teton County the right to additional connections for itself, nor the right to increase its connection service size.
 - iii. Teton County has no right to water connections for Outside Parties, nor may it allow any Outside Party to tap into the Utility Water Supply System, nor allow any Outside Party to connect to the Teton County Water System as a means of connecting to the Utility Water Supply System. Connections by an Outside Party to the Teton County Water System requires obtaining express, advance, written permission for connection from both the Utility and Teton County.
- B. It is understood and agreed by the parties hereto that the Approved Development and Property are one customer and that Teton County is the party responsible for the connection to the Utility Water Supply System and for the obligations of this Agreement.

2. Agreement to Supply Potable Water.

- A. The Utility hereby agrees to supply potable water for use by Teton County at the Property for the Approved Development pursuant to the terms and conditions set forth herein, ordinances of the Town of Jackson, the Wyoming State Statutes.
- B. The Utility shall provide water complying with the Safe Drinking Water Act at the point of connection. Teton County shall provide any additional water treatment needed to provide safe water from Teton County’s Water System.
- C. Notwithstanding the foregoing, the Utility may, in its sole discretion, interrupt or reduce water service due to:
 - i. System emergencies; or
 - ii. In order to install equipment, make repairs, replacements, investigation, and inspections; or
 - iii. Perform maintenance work on the Utility’s Water Supply System.

3. Teton County Responsibilities.

- A. Teton County shall be solely responsible for paying all costs and expenses associated with the design, permitting, construction, use, operation, and maintenance of the Teton County Water System, as well as all costs of connecting its System to the Utility’s Water Supply System.
- B. Teton County must apply for, receive, and maintain compliance with all necessary permits to construct and operate its Water System from the Wyoming Department of Environmental Quality (“DEQ”) and the Environmental Protection Agency prior to and for the duration of its connection to the Utility’s Water Supply System (the “**DEQ Permit**”). The DEQ Permit does not relieve Teton County from any duty to obtain and maintain any other permit or authorization that may be required by any provision of federal, state, or local codes and ordinances; nor does it permit violation of any section of federal, state, or local codes and ordinances.

- C. Beginning at the point of connection to the Utility-owned system, as defined in the Jackson Municipal Code, Teton County's Water System shall be solely owned, operated, maintained, repaired, and replaced by Teton County, who shall be responsible for all related expenses.
- D. Teton County shall comply with any emergency water conservation measures implemented by the Utility and necessitated by an emergency condition or a water shortage.
- E. In the event of any leakage, damage, infiltration, contamination, or intrusion to the Teton County Water System, Teton County shall promptly notify the Utility of the event; advise the Utility of the measures Teton County is taking to remedy the problem(s); complete all repairs within a reasonable timeframe; and notify the Utility when all such repairs have been completed.
- F. Should the Utility be notified by state or federal agencies with jurisdiction over the Utility's Water Supply System, that the Teton County Water System (or any system subject to this Agreement), is out of compliance with law, regulations, permits, reporting, or deficient in a like way, Teton County shall timely and fully cooperate with the Utility to remedy the compliance or deficiency issue, up to and including, disconnection. All parties shall pay the costs for their own systems.
- G. In the event of a request by an Outside Party to connect to the Utility Water Supply System through Teton County's Water System, the following shall apply:
 - i. Teton County will, as a condition of its approval of the connection, require the Outside Party to contract with a Wyoming licensed professional engineer, or approved equivalent consultant, to conduct a capacity study. The capacity study is intended to evaluate: (i) the total additional potential area, defined for the purposes of this section as the area that the Outside Party is requesting to be served by the Teton County Water System (the "**Additional Service Area**"), whether that full usage is implemented at the time of connection or thereafter; and (ii) the likely impact(s) of the requested connection on the Utility Water Supply System and the Teton County Water System by the Outside Party.
 - ii. Teton County shall require the Outside Party to use in its study the same methodology as that employed by the Town 2020 Capacity Study, or such other methodology approved by the Town, as may be updated by the Town from time to time.
 - iii. Prior to the connection being allowed, the Outside Party shall file an application with Teton County, according to its independent process, and, if approved by Teton County, shall then file an application as supplied and directed by the Utility. If approved by both Teton County and the Utility, the Outside Party shall execute agreements with Teton County and the Utility, respectively.
 - iv. Nothing in this Agreement shall prevent Teton County from rejecting a connection request by an Outside Party. Teton County, at its sole discretion, reserves the right to deny an Outside Party's connection request for any or no reason, including but not limited to, the findings of the capacity study.

4. Water Rates, Charges, and Fees.

- A. The water rates, charges, and fees for Teton County shall be in accordance with the standard service policies and user rates established by the Utility via ordinance and in accordance with Wyoming State Statute, including that water rates, charges, and fees are subject to change, and the changes thereto are applicable to Teton County.
- B. It is acknowledged and agreed that the Approved Development is outside the Town of Jackson corporate limits, and consistent with Wyoming State Statutes, Teton County may be subject to different rates, charges, and fees than those within the corporate limits of the Town.
- C. *Water Capacity Fee.*
 - i. *Initial Connection Approved Development.* Prior to connection to the Utility Wastewater System, Teton County must pay a non-refundable Wastewater Capacity Fee for the Approved Development connecting initially that runs with the land. Such Capacity Fee

will be paid in accordance with Jackson Municipal Code in effect at the time the Town issues the permit for such connection.

- ii. *Additional Development.* If in the future the Property is approved for development in addition to the Approved Development and that additional development requires additional connection(s); or Teton County seeks to increase its water connection service size; or more volume than approved herein (15,500 gallons average per month; 31,000 gallons maximum per month, and a peak demand of 1,000 gallons per minute for fire suppression) is used per month, Teton County will be assessed additional Water Capacity Fees, which fee will be paid in accordance with the Jackson Municipal Code in effect at the time the Town issues the permit for such connection.
- D. *Water Line Service Costs (Connection Costs).* Prior to and during connection to Utility's Water Supply System, Teton County may be charged costs to connect to or tap into the Utility's Water Supply System. Such costs will be paid in accordance with the Jackson Municipal Code at the time the Utility issues the permit for such connection.
- E. *Recurring Water Rates.* Teton County will pay water rates for Teton County consistent with the Jackson Municipal Code and the adopted fee schedules of the Town of Jackson, as each may be amended from time to time.
- F. *Invoicing and Failure to Pay.*
 - i. The Utility will regularly prepare an invoice to Teton County for water supply services and use as a single customer. Regardless of invoicing, Teton County shall be one customer of the Town.
 - ii. Invoicing for Teton County will commence at such time as the Teton County Water System is installed but charges will not be incurred until actual use commences.
 - iii. The Utility shall have the absolute right to shut off the supply of water to Teton County in the event Teton County fails to pay any valid fee submitted in accordance with standard service policies of the Utility and the Jackson Municipal Code.
 - iv. Billing for Teton County will commence at such time as Teton County's Water System, including meter, is installed but charges will not incur until actual use commences.

5. Design and Construction.

- A. Teton County shall employ a Wyoming licensed professional engineer for the design and permitting of the Teton County Water System. Prior to construction Teton County shall submit engineer stamped reports, plans, specifications, and calculations related to its Water System design for Utility review and approval.
- B. All water supply for the Approved Development shall be provided and measured through a single water meter having a Utility-approved readout/radio in accordance with the Town of Jackson Municipal Code, as amended.
- C. The Teton County Water System shall incorporate a backflow prevention system, which shall be installed and maintained in compliance with the Utility's Municipal Code and the DEQ regulations, in effect at the time of such installation or maintenance, as applicable.
- D. The construction and quality control testing shall be monitored by a Wyoming licensed professional engineer responsible for verifying that construction conforms to the project plans and specifications. Inspection reports and test results shall be submitted to the Utility upon completion of construction or as requested by the Utility.
- E. Record drawings shall be submitted electronically in Portable Document Format (PDF) with a corresponding AutoCAD compatible file depicting the improvements and property boundaries, GIS Shape files with metadata and in any other format deemed suitable by the Town Engineer.
- F. Teton County is solely responsible for construction of the Teton County Water System to the point of connection, as defined in the Jackson Municipal Code, with the Utility's Water Supply System.

- G. Teton County shall follow the more stringent of the International Plumbing Code, DEQ, or the Utility's standards that apply to applicable construction, as reasonably interpreted by the Town Engineer. The Utility shall be contacted and will complete a final inspection of the new system installation prior to any supply from the Utility's Water Supply System to the new Teton County Water System.
- H. It is understood by the parties that Teton County may modify its Water System and that Utility may require modifications to the system to be approved by permit.

6. Inspections and Notifications.

- A. Upon reasonable notice to Teton County, which notice shall include reasonable proof of water quality issues, leaks, contamination, infiltration, or intrusion, the Utility may require inspection and testing by Teton County of the Teton County Water System for the purpose of investigating water quality issues, leaks, contamination, infiltration, or intrusion and providing a report by a Wyoming licensed professional engineer. Such testing and inspection pursuant to this paragraph shall be at the Teton County's expense.
- B. Upon reasonable notice to Teton County, the Utility shall be granted access to the Teton County Water System for the purpose of inspecting and testing the infrastructure. All such testing shall be at the Utility's expense.
- C. Teton County shall notify the Utility prior to any modifications to the Teton County Water System.
- D. Utility shall have not less than two business days' notice to inspect all new connections or modifications to the Teton County Water System. The Utility shall not be responsible for any aspect of the new or modified line, without limitation.

7. Voluntary Termination.

- A. Teton County has the right to voluntarily terminate this Agreement at any time upon six (6) months' written notice to the Utility of its intent to terminate. At the expiration of the notice period, Teton County shall disconnect its Water System from the Utility's Water Supply System within thirty (30) days. Teton County shall notify the Utility in writing of the date disconnection occurred and shall be responsible for all costs associated with physical termination and disconnection from Utility's Water Supply System. If Teton County disconnects prior to the expiration of the notice period, Teton County will be charged the Base Charge until the expiration of the notice period.

8. Intentionally Blank.

9. Liability / Indemnification.

- A. Utility shall not have any responsibility or liability for construction, maintenance, or repair of any portion of the Teton County Water System.
- B. Teton County shall not have any responsibility or liability for construction, use, maintenance, upgrades or repair of any portion of Utility's Water Supply System.
- C. Teton County agrees to indemnify and hold harmless the Town from and against any and all cost, liability, expense, and cause of action resulting from Teton County's operation of, or, its failure to maintain or repair any portion of the Teton County Water System, its violation of any regulatory agency's rules and regulations applicable to the Teton County Water System, the imposition of fines and/or legal costs to the Utility associated with such violation, and for costs related to damages resulting from any improper discharge into the Utility's Water Supply System by Teton County, which indemnification includes all costs of defense (including reasonable attorney's fees) for any action or proceedings in which the Utility becomes a party as a result thereof.
- D. In the event that performance of this Agreement is prevented, or interrupted, or service is interrupted or discontinued to Teton County for any reason beyond control of the Utility, Teton County agrees that there shall be no responsibility or liability on the part of the Utility for failure to perform or provide such service.

10. Violation; Enforcement.

- A. Teton County hereby acknowledges that a violation of Title 13 of the Jackson Municipal Code constitutes a violation of this Agreement and may be enforced pursuant to the remedies available in this section.
- B. This Agreement may be enforced by either party by an action at law or in equity, specifically including extraordinary remedies of specific performance and injunctive relief. In the event a party shall be required to bring an action to enforce its rights pursuant to this Agreement, the prevailing party in such controversy shall be entitled to recover, in addition to any and all other relief, all costs, including a reasonable sum for attorney's fees incurred.

11. Notice.

Any notice required or authorized to be given hereunder shall be deemed to have been given when either personally delivered or when delivered by facsimile or three (3) business days after deposit in the United States mail, certified mail, postage pre-paid, and addressed as follows:

Town:

Town of Jackson
Attn: Town Clerk
P.O. Box 1687
Jackson, Wyoming 83001
clerk@jacksonwy.gov

Teton County:

Teton County
Attn: County Clerk
PO Box 1727
Jackson, Wyoming 83001

12. Miscellaneous Provisions.

- A. *Entire Agreement; Amendment.* The parties agree that this Agreement reflects the entire agreement between the parties as to the subject matter hereof, and no amendment of such Agreement shall be effective unless in writing and signed by both parties.
- B. *Waiver.* A waiver by the either party regarding the breach of any of the provisions of this Agreement shall not bar the right of the parties to enforce the terms of this Agreement.
- C. *Assignment.* This Agreement shall not be assigned or transferred except as provided for herein or with prior written approval by the Town of Jackson, which shall not be unreasonably withheld.
- D. *Binding Effect.* This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, legal representatives, successors, and permitted assigns unless terminated upon written agreement by the parties, or their heirs, legal representatives, successors, and permitted assigns.
- E. *Recording.* Teton County shall, at its expense, record this Agreement or a Memorandum of Agreement in the land records of the Office of the Teton County Clerk, Teton County, Wyoming against the Property being served by the Utility.
- F. *Recitals Part of Agreement.* The representations, covenants and recitations set forth in the Recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth herein.
- G. *Severability.* If a Court finds any provision of this Agreement to be invalid or unenforceable, such finding shall not render the entire agreement void or unenforceable. If feasible, the offending provision shall be deemed modified within the limits of enforceability or validity. If the offending provision cannot be modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.
- H. *Additional Documents and Acts.* Each party agrees to execute and deliver such additional documents and instruments and to perform such additional acts as may be necessary or appropriate to effectuate, carry out and perform all of the terms, provisions, and conditions of this Agreement and the transactions contemplated hereby.
- I. *Counterpart Signatures.* This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which, when taken together,

constitute one and the same document. The signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart. Counterparts may be delivered via electronic mail (including pdf or any electronic signature complying with the federal ESIGN Act of 2000, e.g., www.docusign.com) or other transmission method, and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes. At the request of either party, each party agrees to execute an original of this Agreement as well as any facsimile or other reproduction hereof.

- J. *Governing Law, Jurisdiction, Construction.* This Agreement shall be construed, performed, and enforced in accordance with, and governed by, the laws of the State of Wyoming, without giving effect to the principles of conflict of laws thereof. The parties hereto irrevocably elect as the sole judicial forum for the adjudication of any matters arising under or in connection with this Agreement, and consent to the jurisdiction of, the courts of the County of Teton, State of Wyoming, or the United States of America for the District of Wyoming. This Agreement was negotiated by both parties hereto. As such, it shall not be construed against or in favor of any party by virtue of which party drafted it or any portion thereof.
- K. *Immunity.* Notwithstanding any other provision herein, neither party hereto waives its governmental immunity by entering into this Agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.

IN WITNESS WHEREOF, this Agreement shall be effective as of the last date signed below.

[Remaining Page Left Blank – Signatures On Following Pages]

TETON COUNTY, WYOMING,
A Duly Organized County
of the State of Wyoming

By: Luther Propst, Chair Board of County Commissioners

Dated: _____

ATTEST: Maureen E. Murphy, Town Clerk

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Luther Propst and Maureen E. Murphy, as Chair, Board of County Commissioners and Clerk of Teton County, respectively, this ____ day of _____, 2024.

Witness my hand and official seal.

Notary Public

My commission Expires:

TOWN OF JACKSON,

A municipal corporation
of the State of Wyoming

BY: Hailey Morton Levinson, Mayor

Dated: _____

ATTEST: Riley Taylor, Town Clerk

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Hailey Morton Levinson and Riley Taylor, as Mayor and Clerk of the Town of Jackson, respectively, this ____ day of _____, 2024.

Witness my hand and official seal.

Notary Public
My commission Expires:

Ver: 18.0
Printed by: jorgensen on Sep 21, 2023 - 2:17 pm

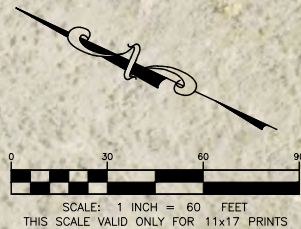
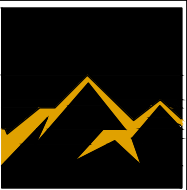


EXHIBIT 1 DRAFT
FINAL EXHIBIT TO BE PROVIDED
BY APPLICANT PRIOR TO
RECORDING.



JORGENSEN
JACKSON, WYOMING
307.733.5150
www.jorgeng.com

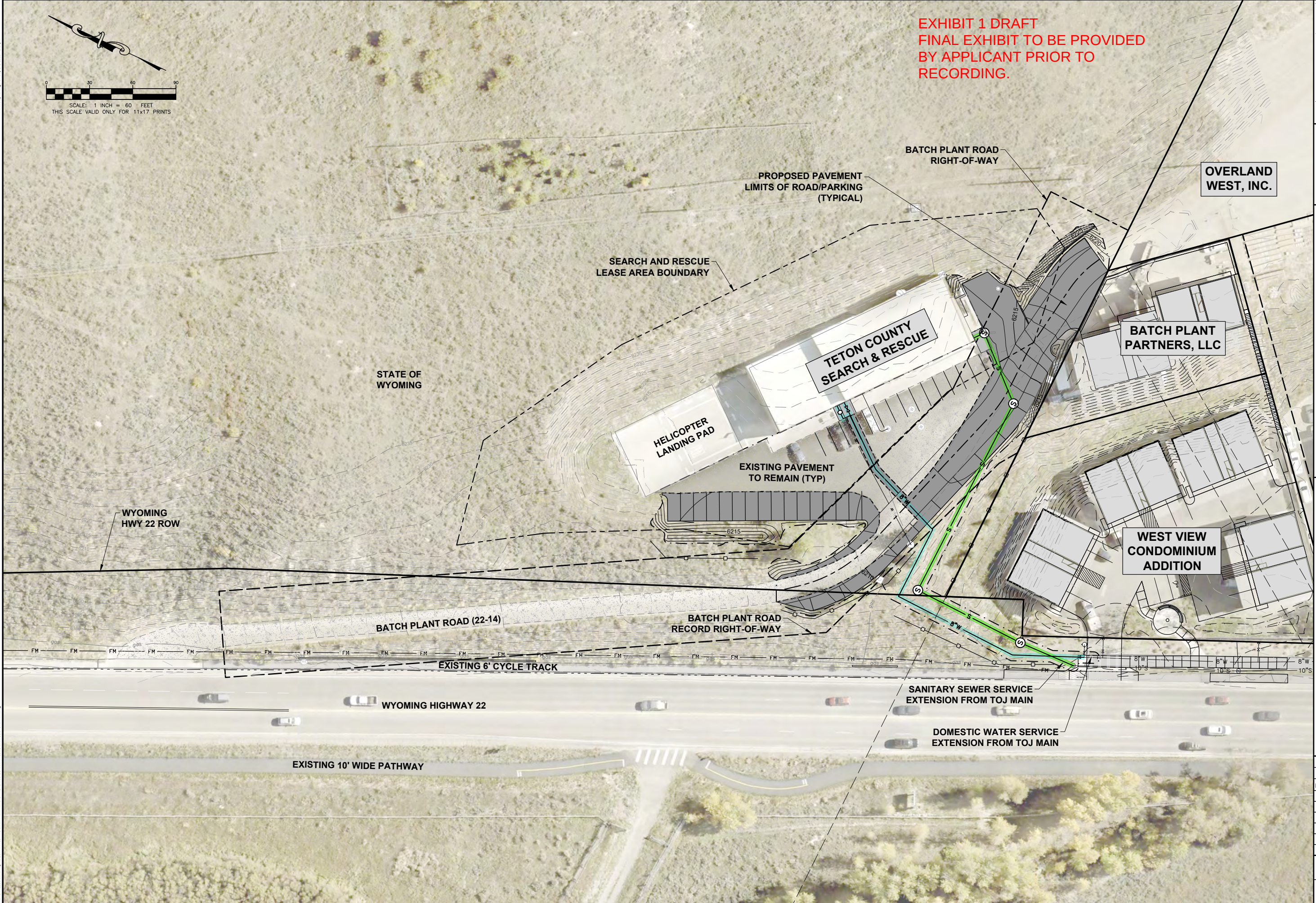
PROJECT TITLE:
TETON COUNTY SEARCH & RESCUE
INFRASTRUCTURE IMPROVEMENTS
PIDN: 22-41-16-28-3-00-030
SECTION 28, T41N, R116W, 6TH PM
TETON COUNTY, WYOMING

SHEET TITLE:
PROJECT OVERVIEW

— PRELIMINARY —
SUBJECT TO CORRECTION
AND APPROVAL

DRAFTED BY:	KB
REVIEWED BY:	AJ
PLAN VERSION	DATE
50% CD SET	07/23/2020
GEC PERMIT SET	04/06/2021
WESTVIEW EXHIBIT	08/12/2022
DRAFT BID SET V4	09/21/2023
TOJ W&S CONNECTION	01/29/2024

PROJECT NUMBER
17100.10.108
SHEET
C3.0



**WASTEWATER TREATMENT FACILITIES CONNECTION AND USE AGREEMENT BETWEEN
THE TOWN OF JACKSON AND TETON COUNTY, WYOMING**

This Wastewater Treatment Facilities Connection and Use Agreement Between the Town of Jackson and Teton County ("**Agreement**") is made between the Town of Jackson, a municipal corporation of the State of Wyoming, of P.O. Box 1687, Jackson, WY 83001 ("**Utility**") and Teton County Wyoming, a duly organized county of the State of Wyoming ("**Teton County**").

RECITALS

WHEREAS, the Utility is the owner and operator of a wastewater treatment plant and associated facilities, including wastewater collection and interceptor mains ("**Utility Wastewater System**"), and by means of these facilities makes wastewater collection and treatment services available to residents of the Town of Jackson and, in some instances, to adjacent or nearby areas of Teton County, Wyoming; and

WHEREAS, the Town of Jackson Municipal Code, as amended, provides that the Utility has exclusive control and management of the Utility Wastewater System provided to all users within the Town of Jackson and those voluntarily electing to connect, but lying outside the corporate limits of the Town of Jackson, and has the authority, from time to time, to make such rules and regulations as are necessary for the complete management and control of the Utility Wastewater System; and

WHEREAS, Town of Jackson Municipal Code, as amended, provides, further, that the Utility shall not be responsible for the maintenance, repair, or operation of sewer services, service laterals, or any of their appurtenant elements extending from the outside diameter of the Utility Wastewater System to the point of use; and

WHEREAS, Teton County leases a parcel of land within Government Lots 5, 10, 11, and 12 of Section 32, T41N, R116W, 6th P.M. for the operations base for Teton County Search and Rescue, where they store equipment, train members, and manage search and rescue operations; and

WHEREAS, the specific portion leased is Wyoming State Office of State Lands and Investments – Special Use Lease Agreement: SU-00549; Legal Description ID A1261000000UGKSAA4, approximately 1.24 Acres and is addressed as 300 Batch Plant Road ("**Property**"), which is located outside the Town of Jackson; and

WHEREAS, the Property is currently served by an on-site wastewater treatment system and Teton County seeks to install a sewer collection and conveyance system (the "**Teton County Wastewater System**") to connect to the Utility Wastewater System; and

WHEREAS, on March 18, 2024 the Jackson Town Council voted to approve a connection to the Property, specifically the Teton County Search and Rescue facility as it exists at the time of application, 8 employees and meeting space for up to 75 occupants, with a sewer demand of 17,000 gallons maximum per month ("**Approved Development**"), all as more particularly described and set forth in Exhibit 1, subject to conditions of approval, all of which is memorialized in the public record; and

WHEREAS the purpose of this Agreement is to formalize procedures between the Utility and Teton County for sewer connection and wastewater treatment, and to clarify the terms and conditions under which any owner of property that is not within the Approved Development (an "**Outside Party**") may connect to the Utility Wastewater System through the Teton County Wastewater System;

NOW THEREFORE, in consideration of the foregoing Recitals, which expressly are hereby made a part of this Agreement, it is hereby agreed by and between the parties as follows:

1. Connection to the Utility Wastewater System.

A. Permission to Connect Teton County Wastewater System

- i. Utility hereby authorizes Teton County to connect its Wastewater System to the Utility Wastewater System, as more particularly described and set forth in Exhibit 1, attached hereto and made a part hereof by this reference.
- ii. This Agreement is exclusive to the one connection set forth in Exhibit 1. Teton County has no right to additional wastewater connections for itself nor to increase its wastewater connection service size.
- iii. Teton County has no right to wastewater connections for Outside Parties, nor may it allow any Outside Party to tap into the Utility Wastewater System, nor allow any Outside Party to connect to the Teton County Wastewater System as a means of connecting to the Utility Wastewater System. Connections by an Outside Party to the Teton County Wastewater System requires obtaining express, advance, written permission for connection from both the Utility and Teton County.

- B. It is understood and agreed by the parties hereto that the Approved Development and Property are one customer and that Teton County is the party responsible for the wastewater that is directly or indirectly discharged into the Utility Wastewater System via the Teton County Wastewater System and for the obligations of this Agreement.

2. Agreement to Treat Wastewater.

- A. Utility hereby agrees to provide sanitary sewer services to Teton County for the Property for the Approved Development pursuant to the terms and conditions set forth herein, ordinances of the Town of Jackson, and the Wyoming State Statutes.
- B. Notwithstanding the foregoing, the Utility may, in its sole discretion, interrupt or reduce wastewater treatment service due to:
- i. System emergencies; or
 - ii. In order to install equipment, make repairs, replacements, investigation, and inspections; or
 - iii. Perform maintenance work on the Utility Wastewater System.

3. Teton County Responsibilities.

- A. Teton County is solely responsible for paying all costs and expenses associated with the design, construction, use, operation, maintenance, and repair of the Teton County Wastewater System, as well as all costs of connecting and maintaining the connection of the Teton County Wastewater System to the Utility Wastewater System.
- B. Teton County must apply for, receive, and maintain compliance with all necessary permits to construct and operate the Teton County Wastewater System from the Wyoming Department of Environmental Quality (“**DEQ**”) prior to and for the duration of its connection to the Utility Wastewater System (the “**DEQ Permit**”). The DEQ Permit does not relieve Teton County from any duty to obtain and maintain any other permit or authorization that may be required by any provision of federal, state, or local codes and ordinances; nor does it permit violation of any section of federal, state, or local codes and ordinances.
- C. In the event of any damage, infiltration, contamination, or intrusion to the Teton County Wastewater System, Teton County shall promptly notify the Utility of the event; advise the Utility of the measures Teton County is taking to remedy the problem(s); complete all repairs within a reasonable timeframe; and notify the Utility when all such repairs have been completed.
- D. Should the Utility be notified by state or federal agencies with jurisdiction over the Utility Wastewater

System, that the Teton County Wastewater System or this Agreement is out of compliance with law, regulations, permits, reporting, or deficient in a like way, Teton County shall timely and fully cooperate with the Utility to remedy the compliance or deficiency issue, up to and including, disconnection. All parties shall pay the costs for their own systems.

- E. In the event of a request by an Outside Party to connect to the Utility Wastewater System through Teton County's Wastewater Conveyance System, the following shall apply:
- i. Teton County will, as a condition of its approval of the connection, require the Outside Party to contract with a Wyoming licensed professional engineer, or approved equivalent consultant, to conduct a capacity study. The capacity study is intended to evaluate: (i) the total additional potential area, defined for the purposes of this section as the area that the Outside Party is requesting to be served by the Teton County Wastewater Conveyance System (the "**Additional Service Area**"), whether that full usage is implemented at the time of connection or thereafter; and (ii) the likely impact(s) of the requested connection on the Utility Wastewater System and the Teton County Wastewater Conveyance System by the Outside Party.
 - ii. Teton County shall require the Outside Party to use in its study the same methodology as that employed by the Town 2020 Capacity Study, or such other methodology approved by the Town, as may be updated by the Town from time to time.
 - iii. Prior to the connection being allowed, the Outside Party shall file an application with Teton County, according to its independent process, and, if approved by Teton County, shall then file an application as supplied and directed by the Utility. If approved by both Teton County and the Utility, the Outside Party shall execute agreements with Teton County and the Utility, respectively.
 - iv. Nothing in this Agreement shall prevent Teton County from rejecting a connection request by an Outside Party. Teton County, at its sole discretion, reserves the right to deny an Outside Party's connection request for any or no reason, including but not limited to, the findings of the capacity study.

4. Wastewater Rates, Charges, and Fees.

- A. The wastewater rates, charges, and fees for Teton County shall be in accordance with the standard service policies and user rates established by the Utility via ordinance and in accordance with Wyoming State Statutes, including that wastewater rates, charges, and fees are subject to change, and the changes thereto are applicable to Teton County.
- B. It is acknowledged and agreed that the Property is outside the Town of Jackson corporate limits, and consistent with Wyoming State Statutes, Teton County may be subject to different rates, charges, and fees than those within the corporate limits of the Town.
- C. *Wastewater Capacity Fee.*
 - i. *Initial Connection Approved Development.* Prior to connection to the Utility Wastewater System, Teton County must pay a non-refundable Wastewater Capacity Fee for the Approved Development connecting initially that runs with the land. Such Capacity Fee will be paid in accordance with Jackson Municipal Code in effect at the time the Town issues the permit for such connection.
 - ii. *Additional Development.* If in the future the Property is approved for development in addition to the Approved Development and that additional development requires additional connection(s); or Teton County seeks to increase its wastewater connection service size; or more volume than approved herein (17,000 gallons maximum per month) is used per month, Teton County will be assessed additional Wastewater Capacity Fees, which fee will be paid in accordance with the Jackson Municipal Code in effect at the time the Town issues the permit for such connection.

- D. *Wastewater Line Service Costs (Connection Costs)*. Prior to and during connection to the Utility Wastewater System, Teton County may be charged costs to connect to or tap into the Utility Wastewater System. Such costs will be paid in accordance with the Jackson Municipal Code, as it may be amended from time to time, at the time the Town issues the permit for such connection.
- E. *Recurring Wastewater Rates*. Teton County will pay wastewater rates consistent with the Jackson Municipal Code and the adopted fee schedules of the Town of Jackson, as each may be amended from time to time.
 - i. *Metering*. All wastewater volume from the Approved Development shall be measured based on water use and the Town Municipal Code. When automatic readings by the Utility are not possible Teton County shall be responsible for reading the water supply meter and conveying that reading to the Utility monthly. The Utility retains the right, and is granted access to the Teton County property, to read the water supply meter at reasonable times. Teton County may be required by Utility to meter or verify wastewater volumes by direct wastewater discharge metering.
- F. *Invoicing*.
 - i. Teton County is responsible for billing, if any, individual units within the Approved Development.
 - ii. Invoicing for Teton County will commence at such time as the Teton County Wastewater System is installed but charges will not be incurred until actual use commences.
 - iii. The Utility will regularly prepare an invoice to Teton County for wastewater services for the Approved Development as a single customer. Regardless of invoicing, Teton County shall be one customer of the Town.
 - iv. Pursuant to Wyoming State Statutes, in the event Teton County fails to pay an invoice within thirty (30) days after it is due, the amount thereof, together with a penalty of 10%, and a reasonable attorney's fee, may be recovered in a civil action by the Utility.
 - v. Utility's billing may include surcharges for extraordinary strength wastes in accordance with the Town of Jackson ordinances, resolutions, and regulations for wastewater.

5. Design and Construction.

- A. Teton County shall employ a Wyoming licensed professional engineer for the design and permitting of the Teton County Wastewater System. Prior to construction Teton County shall submit engineer stamped reports, plans, specifications, and calculations related to its Wastewater Conveyance System design for Utility review and approval.
- B. The design must provide a metering manhole with a manufactured flume or other configuration acceptable to the Utility at or near the point of connection to the Utility Wastewater System. This metering manhole will be used by the Utility or Teton County to verify wastewater volumes.
- C. The construction and quality control testing shall be monitored by a Wyoming licensed professional engineer responsible for verifying that construction conforms to the project plans and specifications. Inspection reports and test results shall be submitted to the Utility as required by the permit, and prior to the Town Engineer's final inspection.
- D. Record drawings shall be submitted electronically in Portable Document Format (PDF) with a corresponding AutoCAD compatible file depicting the improvements and property boundaries, GIS Shape files with metadata and in any other format deemed suitable by the Town Engineer. Teton County has an ongoing obligation to update the record drawings and the corresponding AutoCAD compatible files depicting the improvements and property boundaries timely.
- E. Teton County is solely responsible for construction of the Teton County Wastewater System to the point of connection to the Utility Wastewater System.
- F. Teton County shall follow the more stringent of the International Plumbing Code, DEQ, or the Utility's standards that apply to applicable construction, as reasonably interpreted by the Town Engineer. The

Utility shall be contacted and will complete a final inspection of the new system installation prior to any discharge to the Utility's Wastewater System by the new Teton County Wastewater System.

- G. It is understood by the parties that Teton County may modify its Wastewater System and that Utility may require modifications to the system to be approved by permit.

6. Inspections and Notifications.

- A. Upon reasonable notice to Teton County, which notice shall include reasonable proof of contamination, infiltration, wastewater strength, intrusion, the Utility may require inspection and testing by Teton County of the Teton County Wastewater System for the purpose of investigating contamination, infiltration, wastewater strength, or intrusion and providing a report by a Wyoming licensed professional engineer. Such testing and inspection pursuant to this paragraph shall be at Teton County's expense.
- B. Upon reasonable notice to Teton County, the Utility shall be granted access to the Teton County Wastewater System for the purpose of inspecting and testing the infrastructure, and for the purpose of monitoring the wastewater flow and strength. All such testing shall be at the Utility's expense.
- C. Teton County shall notify the Utility prior to any modifications to the Teton County Wastewater System.
- D. Utility shall have not less than two business days' notice to inspect all new connections or modifications to the Teton County Wastewater System. The Utility, by such inspection, shall not be responsible for any aspect of any new or modified line, without limitation.

7. Septic, Hazardous, and Unapproved Materials Prohibited.

- A. Septic system waste, hazardous materials, or other unapproved substances shall not be introduced into the Teton County Wastewater System or the Utility Wastewater System without prior written approval from the Town Engineer.

8. Teton County Voluntary Termination.

- A. Teton County has the right to voluntarily terminate this Agreement at any time upon six (6) months' written notice to the Utility of its intent to terminate. At the expiration of the notice period, Teton County shall disconnect the Teton County Wastewater System from the Utility Wastewater System within thirty (30) days. Teton County shall notify the Utility in writing of the date disconnection occurred and shall be responsible for all costs associated with the physical termination and disconnection from the Utility Wastewater system. If Teton County disconnects prior to the expiration of the notice period, Teton County will be charged the base charge until the expiration of the notice period.

9. Intentionally blank.

10. Liability; Indemnifications.

- A. Utility shall not have any responsibility or liability for construction, maintenance, or repair of any portion of the Teton County Wastewater System.
- B. Teton County agrees to indemnify and hold harmless the Town from and against any and all cost, liability, expense, and cause of action resulting from Teton County's operation of, or its failure to maintain or repair any portion of, the Teton County Wastewater System, its violation of any regulatory agency's rules and regulations applicable to the Teton County Wastewater System, the imposition of fines and/or legal costs to the Utility associated with such violation, and for costs related to damages resulting from any improper discharge into the Utility Wastewater System by Teton County, which indemnification includes all costs of defense (including reasonable attorney's fees) for any action or proceedings in which the Utility becomes a party as a result thereof.

- C. In the event that performance of this Agreement is prevented, or interrupted, or service is interrupted or discontinued to Teton County for any reason beyond control of the Utility, Teton County agrees that there shall be no responsibility or liability on the part of the Utility for failure to perform or provide such service.

11. Violation; Enforcement.

- A. Teton County hereby acknowledges that a violation of Title 13 of the Jackson Municipal Code constitutes a violation of this Agreement and may be enforced pursuant to the remedies available in this section.
- B. This Agreement may be enforced by either party by an action at law or in equity, specifically including extraordinary remedies of specific performance and injunctive relief. In the event a party shall be required to bring an action to enforce its rights pursuant to this Agreement, the prevailing party in such controversy shall be entitled to recover, in addition to any and all other relief, all costs, including a reasonable sum for attorney's fees incurred.

12. Notice.

Any notice required or authorized to be given hereunder shall be deemed to have been given three (3) business days after deposit in the United States mail, certified mail, postage pre-paid, and addressed as follows:

Town:

Town of Jackson
Attn: Town Clerk
P.O. Box 1687
Jackson, Wyoming 83001
clerk@jacksonwy.gov

Teton County:

Teton County
Attn: County Clerk
P.O. Box 1727
Jackson, WY 83001

All notices hereunder shall include a courtesy copy sent via email to the email address provided above.

13. Miscellaneous Provisions.

- A. *Entire Agreement; Amendment.* The parties agree that this Agreement reflects the entire agreement between the parties as to the subject matter hereof and may be amended anytime by agreement of the Parties, which shall be effective when in writing and duly executed by both parties.
- B. *Waiver.* A waiver by either party regarding the breach of any of the provisions of this Agreement shall not bar the right of the other party to enforce the terms of this Agreement.
- C. *Assignment.* This Agreement shall not be assigned or transferred.
- D. *Binding Effect.* This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, legal representatives, successors, and permitted assigns unless terminated upon written agreement by the parties, or their heirs, legal representatives, and successors.
- E. *Recordation.* Teton County shall, at its expense, record this Agreement or a Memorandum of Agreement in the land records of the Office of the Teton County Clerk, Teton County, Wyoming against the Property being served by the Utility.
- F. *Recitals Part of Agreement.* The representations, covenants and recitations set forth in the Recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth herein.
- G. *Severability.* If a Court finds any provision of this Agreement to be invalid or unenforceable, such finding shall not render the entire agreement void or unenforceable. If feasible, the offending provision shall be deemed modified within the limits of enforceability or validity. If the offending provision cannot be modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.

- H. *Additional Documents and Acts.* Each party agrees to execute and deliver such additional documents and instruments and to perform such additional acts as may be necessary or appropriate to effectuate, carry out and perform all of the terms, provisions, and conditions of this Agreement and the transactions contemplated hereby.
- I. *Counterpart Signature; Electronic Signatures.* This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which, when taken together, constitute one and the same document. The signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart. Counterparts may be delivered via electronic mail (including pdf or any electronic signature complying with the federal ESIGN Act of 2000, e.g., www.docusign.com) or other transmission method, and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes. At the request of either party, each party agrees to execute an original of this Agreement as well as any facsimile or other reproduction hereof.
- J. *Governing Law, Jurisdiction, Construction.* This Agreement shall be construed, performed, and enforced in accordance with, and governed by, the laws of the State of Wyoming, without giving effect to the principles of conflict of laws thereof. The parties hereto irrevocably elect as the sole judicial forum for the adjudication of any matters arising under or in connection with this Wastewater Agreement, and consent to the jurisdiction of, the courts of the County of Teton, State of Wyoming, or the United States of America for the District of Wyoming. This Wastewater Agreement was negotiated by both parties hereto. As such, it shall not be construed against or in favor of any party by virtue of which party drafted it or any portion thereof.
- K. *Immunity.* Notwithstanding any other provision herein, neither party hereto waives its governmental immunity by entering into this Agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.

IN WITNESS WHEREOF, this Agreement shall be effective as of the last date signed below.

TETON COUNTY, WYOMING,
A Duly Organized County
of the State of Wyoming

By: Luther Propst, Chair, Board of County Commissioners

Dated: _____

ATTEST: Maureen E. Murphy, Town Clerk

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Luther Propst and Maureen E. Murphy, as Chair, Board of County Commissioners and Clerk of Teton County, respectively, this ____ day of _____, 2024.

Witness my hand and official seal.

Notary Public

My commission Expires:

TOWN OF JACKSON,

A municipal corporation
of the State of Wyoming

BY: Hailey Morton Levinson, Mayor

DATE: _____

ATTEST: Riley Taylor, Town Clerk

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Hailey Morton Levinson and Riley Taylor, as the Mayor and Town Clerk, respectively, of the Town of Jackson this ____ day of _____, 2024.

Witness my hand and official seal.

Notary Public

My commission Expires:

Ver: 18.0
Printed by: khang on Sep 21, 2023 - 2:17 pm

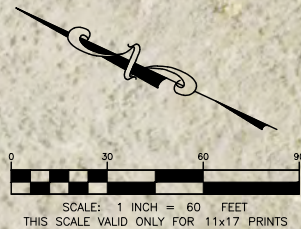


EXHIBIT 1 DRAFT
FINAL EXHIBIT TO BE PROVIDED
BY APPLICANT PRIOR TO
RECORDING.



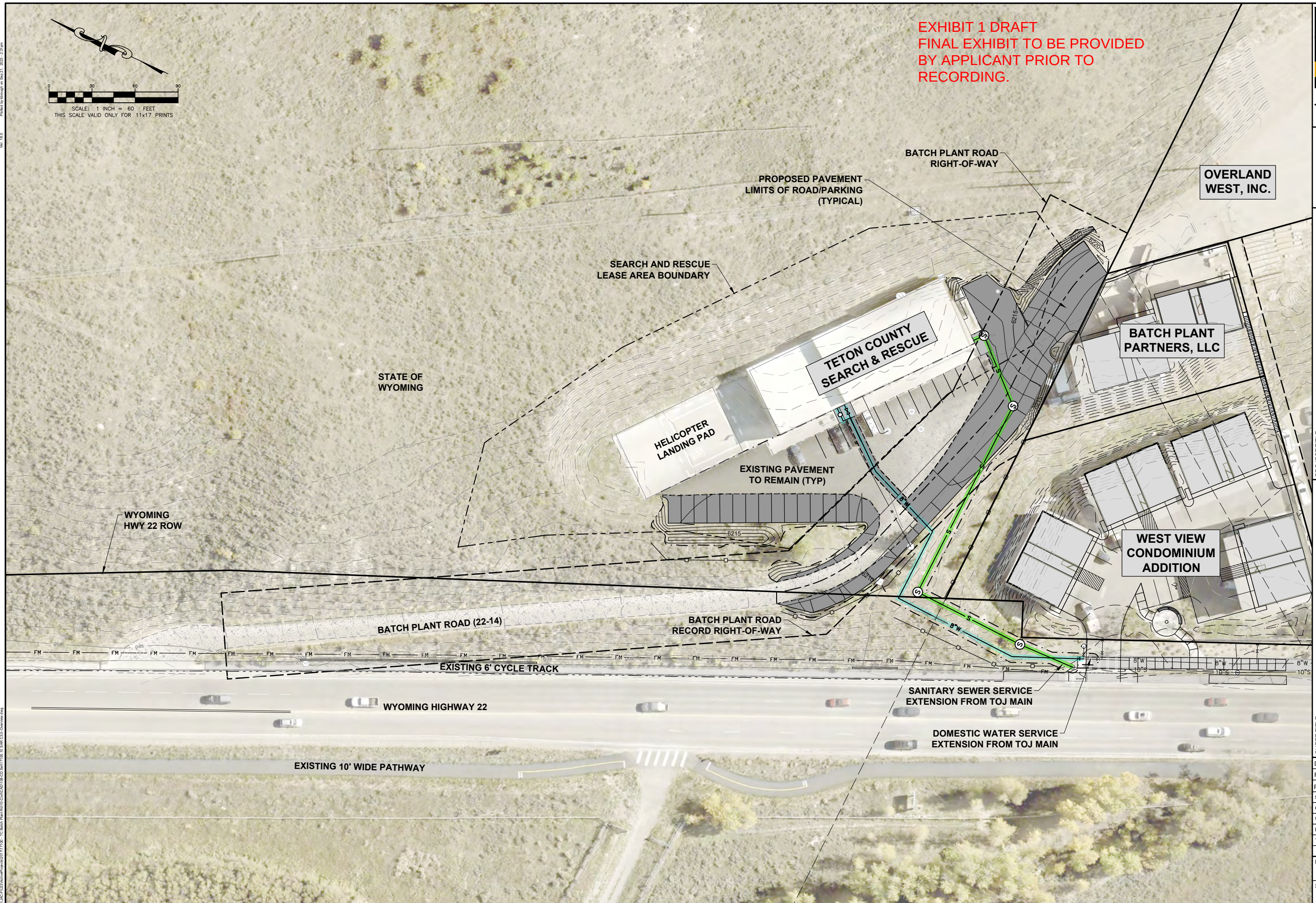
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SHEET TITLE:
PROJECT OVERVIEW

- PRELIMINARY -
SUBJECT TO CORRECTION
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DRAFTED BY:	KB
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PLAN VERSION	DATE
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GEC PERMIT SET	04/06/2021
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DRAFT BID SET V4	09/21/2023
TOJ W&S CONNECTION	01/29/2024

PROJECT NUMBER	17100.10.108
SHEET	C3.0



STAFF REPORT



Meeting Date:	August 5, 2024	Meeting Title:	Regular – Consent
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Sagebrush: Estoppel Certificate and Termination Notice	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to review and execute an Estoppel Certificate and Approval Notice (“Estoppel Certificate”) with respect to the Sagebrush Hotel.

Requested Action.

Staff requests the Council authorize the mayor to execute the Estoppel Certificate.

Recommendations.

Staff recommends the Council authorize the mayor to execute the Estoppel Certificate.

Background.

In 2022 the Town required a Notice of Default, Right to Cure & Option Agreement (“Agreement”) to be entered into by the developers of Sagebrush Apartments. It was the result of concerns raised by the Town about the Housing and Urban Department (“HUD”) financing used to develop the Sagebrush Apartments project and the fact that the HUD loan was going to be recorded against the property *prior* to the workforce deed restrictions. In summary, the Agreement gave the Town the right to cure any defaults under Sagebrush’s loan agreement if Sagebrush failed to cure those defaults and ensured the Town had an option to purchase the property in the event of a continued default.

Analysis & Key Policy Questions.

The Agreement terminates pursuant to any one of 5 events:

1. Assignment
2. Foreclosure or deed in lieu
3. Transfer of the property to the Town
4. Transfer to an eligible mortgagor
5. Payoff of the note

Two of these events are relevant in this situation: First is Sagebrush assigning the Agreement to another party (a request the Town is required to grant if it is not unreasonable) and second, Sagebrush paying off the initial loan. As for assignment, that is taking place because Sagebrush is selling the property to Midland States Bank, the purchase and sale agreement of which requires assignment of the Agreement. The request to assign this Agreement is reasonable in light of the sale. As for the second event, Sagebrush paying off the initial loan, that will happen upon finalization of the sale. In short, the assignment is taking place first, and therefore, the Town’s consent is required; but notably, the Agreement will expire upon the formal sale as well.

The document Sagebrush (via the anticipated purchaser) requests the Town execute consists of 9 representations from the Town:

1. The Agreement is in full force and effect and has not been amended.
2. Seller is not in default of its obligations under the Agreement.
3. The Town has not received any notice of Delinquency or Default under the loan from Love Funding.
4. The property complies with easements and other obligations set forth in the Agreement.

5. No money is due to the Town from Seller under the Agreement.
6. The Mayor is authorized and qualified to bind the Town under the Estoppel Certificate.
7. Purchaser and its Lender are relying on the representations and warranties of the Estoppel Certificate and the Mayor agrees that they may rely on such representations and warranties.
8. Under Section 8 of the Agreement, that Town approves the Assignment by Seller of its rights and obligations under the Agreement.
9. Under Section 5 of the Agreement, the Agreement will automatically terminate with the assignment, since none of the other 5 termination provisions have occurred to date.

With respect to the Town's interest, as noted above, the Agreement was necessitated by the fact that Sagebrush's initial loan was being recorded *prior to* the deed restrictions. However, after payoff of the initial loan, a new one will be recorded *after* the deed restrictions, thus leaving the new loan subordinate to the existing deed restrictions.

Possible Alternatives.

The Council could not execute the Estoppel Certificate.

Comprehensive Plan & Priority Alignment.

Not applicable.

Fiscal Impact.

None.

Attachments or Links.

Estoppel Certificate and Termination Notice

Suggested Motion.

I move to authorize the mayor to execute the Estoppel Certificate and Termination Notice.

ESTOPPEL CERTIFICATE AND APPROVAL NOTICE

_____, 2024

Sagebrush Jackson, L.L.C., a Delaware limited liability company (together with its successors and assigns, "Purchaser")
c/o Waterton Acquisitions, L.L.C.
222 S. Riverside Plaza, 20th Floor
Chicago, IL 60606
Attention: William Aguiar

Re: Notice of Default, Right to Cure & Option Agreement dated May 6, 2022, and recorded May 27, 2022, with the Teton County Clerk as Document Number 1039210 (the "Agreement"), made by and between Sagebrush Investors, LLC, a Delaware limited liability company ("Seller"), and the Town of Jackson, a municipal corporation of the State of Wyoming ("Town")

Ladies and Gentlemen:

As of the date hereof, the undersigned, on behalf of Town, acknowledges that (a) Purchaser has agreed to purchase that certain property commonly known 550 West Broadway, Jackson, Wyoming (the "Property"), from Seller, pursuant to the terms of that certain Purchase and Sale Agreement dated as of May 3, 2024 (as amended from time to time, the "Purchase Agreement"), which transaction requires the assignment of the Agreement from Seller to Purchaser, (b) Purchaser is requiring this Estoppel Certificate and Approval Notice in connection with the consummation of the transactions contemplated by the Purchase Agreement, and (c) the Agreement requires the Town's approval in the event of an assignment by Seller of its rights and obligations under the Agreement, which approval shall not be unreasonably withheld by the Town. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Agreement. Accordingly, as of the date hereof, the undersigned hereby certifies and confirms to Purchaser, Midland States Bank ("Midland") and U.S. Department of Housing and Urban Development (together with Midland, "Lender") and acknowledges and agrees as follows:

- (1) The Agreement is in full force and effect. The Agreement constitutes the entire agreement between the parties subject to the Agreement (collectively, the "Parties") and has not been amended, modified or supplemented, except as set forth on Schedule 1 attached hereto and incorporated herein, and has not been superseded.
- (2) Seller is not in default in the performance of its obligations under the Agreement, nor does any circumstance currently exist that, but for the giving of notice or the passage of time, or both, would be such a default.
- (3) The Town has not received notice of any Delinquency and Default under the Loan

from LFC.

- (4) The Property complies with easements, and other obligations set forth in the Agreement.
- (5) No monies are due to Town from Seller pursuant to the Agreement.
- (6) The undersigned is duly authorized and fully qualified to execute this instrument on behalf of Town thereby binding Town hereto.
- (7) Purchaser, Midland, and Lender are relying on the representations and agreements made by the undersigned herein in connection with the Agreement and the undersigned acknowledges and agrees that the Purchaser, Midland, and Lender may so rely on such representations and agreements.
- (8) Pursuant to Section 8 of the Agreement, the Town hereby approves the assignment by Seller of its rights and obligations under the Agreement from Seller to Purchaser in connection with the consummation of the transaction contemplated by the Purchase Agreement.
- (9) Pursuant to Section 5 of the Agreement, the Agreement shall automatically terminate with this assignment as none of the other events set forth in Section 5 of the Agreement have occurred.

Governmental Immunity: The Town of Jackson does not waive its governmental immunity by entering into this Agreement and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned on behalf of Town has executed this Estoppel Certificate as of the day and year first above written.

TOWN OF JACKSON, STATE OF
WYOMING, a municipal corporation

By: _____
Hailey Morton Levinson, Mayor

ATTEST:

Riley Taylor, Town Clerk

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing was acknowledged before me by Hailey Morton Levinson and Riley Taylor, as the Mayor and Clerk, respectively, of the Town of Jackson this ____ day of _____, 2024.

Witness my hand and official seal.

Public

Notary

My commission Expires:

SCHEDULE 1

None.

STAFF REPORT



Meeting Date:	August 5, 2024	Meeting Title:	Regular – Consent
Submitting Department:	Administration	Presenter:	Tanya Anderson
Agenda Item:	Memorandum of Understanding with Jackson Hole Travel and Tourism Board	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to approve a Memorandum of Understanding (MOU) with the Jackson Hole Travel and Tourism Board (JHTTB) regarding funding to host the Mountain Town 2030 Mountain Solutions Summit.

Requested Action.

Council approves the MOU with the JHTTB.

Recommendations.

Staff recommends Council approve the MOU with the JHTTB.

Background.

At the April 17, 2023, Regular Town Council Meeting, staff presented a scoping report about hosting the Mountain Towns 2030 Climate Solutions Summit in Jackson. Council voted to move forward with conversations with Mountain Towns 2030. Staff requested funding for the event from the JHTTB on September 14th, 2023, and the JHTTB agreed to provide funding for up to \$150,000 for Jackson to host the event. Jackson was subsequently selected as the host city by Mountain Towns 2030, and dates were set for October 15-16, 2024. On December 18th, 2023, at the Regular Town Council Meeting, Council approved staff's request to form a planning committee to support the Climate Solutions Summit. The committee, which includes two Councilmembers, has met several times. Both planning and participant registrations are ahead of schedule.

Funding from the JHTTB can cover marketing for events, expenses for venues, speaker fees, and other related expenses. It cannot include infrastructure or alcohol. All expenses must occur in Fiscal Year 2025, between July 1, 2024, and June 30, 2025.

Analysis & Key Policy Questions.

The Town attorney reviewed the MOU. The questions she had were answered and resolved by the JHTTB and Mountain Towns 2030. Of note is that Mountain Towns 2030 will be responsible for providing the JHTTB as an additional insured on their event insurance policy, not the Town of Jackson.

In July, Town staff began receiving invoices from vendors for reimbursable expenses related to hosting the Mountain Solutions Summit. Approval of the MOU will enable staff to move forward with payments and preparations for the Summit in a timely manner.

Possible Alternatives.

1. Council could reject the MOU and request staff work with the JHTTB to draft a new one.
2. Council could reject funding from the JHTTB.

Comprehensive Plan & Priority Alignment.

Net Zero Resolution.

Fiscal Impact.

The MOU is for reimbursable expenses only and signing it should not have a fiscal impact. If Council does not approve an MOU with the JHTTB, we will need to find another source of funding to host the Mountain Solutions Summit, which could cost the Town of Jackson up to \$150,000.

Attachments or Links.

Memorandum of Understanding

Suggested Motion.

I move to approve the Memorandum of Understanding with the Jackson Hole Travel and Tourism Board for up to \$150,000 in funding to host the Mountain Towns 2030 Climate Solutions Summit.

JACKSON HOLE Travel & Tourism Board

P.O. Box 550
Jackson, WY 83001
lodgingtax@tetoncountywy.gov

MOU with JHTTB and Town of Jackson for Mountain Towns 2030 Funding

Agreement

This Sponsorship Agreement ("Agreement") is entered into to be effective as of the date executed below by the parties, hereinafter referred to as the "Effective Date" of the Agreement,) by and between the Jackson Hole Travel and Tourism Joint Powers Board, located at P.O. Box 550, Jackson, Wyoming 83001 (hereinafter referred to as the "JHTTB") and the Town of Jackson located at 150 E Pearl Ave., Jackson, WY, 83001 (hereinafter referred to as the "**Event Applicant**").

1. Funding.

The JHTTB approved this Agreement at a public meeting on September 14, 2023 for the total amount not to exceed \$150,000. The funding is limited to staging, promoting and marketing Mountain Towns 2030 which is scheduled for October 15-16, 2024. These funds are public funds and shall only be used as outlined herein. Upon approval of funding, the Event Applicant is required to attend a mandatory meeting with the Special Events' Liaison for the purpose of reviewing reimbursement guidelines, limitations, and voucher submittal process.

2. Eligible Reimbursements and Limitations.

JHTTB shall only reimburse for monies spent on staging of the event, event promotion and/or marketing expenses of the Event. JHTTB cannot fund or reimburse for any expenditures related to capital expenses. Reimbursable expenses may include: print or digital advertising; social media; graphic design; promotional brochures; staging of events which includes event production; purse to encourage out of town competitors;

branded material, i.e. shirts, hats; and/or hourly wages or fees for public relations/marketing/social media/staging of events.

Funds will not be reimbursed to the Event Applicant until actual expenses have been incurred and funds will not be paid out for deposits related to the Event.

Do not submit alcohol expenses on vouchers for reimbursement as alcohol cannot be purchased with public funds.

3. Initial Voucher Submittal.

Prior to the Event, one (1) signed and completed voucher may be submitted for up to one-half (1/2) of the total amount of sponsorship no later than two weeks prior to a regularly scheduled JHTTB board meeting. Following the Event, one (1) final voucher shall be submitted for reimbursement as detailed in Paragraph 4 below. The final voucher must be received two weeks prior to a regularly scheduled JHTTB board meeting to be considered for reimbursement. Teton County voucher (attached as Exhibit A) shall be submitted to the Special Events Liaison and for reimbursement by the TTB after actual expenses have been paid. Vouchers must include a completed W-9 form and each expense shall be itemized with sufficient detail on the voucher and receipts and itemization of expenses shall be attached to the voucher. Vouchers must be accompanied, if applicable and required with an approved permit from the Town of Jackson or Teton County.

4. Event Conditions.

- a. Provide Event overview, budget and marketing plan, as well as environmentally sustainable measures to be taken at Event.
- b. Work/coordinate with the JHTTB Special Events' Liaison.
- c. Demonstrate measurable improvement in Events year over year.
- d. Demonstrate growth in number of out-of-town visitors and attendees to the Event (not applicable to Community Events).

5. Final Voucher Submittal.

One (1) final signed and completed voucher for reimbursement of remaining sponsorship funds for the Event shall be submitted with the Event Recap Report as outlined in Paragraph 6, which shall be submitted online two weeks prior to consideration and approval of the final voucher by the JHTTB at a regularly scheduled meeting. Vouchers shall be submitted as detailed in Paragraph 3 above. The final voucher must be received no later than **60-days** following the Event. If the final voucher is untimely the JHTTB may reject processing and reimbursement of the final voucher and these expenses will not be reimbursed to the Event Applicant.

6. Event Recap Report.

The Event Recap Report shall be submitted online via Google Forms no later than **sixty (60) days** following the completion of the Event.

7. Logo Placement.

The JHTTB logo shall be placed on all promotional materials associated with the Event appropriate to the level of sponsorship.

8. Media Release & JHTTB Media Access.

The Event Applicant will provide information and deliverables including pictures, videos, and press releases of the Event to be used on the JHTTB website and media outlets. Once provided, the JHTTB may use the submitted images and/or photography for use and reproduction on the JHTTB's website, known as visitjacksonhole.com, and in connection with other owned Jackson Hole Travel & Tourism Board digital media and social media channels, for purposes of promotion of Jackson Hole. The submitted materials may also be used to accompany an editorial piece or article. In each case, materials will be used with photographer and/or videographer credit when required. No other right or licenses are granted or implied. Event applicant retains all rights in and to the submitted images and/or photography and videography and retains all right to those submissions, which are not granted or licensed herein, and retains all common law copyrights and all federal copyrights which have been, or which may be, granted by the Library of Congress.

The Event will grant access, when requested, to JHTTB contracted photographers, videographers, and media personnel to capture content of the Event to JHTTB use on the website, known as visitjacksonhole.com, and in connection with other owned digital media, social media channels (e.g., Facebook, Instagram), JHTTB emails and newsletters, or to accompany and editorial piece or article.

The Event Applicant owns the rights to the submitted images and/or photography and grant to the Jackson Hole Travel and Tourism Joint Powers Board (JHTTB), its agents, representatives, and employees a specific digital-only use right and limited license for use and reproduction on the website, known as visitjacksonhole.com and in connection with other owned JHTT-JPB digital media, for purposes of promotion of the JHTTB, Jackson Hole/Teton County, WY, 4JH, or to accompany a JHTTB editorial piece, article, as well as for use in the JHTTB social media channels (e.g., Facebook, Instagram), and in each case with photographer credit. No other rights or licenses are granted or implied. Owner owns all rights in and to the submitted images and/or photography and retains all rights to those submissions, which are not granted or licensed herein, and retains all common law

copyrights and all federal copyrights which have been, or which may be, granted by the Library of Congress.

9. Indemnification.

The Event Applicant hereby agrees to indemnify, defend, and hold harmless the Town of Jackson and Teton County, the JHTTB and their respective board members, employees, officers, and contractors, from any and all liability, claims, liens, demands, actions and causes of action whatsoever arising out of misconduct, or any alleged negligent acts, errors or omissions of the Event Applicant, its subcontractors or any person directly or indirectly engaged in any activity associated with the Event.

10. Insurance.

The Event Applicant hereby agrees to secure insurance for the Event and to provide JHTTB a copy of the insurance policy in effect for the Event.

11. Termination.

The JHTTB may terminate this Funding Agreement at any time by providing the Event Applicant thirty (30) days prior written notice of termination. Any costs incurred prior to the notice of termination are subject to reimbursement if properly vouchered.

12. Cancellation of Event.

If the Event Applicant cancels the Event or the Event does not occur based upon the Event Applicant's affirmative action or failure to act, not including an act of God, such as a government act or natural disaster, the TTB may require the Event Applicant to reimburse the public funds for the JHTTB sponsorship funds which have been paid out.

13. Independent Contractor.

The Event Applicant shall be considered an independent contractor, and nothing contained in this Agreement shall constitute or designate the Event Applicant or any of its employees or agents as employees or agents of the JHTTB, Town of Jackson or Teton County. As an independent contractor, the Event Promoter, its subcontractors, or agents, or any person directly or indirectly employed by it are not entitled to worker's compensation benefits or any benefit contemplated by an employee/employer relationship.

Approval and Execution

IN WITNESS WHEREOF the parties have executed this agreement on this _____ day
of _____, 2024.

Jackson Hole Travel & Tourism Board

Chair

Attest:

Secretary

Town of Jackson

Hailey Morton Levinson

Town Clerk

STAFF REPORT



Meeting Date:	8/5/2024	Meeting Title:	Regular - Consent
Submitting Department:	Public Works	Presenter:	Brian Lenz
Agenda Item:	Corrective Access Easement Approval for 155 Center Street (E24-0134)	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to approve a Corrective Easement for Public Access and Sidewalk (Corrective Easement) to true the recorded Easement for Public Access and Sidewalk (Easement) located at 155 Center Street.

Requested Action.

To review and approve the Corrective Easement.

Recommendations.

Staff recommends approval of the Corrective Easement.

Background.

In 2021 and 2022 as part of the design of the Downtown Pedestrian Project, which was approved by Council on March 8, 2021, staff acquired an easement for the sidewalk and pedestrian area along the east side of the property located at 155 Center Street. In March of 2023 the Easement was erroneously recorded in the County Clerk's office. As part of the design work to improve access to the property the north, at the direction of the Town Manger, the Town Engineer checked the recorded easement to make sure the work area was included within the easement and found that the easement was recorded without its exhibits. The Corrective Easement is the result of the Town Engineer's Office coordinating with the Town Attorney's Office and the property owner to correct the public record. The terms of the easements are identical, the Corrective Easement includes an explanation of its purpose and the exhibit.

Analysis.

The public record has an incomplete easement recorded. Based on discussion with the County Clerk's office, title companies, and the County Attorney's Office the Corrective Easement is the best way to correct the public record.

1. Does the Council agree to recording the Corrective Easement?

Possible Alternatives.

Possible alternatives for this item may include:

1. Not approving the Corrective Easement.
2. Other

Comprehensive Plan & Priority Alignment.

- Common Value 2: Growth Management
 - ✓ 4.1.d: Maintain Jackson as the economic center of the region
 - ✓ 4.2.c: Create a vibrant walkable mixed-use subareas
 - ✓ 4.2.e: Protect the image and function of the Town Square
 - ✓ 4.4.a: Maintain and improve public spaces

- Common Value 3: Quality of Life
 - ✓ Increase the capacity for use of alternative transportation modes

Fiscal Impact.

Fiscal impact will include a minimal fee for recording the Corrective Easement with the Teton County Clerk's Office.

Staff Impact.

Staff impact for this item included roughly 4-6 hours of staff time researching and drafting the easement, meeting with the owner, and the staff report.

Attachments or Links.

- Corrective Easement

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

I move to approve the Corrective Easement for Public Access and Sidewalk with SUGA Properties of 155 Center Street, subject to any minor staff modifications.

CORRECTIVE EASEMENT FOR PUBLIC ACCESS AND SIDEWALK

This Corrective Easement For Public Access And Sidewalk ("**Agreement**") is made and entered into on this ____ day of _____, 20____ ("**Effective Date**") by and between Suga Properties, a Limited Liability Company, its successors and assigns, of 737 North Michigan Avenue, Suite 1810, Chicago, Illinois 60611 ("**Grantor**"), and the Town of Jackson, Wyoming, a municipal corporation of the State of Wyoming, its successors and assigns, of P.O. Box 1687, Jackson, Wyoming 83001 ("**Grantee**").

RECITALS

WHEREAS, Grantor is the owner of real property located in Teton County, Wyoming, and described more fully as:

Street Address: 155 Center Street, Jackson, Wyoming

Legal Description: Lots 6-10, BLK 2, Clubhouse, Plat 108

PIDN: 22-41-16-27-3-16-001 ("**Grantor's Property**");

WHEREAS, Grantee is a municipal corporation that constructs, manages, maintains, repairs, and replaces sidewalk infrastructure, and necessary appurtenances thereto (collectively "**Town Sidewalks**");

WHEREAS, Grantor granted an easement to and for the benefit of Grantee and the public on Grantor's Property recorded on March 1, 2023 as Document No. 1054926 in the Office of the Clerk of Teton County, Wyoming ("**Easement Agreement**"), which by this reference is incorporated herein and made a part hereof;

WHEREAS, the Easement Agreement was mistakenly recorded without including Exhibit A, which describes and shows the easement area on Grantor's Property ("**Easement Area**");

WHEREAS, to correct this mistake, the Grantor and Grantee desire to execute and record this Agreement, which reiterates the same terms and conditions of the Easement Agreement, to include Exhibit A, attached hereto and made a part herof by this reference;

NOW, THEREFORE, for and in consideration of the aforesaid recitals, which are incorporated herein by this reference as if set forth in their entirety below, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee agree as follows:

1. Grant of Interest. Grantor hereby grants and conveys to Grantee all of Grantor's right, title and interest, if any, in all hard-surfaced sidewalks, and all infrastructure, appurtenances and related facilities incidental to such sidewalks, which may now or subsequently be located in the Easement Area (collectively referred to in this Agreement as "**Grantee-Owned Public Sidewalk**").
2. Grant of Easement. Grantee, its agents, employees, and contractors shall have the right of ingress and egress to and from the Easement Area across the Grantor's Property for the purpose of constructing, operating, installing, inspecting, repairing, maintaining, reconstructing and/or replacing the Grantee-Owned Public Sidewalk which is at any time located in the Easement Area. In addition, the public shall have the right to use the Grantee-Owned Public Sidewalk.
3. Limitations on Grantee Use. Grantee shall exercise its rights granted above with due regard to the rights of others and their use thereof and shall not use the Easement Area in a way that would impair the rights of Grantor or others.
4. Limitations on Grantor Use. No landscaping (other than sod or grass), trees or shrubs, buildings, fences, or other structures shall be placed or maintained in the Easement Area or within such proximity to them to interfere with the construction, operation, installation, inspection, repair, maintenance, reconstruction and/or replacement of the Grantee-Owned Public Sidewalk located within the Easement Area.
5. Maintenance. Grantor, its successors, and assigns, shall be responsible for all maintenance of the Easement Area, excluding the repair, maintenance, reconstruction, and replacement of the Grantee-Owned Public Sidewalk or damage to the Easement Area caused by the Grantee its agents, employees, or contractors pertaining to the construction, operation, installation, inspection, repair, maintenance, reconstruction, or replacement of Grantee-Owned Public Sidewalk. Grantee shall give Grantor at least seven (7) calendar days' advance written notice of its intent to exercise its right under this Agreement for any planned work regarding the Easement Purpose. Notwithstanding the foregoing, no such notice

shall be required for emergency or unplanned work; however, Grantee shall use reasonable efforts to notify Grantor of its intent to exercise its right under this Agreement for such emergency or unplanned work.

6. Restoration. Grantee covenants and warrants that the surface of the Easement Area that is disturbed by Grantee's work, shall be restored within thirty (30) days from completion of Grantee's work to an equivalent or better condition than it was found in immediately prior to the commencement of any work done by Grantee or Grantee's agents or contractors, but excluding trees that were removed as a result of such work.
7. Indemnification. Grantee hereby agrees to indemnify Grantor and to hold Grantor harmless from and against, any injury to any party acting on behalf of Grantee during any use of the Easement Area for damage or injury caused by (i) the activities of Grantee, its agents, employees, or contractors pertaining to the construction, operation, installation, inspection, repair, maintenance, reconstruction, or replacement of Grantee-Owned Public Sidewalk within the Easement Area, or (ii) a defect or condition relating to the Grantee-Owned Public Sidewalk which did not arise from the acts of Grantor, its agents, employees, contractors, licensees, invitees, guests, successors or assigns. Notwithstanding anything to the contrary herein, Grantee shall not be obligated to indemnify or hold harmless Grantor for any injury, claim or loss to the extent arising from the intentional misconduct, illegal acts, negligent acts or omissions of Grantor, its successors, assigns, employees, contractors, the public, or any other third party not acting at the direction of or on behalf of Grantee. Grantor will notify Grantee in writing within five (5) business days of Grantor receiving notice of any claims against Grantor arising from or related to the easement from which Grantor is or will be seeking indemnification from Grantee. Failure by Grantor to timely and properly provide to Grantee the notice required in this Section shall automatically extinguish and terminate Grantee's duties and obligations set forth in this Section. Nothing in this Agreement shall alter, amend, modify, or diminish the existing statutory, constitutional, or legal defenses of the Grantee in relation to such claims under Wyoming law.
8. Successors and Assigns. This Agreement shall constitute a covenant running with the land that binds and shall inure to the benefit of the parties and their heirs, assigns and successors in interest.
9. Governing Law; Jurisdiction; Construction. This Agreement shall be constructed, performed, and enforced in accordance with, and governed by, the laws of the State of Wyoming, without giving effect to the principles of conflict of laws thereof. The parties hereto irrevocably elect as the sole judicial forum for the adjudication of any matters arising under or in connection with this Agreement, and consent to the jurisdiction of, the courts of the County of Teton, State of Wyoming, or the United States District Court for the District of Wyoming. This Agreement was negotiated by both parties and thus it shall not be construed against or in favor of any party by virtue of which party drafted it or any portion thereof.
10. Severability. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein
11. Entire Agreement; Modification. This Agreement embodies and constitutes the entire agreement with respect to the subject matters hereof and all prior or contemporaneous agreements, understandings, representations, statements are merged into this Agreement. Neither this Agreement nor any provision hereof may be waived, modified, amended, discharged, or terminated in whole or in part, unless agreed to in writing by the parties; provided, however, that such amendment or termination shall be properly recorded in the Office of the Clerk of Teton County, Wyoming as a condition to its effectiveness.
12. Governmental Immunity. Grantee does not waive its sovereign or governmental immunity by entering this Agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or arising out of this Agreement.
13. Authority. Grantor covenants that Grantor is the owner of the above-described property and that the consideration recited herein shall constitute full and final payment for the Easement and for all damages sustained by Grantors by reason of the installation of the structures referred to herein.

[REMAINDER OF PAGE IS INTENTIONALLY BLANK]

GRANTOR:

SUGA PROPERTIES, LLC

By: _____

Its: _____

STATE OF _____)
) ss.

COUNTY OF _____)

This instrument was acknowledged before me on _____, 2024 by _____, as _____ of _____.

Notary Public

My commission expires: _____

GRANTEE:

TOWN OF JACKSON

By: Hailey Morton Levinson
Its: Mayor

ATTEST:

By: Riley Taylor
Its: Town Clerk

STATE OF WYOMING)
)ss
COUNTY OF TETON)

This instrument was acknowledged before me on _____, 2024 by Hailey Morton Levinson, as Mayor of the Town of Jackson, and _____, as the Town Clerk of the Town of Jackson.

Notary Public
My commission expires: _____

Exhibit A
**Legal Description of Sidewalk Easement Encumbering “Lots 6-10”, Block 2,
Clubhouse Addition**
PIDN: 22-41-16-27-3-16-001

A strip of land situated in the SW1/4SW1/4 of Section 27, T. 41 N., R. 116 W.,
6th P.M., Teton County, Wyoming, being more particularly described as follows:

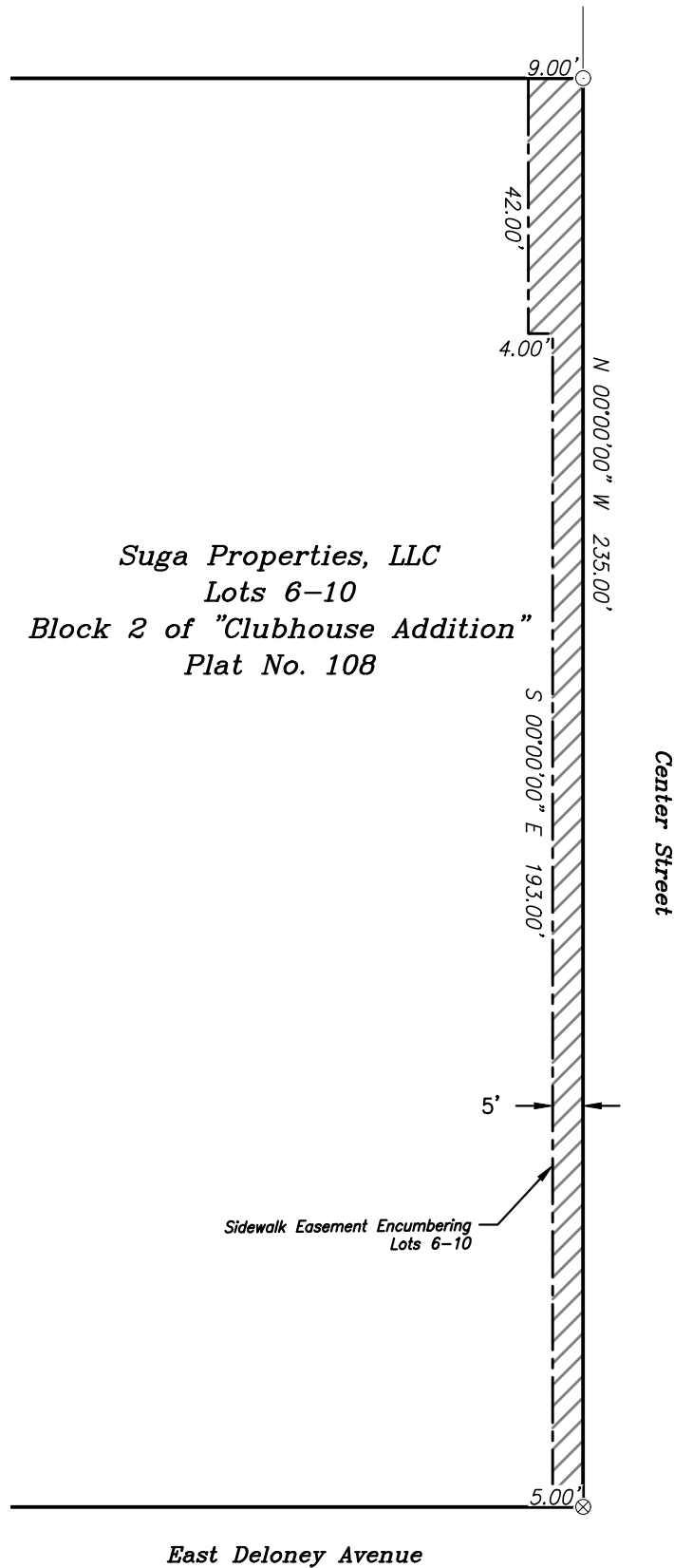
BEGINNING at the northeast corner of “Lots 6-10” of Block 2 of Clubhouse Addition to the
Town of Jackson as described in Instrument No. 1024393 and shown on Plat No. 108
recorded in the Office of the Clerk of Teton County, Wyoming;
THENCE N 90°00’00” W, 9.00 feet, along the north line of said “Lots 6-10” to a point;
THENCE S 00°00’00” E, 42.00 feet, to a point;
THENCE N 90°00’00” E, 4.00 feet, to a point;
THENCE S 00°00’00” E, 193.00 feet, to an intersection with the south line of said “Lots 6-10”;
THENCE N 90°00’00” E, 5.00 feet, to the southeast corner of said “Lots 6-10”;
THENCE N 00°00’00” W, 235.00 feet, along the east line of said “Lots 6-10” to the **Point of
Beginning**

Said strip encompasses 1343 square feet, more or less.

The basis of bearings for this description is N 0°00’00” W along the east line of “Lots 6-10” of
Block 2 of Clubhouse Addition to the Town of Jackson as described in Instrument No. 1024393
and shown on Plat No. 108 recorded in the Office of the Clerk of Teton County, Wyoming.

All in accordance with the exhibit entitled “Sidewalk Easement” recorded contemporaneously
with this description in the Office of the Clerk of Teton County, Wyoming.

Y2 Consultants, LLC
May 4, 2022
Project No. 19245
Prepared by NKM
Reviewed by MWF



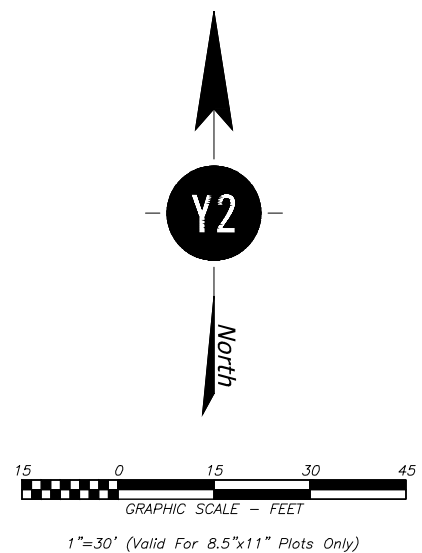
LEGEND

- Indicates a monument of record
- ⊗ Indicates a calculated point
nothing found or set this survey
- Record Property Boundary
- Adjoining Property Boundary
- ▨ Sidewalk Easement

NOTES

Lot dimensions shown hereon are record derived from Plat No. 108 recorded in the Office of the Clerk of Teton County, Wyoming. Boundaries of adjoining properties shown hereon are for reference only.

Easements of sight and record not shown hereon may exist.



Lots 6-10
Block 2 of "Clubhouse Addition"
T. 41 N., R. 116 W., 6th P.M.
Teton County, Wyoming

CLIENT
Town of Jackson

Sidewalk Easement

PROJECT NUMBER: 19245
DRAWING DATE: 2/17/2022
REVISION DATE:
DRAWN BY: NKM
REVIEWED BY: MWF



STAFF REPORT



Meeting Date:	August 5, 2024	Meeting Title:	Regular
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Parking Ticket Procedure: Updating Procedure and Process	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to present and discuss with Council updates to the Municipal Code that are necessary to effectuate technical procedure changes for parking tickets.

Requested Action.

Staff request Council consider and approve the attached ordinances.

Recommendations.

Staff recommend Council approve the attached ordinance.

Background.

Title 10 of the Jackson Municipal Code contains various ordinances that prohibit the stopping, standing, and parking of vehicles in certain areas and under certain circumstances within the Town. The Town, via the Jackson Police Department, currently issues citations to the registered owner of any vehicle found in violation of a parking prohibition and serves the citation to the registered owner by attaching the citation to the vehicle. The citation commences a criminal action in the Municipal Court that must conform to the Wyoming Rules of Criminal Procedure.

Like most parking enforcement agencies, the Jackson Police Department's parking enforcement process involves monitoring street parking and parking lots, identifying parking violations, and concurrently issuing citations for identified parking violations. In most cases, the registered owner or violator is not physically present when the JPD identifies and cites a parking violation. It is recommended the Town shift from a criminal process to a civil process for parking violations, thus keeping in line with common municipal practice nationwide.

Analysis & Key Policy Questions.

First and foremost, shifting from a criminal process to a civil process for parking violations, will not change the current practices of the Jackson Police Department nor have an effect on resident or visitor experiences in the community. Rather, it is a technical change accomplished via ordinance amendments and updating the authority of the Municipal Judge.

Second, the Legal Department has met with and worked closely with the Police Department, the prosecutor, and the Municipal Court over the last year to implement the process and procedure changes necessary to effectuate this shift – i.e., updating parking ticket forms from a citation (criminal) to a notice of violation (civil) and planning for how the Judge will distinguish the criminal portion of Court sessions from the civil parking ticket portions.

Summary of Changes to the Municipal Code.

- ✓ Title 1
 - Adding civil authority and civil duties to Municipal Judge
 - Authorizing a civil bond schedule
 - Clarifying the commencing of civil parking tickets
- ✓ Title 2
 - Adding issuing civil tickets to Community Service Division
- ✓ Title 10

- Creating a new chapter for parking violations and setting out procedures therefor.

Key Policy Question: Will Council adopt the necessary ordinance changes to shift from a criminal process to a civil process for parking violations?

- ✓ Pros. The benefit of making this shift is that the parking ticket process will comply with all procedural legal requirements, will be in line with modern national parking regimes, but, simultaneously, will not alter the day-to-day ticketing process for the Town or the public.
- ✓ Cons. There no negative impacts from making this shift.
- ✓ Staff Recommendation. Staff recommends making this shift.

Possible Alternatives.

Council could elect not to shift from a criminal process to a civil process for parking violations.

Comprehensive Plan & Priority Alignment.

Section 8.1 and 8.2: Timely, efficiently and safely deliver quality services and facilities in a fiscally responsible and coordinated manner.

Fiscal Impact.

None, these changes have no fiscal impact.

Staff Impact.

The staff impact of this item was concentrated in the Legal Department and required, approximately, 150 hours. Other affected departments include Police and Municipal Court.

Additionally, in terms of ongoing impacts, Municipal Court anticipates approximately 5 hours per month will be needed to administer the due process required for the updated vehicle booting procedure.

Attachments or Links.

- Clean then Redline versions of:
- Civil Parking Authority Generally – Ordinance G
- Community Service Unit Civil Parking Authority – Ordinance H
- Revised Parking Regulations – Ordinance I

Suggested Motion.

I move to approve Ordinances G, H, and I on first reading [with the changes as discussed today].

ORDINANCE G

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1287, 1181, 1180, 1054, 870, 798, 527, 526, 300, 179, AND 18; SECTION 2 OF JACKSON ORDINANCE NOS. 871 AND 18; AND SECTION 34 OF JACKSON ORDINANCE NO. 162; AND SECTIONS 1.16.010, 1.16.020, 1.18.010 AND 1.18.080 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING CIVIL PARKING AUTHORITY 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. 1287, 1181, 1180, 1054, 870, 798, 527, 526, 300, 179, and 18; Section 2 of Jackson Ordinance Nos. 871 and 18; and Section 34 of Jackson Ordinance No. 162; and Sections 1.16.010, 1.16.020, 1.18.010 and 1.18.080 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

1.16.010 Office created; qualifications.

- A. The office of Municipal Judge is created in the Town.
- B. The Municipal Judge shall be the judge of the Municipal Court.
- C. The Municipal Court is created, which shall be presided over by the Municipal Judge. The Municipal Court and the Municipal Judge presiding therein shall have the exclusive jurisdiction to hear and determine all violations of the ordinances of the Town and may impose penalties as set forth in this Code.
- D. The Municipal Judge shall have the jurisdiction to hear and determine civil infractions for Parking Violations as set forth in Chapter 10.05 of Title 10 in this Code and may impose civil fines and court costs related thereto.
- E. The Municipal Judge may-be appointed as a hearing officer for administrative and contested cases and has the jurisdiction to hear such cases.
- F. The Mayor, with the advice and consent of the Town Council, shall have the authority to appoint alternative judges and all such alternate Municipal Judges shall be qualified electors of Teton County, Wyoming.
- G. Every Municipal Judge of the Town of Jackson shall:
 - 1. Be an active member of the Wyoming State Bar in good standing for at least five years prior to appointment; and
 - 2. Be free from any discipline by any State Bar or State Supreme Court for a period of five years prior to appointment; and
 - 3. Successfully complete an employment screening.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1180 § 1, 2017; Ord. 870 § 1, 2008; Ord. 526 § 1, 1996; Ord. 300 § 1, 1983; Ord. 18 § 1, 1926).

1.16.020 Bond schedule authorized.

- A. Repealed.

- B. The Municipal Judge may designate specified offenses of this Town in respect to which payment of fines may be accepted by paying the amount designated without appearance before the Municipal Judge, and shall specify by suitable schedules the amount of such fines, provided such fines are within the limits declared by law or ordinance.
- C. The Municipal Judge shall designate and specify by suitable schedules the amount of civil fines that may be paid for the admission of responsibility and liability for civil infractions for Parking Violations provided such fines are within the limits declared by ordinance.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1180 § 1, 2017; Ord. 870 § 1, 2008; Ord. 798 § 1, 2005; Ord. 527 § 1, 1996; Ord. 179 § 1, 1975; Ord. 18 § 2, 1926).

1.18.010 How commenced; proceed.

- A. Criminal actions in Municipal Court shall be commenced and proceed pursuant to the Wyoming Rules of Criminal Procedure.
- B. Administrative actions for violations of ordinances may be commenced in accordance with the procedures set forth in the Town of Jackson Contested Case Rules.
- C. Civil infractions for Parking Violations shall be commenced and proceed in accordance with the process and procedures set forth in Chapter 10.05 of Title 10 of this Code.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1181 § 1, 2017; Ord. 871 § 2, 2008; Ord. 162 § 33, 1973).

1.18.020 Duty of Municipal Judge

The Municipal Judge shall keep all dockets, papers, files, and records associated with the office of the Municipal Judge and the functions thereof in a manner compliant with state law, the rules of judicial ethics, and Wyoming Supreme Court rules.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1181 § 1, 2017; Ord. 871 § 2, 2008; Ord. 162 § 34, 1973).

1.18.080 Administrative fees assessed in Municipal Court; court costs assessed in Municipal Court.

- A. All individuals convicted of driving or having control of a vehicle while under the influence of intoxicating liquor or controlled substances in accordance with this Code or State statute shall be assessed an administrative fee of \$800.00; all individuals subject to a disposition pursuant to Wyo. Stat. Ann. § 7-13-301 for driving or having control of a vehicle while under the influence of intoxicating liquor or controlled substances in accordance with this Code or State statute shall be assessed an administrative fee of \$750.00.
- B. All individuals convicted of or subject to a disposition pursuant to Wyo. Stat. Ann. § 7-13-301 for public intoxication in accordance with this Code or State statute shall be assessed a fee of \$25.00.
- C. Court costs for all matters before the Municipal Court shall be assessed and shall be fixed at \$10.00.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1054 § 1, 2014).

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE _____ DAY OF _____, 2024.

PASSED 2ND READING THE _____ DAY OF _____, 2024.

PASSED AND APPROVED THE _____ DAY OF _____, 2024.

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 _____, 2024.

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 H

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1337, 1186, AND 842; AND SECTION 2.23.051 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING THE COMMUNITY SERVICE UNIT 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 Ordinances 1337, 1186, and 842; and Section 2.23.051 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

2.23.051 Community Service Unit and Code Enforcement Officer.

The Community Service Unit of the Police Department and Code Enforcement Officer(s) appointed as Special Municipal Officers by the Town of Jackson have specific authority to issue citations for violations of the Jackson Municipal Code as set forth in Wyo. Stat. Ann. § 15-1-103(a)(I) and to issue Notices of Parking Violations as set forth in Chapter 10.05 of Title 10 of this Code.

(Ord. __, § __, ____; Ord. 1337 § 1, 2022; Ord. 1186 § 1, 2017; Ord. 842 § 1, 2007)

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1311, 1194, 661, 610, 214, 161, AND 131; AND SECTIONS 10.04.205, 10.04.210, 10.04.285, 10.04.117, AND 10.04.227; AND ADDING CHAPTER 10.05 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING PARKING REGULATIONS 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. 1311, 1194, 661, 610, 214, 161, AND 131; and Sections 10.04.205, 10.04.210, 10.04.285, 10.04.117, and 10.04.227 are hereby amended and reenacted to read as follows:

10.04.205 Designated on-street bicycle lanes and pathways.

- A. For the purposes of this section, on-street bicycle lanes and pathways are the portions of a street or a pathway designated by appropriate signage, pavement markings, or curb markings for the preferred or exclusive use by bicycle or pedestrian traffic.
- B. It is lawful to ride or use Electric Bicycles, as defined in Section 10.13.010, in on-street bicycle lanes and pathways.
- C. It is unlawful to stop, stand, or park a motor vehicle in an on-street bicycle lane or pathway.
- D. It is unlawful to operate a motor vehicle in an on-street bicycle lane or pathway.
- E. This Section shall not apply in cases of unavoidable necessity, for the purpose of crossing to gain immediate access to an adjacent property, in cases of emergency, or when directed to do so by a peace officer or Special Municipal Officer, nor shall it apply to governmental agencies, utility providers, or other duly authorized persons engaged in the maintenance of on-street bicycle lanes, pathways, and adjacent utilities.

(Ord. __, § __, ____; Ord. 1311 § 1, 2022; Ord. 1194 § 1, 2018; Ord. 661 § 1, 2000).

10.04.210 Evidence required on parking violation. Repealed.

(Ord. __, § __, ____; Ord. 1311, § 1, 2022; Ord. 610 § 1, 1998; Ord. 214 § 1, 1977; Ord. 131 § 22, 1970).

10.04.285 Vehicle immobilization. Repealed.

(Ord. __, § __, ____; Ord. 1311 § 1, 2022).

10.04.217 Tampering with immobilization device.

- A. For the purposes of this Section, the term “immobilization device” means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable in accordance with Section 10.05.120.
- B. It is unlawful for any person to do any of the following acts when an immobilization device is used to immobilize a vehicle in accordance with Section 10.05.120 unless such action is authorized by the Town Manager, or their designee:
 - 1. Remove an immobilization device,

2. Attempt to remove an immobilization device,
3. Damage an immobilization device,
4. Tamper with an immobilization device, or
5. Move a vehicle with an immobilization device attached to the vehicle.

(Ord. __, § __, ____).

10.04.227 Parking of unregistered vehicles.

No person shall park a vehicle on any street within the Town, or in any public parking structure, parking lot, or other property owned, operated, leased, or maintained by the Town that does not plainly, visibly, and legibly display in proper position valid registration and license plates.

(Ord. __, § __, ____).

SECTION II.

Chapter 10.05 of the Municipal Code of the Town of Jackson is hereby created to read as follows:

Chapter 10.05 PARKING VIOLATIONS

10.05.010 Definitions.

The following words and phrases when used in this Chapter shall have the following meanings:

- A. *"Notice of Parking Violation"* means a written notice directing a person to answer an alleged Parking Violation.
- B. *"Operator"* means and includes every individual who operates a vehicle as the Owner thereof, or as the agent, employee, or permittee of the Owner, or is the individual who is in actual physical control of a vehicle.
- C. *"Owner"* or *"Registered Owner"* shall mean the registered owner of a vehicle.
- D. *"Parking Law"* shall mean any of the following provisions found in this Code:
 1. Section 10.04.130, Parking parallel to curb;
 2. Section 10.04.140, Angle parking – Restrictions;
 3. Section 10.04.160, Additional prohibitions as to stopping or parking;
 4. Section 10.04.170, Parking in alleys;
 5. Section 10.04.190, Parking time limited on Town streets;
 6. Section 10.04.200, Parking spaces for persons with disabilities;
 7. Section 10.04.201, Bus stops/zones;
 8. Section 10.04.202, Horse-drawn carriage or stagecoach zones;
 9. Section 10.04.203, Fire lanes;
 10. Section 10.04.204, Motorcoaches;
 11. Section 10.04.205(C), Designated on-street bicycle lanes and pathways;
 12. Section 10.04.220, No overnight parking zones;
 13. Section 10.04.225, Public parking structure West Simpson Ave and South Milard St; and
 14. Section 10.04.300, Parking during winter maintenance.
 15. Section 10.04.227, Parking of unregistered vehicles.
- E. *"Parking Violation"* shall mean a vehicle found stopped, standing, or parked in violation of any Parking Law.

(Ord. __, § __, ____).

10.05.020 Parking Violation – Civil infraction.

- A. A Parking Violation shall constitute a civil infraction that is subject to a civil fine of not more than \$750.00.
- B. Notwithstanding a Parking Law being made or declared elsewhere in the Code to be unlawful, a criminal offense, or a misdemeanor, the Parking Law shall be treated as a civil infraction.

(Ord. __, § __, ____).

10.05.030 Liability for a Parking Violation.

- A. The Owner is liable for a Parking Violation. The presence of a particular vehicle in violation of any Parking Law shall be prima facie evidence the Owner committed the violation at the time of such violation.
- B. An Operator of a vehicle served with a Notice of Parking Violation may answer the Notice of Parking Violation as set forth in this Chapter. The authorization for an Operator to answer a Notice of Parking Violation shall not absolve the Owner of liability for a Parking Violation.

(Ord. __, § __, ____).

10.05.040 Notice of Parking Violation.

A Notice of Parking Violation may be issued in accordance with this Chapter whenever a vehicle is found in violation of a Parking Law. A Notice of Parking Violation is prima facie evidence of the facts alleged therein.

(Ord. __, § __, ____).

10.05.050 Contents of Notice of Parking Violation.

- A. A Notice of Parking Violation shall be on a form provided by the Chief of Police, or their designee, and is required to contain, at minimum, the following information:
 - 1. The Registered Owner's name;
 - 2. The state and license number or vehicle identification number, and the make of the vehicle found in violation,
 - 3. The date, time, and location of the violation;
 - 4. The Parking Law violated;
 - 5. The name of the officer issuing the Notice of Parking Violation; and
 - 6. Information that advises of the manner and the time within which the Notice of Parking Violation must be answered.
- B. Error or omission of any of the required information, or any other defect or imperfection, shall not be grounds for the dismissal of an action relating to a Notice of Parking Violation unless the person requesting such a disposition demonstrates prejudice therefrom by a preponderance of the evidence.

(Ord. __, § __, ____).

10.05.060 Authority to Issue a Notice of Parking Violation.

A Notice of Parking Violation may be issued by any peace officer or by any Special Municipal Officer of the Jackson Police Department.

(Ord. __, § __, ____).

10.05.070 Filing of Notice of Parking Violation.

Notices of Parking Violation must be filed with the Municipal Court within 14 days of issuance. Any Notice of Parking Violation that is not filed within 14 days is void.

(Ord. __, § __, ____).

10.05.080 Service of Notice of Parking Violation.

- A. An original or duplicate Notice of Parking Violation must be served upon the Owner of the vehicle by one of the following means:
 - 1. Affixing the Notice of Parking Violation to the vehicle in a conspicuous place;
 - 2. Serving the Notice of Parking Violation personally upon the Owner or Operator of the vehicle.
- B. An Operator of a vehicle who is not the Owner of the vehicle is deemed to be the agent of the Owner to be served a Notice of Parking Violation, whether it is served on the Operator personally or served by affixation, and service made by either manner is deemed to be lawful service upon the Owner.

(Ord. __, § __, ____).

10.05.090 Required answer to a Notice of Parking Violation.

- A. The Owner of a vehicle issued and served a Notice of Parking Violation in accordance with this Chapter must, within the time specified in the Notice of Parking Violation, answer the Notice of Parking Violation in one of the following manners:
 - 1. Admit responsibility and liability for the violation of a Parking Law by paying the civil fine notated on the Notice of Parking Violation;
 - 2. Request a review of the Notice of Parking Violation by the Town Attorney, or their designee, to disclaim responsibility, or to dispute the propriety of the issuance of the Notice of Parking Violation or any penalties thereto in accordance with Section 10.05.100; or
 - 3. Request a hearing to contest the Notice of Parking Violation before the Municipal Court in accordance with Section 10.05.110.
- B. If the Owner fails to answer a Notice of Parking Violation within the time specified in the Notice of Parking Violation, the Municipal Court shall send a notice of delinquency by regular mail to the Owner at their last known address. The Owner will have 30 days after the date of the notice of delinquency to respond thereto in the manner provided in Subsection A.

(Ord. __, § __, ____).

10.05.100 Review of Notice of Parking Violation

- A. An Owner may initiate a review of the Notice of Parking Violation by submitting a request for review to the Town Attorney, or their designee. The request for review shall be submitted in a form and manner provided by the Town. The Town Attorney, or their designee, has the discretion to decide what action to take regarding the Notice of Parking Violation upon review.
- B. Notice of the decision made by the Town Attorney, or their designee, in connection with the review of the Notice of Parking Violation shall be provided by:
 - 1. Mailing such notice to the person at the address provided by the person; or

2. Sending such notice to the person by electronic mail if the person requested communication by means of electronic mail.
- C. Within 14 days after the notice of the decision has been provided, the Owner must answer the Notice of Parking Violation in one of the following manners:
 1. Admit responsibility and liability for the violation of a Parking Law by paying in full the civil fine remaining to be paid regarding the Notice of Parking Violation; or
 2. Request a hearing to contest the Notice of Parking Violation before the Municipal Court in accordance with Section 10.05.110.
- D. If the Owner fails to answer a Notice of Parking Violation as set forth in Subsection C, the Municipal Court shall send a notice of delinquency by regular mail to the Owner at their last known address. The Owner will have 30 days after the date of the notice of delinquency to respond thereto in the manner provided in Subsection C.

(Ord. __, § __, ____).

10.05.110 Hearing on Notice of Parking Violations

- A. An Owner may request a hearing before the Municipal Court to contest a Notice of Parking Violation by submitting a written request for a hearing to the Municipal Court. The Municipal Court shall set a time and date for the hearing, which shall be within 45 days of receipt of the request for the hearing. The Municipal Court shall notify the parties in writing of the hearing time and date.
- B. The hearing shall be conducted and presided over by the Municipal Court. The parties shall have the right to be represented by counsel and to present testimony and evidence. The Municipal Court may proscribe any additional process and procedures deemed necessary for the hearing.
- C. The Municipal Court shall determine whether, by a preponderance of the evidence, a Parking Violation occurred. The Municipal Court's decision shall be final and binding on all parties.
- D. The Municipal Court shall impose a civil fine and court costs for a Parking Violation, which shall be paid at such times and on such conditions as the Municipal Court prescribes.
- E. The Municipal Court's decision regarding a Parking Violation may be appealed pursuant to and in the manner provided by Wyoming law.

(Ord. __, § __, ____).

10.05.120 Failure to act regarding a Notice of Parking Violation – Vehicle Immobilization.

- A. *Definitions.* For the purposes of this Section, the following words and phrases shall have the following meanings:
 1. "Immobilize" or "Immobilization" means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable.
 2. "Boot List" means and includes vehicles that are eligible for Immobilization because they have 3 or more Notices of Parking Violation for which the Owner failed to timely answer, failed to timely pay the fines due, failed to appear at a hearing set by the Municipal Court in connection with a Notice of Parking Violation, or a combination thereof.
 3. "Business Day" means 24 hours in a calendar day, excluding Saturday, Sunday, and legal holidays observed by the Town of Jackson.
- B. *Notice of impending Immobilization.* Prior to placing a vehicle on the Boot List, the Town Manager, or their designee, shall provide notice by regular mail to the Owner that a vehicle is subject to impending Immobilization and placement on the Boot List. The notice shall advise the Owner they may request a hearing regarding the impending Immobilization and placement on the Boot List

before the Municipal Court by submitting a written request to the Municipal Court. The hearing shall be limited to whether the vehicle is properly subject to impending Immobilization and placement on the Boot List and shall not review the underlying Parking Violations that caused the vehicle to be subject to impending Immobilization and placement on the Boot List. Failure to request or attend such a hearing shall be deemed a waiver of the right to the hearing.

- C. *Placement on the Boot List.* If, within 30 days of the date of the notice of impending Immobilization and placement on the Boot List, the Owner fails to respond or fails to request a hearing, the Town Manager, or their designee, shall place the vehicle on the Boot List. If the Owner responds to the notice, but later defaults in any way, the Town Manager, or their designee, shall place the vehicle on the Boot List. The Town Manager, or their designee, shall prepare and update the Boot List as frequently as practicable.
- D. *Removal from Boot List.* A vehicle shall remain on the Boot List until all outstanding fines and fees have been paid in full, or a payment plan has been arranged with the Municipal Court. If a payment plan is arranged, the vehicle shall be temporarily removed from the boot list until all outstanding fines and fees are paid in full. If there is a default in the payment plan, the vehicle shall be returned to the boot list without further notice. A vehicle returned to the Boot List for a second time for the same Parking Violations shall not again be eligible for a payment plan and must pay all outstanding fines and fees in full to be removed from the Boot List.
- E. *Authorization.* The Town Manager, or their designee, is authorized to Immobilize a vehicle found parked on any public property if the vehicle is on the Boot List and the notice requirements for impending immobilization have been met.
- F. *Immobilization.* A notice shall be attached to the vehicle at the time of Immobilization that contains the following information:
 - 1. The vehicle has been immobilized by the Town for 3 or more Notices of Parking Violation for which the Owner failed to timely answer, to timely pay the fines due, failed to appear at a hearing set by the Municipal Court in connection with a Notice of Parking Violation, or a combination thereof.
 - 2. Release from Immobilization may be obtained if all outstanding fines and fees are paid in full or a payment plan is arranged with the Municipal Court.
 - 3. The vehicle may be impounded if an Immobilization device is not removed from a vehicle within 3 days of the Immobilization, including the day the vehicle was Immobilized.
 - 4. It is unlawful for any person to remove or attempt to remove the Immobilization device, to damage the Immobilization device, to tamper with an Immobilization device, or to move the vehicle with the Immobilization device attached, unless authorized by the Town Manager, or their designee.
- G. *Release from immobilization.* The Town Manager, or their designee, shall release a vehicle from Immobilization if all outstanding fines and fees have been paid in full, or a payment plan is arranged with the Municipal Court. The vehicle shall be released from Immobilization promptly but no later than within one Business Day of payment or arrangement of a payment plan. If a payment plan is arranged, the vehicle shall be temporarily removed from the Boot List until all outstanding fines and fees are paid in full. If there is a default in the payment plan, the vehicle shall be returned to the Boot List without further notice. A vehicle returned to the Boot List for a second time for the same Parking Violations shall not again be eligible for a payment plan in the event of Immobilization.
- H. *Impoundment.* If an Immobilization device is not removed from a vehicle within 3 days of the immobilization, including the day the vehicle was Immobilized, the Town Manager, or their designee, may require the vehicle to be removed or cause it to be removed and towed in accordance with the towing and impoundment provisions of this Code.

- I. *Boot List fee.* A fee in an amount established by resolution shall be assessed for each time a vehicle is placed on the Boot List.
- J. *Alternate procedure.* The provisions of this Section are declared to provide an alternative manner for the enforcement of the provisions of this Code pertaining to parking violations and shall not preclude impoundment of the vehicle parked as otherwise authorized pursuant to this Code or any other method of enforcing the parking ordinances. The Town is entitled to collect the amount of any fines or fees incurred under this Chapter by means of any remedy available under applicable law, including referring the matter to a collection agency.

(Ord. __, § __, ____).

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 G

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1287, 1181, 1180, 1054, 870, 798, 527, 526, 300, 179, AND 18; SECTION 2 OF JACKSON ORDINANCE NOS. 871 AND 18; AND SECTION 34 OF JACKSON ORDINANCE NO. 162; AND SECTIONS 1.16.010, 1.16.020, 1.18.010 AND 1.18.080 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING CIVIL PARKING AUTHORITY 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. 1287, 1181, 1180, 1054, 870, 798, 527, 526, 300, 179, and 18; Section 2 of Jackson Ordinance Nos. 871 and 18; and Section 34 of Jackson Ordinance No. 162; and Sections 1.16.010, 1.16.020, 1.18.010 and 1.18.080 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

1.16.010 Office created; qualifications.

- A. The office of Municipal Judge is created in the Town.
- B. The Municipal Judge shall be the judge of the Municipal Court.
- C. The Municipal Court is created, which shall be presided over by the Municipal Judge. The Municipal Court and the Municipal Judge presiding therein shall have the exclusive jurisdiction to hear and determine all violations of the ordinances of the Town and may impose penalties as set forth in this Code.
- D. The Municipal Judge shall have the jurisdiction to hear and determine civil infractions for Parking Violations as set forth in Chapter 10.05 of Title 10 in this Code and may impose civil fines and court costs related thereto.
- E. ~~Such~~ The Municipal Judge may, ~~from time to time~~, be appointed as a hearing officer pursuant to ~~the Town of Jackson Contested Case Rules~~ for administrative and contested cases and ~~in said role~~ has the jurisdiction to hear such cases ~~all contested cases arising within the Town and the authority set forth in the Town of Jackson Contested Case Rules.~~
- F. The Mayor, with the advice and consent of the Town Council, shall have the authority to appoint alternative judges and all such alternate Municipal Judges shall be qualified electors of Teton County, Wyoming.
- G. Every Municipal Judge of the Town of Jackson shall:
 - 1. Be an active member of the Wyoming State Bar in good standing for at least five years prior to appointment; and
 - 2. Be free from any discipline by any State Bar or State Supreme Court for a period of five years prior to appointment; and
 - 3. Successfully complete an employment screening.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1180 § 1, 2017; Ord. 870 § 1, 2008; Ord. 526 § 1, 1996; Ord. 300 § 1, 1983; Ord. 18 § 1, 1926).

1.16.020 Bond schedule authorized.

- A. Repealed.
- B. The Municipal Judge may designate specified offenses of this Town in respect to which payment of fines may be accepted by paying the amount designated without appearance before the Municipal Judge, and shall specify by suitable schedules the amount of such fines, provided such fines are within the limits declared by law or ordinance.
- C. The Municipal Judge shall designate and specify by suitable schedules the amount of civil fines that may be paid for the admission of responsibility and liability for civil infractions for Parking Violations provided such fines are within the limits declared by ordinance.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1180 § 1, 2017; Ord. 870 § 1, 2008; Ord. 798 § 1, 2005; Ord. 527 § 1, 1996; Ord. 179 § 1, 1975; Ord. 18 § 2, 1926).

1.18.010 How commenced; proceed.

- A. Criminal actions in Municipal Court shall be commenced and proceed pursuant to the Wyoming Rules of Criminal Procedure.
- B. Administrative actions for violations of ordinances may be commenced in accordance with the procedures set forth in the Town of Jackson Contested Case Rules.
- C. Civil infractions for Parking Violations shall be commenced and proceed in accordance with the process and procedures set forth in Chapter 10.05 of Title 10 of this Code.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1181 § 1, 2017; Ord. 871 § 2, 2008; Ord. 162 § 33, 1973).

1.18.020 Duty of Municipal Judge

The Municipal Judge shall keep all dockets, papers, files, and ~~all associated court~~ records associated with the office of the Municipal Judge and the functions thereof, ~~electronic or otherwise,~~ in a manner ~~and state~~ compliant with state law, the rules of judicial ethics, and Wyoming Supreme Court rules.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1181 § 1, 2017; Ord. 871 § 2, 2008; Ord. 162 § 34, 1973).

1.18.080 Administrative fees assessed in Municipal Court; court costs assessed in Municipal Court.

- A. All individuals convicted of driving or having control of a vehicle while under the influence of intoxicating liquor or controlled substances in accordance with this Code or State statute shall be assessed an administrative fee of \$800.00; all individuals subject to a disposition pursuant to Wyo. Stat. Ann. § 7-13-301 for driving or having control of a vehicle while under the influence of intoxicating liquor or controlled substances in accordance with this Code or State statute shall be assessed an administrative fee of \$750.00.
- B. All individuals convicted of or subject to a disposition pursuant to Wyo. Stat. Ann. § 7-13-301 for public intoxication in accordance with this Code or State statute shall be assessed a fee of \$25.00.
- ~~C. The administrative fee for vehicles referred to the boot list shall be \$50.00.~~
- ~~D.~~ Court costs for all matters before the Municipal Court shall be assessed ~~in Municipal Court~~ and shall be fixed at \$10.00.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1054 § 1, 2014).

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 H

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1337, 1186, AND 842; AND SECTION 2.23.051 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING COMMUNITY SERVICE UNIT 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 Ordinances 1337, 1186, and 842; and Section 2.23.051 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

2.23.051 Community Service Unit and Code Enforcement Officer.

The Community Service Unit of the Police Department and Code Enforcement Officer(s) appointed as Special Municipal Officers by the Town of Jackson, have specific authority to issue citations for violations of the Jackson Municipal Code as set forth in Wyo. Stat. Ann. § 15-1-103(a)(I) and to issue Notices of Parking Violations as set forth in Chapter 10.05 of Title 10 of this Code.

(Ord. __, § __, ____; Ord. 1337 § 1, 2022; Ord. 1186 § 1, 2017; Ord. 842 § 1, 2007)

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1311, 1194, 661, 610, 214, 161, AND 131; AND SECTIONS 10.04.205, 10.04.210, 10.04.285, 10.04.117, AND 10.04.227; AND ADDING CHAPTER 10.05 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING PARKING REGUALTIONS 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. 1311, 1194, 661, 610, 214, 161, AND 131; and Sections 10.04.205, 10.04.210, 10.04.285, 10.04.117, and 10.04.227 are hereby amended and reenacted to read as follows:

10.04.205 Designated on-street bicycle lanes and pathways.

- A. For the purposes of this section, on-street bicycle lanes and pathways are the portions of a street or a pathway designated by appropriate signage, pavement markings, or curb markings for the preferred or exclusive use by bicycle or pedestrian traffic.
- B. It is lawful to ride or use Electric Bicycles, as defined in Section 10.13.010, in on-street bicycle lanes and pathways.
- C. It is unlawful to stop, stand, or park a motor vehicle in an on-street bicycle lane or pathway.
- D. It is unlawful to operate a motor vehicle in an on-street bicycle lane or pathway.
- E. This Section shall not apply in cases of unavoidable necessity, for the purpose of crossing to gain immediate access to an adjacent property, in cases of emergency, or when directed to do so by a peace officer or Special Municipal Officer, nor shall it apply to governmental agencies, utility providers, or other duly authorized persons engaged in the maintenance of on-street bicycle lanes, pathways, and adjacent utilities.

~~A. It shall be lawful to ride, operate, or use Electric Bicycles, as that term is defined in Section 10.13.010 of this Code, in the on street bike lanes and pathways within the Town, as such are designated by appropriate signage, pavement markings, or curb markings.~~

~~B. Except for the purpose of crossing to gain immediate access to an adjacent property, in the case of an emergency, or when directed to do so by a law enforcement officer, it is unlawful to stop, stand, park, or operate a motor vehicle, motorcycle, or other motorized vehicle in any designated on-street bicycle lane or pathway, as, such is designated by appropriate signage, pavement markings, or curb markings. These provisions shall not apply to governmental agencies, utility providers or other duly authorized persons engaged in maintenance of said bicycle lanes, pathways, and adjacent utilities, nor in cases of unavoidable necessity.~~

(Ord. __, § __, ____; Ord. 1311 § 1, 2022; Ord. 1194 § 1, 2018; Ord. 661 § 1, 2000).

10.04.210 Evidence required on parking violation. Repealed.

The presence of any vehicle in or upon any public street, alley, or municipal parking lot in the Town, parked in violation of the Town ordinances relating to the parking of vehicles, shall be prima facie evidence the person in whose name such vehicle is registered as owner did commit, or authorize the commission of such violation.

(Ord. __, § __, ____; Ord. 1311, § 1, 2022; Ord. 610 § 1, 1998; Ord. 214 § 1, 1977; Ord. 131 § 22, 1970).

10.04.285 Vehicle immobilization. Repealed.

A. ~~Definition.~~ For the purposes of this chapter, the word "immobilize" or "immobilization" means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable.

B. ~~Boot list.~~ As frequently as practicable, the Town Manager, or their designee, shall prepare and update the "boot list," consisting of vehicles that have three or more parking tickets for which the registered owner failed to timely pay the fine due, appear in court on the date assigned pursuant to a parking citation, or a combination of the two.

1. ~~Notice that a vehicle is subject to immobilization shall be served by the Town Manager, or their designee, by mail to the registered owner.~~

2. ~~A vehicle on the boot list and whose registered owner has been so notified by the Town Manager, or their designee, pursuant to section B.1 above, is subject to immobilization by the Town Manager, or their designee, while that vehicle is located upon any public property.~~

3. ~~A person immobilizing the vehicle shall attach to the vehicle, at the time of immobilization, a notice advising the owner that:~~

a. ~~The vehicle has been immobilized by the Town for three or more parking tickets for which the registered owner failed to pay the fines due, appear in court on the date assigned pursuant to a parking citation(s), or a combination of the two.~~

b. ~~Release from immobilization may be obtained by the issuance of a failure to appear citation to the person in control of the vehicle at the time of immobilization for all outstanding parking violations.~~

c. ~~Unless such failure to appear is issued within three business days of the immobilization, including the day the vehicle was immobilized, the vehicle may be impounded.~~

d. ~~It is unlawful for any person to remove or attempt to remove the immobilization device, to damage the immobilization device, or to move the vehicle with the immobilization device attached, unless authorized by the Town Manager, or their designee.~~

4. ~~The Town Manager, or their designee, shall remove a vehicle from the boot list and authorize its release from immobilization within 24 hours of the issuance of the failure to appear citation.~~

5. ~~If a vehicle immobilized pursuant to this section is not released within three business days of the immobilization, including the day the vehicle was immobilized, the Town Manager, or their designee, may require the vehicle to be removed or cause it to be removed and towed in accordance with the towing and impoundment provisions of this Code.~~

C. ~~Boot fee.~~ See JMC § 1.18.080, Administrative fees assessed in municipal court; Court costs assessed in municipal court.

D. ~~Authorized.~~ When the Town Manager, or their designee, finds a vehicle parked in violation of the provisions of this Code, they may immobilize the vehicle or cause the same to be done if that vehicle appears on the boot list.

~~E. *Alternate procedure.* The provisions of this section are declared to provide an alternative manner for the enforcement of the provisions of this Code pertaining to parking violations and shall not preclude impoundment of the vehicle parked as otherwise authorized pursuant to this Code or any other method of enforcing the parking ordinances.~~

~~F. *Tampering with immobilization device.* It is unlawful to tamper with, damage, corrupt, or impair an immobilization device placed on a vehicle.~~

(Ord. __, § __, ____; Ord. 1311 § 1, 2022).

10.04.217 Tampering with immobilization device.

- A. For the purposes of this Section, the term “immobilization device” means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable in accordance with Section 10.05.120.
- B. It is unlawful for any person to do any of the following acts when an immobilization device is used to immobilize a vehicle in accordance with Section 10.05.120 unless such action is authorized by the Town Manager, or their designee:
 - 1. Remove an immobilization device,
 - 2. Attempt to remove an immobilization device,
 - 3. Damage an immobilization device,
 - 4. Tamper with an immobilization device, or
 - 5. Move a vehicle with an immobilization device attached to the vehicle.

(Ord. __, § __, ____).

10.04.227 Parking of unregistered vehicles.

No person shall park a vehicle on any street within the Town, or in any public parking structure, parking lot, or other property owned, operated, leased, or maintained by the Town that does not plainly, visibly, and legibly display in proper position valid registration and license plates.

(Ord. __, § __, ____).

SECTION II.

Chapter 10.05 of the Municipal Code of the Town of Jackson is hereby created to read as follows:

Chapter 10.05 PARKING VIOLATIONS

10.05.010 Definitions.

The following words and phrases when used in this Chapter shall have the following meanings:

- A. “*Notice of Parking Violation*” means a written notice directing a person to answer an alleged Parking Violation.
- B. “*Operator*” means and includes every individual who operates a vehicle as the Owner thereof, or as the agent, employee, or permittee of the Owner, or is the individual who is in actual physical control of a vehicle.
- C. “*Owner*” or “*Registered Owner*” shall mean the registered owner of a vehicle.
- D. “*Parking Law*” shall mean any of the following provisions found in this Code:
 - 1. Section 10.04.130, Parking parallel to curb;
 - 2. Section 10.04.140, Angle parking – Restrictions;

3. Section 10.04.160, Additional prohibitions as to stopping or parking;
 4. Section 10.04.170, Parking in alleys;
 5. Section 10.04.190, Parking time limited on Town streets;
 6. Section 10.04.200, Parking spaces for persons with disabilities;
 7. Section 10.04.201, Bus stops/zones;
 8. Section 10.04.202, Horse-drawn carriage or stagecoach zones;
 9. Section 10.04.203, Fire lanes;
 10. Section 10.04.204, Motorcoaches;
 11. Section 10.04.205(C), Designated on-street bicycle lanes and pathways;
 12. Section 10.04.220, No overnight parking zones;
 13. Section 10.04.225, Public parking structure West Simpson Ave and South Milard St; and
 14. Section 10.04.300, Parking during winter maintenance.
 15. Section 10.04.227, Parking of unregistered vehicles.
- E. *“Parking Violation”* shall mean a vehicle found stopped, standing, or parked in violation of any Parking Law.

(Ord. __, § __, ____).

10.05.020 Parking Violation – Civil infraction.

- A. A Parking Violation shall constitute a civil infraction that is subject to a civil fine of not more than \$750.00.
- B. Notwithstanding a Parking Law being made or declared elsewhere in the Code to be unlawful, a criminal offense, or a misdemeanor, the Parking Law shall be treated as a civil infraction.

(Ord. __, § __, ____).

10.05.030 Liability for a Parking Violation.

- A. The Owner is liable for a Parking Violation. The presence of a particular vehicle in violation of any Parking Law shall be prima face evidence the Owner committed the violation at the time of such violation.
- B. An Operator of a vehicle served with a Notice of Parking Violation may answer the Notice of Parking Violation as set forth in this Chapter. The authorization for an Operator to answer a Notice of Parking Violation shall not absolve the Owner of liability for a Parking Violation.

(Ord. __, § __, ____).

10.05.040 Notice of Parking Violation.

A Notice of Parking Violation may be issued in accordance with this Chapter whenever a vehicle is found in violation of a Parking Law. A Notice of Parking Violation is prima facie evidence of the facts alleged therein.

(Ord. __, § __, ____).

10.05.050 Contents of Notice of Parking Violation.

- A. A Notice of Parking Violation shall be on a form provided by the Chief of Police, or their designee, and is required to contain, at minimum, the following information:
 1. The Registered Owner’s name;
 2. The state and license number or vehicle identification number, and the make of the vehicle found in violation,

3. The date, time, and location of the violation;
 4. The Parking Law violated;
 5. The name of the officer issuing the Notice of Parking Violation; and
 6. Information that advises of the manner and the time within which the Notice of Parking Violation must be answered.
- B. Error or omission of any of the required information, or any other defect or imperfection, shall not be grounds for the dismissal of an action relating to a Notice of Parking Violation unless the person requesting such a disposition demonstrates prejudice therefrom by a preponderance of the evidence.

(Ord. __, § __, ____).

10.05.060 Authority to Issue a Notice of Parking Violation.

A Notice of Parking Violation may be issued by any peace officer or by any Special Municipal Officer of the Jackson Police Department.

(Ord. __, § __, ____).

10.05.070 Filing of Notice of Parking Violation.

Notices of Parking Violation must be filed with the Municipal Court within 14 days of issuance. Any Notice of Parking Violation that is not filed within 14 days is void.

(Ord. __, § __, ____).

10.05.080 Service of Notice of Parking Violation.

- A. An original or duplicate Notice of Parking Violation must be served upon the Owner of the vehicle by one of the following means:
1. Affixing the Notice of Parking Violation to the vehicle in a conspicuous place;
 2. Serving the Notice of Parking Violation personally upon the Owner or Operator of the vehicle.
- B. An Operator of a vehicle who is not the Owner of the vehicle is deemed to be the agent of the Owner to be served a Notice of Parking Violation, whether it is served on the Operator personally or served by affixation, and service made by either manner is deemed to be lawful service upon the Owner.

(Ord. __, § __, ____).

10.05.090 Required answer to a Notice of Parking Violation.

- A. The Owner of a vehicle issued and served a Notice of Parking Violation in accordance with this Chapter must, within the time specified in the Notice of Parking Violation, answer the Notice of Parking Violation in one of the following manners:
1. Admit responsibility and liability for the violation of a Parking Law by paying the civil fine notated on the Notice of Parking Violation;
 2. Request a review of the Notice of Parking Violation by the Town Attorney, or their designee, to disclaim responsibility, or to dispute the propriety of the issuance of the Notice of Parking Violation or any penalties thereto in accordance with Section 10.05.100; or
 3. Request a hearing to contest the Notice of Parking Violation before the Municipal Court in accordance with Section 10.05.110.

- B. If the Owner fails to answer a Notice of Parking Violation within the time specified in the Notice of Parking Violation, the Municipal Court shall send a notice of delinquency by regular mail to the Owner at their last known address. The Owner will have 30 days after the date of the notice of delinquency to respond thereto in the manner provided in Subsection A.

(Ord. __, § __, ____).

10.05.100 Review of Notice of Parking Violation

- A. An Owner may initiate a review of the Notice of Parking Violation by submitting a request for review to the Town Attorney, or their designee. The request for review shall be submitted in a form and manner provided by the Town. The Town Attorney, or their designee, has the discretion to decide what action to take regarding the Notice of Parking Violation upon review.
- B. Notice of the decision made by the Town Attorney, or their designee, in connection with the review of the Notice of Parking Violation shall be provided by:
 - 1. Mailing such notice to the person at the address provided by the person; or
 - 2. Sending such notice to the person by electronic mail if the person requested communication by means of electronic mail.
- C. Within 14 days after the notice of the decision has been provided, the Owner must answer the Notice of Parking Violation in one of the following manners:
 - 1. Admit responsibility and liability for the violation of a Parking Law by paying in full the civil fine remaining to be paid regarding the Notice of Parking Violation; or
 - 2. Request a hearing to contest the Notice of Parking Violation before the Municipal Court in accordance with Section 10.05.110.
- D. If the Owner fails to answer a Notice of Parking Violation as set forth in Subsection C, the Municipal Court shall send a notice of delinquency by regular mail to the Owner at their last known address. The Owner will have 30 days after the date of the notice of delinquency to respond thereto in the manner provided in Subsection C.

(Ord. __, § __, ____).

10.05.110 Hearing on Notice of Parking Violations

- A. An Owner may request a hearing before the Municipal Court to contest a Notice of Parking Violation by submitting a written request for a hearing to the Municipal Court. The Municipal Court shall set a time and date for the hearing, which shall be within 45 days of receipt of the request for the hearing. The Municipal Court shall notify the parties in writing of the hearing time and date.
- B. The hearing shall be conducted and presided over by the Municipal Court. The parties shall have the right to be represented by counsel and to present testimony and evidence. The Municipal Court may proscribe any additional process and procedures deemed necessary for the hearing.
- C. The Municipal Court shall determine whether, by a preponderance of the evidence, a Parking Violation occurred. The Municipal Court's decision shall be final and binding on all parties.
- D. The Municipal Court shall impose a civil fine and court costs for a Parking Violation, which shall be paid at such times and on such conditions as the Municipal Court prescribes.
- E. The Municipal Court's decision regarding a Parking Violation may be appealed pursuant to and in the manner provided by Wyoming law.

(Ord. __, § __, ____).

10.05.120 Failure to act regarding a Notice of Parking Violation – Vehicle Immobilization.

- A. *Definitions.* For the purposes of this Section, the following words and phrases shall have the following meanings:
1. "Immobilize" or "Immobilization" means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable.
 2. "Boot List" means and includes vehicles that are eligible for Immobilization because they have 3 or more Notices of Parking Violation for which the Owner failed to timely answer, failed to timely pay the fines due, failed to appear at a hearing set by the Municipal Court in connection with a Notice of Parking Violation, or a combination thereof.
 3. "Business Day" means 24 hours in a calendar day, excluding Saturday, Sunday, and legal holidays observed by the Town of Jackson.
- B. *Notice of impending Immobilization.* Prior to placing a vehicle on the Boot List, the Town Manager, or their designee, shall provide notice by regular mail to the Owner that a vehicle is subject to impending Immobilization and placement on the Boot List. The notice shall advise the Owner they may request a hearing regarding the impending Immobilization and placement on the Boot List before the Municipal Court by submitting a written request to the Municipal Court. The hearing shall be limited to whether the vehicle is properly subject to impending Immobilization and placement on the Boot List and shall not review the underlying Parking Violations that caused the vehicle to be subject to impending Immobilization and placement on the Boot List. Failure to request or attend such a hearing shall be deemed a waiver of the right to the hearing.
- C. *Placement on the Boot List.* If, within 30 days of the date of the notice of impending Immobilization and placement on the Boot List, the Owner fails to respond or fails to request a hearing, the Town Manager, or their designee, shall place the vehicle on the Boot List. If the Owner responds to the notice, but later defaults in any way, the Town Manager, or their designee, shall place the vehicle on the Boot List. The Town Manager, or their designee, shall prepare and update the Boot List as frequently as practicable.
- D. *Removal from Boot List.* A vehicle shall remain on the Boot List until all outstanding fines and fees have been paid in full, or a payment plan has been arranged with the Municipal Court. If a payment plan is arranged, the vehicle shall be temporarily removed from the boot list until all outstanding fines and fees are paid in full. If there is a default in the payment plan, the vehicle shall be returned to the boot list without further notice. A vehicle returned to the Boot List for a second time for the same Parking Violations shall not again be eligible for a payment plan and must pay all outstanding fines and fees in full to be removed from the Boot List.
- E. *Authorization.* The Town Manager, or their designee, is authorized to Immobilize a vehicle found parked on any public property if the vehicle is on the Boot List and the notice requirements for impending immobilization have been met.
- F. *Immobilization.* A notice shall be attached to the vehicle at the time of Immobilization that contains the following information:
1. The vehicle has been immobilized by the Town for 3 or more Notices of Parking Violation for which the Owner failed to timely answer, to timely pay the fines due, failed to appear at a hearing set by the Municipal Court in connection with a Notice of Parking Violation, or a combination thereof.
 2. Release from Immobilization may be obtained if all outstanding fines and fees are paid in full or a payment plan is arranged with the Municipal Court.
 3. The vehicle may be impounded if an Immobilization device is not removed from a vehicle within 3 days of the Immobilization, including the day the vehicle was Immobilized.
 4. It is unlawful for any person to remove or attempt to remove the Immobilization device, to damage the Immobilization device, to tamper with an Immobilization device, or to move

the vehicle with the Immobilization device attached, unless authorized by the Town Manager, or their designee.

- G. *Release from immobilization.* The Town Manager, or their designee, shall release a vehicle from Immobilization if all outstanding fines and fees have been paid in full, or a payment plan is arranged with the Municipal Court. The vehicle shall be released from Immobilization promptly but no later than within one Business Day of payment or arrangement of a payment plan. If a payment plan is arranged, the vehicle shall be temporarily removed from the Boot List until all outstanding fines and fees are paid in full. If there is a default in the payment plan, the vehicle shall be returned to the Boot List without further notice. A vehicle returned to the Boot List for a second time for the same Parking Violations shall not again be eligible for a payment plan in the event of Immobilization.
- H. *Impoundment.* If an Immobilization device is not removed from a vehicle within 3 days of the immobilization, including the day the vehicle was Immobilized, the Town Manager, or their designee, may require the vehicle to be removed or cause it to be removed and towed in accordance with the towing and impoundment provisions of this Code.
- I. *Boot List fee.* A fee in an amount established by resolution shall be assessed for each time a vehicle is placed on the Boot List.
- J. *Alternate procedure.* The provisions of this Section are declared to provide an alternative manner for the enforcement of the provisions of this Code pertaining to parking violations and shall not preclude impoundment of the vehicle parked as otherwise authorized pursuant to this Code or any other method of enforcing the parking ordinances. The Town is entitled to collect the amount of any fines or fees incurred under this Chapter by means of any remedy available under applicable law, including referring the matter to a collection agency.

(Ord. __, § __, ____).

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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:	August 5, 2024	Meeting Title:	Town Council Regular Meeting
Submitting Department:	Planning Department	Presenter:	Paul Anthony
Agenda Item:	Temporary Emergency Building Moratorium (PM24-004)	Public Comment:	Yes

This item was continued by the Council at the Planning Commission/Town Council Joint Workshop on July 15, 2024. This staff report and review packet are the same as the ones presented for that Joint Workshop. The meeting on August 5 is for the Council only. Staff will continue to facilitate the Council's discussion of potential changes to the Land Development Regulations and Design Guidelines to address the goals of the moratorium on large buildings. Please note, however, that staff has included the Design Review Committee's recommendations in the nine summary tables and has updated the moratorium hearing schedule below to better estimate the evolving final review schedule.

Purpose & Policy Considerations.

The purpose is for the Planning Commission and Town Council to consider changes to the Town of Jackson Land Development Regulations (LDRs) and/or Design Guidelines to address the size of buildings in response to the 120-day emergency building moratorium adopted by the Council on June 3, 2024.

Requested Action.

Staff are requesting that the Council, in consultation with the Planning Commission, provide direction on its preferred options for making changes to the LDRs and/or Design Guidelines to address the current building moratorium. Staff will use this feedback to create a redline draft of changes for consideration at upcoming meetings.

Recommendation.

The Planning Director has provided initial recommendations and analysis for each topic in the body of this staff report.

Key Policy Questions.

1. Does the Council agree with the recommendations provided by Staff and the Planning Commission in this staff report?
2. Are there changes not included in this staff report that the Council would like to address?

Background.

On June 3, 2024, the Town Council adopted Ordinance 1373 which was an emergency declaration to impose a 120-day moratorium to halt the acceptance of development applications for "large buildings." More specifically, the adopted language stated the following:

"A moratorium is imposed on the submission and acceptance of applications to create, add, or change the use of the habitable floor area pursuant to the Town of Jackson Land Development Regulations for non-residential buildings larger than 35,000 habitable square feet in habitable floor area within the Commercial Residential – 1 (CR-1), Commercial Residential – 2 (CR-2), Commercial Residential – 3 (CR-3), Downtown Core – 1 (DC-1), and

Downtown Core – 2 (DC-2). During the term of this moratorium, the Town will continue to accept, review, and process applications for non-residential buildings within all other zones.”

The adoption of the emergency ordinance created a short timeline for staff, the community, and decision makers to consider, draft, and adopt amendments to the LDRs and, if necessary, the Design Guidelines. Even so, the Town will follow all required and regular procedural requirements to make these changes, including having three readings to approve any LDR text amendments. The three readings cannot be done in less than a 10-day period. The 120-day moratorium expires on October 1, 2024, unless the Council extends the moratorium period through another emergency ordinance.

To help ensure the Town meets its deadlines for the moratorium, the Council approved the below moratorium review schedule on June 17, 2024. *[Note that staff has updated this schedule to better reflect recent changes to the meeting timeline]*

July (2024)

- **July 10: DRC workshop**
 - Purpose is to discuss and provide recommendations on LDR/Design Guidelines amendments.
- **July 15: TC/PC joint workshop**
 - Purpose is to discuss and provide recommendations on LDR/Design Guidelines amendments.

August (2024)

- **August 5: TC Public hearing (Council continues discussion from July 15 Joint TC/PC workshop)**
- **August 14: DRC meeting**
- **August 19: TC Workshop (if needed)**
- **August 21 (+ 22th if necessary): PC public hearing**
 - Purpose is to review redline draft of proposed LDR/Design Guideline changes and make final recommendations.

September (2024)

- **September 9: TC Public hearing**
 - Purpose is to review redline draft of proposed LDR/Design Guideline changes and approve changes.
- **September 16: TC 1st Reading**
- **September 16 – October 1: TC 2nd and 3rd Reading [Special Meetings]**

October (2024)

- **October 1 – end of moratorium** (can be extended by Council if necessary)

[NOTE: This schedule may be modified by the Council as necessary to include additional meetings and/or extend the moratorium period.]

The Planning Commission held a workshop on this item on June 25, 2024, and provided initial recommendations on most of the primary topics discussed in this staff report. These initial recommendations are provided below in the ‘Analysis’ section of the staff report.

The Design Review Committee (DRC) held a brief workshop on this item on June 12, 2024, but will hold a full workshop on July 10, 2024. Because the July 10 workshop predates the publishing of this staff report, the DRC's recommendations cannot be included in this report but will be shared during staff's presentation at the joint workshop on July 15.

Analysis.

The goal of this workshop is for the Council, in consultation with the Planning Commission, to provide staff with initial recommendations on ways to address large buildings in sufficient detail that staff can then produce a redline draft of proposed changes to the LDRs and (perhaps) the Design Guidelines. These changes would then be reviewed by the Commission and Council according to the schedule provided above. The Planning Commission has already largely done this exercise which will assist Council in providing staff direction. In addition, this joint workshop will allow the Council to benefit by hearing directly from Commission members on why they did or did not support certain changes.

As has been discussed previously on this topic, after the Town made significant changes to the LDRs to incentivize higher-density, workforce housing (including deleting nearly all maximum building size limits and adding the 2:1 Workforce Bonus), the result was that much larger buildings became more common in both downtown and the highway corridor. The attached staff report from the Council's November 23, 2023, discussion on "big buildings" summarizes these changes in more detail. It also provides photos and sizes of various buildings from around town to help visualize the scale and character of various well-known buildings. Ultimately, for the moratorium, the Council will need to decide which aspects of large buildings (e.g., total floor area, the use, the exterior look/architecture, neighborhood context, off-site impacts, etc.) are the issues that matter most and then what immediate LDR and Design Guideline changes they want to make to address those issues.

Staff understand that many of the topics included in this staff report may involve technical jargon and seem complex. For this reason, staff recommend that the boards leave the technical details to staff for now and focus instead on providing clear direction on the higher-level policy changes presented in this staff report. This approach will give the Town the greatest chance to move through the review process efficiently, address the issue(s) and meet the 120-day deadline.

A common theme that will be raised frequently is whether a certain change is something that should be done now as part of the moratorium process or is a larger change that should be considered in the future as part of more comprehensive discussion. It is staff's understanding that the purpose of the moratorium is not to fully "solve" the big building issue now but to implement quick and effective changes that will reduce the size of buildings in a reasonable manner with the knowledge that a more thorough and comprehensive future review of larger issues identified during the moratorium review process may be necessary. Many of these larger issues are specifically called out below so they are documented for potential future action.

It is important to note too that staff's focus for the staff report is on changes that directly address the size of buildings and not on changes that may address secondary or off-site impacts of large buildings. For example, issues related to possible environmental, traffic, or other similar impacts of large buildings are certainly worthy of discussion but are best addressed as part of a more in-depth analysis that would likely require the

coordination and expertise of many different Town departments. Such efforts may require more time than is available for the moratorium effort. Along those lines, however, the Council should know that the Regional Transportation Planning Administrator, Charlotte Frei, is currently working to develop a Traffic Impact Study (TIS) program that would require projects of a certain size (i.e. including large projects) to conduct a thorough traffic analysis and then implement mitigation measures (i.e., a Transportation Demand Management Plan) as necessary.

To facilitate the workshop discussion, staff has provided below many of the same potential LDR changes that were discussed recently as part of the previous “big building” review. Some additional topics have been included and there may be options beyond those listed that can be discussed. The purpose is not to return to the previous discussion (although we have provided that November 23, 2023, staff report for important context) but to move that conversation forward from mere consideration of possible changes to clear agreement on specific changes to be considered for adoption.

In that spirit, it is staff’s intent to facilitate the workshop generally as follows:

- Staff presents background and context on why we are seeing more large buildings in Town;
- Staff presents the recommendations supported by either the Planning Commission or Staff from the nine primary potential LDR/Design Guideline changes contained in this staff report;
 - This means that staff will not present changes that did not receive any support from either the Commission or staff. The Council may, of course, choose to raise any of these changes for discussion.
- Council asks clarifying questions of staff on the potential changes;
- Public comment is taken;
- Council discusses and analyzes potential changes and rely on the Planning Commission for explanations of their recommendations and for general feedback.
- Staff asks Council to straw poll each change under discussion to clearly indicate which items should move forward to a redline draft for future consideration;
- Council makes a motion directing staff to prepare text amendments for presentation to the DRC and PC for recommendation and for Council final consideration.

Below, staff has provided a summary of each item that includes the intent of the change, pros and cons, recommendations from both the Planning Commission and Planning Director, and commentary to help explain the recommendations if necessary. Green text is used to designate a positive recommendation, yellow text for an undecided recommendation, and red text for a negative recommendation. Items that receive support will be drafted into a redline set of changes for future consideration and action by the Commission and Council.

TOPIC 1: MAXIMUM BUILDING SIZE

Intent: *To establish a maximum size for buildings that applies to buildings in all/some zones. Boards should discuss whether it applies to residential and/or commercial buildings. Exceptions should be discussed for certain special or unique uses (e.g., deed restricted housing, hotels, etc.).*

For context, the pre-2016 LDRs limited buildings to the following sizes:

Zone	Maximum Building Size (above ground)
CR-1, CR-2, DC-1, DC-2, TS-1, TS-2, and BP	15,000 sf
CR-3	15,000 sf but 50,000 sf with CUP
Lodging Overlay	35,000 sf with CUP; 90,000 sf of lodging use allowed if in multiple buildings
P/SP	None

- **Pros:** Most direct, simple, and clear way to regulate building size.
- **Cons:** Could be overly simplistic in some cases, might need some exceptions.

	Recommendation (max. building size)	Comments
Planning Commission	• YES, Town needs it • Should be different by zone (downtown versus highway corridor) • Use FAR definition of floor area (i.e., only <u>above ground</u>, <u>habitable floor area counts</u> -- habitable basements and garages do not count)	PC did not finalize discussion on whether deed-restricted units or 2:1 units should count against limit or whether limit should apply to both residential and commercial buildings.
Planning Director	• YES, agrees with PC direction • Should apply to <u>both</u> residential and commercial buildings • Recommend that deed-restricted units and 2:1 units count <u>against</u> building size limit • May want to exempt only one level of habitable basement (i.e., not 3 levels) • Recommended maximum building sizes: ○ DC-1; DC-2; CR-1; CR-2 = 40,000 sf ○ CR-3 = 50,000 sf ○ NH-1: N/A ○ All other zones: N/A	• Need to have standards to make clear how architecturally different new adjacent buildings must be from each other (i.e., can't just build same buildings next to each other). • 40,000 sf limit was based on full development of 4 downtown DC lots at a 1.3 FAR. • 50,000 sf limit in CR-3 is because buildings can be bigger on highway and this was previous maximum use size.
Design Review Committee	• 50,000 sf within Downtown Design Overlay • 60,000 sf outside of DDO but still in downtown • 60,000sf – 70,000sf (Highway corridor) • Includes all floor area above ground – both habitable and non-habitable • NH-1 and P/SP: none	
Town Council	TBD	

TOPIC 2: MAXIMUM USE SIZE

Intent: To establish a maximum allowed size of an individual use (e.g., retail, office, restaurant, lodging) within a building. Would likely be done with different use size limits in different zones. The purpose is to prevent or

deter “big box” retailers or chain stores or chain lodging. This standard is already used in our two Town Square zones which limit retail/service/restaurant uses to 12,500 sf and in the CR-3 zone which limits the same uses to a maximum of 50,000 square feet.

- **Pros:** Can be effective at preventing chain stores and lodging (large and small).
- **Cons:** Does not really impact building size, especially if already have max. building size limit. Can be difficult to enforce. Probably only needed in certain zones. Perhaps best addressed as a topic for another day.

	Recommendation (max. use size)	Comments
Planning Commission	• NO	PC felt this was not necessary for purposes of the moratorium and would be hard to enforce.
Planning Director	• 50,000 sf for hotels in Lodging Overlay	• 50,000 sf for hotels is based on fact that hotels have certain needs for economies of scale. Previous LDRs allowed up to 90,000 sf for hotel use if in multiple buildings. This size is about 20,000 sf less than Ranch Inn redevelopment.
Design Review Committee	• 50,000sf for hotels in Lodging Overlay • 60,000sf - 70,000sf (Highway corridor) for all uses • Did not discuss size limits on Retail/Service/Restaurants	
Town Council	TBD	

TOPIC 3: GREENSPACE (LSR) OR LANDSCAPING REQUIREMENTS

Intent: To change or increase existing greenspace/landscaping requirements to better mitigate impacts of large buildings. For example, could require more greenspace or trees as buildings get larger.

- **Pros:** Increased landscape buffers could help soften appearance or large buildings and offer more space for trees and other greenery.
- **Cons:** This strategy would be most applicable in our less dense zones, such NH-1 and CR-3, because they have more required greenspace area and so more options for adjusting/increasing landscaping (i.e., downtown lots have little, if any, landscaping requirements this tool would be of very limited value). In addition, this type of strategy could be complex to draft standards and to then regulate. Might be simple for first building but could be difficult to apply when site undergoes redevelopment or modifications, which is common.

	Recommendation (landscaping requirements)	Comments
Planning Commission	• NO	PC did not feel current landscaping standards are a significant problem in the context of large buildings. Not clear how this would be written.
Planning Director	• NO	Agrees with PC

Design Review Committee	Did not discuss	
Town Council	TBD	

TOPIC 4: CONTEXT SENSITIVE STANDARDS

Intent: To provide standards that would require new large buildings located adjacent to smaller existing buildings to adjust their design to better “blend” with and not overwhelm smaller buildings. For example, such standards might require a larger building to “step down” by a full story or more next to the smaller building or modify window/balcony placement to minimize impacts on privacy of adjacent neighbor.

- Pros:** Can be an effective strategy to mitigate the immediate impact of a large new building(s) in areas where significant redevelopment is happening.
- Cons:** Is complex to draft and requires much “site specific” and ad-hoc review to implement because it treats buildings within the same zone differently. It can also seem to penalize new buildings in an area because future buildings in same area/block may be treated with more flexibility (i.e., each new building changes the “context” so standards tend to get less get restrictive as each new larger building allows the next building to get a littler larger).

	Recommendation (context sensitive standards)	Comments
Planning Commission	NO	PC felt that each building within the same zone should be treated the same. Too subjective.
Planning Director	NO	Agrees with PC
Design Review Committee	NO	But see recommendations for some changes to Design Guidelines to better address existing development context.
Town Council	TBD	

TOPIC 5: MAXIMUM DEVELOPMENT SITE SIZE

Intent: To establish a maximum site/property size that could be developed as one project. The goal would be to limit the size of new buildings indirectly by limiting how many lots could be aggregated into one development site because maximum floor area is currently determined by site size through our FAR standard (i.e., FAR is a ratio where development potential of a property increases as the size of a property increases (e.g., a 0.4 FAR means that the maximum allowed floor area is 40% of the site area – so a 10,000 sf site with a 0.4 FAR gets 4,000 sf of development potential (or 6,000 sf for a 15,000 sf lot). Also, different zones get a different FAR ratio based on how much development is deemed appropriate for that location. For example, a higher FAR of 1.3 is provided for the DC zones than for the CR-3 zone at a 0.4 FAR).

- Pros:** Would limit the ability of developers to aggregate large sites over time and with deep pockets to create large sites with larger buildings. Could be paired with maximum building size limit, or not.
- Cons:** Novel idea that has not been tried by many (any?) other communities so we would need to invent a new program, which comes with greater risk of unintended consequences. Legal

complications concerning ownership (shifting LLCs) when multiple adjacent sites are owned by same apparent person/entity.

	Recommendation (max. site size)	Comments
Planning Commission	NO	PC felt that this would be hard to regulate and could become a legal game of ownership and site definition – i.e., how to distinguish between two adjacent sites when under common ownership and developed as similar/same projects.
Planning Director	NO	Agrees with PC
Design Review Committee	NO	
Town Council	TBD	

TOPIC 6: CONDITIONAL USE PERMIT (CUP) REVIEW FOR LARGER BUILDINGS

Intent: To require public review by the Planning Commission and Council for large buildings. The rationale is that the CUP process would give the Council greater discretion to add conditions to (and possibly deny) a project to mitigate negative impacts to the public and neighbors. Also gives the public greater say in the review of large buildings. The pre-2016 LDRs had a CUP process to allow larger buildings in certain zones.

An alternative to this option would be to decrease the general thresholds for development review so that smaller commercial and residential buildings would require public hearings with the Planning Commission and Council. Currently, most development thresholds for most zones are set at full development of two downtown lots (anything more than two lots typically requires a Development Plan and public review). However, to incentivize workforce housing, the LDRs exempt all deed restricted floor area and all 2:1 floor area which can result in very large buildings that do not require public hearings. The solution would be to remove some (or all) of these exemptions for workforce housing but that would raise broader policy implications.

- **Pros:** A CUP requirement would give the public and, ultimately, the Council greater ability to scrutinize large buildings through a site-specific review. Could also provide basis for denial if the impacts of the use of the building are not properly addressed.
- **Cons:** All buildings over 20,000 sf already undergo public review (excluding floor area dedicated to deed restricted units or the 2:1 bonus) because they trigger a Development Plan, so adding a CUP review is of limited value unless it is triggered below 20,000 sf. On a more technical note, CUPs are intended to address the impacts of the use itself (e.g., off-site traffic) and are not designed to address the physical impacts of a new building itself, which is the focus of the current moratorium on “big buildings.” Also, any additional process would need to be coupled with additional clear standards by which large buildings would be reviewed so that all parties -- landowners, public, and decision makers -- know what to expect from the additional CUP process.

	Recommendation (CUP for big buildings)	Comments
Planning Commission	YES	PC stated that putting larger buildings through additional public review, such as a CUP process, would be beneficial because it would allow the public to participate and allow the Council require conditions to mitigate certain impacts. PC did not discuss changing the Town's general development review thresholds that trigger public hearings.
Planning Director	NO	Staff is concerned that adding public process, such as a CUP, would be time consuming, possibly confusing, and of limited value, especially if the project already requires a Development Plan. Alternatively, the Council may want to consider modifying (decreasing) the general development thresholds in the LDR so that buildings below 20,000 sf would now require public hearings.
Design Review Committee	Did not discuss	
Town Council	TBD	

TOPIC 7: MAXIMUM BUILDING FACADE LENGTH

Intent: *To establish a maximum length for any building façade along a street. In simple terms, this standard would limit the total length of a building adjacent to the street. Since most people experience the size of a building by how large its facade appears on a street frontage, limiting the length of the building should significantly reduce the perceived scale of the building. The key is to determine what the maximum façade length should be (see Planning Director recommendation below). This standard would allow the “back” of buildings to be longer than the street façade because such areas are not generally visible to the public, other than from alleys.*

- **Pros:** Would limit building mass where most people see and perceive that mass – on the street frontage. It could be used to prevent a building from occupying the entire length of a town block, which many people find objectionable.
- **Cons:** Could argue that it is not necessary if the Town adopts a restrictive maximum building size. This is not a common standard so staff would likely need to draft it from scratch, with the usual risks of unintended consequences if not properly drafted.

To help the Council better evaluate this issue, the below table provides the primary façade lengths of many familiar large buildings in the Town:

Project	Façade length (street frontage)
Glenwood Gill Condo	200' (Phase 1); 300' (Phase 1 and 2) (Glenwood)
Wort Hotel	200' (Glenwood); 140' (Broadway)
Cloudveil Hotel	180' (Center)
Hidden Hollow (large buildings)	71' wide x 340' long (Hidden Hollow Drive)
105 Mercill housing project	145' (Mercill)
175 S. Glenwood	150' (Glenwood)
Springhill Marriott Suites	300' (Simpson); 150' (Glenwood/Millward)
Mogul Hotel (proposed)	400' (N. Cache); 130' (Perry);
Creekside Deli (building)	220' (N. Cache)
TJ Maxx building	260' (W. Broadway)
49er Motel	200' (W. Pearl)
Staples building	250' (W. Broadway)
Sagebrush Apartments	290' (W. Broadway)
Virginian Motel	250' (W. Broadway)
Hillside Building (Sidewinders)	300' (W. Broadway)
Gables Apartments (new)	175' (S. Hwy 89 / Hwy 22)
Target	300 (S. Hwy 89); 225' (Maple Way)
Jackson Street Apartments	135' each building (Hansen)

	Recommendation (max. building façade length)	Comments
Planning Commission	NO	PC that this standard was not necessary if max. building size is adopted. Also might too restrictive on design.
Planning Director	- YES - Maximum building façade length should be 200 feet (equal to 4 regular Town lots) - Maximum façade length would apply up 75' deep into the lot.	- Staff finds that preventing buildings from spanning an entire block (often 6 lots) is important. - Standard would complement max. building size limit because that standard limits overall building mass while this standard limits the size of the most visible part of the building which is the street facade. - For context, Cloudveil Hotel's Center Street facade is approx. 190 ft in length, the Wort Hotel's Glenwood facade is 200 ft long, and the Ranch Inn redevelopment is 350' long on Pearl Street.
Design Review Committee	100' - 150' (downtown) - Approx. 200' - 300' (highway corridor) if building is located in first 100' of site but no limit beyond that. - Did not discuss depth of building standard	
Town Council	TBD	

TOPIC 8: 2:1 WORKFORCE BONUS (DO NOT EXEMPT FROM MAXIMUM BUILDING SIZE)

Intent: The 2:1 Workforce Housing Bonus in LDR Sec. 7.8 allows landowners to exceed the maximum allowed FAR for a property. While often used for relatively small increases, it has been used in some cases to more than double the size of a building. As such, it can be a significant contributor to large buildings. The 2:1 Bonus has also been the subject of a broader criticism that it may be too generous to landowners while not providing enough public benefit through the workforce deed restricted units. The question for the moratorium review is not to fix the 2:1 bonus (that is for future conversations) but to decide whether the Town should make any targeted changes to the 2:1 bonus to directly address its role in creating large buildings.

Staff is proposing to not exempt 2:1 bonus floor area from a maximum building size limit (if approved per Topic 1) or from development review thresholds and to require all 2:1 floor area (both market units and deed restricted units) to be located on site

- **Pros:** By not exempting the 2:1 Workforce Bonus from a maximum building size limit (see Topic 1) or our general development thresholds and requiring all 2:1 units to be located on site, the Town can ensure that there are no “loopholes” to the maximum building size. This will provide the community predictability. It would still provide balance between promoting workforce housing and meeting community character goals.
- **Cons:** Staff recommendation would partially disincentivize use of the 2:1 bonus because it would no longer be exempt from all floor area limits in the LDRs. It might also exclude the 2:1 from the DC zones.

	Recommendation (2:1 bonus)	Comments
Planning Commission	• Still under consideration	PC had a broad discussion on the 2:1 bonus but did not yet agree on clear changes at this time. They wanted to know whether 2:1 floor area would count against any new max. building size limit. They generally agreed that most of the needed changes to 2:1 should probably be addressed in a future conversation. Additional discussion needed.
Planning Director	• YES • Require all 2:1 floor area to be on site • 2:1 is NOT exempt from maximum building size (See Topic 1) or development review thresholds (but does not apply to NH-1 zone). Potential future changes: • Change 2:1 ratio (e.g., make 1:1) • Change deed restriction from workforce to affordable • Change zones in which it is allowed • Cap how much can be used on site	• Recommended changes are relatively simple to draft and enforce and do not get into the more complex financial aspects of the 2:1 incentive better suited for a future conversation. • By counting 2:1 floor area as part of the maximum building size, the 2:1 cannot make a building bigger than our desired limit. This addresses one current problem which is that the 2:1 bonus “fill the box” standard adds an unpredictable amount of floor area to each building that can be much bigger than the base FAR.

		As proposed, if 40,000 sf max. building size is adopted in DC zones, this would effectively eliminate 2:1 as option in DC zones because 40,000 sf equals the entire allowed based FAR in the DC zones, but in CR-1/CR-2 zones this would allow approx. 16,000 sf of 2:1 bonus to be used because base FAR allows 24,000 sf of development. Finally, in the CR-3 zone 18,000 sf would be allowed for the 2:1 bonus for the same sized lot.
Design Review Committee	Did not discuss	
Town Council	TBD	

TOPIC 9: DESIGN GUIDELINES

Intent: To amend the Design Guidelines to provide better clarity, predictability, and “teeth” for review of large buildings. In particular, Section C.3 Volume Complexity should be the focus of changes during the moratorium. A more comprehensive update of the Design Guidelines may be appropriate but that should wait until after the moratorium.

- Pros:** Until the DRC provides its recommendation at their July 10, 2024, meeting, no specific changes are recommended yet. However, in general, the goal would be to make targeted amendments to the Design Guidelines that work in tandem and augment whatever LDR amendments are adopted to address large buildings.
- Cons:** Until the DRC provides its recommendation at their July 10, 2024, meeting, no specific changes are recommended yet. Staff does not anticipate any drawbacks to making targeted changes to the Design Guidelines provided that the focus stays on the goals of the moratorium only.

	Recommendation (2:1 bonus)	Comments
Planning Commission	Still under consideration, but defer mostly to the Design Review Committee (DRC)	- PC had a broad discussion about the relationship between the LDRs and Design Guidelines. General consensus was that even if various new LDRs were adopted to address big buildings, there may still need to clarify and strengthen Design Guidelines to address the visual character and massing of big buildings. - PC generally felt that the Guidelines need a comprehensive update because they are outdated. They also agreed that such an update should be done in the future and that only targeted changes for the moratorium should be made now. - There was some discussion on having a 1st and 2nd story stepback requirement to help break up buildings but no consensus.

Planning Director	• Still under consideration. The DRC will meet on July 10, so it has not provided recommendations as of this writing.	• Staff would like to wait to hear from the DRC before making any formal recommendation. Staff will share DRC recommendations at the July 15 workshop. • In general, staff finds that the two biggest needs in the Design Guidelines are to clarify rules for 1) breaking up the mass of a single, large building and 2) better distinguishing between multiple buildings on same site or adjacent sites (i.e., can't repeat same building three times in a row).
Design Review Committee	• Adjacent buildings: Add text that adjacent buildings cannot look the same (cannot repeat same design) and then provide guidance on factors to make buildings different (materials, windows, roofs, general design, etc.); • Large buildings: Add direction that the larger the building the larger the required architectural changes will be (e.g., roof changes, additive and subtractive elements, etc.); Higher design standards apply to larger buildings to address mass and scale. • Context: Add text that clarifies that building design must better address location/context. • Materials: Clarify that exterior materials need to have integrity, be authentic, and not mimic other materials (e.g., vinyl that replicates wood).	• Consensus that proposed LDR changes that reduce building size will significantly reduce "stress" on Design Guidelines but that changes are still necessary (see recommendations).
Town Council	TBD	

Public Comment.

No public comment on this item has been received by staff at the time of this report.

Fiscal Impact.

No fiscal impact is identified at this time.

Staff Impact.

The amount of staff time to draft and present this staff report is approximately 30 hours.

Attachments or Links.

Staff Report from Planning Commission Workshop, December 12, 2023.
Design Guidelines - excerpts

Suggested Motion.

For Council:

I move to direct Staff to prepare a redline draft of the recommended amendments to the Land Development Regulation as listed below:

1. Require maximum building size limits as provided in the Planning Director recommendation for Topic 1 above;
2. Require a maximum use size limit for hotels as provided in the Planning Director recommendation for Topic 2 above;
3. Require a maximum building façade length as provided in the Planning Director recommendation for Topic 7 above;
4. Require changes to the 2:1 Workforce Bonus as provided in the Planning Director recommendation for Topic 8 above;
5. Require changes to the Design Guidelines as provided by the Council during this meeting, dated August 5, 2024.

STAFF REPORT



Meeting Date:	December 12, 2023	Meeting Title:	Workshop Planning Commission
Submitting Department:	Planning	Presenter:	Paul Anthony
Agenda Item:	P23-180 Work Plan item to review potential tools to address large buildings	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose is to have the Planning Commission to provide initial direction to staff and the Council on whether changes to the Town Land Development Regulations (LDRs) are necessary to address the size, mass, and design of new buildings in the Town.

Requested Action.

This item is an annual Work Plan project for the Planning Department approved by the Council for FY24. The origin of this project stems from questions and concerns from the Council regarding the potential negative impacts of increasingly large commercial and multi-family buildings being constructed in the Town, especially in the downtown area and along the highway corridor. Recent projects such as the Sagebrush Apartments, The Loop, the Ranch Inn redevelopment, and the Cloudveil Hotel all present different development contexts, potential concerns, and architectural designs related to large buildings. Please note that this project is not intended to address “large” single-family homes in residential neighborhoods (this may be a future Work Plan item). In summary, this project is intended to identify the problem with big buildings (if any), explore possible solutions to those problems, and then draft and adopt LDR amendments to implement the desired outcomes.

This workshop is the first step in the process where staff is asking the Planning Commission to provide initial guidance to staff and the Council on the nature of the problem (if you, in fact, believe there is a problem) and discuss some conceptual strategies to address big buildings. Based on the feedback provided at this workshop, staff will come back with a much more detailed menu of options for future Planning Commission consideration. The Council discussed this item at a workshop on November 13, 2023. At the conclusion of the Council’s discussion they directed staff to bring this staff report (i.e., same information, key policy questions, etc.) to the Commission and Design Review Committee (DRC), and then to bring the item back to the Council with your input for further refinement. They did this because they wanted to get the PC’s and DRC’s ideas and concerns on big buildings without too much direction or influence from the Council itself. In that light, staff will not provide a detailed summary of the Council’s discussion other than to say that the Council generally seemed in agreement that some LDR changes are necessary to address big buildings but that more work needs to be done to clarify the ultimate outcomes we desire before we can move on to next steps.

Recommendations

Staff does not have a formal recommendation at this time because the task has still yet to be fully defined but staff has prepared questions and information for the Planning Commission’s consideration.

Background.

The size, mass, and design of buildings in the Town are controlled primarily by the Town’s LDRs and Design Guidelines. In simple terms, the LDRs place limits on the maximum height, floor area, number of stories, and other important characteristics of new buildings in Town. The Design Guidelines do not impose strict limitations on buildings but they do provide architectural guidance and best practices to ensure that a minimum level of architectural quality and consistency is achieved for all commercial and larger residential buildings.

Relevant to this discussion, it is important to understand that the Town made significant changes to the LDRs since 2015 as part of the “LDR Update” process required to implement the 2012 Comprehensive Plan that provided an updated vision for the community. Among the many changes, a new menu of zone districts was adopted to replace the 1994-vintage zone districts. While the new districts included many of the same standards as the previous districts, a number of important changes were made that affected the potential size and design of new structures. A primary motivation behind many of these changes was to incentivize workforce housing by reducing barriers to high-density buildings that had been identified by housing advocates and private developers alike (e.g., lack of by-right development, predictability, and incentives, etc.). These were the reasons so few multi-family buildings had been developed in the previous 20+ years. While the regulatory changes focused mostly on multi-family housing, the changes applied to large new commercial development as well.

Below is a summary of some of the most relevant LDR changes (since 2015) that can impact overall building size:

- **Maximum building size:** The Town eliminated the previous maximum building size limits in the LDRs as shown in table below (the one exception is that the Town Square -1 (TS-1) zone still has a 15,000 sf maximum building size).

Maximum Building Sizes Before 2015		
Zone	Max. Bldg Size	Max size with CUP
UC/UC-2	15,000 sf	35,000 sf
AC	15,000 sf	50,000 sf
Lodging Overlay (AC, UC, UC-2)		35,000 sf (also set 90,000 sf use max. if hotel located in more than one building)

The justification for removing the maximum building sizes was not only to financially incentivize workforce housing but a belief that new “form-based” standards, combined with the Design Guidelines, would effectively control and mitigate the size of larger structures.

- **Created high-density “by-right” residential zones/deleted Planned Unit Development (PUD) tool:** The pre-2015 LDRs had no residential or commercial zones that allowed multi-family housing by right. The only way to build multi-family housing was through the PUD tool that required case-by-case Council approval with a public hearing, usually with conditions of approval. Seeing this as a significant barrier to workforce housing, the Town deleted the PUD and replaced it with two higher density residential zones (NM-2, NH-1) that incorporated some of the PUD’s flexible development standards (higher height limits, less LSR) and that allowed all types of residential development by right. We also then created the new 2:1 workforce density bonus that allows additional density under certain parameters (see next bullet).
- **2:1 Workforce Bonus:** This new incentive allows developers to get 2 sf of market housing for every 1 sf of deed-restricted housing they provide. It is allowed in targeted residential and commercial zones to exceed the base FAR by significant amounts to “fill the box” (sometimes doubling the achievable floor area). There is no limit on how much bonus floor area can be added as long as it fits within all existing standards (height, setbacks, parking, number of stories, etc.).
- **Increased Height:** Town increased height maximums from 35’ to 42’ – 46’ (depending on roof pitch) in many commercial/mixed-use zones and from 28’ - 30’ to 35’ – 39’ feet in high-density residential zones;

- **4th Story Workforce Bonus (CR-3):** This incentive is limited to the CR-3 zone but allows a 4th story and 48' height limit for workforce housing instead of the regular 42' – 46' height limit and three stories. This incentive applies only to sites of 2 acres in size or larger.
- **Form-based Standards:** In general, form-based standards provide more specific requirements related to building design than traditional zoning. For example, our form standards now require a minimum "streetwall" on primary frontages, minimum ground-floor story heights, a minimum amount of windows, and a limit the extent of blank walls without windows.
- **Parking:** The Town adopted a new Administrative Adjustment process in 2015. This is a staff-level approval that is limited to providing modest adjustments to various development standards (larger deviations require a variance). It has been used to reduce parking for qualifying projects, often to encourage workforce housing. While reduced parking requirements often enable more units, it does not necessarily result in larger buildings, but it can.
- **3rd Story stepback:** This requires the 3rd story of a structure to be stepped back 10' or 20' but allows either a 40% or 60% encroachment into that stepback for flexibility. The intent is to reduce the mass of taller buildings with three stories. Projects that are 100% residential are often exempt from this stepback requirement.

Design Guidelines

The Design Guidelines were adopted in 2004 and have not been updated since that time. The Town has adopted, however, an appendix to the Design Guidelines (2021) that added more targeted architectural guidelines to address "western character" for downtown properties (Jackson Downtown Design Overlay) and to protect historic structures on the Jackson Historic Register (Historic Preservation Design Guidelines). As a general matter, all commercial projects and projects of four or more attached residential units must undergo design review.

As stated above, the Design Guidelines do not require any specific architectural standards, nor do they require any particular architectural style, rather they provide a set of fundamental design principles while still allowing for creative and innovative design. Below are some excerpts from the Design Guidelines:

"The design guidelines found here offer fundamental guidance that will help to enhance the quality and strengthen the visual continuity of the town. Their purpose is to stimulate creative design solutions for individual properties while providing a sense of cohesiveness among the entire town."

"The focus of these guidelines will be on the relationships between private and public spaces, composition, massing, street walls, and building materials."

It should be noted that the original Design Guidelines were intended to apply to commercial development, not residential development. However, over the years, the Town has applied them to higher density residential development. While this has generally worked well, there are instances where the guidelines arguably do not adequately address all of the design challenges of large multi-family buildings. The Design Review Committee (DRC) has sometimes struggled to find clear direction from the Design Guidelines to articulate the Town expectations regarding large building design, such as avoiding monolithic designs and breaking up the actual (or perceived) mass of large buildings. For example, do the Design Guidelines require that large projects be broken up into separate buildings or simply that large buildings be designed to look like separate buildings?

Analysis and Key Policy Questions.

Key Policy Questions:

1. Does the Planning Commission believe that some buildings in Jackson have gotten too large and are inconsistent with our intended character?
2. If so, what are the specific concerns the Planning Commission has regarding the actual or perceived size of large buildings? Is the issue total size in floor area? Architectural Design? Location? Use? Other?
3. What types of strategies does the Planning Commission want to pursue to address the identified concerns? Should the Design Guidelines be addressed? Are development incentives too aggressive or need to be adjusted (e.g., 2:1 workforce bonus)? Other?

The Town has experienced a significant increase in the number and size of large buildings in the past five or so years in particular, with more buildings to come that are approved but not yet built or in the review process. This increase is driven not only by the private sector but by the significant increase in large workforce housing projects developed through public-private partnerships led by the Housing Department. These are generally welcomed and expected trends because these are the results that the Town specifically wanted to create when we updated the LDRs. This is especially true for larger, multi-family projects which had largely ceased development from 1994 to about 2015. However, now that we have five or more years of experience with the new larger projects, it is fair to reassess whether we are getting what we want and/or whether adjustments are necessary.

While there is no standard definition of a “big building,” staff would offer that any building of 35,000 sf to 50,000 sf or greater may be considered large and something that could present concerns depending on its location and design. To provide context, the below table provides the size of a number of familiar older and newer buildings.

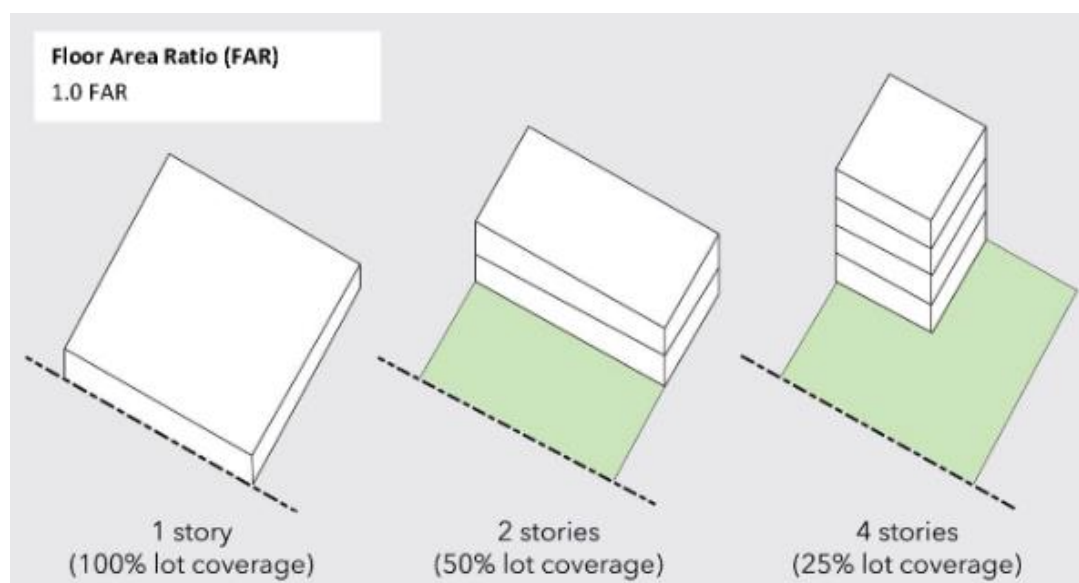
Project	Zoning	Building Size (habitable)	Site area
Target	CR-3	70,000 sf	5.4 acres
Albertson's	CR-3	65,000 sf	7.1 acres
Snow King Lodge	Resort	Approx. 130,000 sf	
Springhill Marriot Suites	CR-1 (PUD)	81,000 sf	1 acre
Wort Hotel	DC-1	52,000 sf	.64 acres
Staples/Hoback Sports/Dollar Tree	CR-3	46,000 sf	3.62 acres
Sagebrush Apartments	PUD NH-1	69,000 sf	2 acres
Hidden Hollow		66,000 sf (each large building)	1.5 acres
Ranch Inn Redevelopment (proposed)	DC-2	68,000 sf	1.2 acres
Cloudveil Hotel	TS-1, TS-2	80,000 sf	1.13 acres
Mogul Partners Hotel on N. Cache St. (proposed)	CR-2	260,000 sf	2.6 acres
The Loop (approved but not built)	CR-3	158,000 sf total (approx. 79,000 sf each bldg.)	2 acres
Millward Apts/Mixed-use	CR-2	41,000 sf	.65 acres

The above list can help the Planning Commission discuss whether the perceived “size” of a building can sometimes be driven as much by the design and context of the building as by its actual floor area – i.e., a building with less floor area can seem bigger and more massive due to its site and architectural design compared to a larger building. While this is a highly personal analysis, staff’s example of this relationship is that the Cloudveil Hotel (80,000 sf) appears significantly smaller in our opinion than either the Sagebrush Apartment building (65,000 sf) or Albertson’s building (65,000 sf) because the Cloudveil building is broken into three separate wings with varied design for each wing. Also, when large buildings are connected to other buildings in a block setting, instead of standing alone on a site where all sides are highly visible, they often appear smaller in scale because parts of the buildings are hidden by other buildings and are less visible.

The use of a large building can impact one’s perception of it. For example, if a large building that is providing deed-restricted housing for local workers may seem more acceptable than the same building if it contained short-term rentals for tourists and second-home owners. Location too is important. A large building near the Town Square may be much more acceptable than one along the highway or at the base of a butte/mountain. The surrounding context can matter greatly as well (a large building next to old historic single-story cabins might seem much more offensive than the same building next to other new large buildings. Then again, too many large building clustered together can present their own contextual and character problems.

In thinking about large buildings and ways to address their scale it is important to understand that no one factor can address all of the Council’s likely concerns. For example, while FAR determines the maximum amount of floor area on a site (minus incentives), FAR alone is not a good way to regulate the size of buildings. This is because FAR regulates the amount of floor area, it does not regulate the volume or mass of the building that contains that floor area. The reality is that other standards, such as height, number of stories, setbacks, design guidelines, etc., also play a critical role in affecting the final mass and design of a building.

The diagram below helps to demonstrate this point by showing three very different building designs that all contain the same amount of floor area (i.e., same FAR). To further make the point, if we assume that the height of the single-story building is 35’ tall because its use requires a high ceiling (e.g., a grocery store, movie theatre), then this building would have a much larger volume than either the 2-story or 4-story building with regular story heights of 10’ -12’. It might also have little setback or greenspace for landscaping to help screen the building.



The critical point here is that regulating the size of buildings to achieve a certain visual or character goal requires addressing multiple standards, not one.

Potential Causes of Larger Buildings

The Background section of this staff report provides a list of recent changes to the LDRs that potentially contribute to increasing the size of individual buildings in the Town. In staff's opinion, the biggest factors from this list are 1) elimination of maximum building size; 2) increased height of about 10' in many zones; 3) the addition of the 2:1 Workforce Bonus; and 4) the 4th story bonus with 48' height limit. Added to these factors, is the increasing trend of landowners/developers buying multiple adjacent properties to aggregate a large site for development using these new bonus tools. A good example of this is Mogul Partners who bought 11 individual properties (the equivalent of about 16 standard Town lots) under multiple ownerships on N. Cache Street and N. Glenwood Street to create a very large downtown site for development of a hotel and condominiums. The result is a proposed building of about 260,000 sf which would likely be the largest private building in Town by a large margin. This level of aggregation was not fully anticipated by staff when the various LDR changes and bonuses were made. In addition, with the cost of land and construction increasing so much in recent years, the best way to offset these costs is through higher-density (aka larger) projects, further incentivizing the market to build large buildings. Finally, it's worth noting that some larger buildings and projects can now bypass all public review (i.e., go straight to building permit) if they are 100% or mostly deed-restricted units. This was another incentive added to the LDRs since 2015 but it places more pressure on the internal review process to successfully address the impacts from large buildings without any input from the public, Planning Commission, or Council.

Key Policy Questions: A little more detail

Again, the purpose of this workshop is not to "solve" the issue of big buildings now but to identify the nature and scope of the problem, discuss some possible paths for solutions, and then have staff come back with more detailed menu of options for future Council and Planning Commission consideration and adoption.

To aid the Planning Commission in its deliberation of the Key Policy issues, staff has provided a list of premises that articulate certain perspectives that staff would like the Council to address regarding large buildings:

Premise #1: Certain buildings are just **too large** for the character of Jackson. We need an absolute limit.
Possible strategy: Consider floor area maximums for buildings (similar to previous LDRs).

Premise #2: Maximum building size should **vary by location** (e.g., downtown versus highway commercial).

Possible strategy: Consider different floor area limits in different parts of Town (e.g., higher along the highway and less downtown).

Premise #3: The total size of the building is less of a concern than getting good **architectural design**. If agree, what architectural design characteristics are most important (style, materials, massing, etc.)?
Possible strategy: Amend the existing Design Guidelines to better address desired outcomes for large buildings. Provide clearer direction to Design Review Committee so they can better use their expertise to help developers design higher quality buildings.

Premise #4: Larger buildings are more acceptable if they are for **deed restricted housing** but not if they are for less beneficial uses, such as short-term-rentals or some other use.

Possible strategy: Consider maximum building sized based on use.

Premise #5: More **greenspace/landscaping** is necessary to screen and buffer large buildings.

Possible strategy: Consider different or increased LSR requirements for different zones or for larger buildings.

Premise #6: Neighborhood context is important when considering the size of individual buildings (i.e., large new buildings next to small existing buildings is the problem, not so much large buildings next to other large buildings or on larger isolated sites).

Possible strategy: Consider context-sensitive design standards where building size and design may be impacted (i.e., reduced) depending on the size of existing surrounding buildings. This puts much more responsibility on the DRC process to define limitations through design and not objective standards and zoning maximums.

Premise #7: The large size of some **development sites** is a major concern and is one reason buildings are getting too large.

Possible strategy: Consider a limit on the number of lots or gross area size for developments in the Town. Consider different limits in different zones. Or possibly exceptions for certain uses (hotels).

Premise #8: Most large buildings are fine but there should be **additional Council review/process** for buildings over a certain size so the public can comment and potential impacts addressed through conditions of approval.

Possible strategy: Consider a Conditional Use Permit (CUP) process for buildings over a certain size.

Possible Alternatives.

There may be other approaches to address big buildings that Planning Commission would like to discuss or explore further. Staff will research and present any additional ideas the Council directs.

Comprehensive Plan and Priority Alignment.

The Comprehensive Plan does not say much directly about large buildings (other than Policy 2.4.e) but it does speak to our goals for encouraging workforce housing and ensuring that redevelopment is compatible with existing neighborhood character. The following policies may be relevant to the Planning Commission's consideration of this item.

Policy 2.4.e: Encourage smaller buildings

The Town and County will encourage the construction of smaller, energy efficient buildings to improve energy conservation communitywide. Energy efficiency and the amount of energy required to construct a building is directly related to overall building size. Smaller buildings require less material to achieve high energy efficiency and contain less volume to condition, light, and maintain. The community will explore regulations and incentives to encourage the construction of smaller buildings.

Policy 4.1.c: Promote compatible infill and redevelopment that fits Jackson's neighborhoods.

Infill and redevelopment will be key strategies for fostering the elements of a Complete Neighborhood in specific subareas in Town. Infill and redevelopment will be compatible in scale, use and character in Stable Subareas, and will be consistent with the desired future character in Transitional Subareas. Considerations should include the identification of appropriate relationships between land uses and development of varying intensities. An important goal will be to maintain or reestablish a strong sense of ownership by all residents of their neighborhoods. The Town Character Districts provide specific guidance for infill and redevelopment projects, consistent with the desired character for each Subarea of Town.

Policy 5.2.b: Housing will be consistent with Character Districts.

The development and redevelopment of all market and restricted housing, whether by-right or through incentive tools, will be consistent with the location, bulk, scale, and pattern described in the community's Growth Management policies and in the Illustration of Our Vision. Appropriate locations are identified in Town and County Character Districts for the allowance and encouragement of multifamily, small lot, small unit and other housing types that provide market and restricted workforce housing opportunities. No requirement, incentive, or allowance for workforce housing should directly, or indirectly, conflict with the Character Districts.

Policy 5.4.b: Avoid regulatory barriers to the provision of workforce housing

The Town and County will avoid regulatory barriers that inadvertently preclude workforce housing in a manner that is consistent with the community's Common Values. This may include providing exemptions from certain requirements for developments that provide new subsidized workforce housing that reduces the shortage of housing that is affordable to the local workforce.

Policy 5.4.d: Provide incentives for the provision of workforce housing

Incentives to provide workforce housing offer solutions that typically require less public financial subsidy. The community should provide incentives for the preservation of existing workforce housing and the construction of subsidized workforce housing. Incentives may continue to include performance-based density bonuses that enhance the character of applicable subareas of the Town and County while decreasing the shortage of housing that is affordable to the local workforce. Additional incentives such as tax reduction or deferral, fee waivers, expedited review, buy-down programs, and others should also be considered.

Fiscal Impact.

It is too early in the process to accurately estimate any potential fiscal impacts from any possible changes to the LDRs.

Staff Impact.

The amount of staff time to research and write this staff report is roughly 25 hours.

Attachments or Links.

Exhibit A: Pictures of local large buildings

Suggested Motion.

I move to direct staff to share with the Town Council the comments and ideas regarding “big buildings” expressed by the Planning Commission at this workshop consistent with this staff report, dated December 12, 2023.

Appendix A: Pictures of Large Buildings

Wort Hotel (52,000 sf)
50 N. Glenwood St.



Staples/Hoback Sports / Dollar Tree (46,000 sf)
520 W. Broadway Ave.



Target (70,000 sf)
510 S Highway 89



Springhill Marriott Suites (81,000 sf)
150 E. Simpson Ave.



Sagebrush Apartments (69,000 sf)
550 W. Broadway Ave.



Hidden Hollow (66,000 sf each building)
301 and 305 Hidden Hollow Dr.



Ranch Inn Redevelopment (68,000 sf)
50 S Cache St., 45 & 75 E Pearl Ave.



PEARL AVENUE ELEVATION

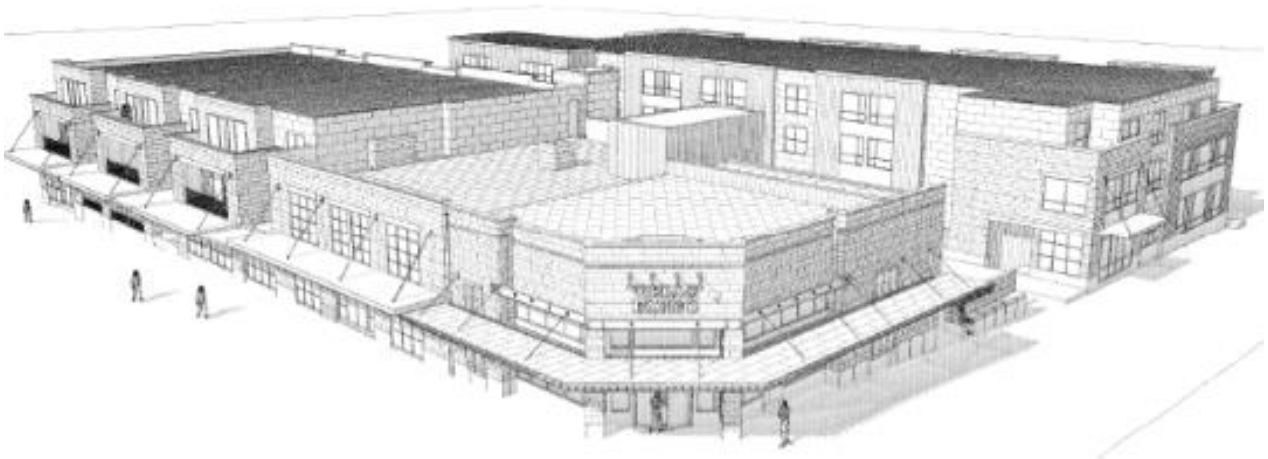


CACHE STREET ELEVATION

Millward Street Mixed Use (41,000 sf)
245-265 N. Millward St.



Cloudveil Hotel (80,000 sf)
112 Center St.



The Loop (79,000 sf each building, 158,000 total)
1050,1060,1080 South Park Loop Rd.



Albertson's (65,000 sf)
105 Buffalo Way (South Elevation)



Mogul Partners Hotel (260,000 sf estimated)
325-375 N. Cache St.





Town Design Guidelines.

Introduction



Town of Jackson
Design Guidelines

Vision Statement

The guiding vision for the Town of Jackson is to create a vibrant urban village to improve the quality of life and physical environment for both residents and visitors alike. The emphasis is on encouraging development that is economically, socially and ecologically sustainable. This concept includes a variety of land uses in the Town where citizens live and work. Future development should consider the regional vernacular of the Intermountain West while inspiring innovative design and creativity that emphasizes a positive pedestrian experience. This will become a reality when the entire community - including government, the private sector, social service groups and special interest groups - agree to positively impact the Town through cooperation, collaboration and partnership.

Guidelines - Intent

The design guidelines were created to realize the Town's vision statement.

The intent of the guidelines is to direct the physical development of the Town through building design and land planning.

These guidelines will act as a tool to coordinate various public and private development proposals and measure how they will further advance the Town's vision.

The focus of these guidelines will be on the relationships between private and public spaces, composition, massing, street walls and building materials.

Town Design Guidelines.

C. Massing

Introduction

A building's mass is defined by its component parts, including the size of its footprint and number of stories. Building mass is also determined by building form, roof shape, and orientation.

A building's form can be a simple rectangular box or a more complex combination of volumes.

Massing refers to the size of buildings and how they meet the street. Consequently, massing affects the experience of pedestrians. The way in which a particular building 'meets the street' can produce an exciting and vital experience for the person on the street: it is not overbearing, rather it is engaging and stimulating. To ensure this experience, building massing should address the relationship between the size of the proposed building and the scale of the pedestrian.

Appropriate massing will also create a gentle transition between adjacent zoning areas with no abrupt changes in height or mass of adjacent structures.

The Town of Jackson has a 'sawtooth' profile of building heights that is a product of the historic building pattern, especially along the Town Square. The gaps that exist in the historic sawtooth profile provide opportunities to insert new buildings which are compatible in both scale and material, yet are distinguishable from the historic vernacular. Reaching a balance between old and new is the goal of the Design Guidelines, requiring the retention of the sawtooth profile while encouraging compatible new buildings which respect Jackson's urban fabric.

Town Design Guidelines.

C. Massing

Guidelines

1. Mass & Height:

The architectural form of development should have a human-scale, pedestrian orientation; the height of buildings should not overwhelm people walking in the vicinity of the buildings, therefore;

A. Canopies should be utilized over sidewalks or property lines to give buildings a human scale. (This should work in concert with guideline 2, **Additive & Subtractive Massing.**)

Town Design Guidelines.

C. Massing

Town of Jackson
Design Guidelines

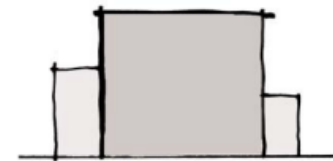
Guidelines

2. Additive and Subtractive Massing:
Both additive and subtractive massing approaches are encouraged to reduce the visual impact of large building masses. The additive massing approach increases the size of the building by linking smaller, compatible elements in a way that allows them to remain visible as separate pieces after they are put together. A simple building with additions is an example. The subtractive massing approach is to take a building as a large mass, and then reduce it by taking parts of it away, in a logical manner. This approach is especially useful when buildings are built on the property line.

A. Utilize both additive and subtractive massing including sky plane techniques to reduce the visual impact of building masses. Balconies that partially step into the building and partially cantilever out away from the building face achieve this.

B. Architectural features on the second story and above may protrude into the public right-of-way a maximum of 5-feet.

Guidelines



additive



subtractive

Town Design Guidelines.

C. Massing

Town of Jackson
Design Guidelines

Guidelines

3. Volume complexity

Large building masses should be achieved by linking a series of smaller masses. The result should be a building which can be seen as a group of related structures, rather than one large element. In the case of a project which covers multiple adjacent lots, density can be achieved in a positive way if the buildings themselves are designed with a certain amount of volume complexity, to avoid a large, monolithic structure.

A. Avoid large monolithic buildings. Translate the building program into a building complex, whose exterior reflects the interior uses and functions. At higher densities, a single building can be treated as a building complex, if its important parts (e.g. entries) are picked out and made identifiable while still part of one three-dimensional fabric.

B. Projects that contain multiple lots shall pay close attention to breaking up the vertical facade into a pattern typical of single lot development.

Guidelines

4. Roofs

Jackson will be comprised of linked building elements of one, two, and three stories. The roof types will either be parapet, flat, sloping or barrel vault roofs. Flat and parapet roofs are particularly appropriate at the edges of the site because they avoid some of the serious engineering and safety problems associated with snow sliding onto the public right-of-way.

A. A project should ensure that roofs are designed so that no snow or rain is deposited onto adjacent public or private walking surfaces.

Criteria

The mass, height, volume complexity and arrangement of building components of the proposed development enhances the streetscape within the context of the Town, while creating a comfortable experience for the pedestrian and mitigating adverse effects on the adjoining properties.

Town Design Guidelines.

D. Street Wall

Introduction

Street walls result when buildings are constructed to or near the front and side property lines of a site. This pattern of development - typical of the properties surrounding the Town Square - creates a strong edge that defines the sidewalk and street. Avoiding breaks (e.g. parking lots and low-intensity development) will further enhance the character and strengthen the identity of the Town.

The goal of street walls in the Town district is to continue the connected network of comfortable and inviting pedestrian paths that form the transition between the street and adjacent buildings.

Guidelines

- 1. The project should generally be built to the property lines at the sides and along the street frontage.*
- 2. There should be no voids in the street wall except for the circumstances described in these guidelines, below.*
- 3. It is appropriate to open up the street wall for a portion of the frontage as necessary to create areas of public open space, identify entrances and make pedestrian connections.*
- 4. At the corner, it is appropriate to step back the street wall to create comfortable pedestrian areas.*
- 5. Vehicle entrances to underground or rear parking areas may be acceptable, but should be minimized to avoid conflicts with pedestrians.*

STAFF REPORT



Meeting Date:	August 5, 2024	Meeting Title:	Town Council Regular Meeting
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Jackson Municipal Code Update: Title 15, Buildings and Construction	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to review the updates to Title 15, Buildings and Construction, of the Jackson Municipal Code Council provided direction on in May 2024.

Requested Action.

Staff request the Council review the updates to Title 15 as summarized in the staff report and detailed in the redline draft.

Recommendations.

Recommendations were provided at the May 2024 meeting.

Background.

The Town periodically updates the Municipal Code to ensure its applicability and content match the community's and municipality's needs and are relevant to current times. The Town Legal Department is currently reviewing one title at a time with the relevant departments and staff.

Title 15 contains chapters on buildings and construction, specifically:

- *Chapter 15.04 - International Building Code*
- *Chapter 15.05 - International Energy Conservation Code*
- *Chapter 15.06 - International Existing Building Code*
- *Chapter 15.08 - International Fire Code*
- *Chapter 15.12 - International Mechanical Code*
- *Chapter 15.14 - Solid Fuel Burning Devices*
- *Chapter 15.16 - Unsafe Buildings and Other Structures (Repealed).*
- *Chapter 15.17 - International Residential Code*
- *Chapter 15.20 - Electrical Code*
- *Chapter 15.24 - International Plumbing Code*
- *Chapter 15.26 - Energy Efficiency Code (Repealed).*
- *Chapter 15.27 - International Fuel Gas Code*
- Chapter 15.28 - Signs (Repealed).
- Chapter 15.30 - Flood Damage Prevention
- Chapter 15.32 - Municipal Capital Construction Projects
- Chapter 15.34 - Art Enrichment Allocation
- Chapter 15.36 - Contractor Licensing
- Chapter 15.38 - Demolition Standards
- Chapter 15.50 - Enforcement

The majority of the chapters of this title (those in italics) comprise the adopted building, plumbing, mechanical, and like construction codes of the Town. These are updated by national organizations every three years, then adopted by the State of Wyoming and, finally and subsequently, at the Building Official's request, the Town updates its Municipal Code chapters appropriately. The national organizations last updated these codes in 2021, which the Town ultimately put in place via a 2022 Municipal Code update. In line with the above procedure, the national organizations updated these codes in 2024, but they have yet to be adopted by the State or the Town. The Council can expect to see these chapters in early 2025.

The remaining chapters (those not in italics) were the focus of the May 2024 Council meeting:

- Chapter 15.30 - Flood Damage Prevention
- Chapter 15.32 - Municipal Capital Construction
- Chapter 15.34 - Art Enrichment Allocation
- Chapter 15.36 - Contractor Licensing
- Chapter 15.38 - Demolition Standards
- Chapter 15.50 - Enforcement

Council provided policy guidance at the May 2024 meeting, and the effectuation of that guidance is summarized for each item in the Analysis & Key Policy Question Section.

Analysis & Key Policy Questions.

Chapter 15.30. Flood Damage Prevention

In May 2024, Council directed staff to effectuate its recommendation, which was to retain Chapter 15.30 and keep federal flood insurance available to property owners, with a few minor, technical updates.

- ✓ The attached drafts of the Chapter include the staff-recommended and FEMA-approved minor updates.

Chapter 15.32. Municipal Capital Projects

In May 2024, Council directed staff to effectuate its recommendation, which was to repeal this Chapter entirely and adhere to the laws applicable to cities, which need not be set out in the Town Code because they are set forth in the state statutes.

- ✓ The attached drafts of the Chapter show it as repealed.

Chapter 15.34. Art Enrichment Allocation

In May 2024, Council directed staff to effectuate its recommendation, which was to make no changes to this Chapter.

- ✓ The attached drafts of the Chapter show it unchanged.

Chapter 15.36 Contractor Licensing

Proprietary Homeowner License:

The chart below shows the key policy issues tackled by Council in May 2024 for contractor licensing, and the direction provided for each:

Policy Element	Council Direction	How Effectuated
Type of work allowed:	<u>Currently:</u> construction, repair, or alteration. Council Direction: Retain status quo.	This language was retained.
Who may obtain the license:	<u>Currently:</u> The “homeowner” Council Direction: Draft clarifying language about who is a homeowner	Defined homeowner by limiting the availability of the license to “one’s own principal place of residence,” defined as “the place which is an individual’s primary home used for the purposes of filing taxes or, if a vacant lot, that will upon issuance of a certificate of occupancy become the individual’s primary home used for the purposes of filing taxes.” {Pages 9 and 14 of 23 of the Clean Version}
What can they alter, repair, or construct with the license:	<u>Currently:</u> “their own residence that they occupy, including accessory buildings” but excluding accessory residential units Council Direction: Retain the status quo, allowing homeowners to alter, repair, or construct their primary residence, and accessory buildings, and not accessory residential units (retain status quo).	Retained and clarified the status quo by limiting the availability of the license to “one’s own principal place of residence, including accessory buildings and excluding accessory residential units” {Page 9 and 14 of 23 of the Clean Version}
Where:	<u>Currently:</u> Not stated, use key words “homeowner” and “own residence” as an interpretation Council Direction: Retain the status quo, allowing homeowners to alter, repair, and construct their own home and accessory buildings, and, if the latter, only those on the same property.	Retained and clarified status quo by limiting the availability of the license to “one’s own principal place of residence” and accessory buildings “ <u>on the same property as the principal place of residence</u> ” {Page 14 of 23 of the Clean version}
How often can a homeowner obtain this license:	<u>Currently:</u> Once every two years. Council Direction: Add allowance once every 8 years.	Changed to once every 8 years. {Page 14 of 23 of the Clean Version}

Does the homeowner have to take a test to obtain the license:	Currently: No. Council Direction: Yes.	Added language that “prior to issuance, the owner is required to pass a written Proprietary Homeowner Contractor exam administered by the Town of Jackson or a Class C Contractor License exam.”
Does the homeowner affirm that the house is their principal place of residence:	Currently: No. Council Direction: Yes.	No language added to the Chapter; rather, the application will have this question and added to the Code that the application must be affirmed as being true and correct by the applicant.

Fees

The subject of fees was not discussed in May 2024, however, fees came to light during the drafting process. The state legislature, as noted in the initial May workshop, added a contractor reciprocity provision to state law that requires, with some exceptions, cities to recognize and license contractors licensed by other cities. The state law limits the Town’s ability to charge fees to those seeking reciprocal licensing in the Town, however the statute is silent on renewal fees once a contractor is licensed. As a result, the Title now makes clear that those seeking reciprocity under the statute will not be charged an initial application fee so long as they are seeking reciprocity for an equivalent license class but will be charged (like all other licensees) a renewal application fee. Please note, those seeking reciprocity outside the parameters of the statute, i.e., any out of state contractor, will still be obligated to pay initial application fees.

Key Policy Issues: Chapter 15.38 Demolition Standards

The chart below shows the key policy issues tackled by Council in May 2024 for demolition standards, and the direction provided for each:

Policy Element	Council Direction	How Effectuated
Adding a Threshold for Review:	Currently: Every demolition permit application is referred to the Teton County Historic Preservation Board. Council Direction: Retain status quo.	Retained status quo.
Timing of Board Review:	Currently: Board had 30 days. Council Direction: Change to 45 days.	Changed to 45 days. {Page 19 of 23 of the Clean Version}
Sufficiency of Information for Historic Review:	Currently: The application for a demolition permit does not require applicants to provide historical facts or details about the structure they seek to demolish. Council Direction: Require applicants to provide limited information - an introductory narrative of the history of the structure; “as built” floor plans, if available, and photographs of the building.	Added to the application requirement provision. {Page 18 of 23 of the Clean Version}
Board Role in Demolition Alternative:	Currently: States that, if the Board recommends a 90-day stay, the Board and the applicant are to explore alternatives to demolition. Council Direction: Relieve the Board of a role in identifying alternatives to demolition.	Language amended to remove the portion requiring the Board to participate in demolition alternatives.
Inflexibility of Stay Recommendation:	Currently: The Board’s only options are to not recommend a stay or recommend a 90-day stay. Council Direction: Enable the Board to make a recommendation not less than a minimum number of days and “up to” a maximum number of days.	Added language that, if the Board recommends a stay, it can be not less than 60 days and not more than 100 days. {Page 19 of 23 of the Clean Version}

When the Stay Begins:	<u>Currently:</u> The ordinance is silent as to when a stay begins. <u>Council Direction:</u> The stay begins the day the Board makes its recommendation.	Added language that the stay begins the day the Board makes its recommendation.
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Technical updates, as outlined in May 2024, have been made and include:

1. Making the language gender neutral.
2. Where appropriate ensuring the language around appointment includes *“or their designee.”*
3. Updating the names, titles, permit application types.
4. Ensure the Title is compliant with current law (provisions for Wyo. Stat. § 16-6-1101).
5. A couple related and notable, but previously unmentioned technical matters, included are:
 - ✓ *Corresponding change to Title 5.* The Town policy has long been that a Contractor license is recognized in lieu of the Town’s business license (i.e., a contractor need not have both licenses), and the attached amendment to Title 5 clarifies this issue, but does not change the substance of the policy.
 - ✓ *Resolution Repeals.* Two resolutions from the 1990’s are being repealed because the ordinance provisions to which they relate are being repealed. This will be presented with third reading of the ordinance.
 - ✓ *Master Fee Schedule Resolution Update.* The Master Fee Schedule needs to be updated to reflect changes in subsection numbering. This will be presented with third reading of the ordinance.

Possible Alternatives.

Council could direct staff alter, change the updates provided in the drafts or not to update Title 15 of the Municipal Code.

Comprehensive Plan & Priority Alignment.

Section 8.1 and 8.2: Timely, efficiently, and safely deliver quality services and facilities in a fiscally responsible and coordinated manner.

Fiscal Impact.

Revenue: There are no, or at most negligible, revenue impacts from updating Title 15.

Expense: The Town hired a consultant to review the entire Code for consistency with state law at a cost of \$5,000. When the entire titles are updated, there is a cost to advertise the full title in accordance with state statutes.

Staff Impact.

The staff impact of updating the Municipal Code is significant.

Over the last few months, the Legal Department has spent, approximately, 90 hours working on this update and coordinated with the Building and Planning Departments as well, requiring approximately 5 hours of their time.

Since the May 2024 meeting, the Town Attorney spent 60 hours updating Title 15 and coordinated with the Building and Planning Departments as well, requiring approximately another 3 hours of their time

Attachments or Links.

- Title 15 Clean (Ordinances A, B,C, D, and E)
- Title 15 Redline
- Title 5 Amendment Redline
- Title 5 Clean (Ordinance F)

Suggested Motion.

I move to approve Ordinances A, B, C, D, E, and F at first reading [*with the changes discussed at today’s meeting*].

ORDINANCE A

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS.392, 970, AND 1091; SECTION 2 OF JACKSON ORDINANCE NO. 830; AND SECTIONS 15.30.020, 15.30.040, 15.30.060, 15.30.110, 15.30.120, 15.30.130, 15.30.140, AND 15.30.160 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING FLOOD DAMAGE PREVENTION 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. 392, 970, and 1091; Section 2 of Town of Jackson Ordinance Nos. 830; and Sections 15.30.020, 15.30.040, 15.30.060, 15.30.110, 15.30.120, 15.30.130, 15.30.140, and 15.30.160 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

...

15.30.020 Statement of purpose.

The purpose of this chapter is to comply with the National Flood Insurance Program and promote the public health, safety, and general welfare, and to minimize public and private losses due to Flood conditions in specific areas by provisions designed to accomplish the following:

...

15.30.040 Definitions.

- A. Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common use and to give this chapter its most reasonable application.
 1. ...
 2. ...
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22. ...
23. ...
24. ...
25. ...
26. ...
27. ...
28. ...
29. ...
30. ...
31. *Mean Sea Level* means, ...
32. *New Construction* ...
33. ...
34. ...
35. ...
36. ...
37. ...
38. ...
39. ...
40. ...
41. ...

(Ord. ____, §__, 2024; Ord. 1091 § 1, 2015).

...

15.30.060 Basis for establishing the Areas of Special Flood Hazard.

The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled The Flood Insurance Study for Teton County and Incorporated Areas, dated September 16, 2015, with an accompanying Flood Insurance Rate Map (FIRM) are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and FIRM are on file with the Town of Jackson.

(Ord. ____, §__, 2024; Ord. 1091 § 1, 2015; Ord. 970 § 1, 2010).

...

15.30.110 Establishment of Development permit.

- A. A Flood Plain Development permit or a building permit shall be obtained before construction or Development begins within any Area of Special Flood Hazard established in Section 15.30.060.
- B. Application for a Development permit or a building permit shall be made on forms furnished by the Town Manager or their designee and may include, but not be limited to: plans in digital form drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed Structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

...

15.30.120 Designation of the Administrator.

The Town Manager, or their designee, is appointed to administer and implement this chapter by granting or denying Development permit applications in accordance with its provisions.

...

15.30.130 Duties and responsibilities of the Town Manager.

Duties of the Town Manager or their designee shall include, but not be limited to the following:

- A. *Development review.*
 - 1. Review all Flood Plain Development or building permit applications to determine that the permit requirements of this chapter have been satisfied.
 - 2. Review all Flood Plain Development or building permit applications to determine that all necessary permits have been obtained from federal, state or local governmental agencies from which prior approval is required.
 - 3. Review all Flood Plain Development or building permit applications to determine if the proposed Development is located in the Floodway. If located in the Floodway, assure that the encroachment provisions of Section 15.30.170A are met.
 - 4. Review all Flood Plain Development or building permit applications to determine whether proposed building site, including the placement of Manufactured Homes, will be reasonably safe from Flooding.
- B. *Use of other Base Flood data.* When Base Flood elevation data has not been provided in accordance with Section 15.30.060 of this chapter, the Town Manager, or their designee, shall obtain, review, and reasonably use any Base Flood elevation and Floodway data available from any federal, state, or other source as criteria for requiring that New Construction, Substantial Improvements, and other Development in Zone A are administered in accordance with Section 15.30.160 of this chapter.

...

- F. When a Regulatory Floodway has not been designated, the Town Manager or their designee must require that no New Construction, Substantial Improvements, or other Development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed Development, when combined with all other existing and anticipated Development, will not increase the Water Surface Elevation of the Base Flood more than one-foot at any point within the community.

(Ord. ____ § __, 2024; Ord. 1091 § 1, 2015; Ord. 830 § 2, 2006; Ord. 392 § 1, 1989).

15.30.140 Variance procedure.

A. *Appeal board.*

...

2. The Board of Adjustment shall hear and decide Appeals when it is alleged there is an error in any requirement, decision, or determination made by the Town Manager, or their designee, in the enforcement or administration of this chapter.
3. Those aggrieved by the decision of the Board of Adjustment, may Appeal such decisions to the Ninth Judicial District Court as provided by Wyoming Statutes.

...

6. The Town Manager, or their designee, shall maintain the records of all Appeal actions, including technical information, and report any Variances to the Federal Emergency Management Agency.

B. *Conditions for Variances.*

1. Generally, Variances may be issued for New Construction and Substantial Improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing Structures constructed below the base level, providing paragraphs a through k of subdivision 4 of subsection A of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justifications required for issuing the Variance increases.

...

15.30.160 Specific standards.

...

- E. *Recreational Vehicles.* Require that Recreational Vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:
 1. Be on the site for fewer than 180 consecutive days,
 2. Be fully licensed and ready for highway use, or
 3. Meet the permit requirements of this Section 15.30.160, and the elevation and anchoring requirements for "Manufactured Homes" in paragraph (4) of this section. A Recreational Vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

...

(Ord. ____ § __, 2024; Ord. 830 § 2, 2006; Ord. 686 § 1, 2001; Ord. 393 § 1, 1989; Ord. 392 § 1, 1989).

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 B

AN ORDINANCE REPEALING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 627; AND SECTIONS 15.32.010 THROUGH 15.32.050 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING MUNICIPAL CAPITAL CONSTRUCTION PROJECTS 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 No. 627; and Sections 15.32.010 through 15.32.050 of the Town of Jackson Municipal Code are hereby repealed as follows:

Chapter 15.32 MUNICIPAL CAPITAL CONSTRUCTION PROJECTS (REPEALED)

15.32.010 Definitions. (repealed)

15.32.020 Standard design process. (repealed)

15.32.030 Design consultant selection process. (repealed)

15.32.040 Contracts for public improvements. (repealed)

15.32.050 Conflict of interest. (repealed)

(Ord. ____ § ____, 2024; Ord. 627 § 1, 1999).

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 C

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 701, 1089, 1090, AND 1142; AND SECTION 8 OF JACKSON ORDINANCE NO. 1280; AND CHAPTER 15.36 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING CONTRACTOR LICENSING 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. Section 1 of Town of Jackson Ordinance Nos. 701, 1089, 1090, and 1142; Section 8 of Town of Jackson Ordinance No. 1280; Chapter 15.36 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

Chapter 15.36 CONTRACTOR LICENSING AND CERTIFICATION

15.36.005 Purpose and relationship between Licenses and Certificates of Qualification.

- A. The purpose of authorizing contractors and tradespeople is to ensure minimum safety, education, and qualification standards are applied in the construction of buildings within the Town in order to protect the public, property, and workers. To ensure appropriate standards are met, every person is required to be qualified for the trade they practice, and the level of their trade, via Certificates of Qualification. Moreover, every Licensee is required to obtain a Master certificate, or employ a person who has obtained a Master certificate, appropriate to the types of work the Licensee is undertaking. A Licensee is responsible for the work covered by the License and may be a business or corporation. The Certificate of Qualification holder is responsible for on-site supervision during all phases of construction and is an individual.

15.36.010 Board of examiners created; duties of same.

- A. Town of Jackson Board of Examiners shall be created, consisting of five to nine members, including a chairperson, to be appointed by the Town Council. The Board shall serve at the pleasure of the Town Council and members shall be volunteer, nonpaid positions. Upon the affirmative vote of a majority of the Town Council, members may be removed from the Board. Members of the Board of Examiners shall consist of professionals in the construction industry, including by way of example and not exclusion, tradespeople, architects, and engineers.
- B. Initial appointments to the Board of Examiners shall be two appointments for one year and three appointments for two years, and thereafter appointments shall be for a term of two years at the expiration of the term of each member.
- C. The Board of Examiners shall establish rules, regulations, and procedures for conducting business, which rules, regulations, and procedures shall be approved by the Town Council prior to being effective.
- D. The Board of Examiners shall also serve as the Board of Appeals as required by the building codes to hear and decide appeals of orders, decisions, or determinations made by the Town Building Official relative to the application and interpretation of the codes adopted by the Town of Jackson. 15.36.020 Definitions.

15.36.020 – Definitions.

A. As used in this title:

1. *Apprentice* means an individual who is learning a trade under the direct Supervision of a person qualified under the terms of this chapter to train an individual in that trade.
2. *Certificate of Qualification* means nontransferable authority to perform certain skills and is issued to an individual.

3. *Contractor* means anyone engaged in any of the trades as a general, building, or residential contractor, construction manager, and/or any of the classifications as set forth herein.
4. *Journeyman* means an individual who, through proven experience and demonstrated knowledge, shows proficiency in their trade. Such an individual shall be qualified to work for a Licensed Contractor without direct Supervision.
5. *License* means the authority to contract and obtain permits for the construction, alteration, addition to, or relocation of, any system or portions of a system regulated by this chapter.
6. *Master* means an individual who, through demonstrated knowledge and verified experience, may qualify a business, corporation, partnership or individual for a License.
7. *Principal Place of Residence* means the place which is an individual's primary home used for the purposes of filing taxes or, if a vacant lot, that will upon issuance of a certificate of occupancy become the individual's primary home used for the purposes of filing taxes.
8. *Supervision* means the continuous control of all work in progress as authorized by the Journeyman or Master.

15.36.030 – Building Official authority.

- A. Authority. There is vested in the Building Official, or their designees, the authority of determining the qualifications of applicants for those Licenses and Certificates of Qualification established by this Chapter and to effectuate all authority and power as set forth in the building codes adopted by the Town.
- B. The Building Official may render reasonable interpretations of these provisions and rules and regulations as established by the Board of Examiners as necessary to carry out the intent and purpose of this Chapter and the rules and regulations, respectively.
- C. Jurisdictional Reciprocity. The Building Official, or their designee, may grant reciprocity with other jurisdictions and agencies as the Building Official, or their designee, determines. The Building Official shall maintain a record of all reciprocal agreements that have been approved.

15.36.31 – License and certification required.

- A. It shall be unlawful for any person to undertake any of the types of work regulated by this Chapter within the Town without first obtaining a Certificate of Qualification, complying with the provisions of this Chapter.
- B. Except as otherwise provided in Section 15.36.040.D, it shall be unlawful for any firm, corporation, or other corporate entity to undertake any of the types of work regulated by this Chapter within the Town without first obtaining an appropriate License complying with the provisions of this Chapter. Such License shall serve as the business license required by Title 5 of this Code.
- C. It is the duty of each Licensee and Certificate of Qualification holder to renew and maintain a valid License and/or Certificate in conformance with the requirements of this Chapter.

15.36.032 – Personal privilege.

- A. The Licenses and Certificates of Qualification issued under this Chapter shall be a personal privilege, good for the period for which issued, subject to the condition however, that they may be denied, revoked, or suspended.

15.36.033 – Evidence of doing business

- A. Whenever any person by the use of signs, circulars, cards, telephone books, or newspapers, advertises, holds out, or represents that they are in any and every kind of lawful business, trade, calling, profession, or occupation in the Town, or when any person holds an active license or permit issued by a governmental agency indicating that they are in any business, trade, calling, profession, or occupation in the Town, these facts shall be considered prima facie evidence that they are conducting business in the Town.

15.36.034 – Fees; Payment

- A. There shall be annual application fees for all Licenses and Certificates of Qualification authorized hereunder, for both initial issuance and for renewal, and the fees for such shall be in an amount established by resolution, be paid at the time application therefor is made, and be nonrefundable.
- B. Applicants seeking reciprocity pursuant to Wyo. Stat. § 16-6-1101, as amended, shall not pay an initial issuance fee, provided the work they are seeking to perform in the Town is covered under their existing license issued by another jurisdiction and is at an equivalent level of required competency in the Town. If they seek to perform work that is not covered under the license issued by another jurisdiction or that is not at an equivalent level of required competency in the Town, they shall pay initial application fees. All parties that are Licensed and/or Certified via reciprocity pursuant to Wyo. Stat. § 16-6-1101, as amended, shall, consistent with all other Licensed and Certified parties, pay annual renewal fees.
- C. Applicants seeking reciprocity other than under Wyo. Stat. § 16-6-1101, as amended, shall pay fees in accordance with Section 15.35.034.A.
- D. There shall be no pro-rated reduction of the fee based on the time of year when a License or Certificate of Qualification is applied for.
- E. Receipt of payment does not constitute approval of a License or a Certificate of Qualification application.
- F. If a Licensee or Certificate holder seeks to change or upgrade a License or Certificate, no credit shall be given for fees paid on the existing License or Certificate. A complete initial application and associated fee shall be paid for the new License or Certificate.

15.36.035 – Applications—Initial and renewal

- A. Every person seeking to begin work regulated by this Chapter, or continue it if previously licensed or certified, within the Town must complete the appropriate application pursuant to this section and obtain approval before beginning or continuing such work.
- B. All applications, whether for a License or a Certificate of Qualification, shall be made in writing to the Town Manager, or their designee, on forms provided by the Town, which must be complete to be processed.
- C. It shall be the duty of the applicant to seek any reviews, authorizations, permits and/or approvals from state, federal, Town or Teton County authorities that may be required in addition to the License and Certificate of Qualification set forth in this Chapter.
- D. Each application, whether for a License or a Certificate of Qualification, submitted shall be affirmed as being true and correct to the best of the applicant's knowledge and shall affirm that the applicant understands that information provided on and with the application may be investigated for accuracy.
- E. Applications, whether for a License or a Certificate of Qualification, shall be processed within 30 days of the receipt of an application.
- F. Applications for a Contractor License shall include:
 - 1. Proof of workers' compensation with the State of Wyoming or provide proof of why workers' compensation is not required.
 - 2. Proof of unemployment insurance with the State of Wyoming or provide proof of why unemployment insurance is not required.
 - 3. A compliance bond in the amount set forth below for the respective license class and executed by a surety company authorized to transact business in the State of Wyoming, with the applicant as principal and the Town of Jackson

as obligee, conditioned that the applicant shall faithfully perform the duties and in all things comply with the provisions of this Chapter, including all amendments thereto. Bond amounts are as follows:

i.

License	Bond amount
General Contractor (Class A)	\$250,000
Building Contractor (Class B)	\$250,000
Building Contractor— Restricted (Class Br)	\$100,000
Residential Contractor (Class C)	\$100,000

4. If the applicant is a corporation or limited liability company, proof of good standing with the office of the Wyoming Secretary of State.
5. A License shall not be issued until a certificate of insurance has been filed and approved by the Building Official, or their designee. Licensees shall be responsible for keeping the required insurance in force and for providing current certificates of insurance. Each certificate of insurance shall state the type(s) of insurance purchased and the limits of each type of coverage as required by these regulations. The Town of Jackson must be named as certificate of insurance holder. Commercial general liability limits are as follows:

i.

License	Limit Per Occurrence	Total Aggregate
General Contractor (Class A)	\$1,000,000	\$2,000,000
Building Contractor (Class B)	\$1,000,000	\$2,000,000
Building Contractor— Restricted (Class Br)	\$500,000	\$1,000,000
Residential Contractor (Class C)	\$500,000	\$1,000,000

- G. Renewal of a Certificate of Qualification requires the applicant to either have completed 8 hours of educational seminar covering the adopted code for the applicable trade approved by the Building Official, or their designee, or to re-test through the ICC Trade Certification Program.

15.36.036 – Possession and Display Certificate of Qualification.

- A. Any person certified hereunder shall maintain possession of their current Certificate of Qualification and shall produce the same upon the request of the Building Official, or their designee, any Law Enforcement Officer, any Community Service Officer, or any Special Municipal Officer of the Town of Jackson.

15.36.037– Transfer; Using another’s License or Certificate of Qualification.

- A. No License or Certificate of Qualification shall be valid for more than one person, nor shall a License or Certificate of Qualification be transferable.
- B. A licensed or certified person may not enter into an agreement, oral or written, whereby their License or Certificate of Qualification is used, or will be used, by any other person.
- C. A licensed or certified person may not knowingly allow their License or Certificate of Qualification to be used by any other person.
- D. A licensed or certified person may not apply for or obtain a building permit for construction work unless the licensed or certified person have agreed to make improvements to, or perform the contracting at, the real property specified in

the application or permit. This paragraph does not prohibit a person from applying for or obtaining a building permit to allow the person to perform work for another person without compensation or to perform work on property that is owned by the applicant.

- E. The dissolution of a business entity which has been licensed terminates the License and no person may operate under that License.
- F. A new License is required for the creation of a new business entity and shall not entitle any person to transfer any License to the new entity.

15.36.038 – Expiration; Licenses and Certificates of Qualification.

- A. All Licenses expire on December 31 annually.
- B. All Certificates of Qualification expire on December 31 triennially.
- C. All Licenses and Certificates of Qualification automatically expire if any applicable requirement(s) of this Chapter lapse, are canceled, or expire during the term of an existing License or Certificate of Qualification; provided Licensees and Certificate of Qualification holders shall have 30 days from the date of the lapse, cancellation, or expiration of the requirement to provide proof of being current with said requirement before an expiration shall be effective.
- D. If an application has not been received by the Town prior to January 1, the Licensee or Certificate of Qualification holder will have until January 31 to submit a renewal application together with payment of the annual fee, plus an additional late fee in an amount established by resolution. All Licenses and Certificates of Qualification are delinquent beginning January 1 and concluding January 31 on 11:59 p.m. After 11:59 p.m. on January 31 the License or Certificate of Qualification is not eligible for renewal; an application for a new License or Certificate of Qualification must be submitted.

15.36.039 – Denial, revocation, and suspension

- A. The Town Manager, or their designee, may deny an application except for an application for reciprocity pursuant to Wyo. Stat. § 16-6-1101, as amended, and may suspend or revoke an issued License or Certificate of Qualification, whether initially issued via reciprocity or otherwise, when the applicant/holder commits any one or more of the following acts or omissions:
 - 1. The breach of any condition upon which the License or Certificate of Qualification was issued or failure to comply with any applicable provision(s) of law.
 - 2. The violation of any local, state, or federal law(s) or codes relating to health and safety of the premises at which work is taking place or relating to the Town of Jackson Land Development Regulations.
 - 3. The securing of any License or Certificate of Qualification by fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the application process.
 - 4. Failure of the Licensee to notify the Building Official, or their designee, within 5 business days that the Master left the Licensee's employ.
 - 5. The securing of any permit sought pursuant to the codes of this Title or the Land Development Regulations by fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the application process.
 - 6. Engaging in any work regulated by this Chapter or advertising as available to engage in any such work without being duly licensed or certified pursuant to this Chapter.
 - 7. Commencing or performing work for which a permit is required pursuant to this Title or the Land Development Regulations without such permit being in effect.
 - 8. The conviction for a crime involving dishonesty, false statement, or a felony.

9. The conduct of the License or Certificate of Qualification holder puts the health, safety, or welfare of their customers, public employees, or the public at risk.
 10. The failure to timely provide any information required by the Town for the application process.
 11. The applicant had a License or Certificate of Qualification issued hereunder revoked or suspended within three years immediately preceding the date of application.
- B. The Town Manager, or their designee, may deny an application for reciprocity pursuant to Wyo. Stat. § 16-6-1101, as amended, when the applicant:
1. Fails to comply with Wyo. Stat. § 16-6-1101, as amended.
 2. Previously had a License or Certificate of Qualification revoked or suspended by the Town.
- C. When the Town Manager, or their designee, deems that a License or Certificate of Qualification issued hereunder shall be denied, suspended, or revoked, the procedure shall be as follows:
1. The applicant or Licensee or Certificate of Qualification holder shall be notified by the Town Manager, or their designee, in writing, sent via certified mail; such notice shall be sent at least 15 days prior to the action contemplated, setting forth the reasons therefor.
 2. Upon receipt of the notice, the applicant or Licensee or Certificate of Qualification holder may request a hearing before the Town Council. Such request shall be in writing and shall be received by the Town Manager, or their designee, within 15 days of the postal date of the suspension or revocation notice; failure on the part of the applicant or License or Certificate of Qualification holder to request a hearing in writing and within the specified time period shall be deemed a waiver of their right to a hearing.
 3. If a hearing is requested by the applicant or Licensee or Certificate of Qualification holder, the Town Manager, or their designee, shall set the time, date, and location, which shall be not less than 15 days and not more than 45 days of receipt of the notice requesting such. The Town Manager, or their designee, shall notify the applicant or License or Certificate of Qualification holder in writing, sent by certified mail, of the hearing.
 4. At the hearing, the parties have the right to be represented by counsel, and to present testimony and evidence. The Town Council shall, by majority vote, render a decision. The decision of the Town Council shall be final and binding on all parties concerned.
 5. The Town Manager, or their designee, shall notify the applicant or Licensee or Certificate of Qualification holder in writing, by certified mail, of the Town Council decision as the result of the hearing.
- D. Such revocation or suspension may be in addition to any fine imposed.

15.36.040 Contractor Licenses.

- A. *Classifications.* There shall be the following classes of Licenses and the respective Licensee shall be authorized to do the following:
1. *General Contractor (Class A)*—To contract for the construction, alteration, or repair of any type or size of structure.
 2. *Building Contractor (Class B)*—To contract for the construction, alteration, or repair of commercial buildings and single or multi-dwelling residential buildings, not exceeding three stories in height.
 3. *Building Contractor—Restricted (Class Br)*—To contract for work of a nonstructural nature in a commercial tenant space with a maximum gross floor area of 5,000 square feet or less and for the construction, alterations and repairs of one- and two-family residences, townhouses and buildings accessory thereto.
 4. *Residential Contractor (Class C)*—To contract for the construction, alterations, and repairs of one- and two-family residences, and buildings accessory thereto.

5. *Proprietary Homeowner Contractor*— To construct, alter, or repair only i) once every 8 years, which period begins on the date of the issuance of a certificate of occupancy; ii) one's own principal place of residence, including accessory buildings and excluding accessory residential units; iii) that are regulated under the International Residential Code; and iv) if an accessory building, that is on the same property as the principal place of residence. Prior to issuance, the owner is required to pass a written Proprietary Homeowner Contractor exam administered by the Town of Jackson or a Class C Contractor License exam.
 6. *Plumbing Contractor*—Installation, alteration, addition or relocation of all sanitary plumbing, sanitary sewer and potable water supply and distribution piping, including all plumbing fixtures and traps and potable water-treating or water-using equipment, and including piping for transmission of chemicals, oil and gases, installation of steam and hydronic heating and chilled systems and water heaters and related vents.
 7. *Heating, Ventilating, and Air Conditioning (HVAC) Contractor*—Installation, alteration, addition to, relocation, or replacement of any heating, ventilating, cooling, refrigeration system, incinerators, or other miscellaneous heat-producing appliances, to include gas piping of related equipment.
 8. *Gas Service Contractor*—Installation, repair, or maintenance of fuel gas systems.
 9. Specialty Solar Panel Installer – NABCEP Certification or similar Certifications approved by the Building Official is required.
 10. *Specialty Licenses*—Pool and Spa, Cell Tower Installers, and any other Installers that the Building Official deems appropriate to need a contractor's license.
- B. *Supervision required.* Every Contractor shall be or must have in their employ a person holding a Master Certificate of Qualification in such classification as the Licensed is issued. The License shall be valid only as long as the named Master shall remain in the employ of the Licensee in an active, full-time capacity. If the Master should leave the employ of the Licensee, the Licensee shall notify the Building Official, or their designee, within 5 business days. The Licensee shall be required to obtain a qualified Master as otherwise required by this Chapter within 30 days of the Master leaving the employ of the Licensee. The Building Official, or their designee, may grant not more than three 10-day extensions when considered to be in the best interest of the Town. If such Master is not obtained within the 30-day period or subsequent extensions, the License shall be deemed suspended until such supervisor is obtained.
- C. *Responsibilities.* All Licensees shall be responsible, without limitation, for the following:
1. For all work requiring a permit under the provisions of this Chapter.
 2. To provide minimum safety measures and equipment to protect property, workers and the public as provided herein or otherwise prescribed by the Town of Jackson and other local, state, or federal regulations.
 3. To obtain permits;
 4. To request inspections and be physically present on-site for inspections, which inspection shall be coordinated by the general contractor.
 5. To present Certificate of Qualification cards when requested by the Building Official, or their designees,.
 6. To faithfully construct and complete the project as indicated by the permit and approved set of plans, without substantial departure from, or disregard of, drawings and specifications, when such drawings and specifications have been filed and approved and permit issued for same, unless such changes are approved by the Building Official, or their designee.
 7. To complete all work authorized by the permit issued unless good cause is shown.
 8. To pay any fee required by the Town of Jackson.
 9. To comply with all applicable codes and ordinances.
 10. To be responsible for all work for which a permit is issued.

D. *Exemptions.* A firm, corporation, or other corporate organization may undertake the types of work regulated by this Chapter within the Town without first obtaining a License only under the following exemptions:

1. *Permits-Exempt Building Code Provisions.* The owner or tenant of a commercial structure or tenant space may perform their own repairs or maintenance as permitted in the permits-exempt work provisions of each applicable code adopted by the Town.
2. *Proprietary Certificate of Qualification.* An individual employed by a Person may perform work requiring a permit without a Contractor's License, provided they have been granted a Proprietary Certificate of Qualification specific to one business and specific to the trade(s) applicable to the work being performed.
3. *Sewer and Water Service Lines.* Sewer and water service line installation and repair work from a structure to the public sewer or public watermain shall be exempt from the requirements of this Chapter. However, this shall not exempt the work being performed from the requirements of a permit pursuant to the current edition of the adopted codes.

(Ord. ____ § ____, 2024; Ord. 1280 § 8, 2021; Ord. 1089, § 1, 2015; Ord. 701 § 1, 2002).

15.36.050 Certificates of Qualification.

A. *Requirement.* Certificates of Qualification shall be required of individuals for all types of work involving skills as specified and classified in this section.

B. *Exam procedure.*

1. The Town shall use the then current International Code Council National Contractor/Trades Examination as a means of determining the qualification of applicants.
2. Testing arrangements and testing fees are the responsibility of the applicant.
3. A Town of Jackson Certificate of Qualification will be issued to the applicant upon presentation of the International Code Council National Contractor/Trades Examination certificate noting successful completion of the appropriate examination and meeting all other requirements of this Chapter.

C. *Reciprocity.*

1. *Reciprocity with Wyoming Jurisdictions.* In lieu of an examination, the Building Official, or their designee, may issue a Certificate of Qualification to persons that, in addition to meeting all other requirements of this Chapter, possess and present a valid authorization issued to them by any other governmental agency pursuant to Wyo. Stat. § 16-6-1101, as amended. The applicant shall procure the Certificate of Qualification from the Town within 30 days after being notified of being granted reciprocity. If the applicant fails to procure said Certificate of Qualification within 30 days, the Certificate of Qualification shall be void and a new application shall be required.
2. *Reciprocity with jurisdictions outside of Wyoming.* Reciprocity may be granted pursuant to 15.36.030.

D. *Examination failure.* Every applicant who fails to pass the required examination shall not be eligible for another examination for 30 days, and any applicant who fails to pass the second examination shall not be eligible for re-examination for 6 months thereafter.

E. *Classifications.* There shall be the following classes of certification and the holder shall be authorized to do the following:

1. *Masters Certificate of Qualification.* A Certificate of Qualification shall be required and shall permit the holder thereof to be supervisor or Master for each of the trades in which they have been certified.
2. *Journeyman Certificate of Qualification.* A Certificate of Qualification shall be required in the trades described in this chapter and shall entitle the individual to work only in the trade for which they are certified and classified. Such certificates shall permit the individual to work only under the authority of a certified Master or supervisor.

3. *Apprentice Certificate of Qualification.* A Certificate of Qualification shall serve as a registration with the Town. Such certificate shall entitle the Apprentice to work under the direct Supervision of a Journeyman or Master within each respective classification. With the exception of general, building, and residential Contractors, no individual Journeyman or Master shall have more than four Apprentices under their direct Supervision.
- F. *Classifications—experience required.* An application shall be filed in accordance with the time periods listed below unless otherwise approved by the Building Official or their designee. A person may not apply to upgrade their certificate to the next higher classification until they have met the experience requirement or equivalent, as approved by the Building Official or their designee. Up to 50 percent credit may be given toward the experience period set forth below at the discretion of the Building Official, or their designee, for relevant equivalent education in the construction field. The applicant is responsible for providing proof to verify such experience. Applicants that are unable to provide adequate and appropriate experience or time in service will be issued the next lower classification regardless of the exam they passed.
 1. *General Contractor Certification (Class A).* Master applicants shall be able to verify at least eight years actively working in the building construction or contracting trade, which must include at minimum having constructed or acted principally in the role of supervisor for the construction of three entire buildings, each of which must have been at least two stories in height, and have been of occupancy classifications other than Group R3 and U.
 2. *Building Contractor Certification (Class B).* Master applicants shall be able to verify at least four years working in the building construction or contracting trade, which must include at minimum having constructed or acted principally in the role of supervisor for the construction of three entire buildings of occupancy classifications other than Group R3 and U, each of which must have exceeded 5,000 square feet in floor area.
 3. *Building Contractor restricted Certification (Class Br).* Master applicants shall have held a Class C License for the previous two years and make application to the Building Official, or their designee, for this License classification. No additional testing required.
 4. *Residential Contractor Certification (Class C).* Master applicants shall be able to verify at least two years working in the building construction or contracting trade.
 5. *Plumbing Certification* —Apprentices shall be able to verify four years of working actively in a training program or for a qualified plumbing Contractor prior to applying to advance to the Journeyman level. Journeyman shall be able to verify four years of working actively in a training program or for a qualified plumbing Contractor prior to applying to advance to the Master level.
 6. *HVAC Certification* —Apprentices shall be able to verify four years of working actively in a training program or for a qualified HVAC Contractor as an Apprentice prior to applying to advance to the Journeyman level. Journeyman shall be able to verify four years of working actively in a training program or for a qualified HVAC Contractor as a Journeyman prior to applying to advance to the Master level.
 7. *Gas service Certification* —Applicants shall be able to verify three years of working actively in a training program or for a qualified gas service Contractor prior to attempting to advance to the Master level. Masters shall pass an examination as required by the Town of Jackson.
 8. *Specialty Solar Panel Installer Certification* – Applicants shall have NABCEP Certification or similar Certifications approved by the Building Official.
 9. *Other Specialty Contractors Certification* - Must be able to verify that there is a minimum of three-year work history in the related field of the type of construction they will be performing.
 10. *Proprietary Certificate of Qualification* – Applicants must be either the owner or a qualified individual in the employ of the owner's business to be able to perform work requiring a permit without obtaining a Contractor's License for that trade specific to that business.

(Ord. ____ § ____, 2024; Ord. 1280 § 8, 2021; Ord. 1142 § 1, 2016; Ord. 1090 § 1, 2015; Ord. 701 § 1, 2002).

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE _____ DAY OF _____, 2024.

PASSED 2ND READING THE _____ DAY OF _____, 2024.

PASSED AND APPROVED THE _____ DAY OF _____, 2024.

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 _____, 2024.

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 D

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 888 AND 1279; SECTION 8 OF TOWN OF JACKSON ORDINANCE NO. 1280; AND CHAPTER 15.38 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING BUILDING DEMOLITION 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 No. 888 and 1279; Section 8 of Town of Jackson Ordinance No. 1280; and Chapter 15.38 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

15.38.010 Permit required.

- A. It is unlawful for any person to commence demolition of any building or structure within the Town limits, whether in connection with the application for a separate building permit or other purpose without first obtaining a demolition permit from the Building Official, or their designee. Such Building Official, or designee, shall not issue any demolition permit unless the plans of and for the proposed demolition fully conform to the building regulations and the applicable codes, and versions thereof, then in effect.

15.38.012 – Application

- A. All applications for a demolition permit shall be made in writing to the Building Official, or their designee, on forms provided by the Town, which must be complete to be processed.
- B. It shall be the duty of the applicant to seek any reviews, authorizations, permits and/or approvals from state, federal, Town or Teton County authorities that may be required in addition to the permit set forth in this chapter.
- C. Each application for a demolition permit submitted shall be affirmed as being true and correct to the best of the applicant's knowledge and shall affirm that the applicant understands that information provided on and with the application may be investigated for accuracy.
- D. In addition to any other required information, the following:
 - 1. A statement, to the best of the applicant's knowledge, of whether the building or structure is more than or less than 50 years old as of the date of the application.
 - 2. A narrative that provides the size and use of the structure, a summary of the history of the structure, "as built" floor plans (if available), and photographs of the structure from all sides.

15.38.013 – Financial Assurance

- A. Prior to issuance every applicant shall provide a compliance bond executed by a surety company authorized to transact business in the State of Wyoming, with the applicant as principal and the Town of Jackson as obligee, conditioned that the applicant shall abandon utilities in place and shall faithfully perform the duties to comply with this provision.

15.38.014 – Fees; Payment

- A. There shall be application fees for demolition permits authorized hereunder, and the fees for such shall be in an amount established by resolution, be paid at the time application therefor is made, and be nonrefundable.
- B. Receipt of payment does not constitute approval of a demolition permit application.

15.38.016 Definitions.

- A. For purposes of this chapter, demolition includes the act of either demolishing or removing (including removals without destruction of the component elements of the structure):
1. Fifty percent or more of the exterior walls of a building as measured continuously around the building coverage; or
 2. 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
 3. Any exterior wall facing a public street or right-of-way.
- (Ord. ____ § ____, 2024; Ord. 1280 § 8, 2021; Ord. 888 § 1, 2008).

15.38.020 Historic buildings.

- A. *General.* The Town Council recognizes that many areas, improvements, buildings, and structures have features with historic character or special historic or aesthetic interest or value representing architectural products of distinct periods in the history of Jackson. The Town Council also recognizes that the protection, enhancement and perpetuation of areas, improvements, buildings and structures with features having historic character or special historical or aesthetic interest or value is a public necessity and is required in the interest of the people of the Town.
- B. *Authority to enact.* Authority for enacting this chapter to protect historic integrity is provided in Wyo. Stat. Ann. § 15-1-601(d)(iv).
- C. *The Teton County Historic Preservation Board.* The Teton County Historic Preservation Board ("TCHPB") shall be an advisory board to the Town.
1. The TCHPB shall be an informational and advisory board only and shall advise owners or residents of buildings or structures on the historic nature, aspects and other historic preservation issues concerning the building or structure sought for demolition.
 2. The TCHPB may maintain a nonexclusive list of structures which are either in excess of 50 years old or are otherwise historically or architecturally significant. This list will be made publicly available and will be updated from time to time. The list updated from time to time serves as a guideline to building owners and Town of Jackson officials.
 3. The TCHPB may present to the Town Council its findings and recommendations about any development proposal or regulation which impacts any building or structure in excess of 50 years old or which are otherwise historically or architecturally significant.
- D. *Demolition permit review.*
1. Upon receipt of a demolition permit application pursuant to the International Building Code, the Planning and Building Department shall refer the demolition application to the TCHPB.
 2. The TCHPB shall review demolition applications for their impacts on historic resources. The TCHPB will make a recommendation to the Town Council within 45 calendar days from receipt of the demolition application by the TCHPB. The TCHPB will either determine that:
 - a. The building or structure is not historically significant, is not architecturally significant, and is not more than 50 years old; or
 - b. That the building or structure is historically significant, is architecturally significant, or is more than 50 years old. If the TCHPB makes one or more of these determinations, it shall recommend a stay in the issuance of a demolition permit for a period of not less than 60 days and not more than 100 days, which stay begins on the day the TCHPB makes its recommendation, and shall, be for the purposes of public comment and in order for the applicant and other interested parties to explore alternatives to demolition. The TCHPB shall

cite the historic preservation principles upon which it is relying to make its comments and recommendation regarding the impact of such demolition on historic preservation.

3. All demolition permit applicants with applications affecting historic buildings or structures may meet with the TCHPB, or a sub-committee thereof, to discuss the impacts of demolition on historic resources. A meeting will be scheduled during the initial 45-day review period upon applicant's request.
4. In the event the TCHPB does not make a recommendation to the Town Council within 45 calendar days from its receipt of the demolition application, the TCHPB will be deemed to concur with demolition, and the application shall proceed through the regular permitting process.

(Ord. ____ § ____, 2024; Ord. 1279 § 1, 2021; Ord. 888 § 1, 2008).

15.38.30 Priority of ordinances. Repealed.

(Ord. ____ § ____, 2024; Ord. 888 § 1, 2008).

15.38.40 Penalty. Repealed.

(Ord. ____ § ____, 2024; Ord. 888 § 1, 2008).

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 E

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 843; AND SECTION 15.50.010 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING ENFORCEMENT OF TITLE 15 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 No. 843; and Section 15.50.010 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

15.50.010 General.

Building Officials and Building Inspectors of the Planning Department, appointed as Special Municipal Officers by the Town of Jackson, have specific authority to issue citations for violations of the provisions of this entire Title as set forth by Wyo. Stat. Ann. § 7-2-103(e) and Wyo. Stat. Ann. § 15-1-103(a)(I).

(Ord. ____ § ____, 2024; Ord. 843 § 1, 2007).

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 F

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NO. 1281; AND CHAPTER 5.04.022 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING LICENSING CONSTRUCTION CONTRACTORS 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.

An ordinance amending and reenacting section 1 of Ordinance No. 1281; and Chapter 5.04.022 of the Municipal Code of the Town of Jackson regarding licensing construction contractors and providing for an effective date to read as follows:

5.04.022 - Coordination of contractor licensing.

- A. Pursuant to Municipal Code § 15.36.031, contractors as set out in Chapter 15.36 of this Code, shall be licensed in accordance with Chapter 15.36 and licenses issued thereunder shall serve as the business license required by Title 5 of this Code.

(Ord. _____ § 1, 2024; Ord. 1281 § 1, 2021).

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 V.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE ____ DAY OF ____, 2024.

PASSED 2ND READING THE ____ DAY OF ____, 2024.

PASSED AND APPROVED THE ____ DAY OF ____, 2024.

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 _____ 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 ____, 2024. 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

TITLE 15
BUILDINGS AND CONSTRUCTION

...

Chapter 15.30 FLOOD DAMAGE PREVENTION

15.30.010 Findings of fact.

- A. The Flood hazard areas of the Town are subject to periodic inundation which results in threats to loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for Flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B. These Flood losses are caused by the cumulative effect of obstructions in areas of special Flood hazards which increase Flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from damage also contribute to the Flood loss.

15.30.020 Statement of purpose.

The purpose of this chapter is to comply with the National Flood Insurance Program and promote the public health, safety, and general welfare, and to minimize public and private losses due to Flood conditions in specific areas by provisions designed to accomplish the following:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly Flood control projects;
- C. Minimize the need for rescue and relief efforts associated with Flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special Flood hazard;
- F. Help maintain a stable tax base by providing for the sound use and Development of areas of special Flood hazard so as to minimize future Flood blight areas;
- G. Ensure that potential buyers are notified that property is in an Area of Special Flood Hazard; and
- H. Ensure that those who occupy the Areas of Special Flood Hazards assume responsibility for their actions.

15.30.030 Methods of reducing Flood losses.

In order to accomplish the purposes of this chapter, methods and provisions for accomplishing the following shall be adopted:

- A. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in Flood heights or velocities;
- B. Requiring that uses vulnerable to Floods, including facilities which serve such uses, be protected against Flood damage at the time of initial construction;
- C. Controlling the alteration of natural Floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging and other Development which may increase Flood damage; and
- E. Preventing or regulating the construction of Flood barriers which will unnaturally divert floodwaters or which may increase Flood hazards in other areas.

15.30.040 Definitions.

- A. Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common use and to give this chapter its most reasonable application.
 - 1. *Alluvial Fan Flooding* means Flooding occurring on the surface of an alluvial fan or similar landform, which originates at the Apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.
 - 2. *Apex* means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and Alluvial Fan Flooding can occur.
 - 3. *Appeal* means a request for a review of the Floodplain Administrator's interpretation of any provisions of this chapter or a request for a Variance.
 - 4. *Area of Shallow Flooding* means a designated AO, AH or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of Flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of Flooding is unpredictable and where velocity follow may be evident. Such Flooding is characterized by ponding or sheet flow.
 - 5. *Area of Special Flood Hazard* means the land in the Floodplain within a community subject to a one percent or greater chance of Flooding in any given year.
 - 6. *Base Flood* means the Flood having a one percent chance of being equaled or exceeded in any given year.
 - 7. *Basement* means the lowest level of a building which must be located with the floor above the 100-year Flood elevation. This does not include areas used exclusively for parking of vehicles, limited storage or building access which meet the FEMA requirements as contained in 44 CFR 60.3.
 - 8. *Critical Feature* means an integral and readily identifiable part of a Flood Protection System, without which the Flood protection provided by the entire system would be compromised.
 - 9. *Development* means any manmade change to improved or unimproved real estate, including, but not limited to buildings or other Structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

10. *Elevated Building* means a nonbasement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V-30, VE, or V, to have the bottom of the lowest horizontal Structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a Flood of up to the magnitude of the Base Flood. In the case of Zones A1-30, AE, A, A99, AO, Ah, B, C, X, and D, "Elevated Building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings, sufficient to facilitate the unimpeded movement of Flood waters. In the case of Zones V1-30, VE, or V, "Elevated Building" also includes a building otherwise meeting the definition of "Elevated Building" even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.
11. *Existing Construction* means for the purposes of determining rates, Structures for which the "start of Construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing Construction" may also be referred to as "existing structures."
12. *Existing Manufactured Home Park or Subdivision* means a Manufactured Home Park or Subdivision for which the construction of facilities for servicing the lots on which the Manufactured Homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the Floodplain Management Regulations adopted by a community.
13. *Expansion to an Existing Manufactured Home Park or Subdivision* means the preparation of additional sites by the construction of facilities for servicing the lots on which the Manufactured Homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
14. *Flood or Flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters, or (2) the unusual and rapid accumulation or runoff of surface waters from any source.
15. *Flood Insurance Rate Map (FIRM)* means the official map on which the Federal Emergency Management Agency has delineated both the areas of special Flood hazards and the risk premium zones applicable to the community.
16. *Flood Insurance Study* means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Boundary-Floodway Map and the water surface elevation of the base flood.
17. *Floodplain or Flood-Prone Area* means any land area susceptible to being inundated by water from any source (see definition of Flooding).
18. *Floodplain Management* means the operation of an overall program of corrective and preventive measures for reducing Flood damage, including, but not limited to emergency preparedness plans, Flood control works and Floodplain Management Regulations.
19. *Floodplain Management Regulations* means zoning ordinances, Subdivision regulations, building codes, health regulations, special purpose ordinances (such as a Floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The

term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of Flood damage prevention and reduction.

20. *Flood Protection System* means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify Flooding in order to reduce the extent of the areas within a community subject to a "special Flood hazard" and the extent of the depths of associated Flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, Levees or dikes. These specialized Flood modifying works are those constructed in conformance with sound engineering standards.

21. *Floodproofing* means any combination of structural and nonstructural additions, changes, or adjustments to Structures, which reduce or eliminate Flood damage to real estate or improved real property, water and sanitary facilities, Structures and their contents.

22. *Floodway (Regulatory Floodway)* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the Water Surface Elevation more than one-foot above Base Flood elevation.

23. *Functionally Dependent Use* means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

24. *Highest Adjacent Grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a Structure.

25. *Historic Structure* means any Structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by The Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- d. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - i. By an approved state program as determined by the Secretary of the Interior or;
 - ii. Directly by the Secretary of the Interior in states without approved programs.

26. *Levee* means a man-made Structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary Flooding.

27. *Levee System* means a Flood Protection System which consists of a Levee, or Levees, and associated Structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

~~8-28.~~ 9-28. *Lowest Floor* means the Lowest Floor of the lowest enclosed area (including Basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a Basement area, is not considered a building's Lowest Floor; provided that such enclosure is not built so as to render the Structure in Violation of the applicable nonelevation design requirements of this chapter.

~~9-29.~~ 9-29. *Manufactured Home* means a Structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

~~10-30.~~ 11-31. *Manufactured Home Park or Subdivision* means a parcel (or contiguous parcels) of land divided into two or more Manufactured Home lots for rent or sale.

~~11-31.~~ 11-31. *"Mean Sea Level"* means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which Base Flood elevations shown on a community's Flood Insurance Rate Map are referenced.

~~12-32.~~ 12-32. *New Construction* means Structures for which the "Start of Construction" commenced on or after the effective date of this chapter and includes any subsequent improvements to such Structures.

~~13-33.~~ 13-33. *New Manufactured Home Park or Subdivision* means a Manufactured Home Park or Subdivision for which the construction of facilities for servicing the lots on which the Manufactured Homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of Floodplain Management Regulations adopted by a community.

~~14-34.~~ 14-34. *Recreational Vehicle* means a vehicle which is:

- a. Built on a single chassis;
- b. Four hundred square feet or less when measured at the largest horizontal projections;
- c. Designed to be self-propelled or permanently towable by a light duty truck; and
- d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

~~15-35.~~ 15-35. *Start of Construction* means the date a building permit is issued, provided the actual Start of Construction, Substantial Improvement, repair, reconstruction, placement or other improvement is within 180 days of the permit date. The actual start means the first placement of permanent construction of a Structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or the placement of a Manufactured Home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets or walkways; nor does it include excavation for a Basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main Structure.

~~16-36.~~ 16-36. *Structure* means a walled and roofed building or Manufactured Home that is principally above ground.

~~17-37.~~ *Substantial Damage* means damage of any origin sustained by a Structure whereby the cost of restoring the Structure to its before damaged condition would equal or exceed 50 percent of the market value of the Structure before the damage occurred.

~~18-38.~~ *Substantial Improvement* means any repair, reconstruction or improvement of a Structure, the cost of which equals or exceeds 50 percent of the market value of the Structure either: (1) before the improvement or repair is started, or (2) if the Structure has been damaged and is being restored. For the purpose of this definition, Substantial Improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the Structure. The term does not, however, include either: (1) any project for improvement of a Structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a Structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

~~19-39.~~ *Variance* means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

~~20-40.~~ *Violation* means the failure of a Structure or other Development to be fully compliant with the community's Floodplain Management Regulations. A Structure or other Development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in Violation until such time as that documentation is provided.

~~21-41.~~ *Water Surface Elevation* means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of Floods of various magnitudes and frequencies in the Floodplains of coastal or riverine areas.

(Ord. _____, § _____, 2024; Ord. 1091 § 1, 2015).

15.30.050 Land to which this chapter applies.

This chapter shall apply to all areas of special Flood hazards within the jurisdiction of the Town.

15.30.060 Basis for establishing the Areas of Special Flood Hazard.

The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled The Flood Insurance Study for Teton County and Incorporated Areas, dated September 16, 2015, with an accompanying Flood Insurance Rate Map (FIRM) are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and FIRM are on file ~~at the office of with~~ the Town of Jackson ~~Planning and Building Office, 150 East Pearl Avenue, Jackson, Wyoming.~~

(Ord. 1091 § 1, 2015; Ord. 970 § 1, 2010).

15.30.070 Compliance.

No Structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations.

15.30.080 Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. Where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

15.30.090 Interpretation.

In the interpretation and application of this chapter all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under Wyoming State Statutes.

15.30.100 Warning and disclaimer of liability.

The degree of Flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger Floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from Flooding or Flood damages. This chapter shall not create liability on the part of the Town of Jackson, any officer or employee thereof, or the Federal Emergency Management Agency for any Flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

15.30.110 Establishment of Development permit.

- A. A Flood Plain Development permit or a building permit shall be obtained before construction or Development begins within any Area of Special Flood Hazard established in Section 15.30.060.
- B. Application for a Development permit or a building permit shall be made on forms furnished by the Town ~~Manager~~Administrator or ~~theirs~~ designee and may include, but not be limited to: plans in digital form~~-duplicate~~ drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed Structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:
 - 1. Elevation in relation to mean sea level of the Lowest Floor (including Basement) of all Structures;
 - 2. Elevation in relation to mean sea level to which any Structure has been Floodproofed;
 - 3. Certification by a registered professional engineer or architect that the Floodproofing methods for any nonresidential Structure meet the Floodproofing criteria in Section 15.30.160B of this chapter; and
 - 4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed Development.

15.30.120 Designation of the Administrator.

The Town ~~Manager~~Administrator, or their designee, is appointed to administer and implement this chapter by granting or denying Development permit applications in accordance with its provisions.

15.30.130 Duties and responsibilities of the Town ~~Manager~~Administrator.

Duties of the Town ~~Manager~~Administrator or ~~their~~his/her designee shall include, but not be limited to the following:

A. *Development review.*

1. Review all ~~Development~~ Flood Plain Development or a building permit applications to determine that the permit requirements of this chapter have been satisfied.
2. Review all ~~Development~~ Flood Plain Development or a building -permit applications to determine that all necessary permits have been obtained from federal, state or local governmental agencies from which prior approval is required.
3. Review all Flood Plain Development or a building ~~Development~~ permit applications to determine if the proposed Development is located in the Floodway. If located in the Floodway, assure that the encroachment provisions of Section 15.30.170A are met.
4. Review all Flood Plain Development or a building ~~Development~~ permit applications to determine whether proposed building site, including the placement of Manufactured Homes, will be reasonably safe from Flooding.

B. *Use of other Base Flood data.* When Base Flood elevation data has not been provided in accordance with Section 15.30.060 of this chapter, the Town ~~Manager~~Administrator, or their designee, shall obtain, review, and reasonably use any Base Flood elevation and Floodway data available from any federal, state, or other source as criteria for requiring that New Construction, Substantial Improvements, ~~or~~and other Development in Zone A are administered in accordance with Section 15.30.160 of this chapter.

C. *Information to be obtained and maintained.*

1. Obtain and record the actual elevation (in relation to mean sea level) of the Lowest Floor (including Basement) of all new or substantially improved Structures, and whether or not the Structure contains a Basement.
2. For all new or substantially improved Floodproofed Structures:
 - a. Verify and record the actual elevation (in relation to mean sea level) to which the Structure has been Floodproofed:
 - b. Maintain the Floodproofing certifications required in Section 15.30.110B3 of this chapter.
3. Maintain for public inspection all records pertaining to the provisions of this chapter.

D. *Alteration of watercourses.*

1. Notify adjacent communities and the Wyoming Office of Homeland Security prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency.
2. Require that maintenance is provided within the altered or relocated portion of said watercourse so that Flood-carrying capacity is not diminished.

E. *Interpretation of FIRM boundaries.* Make interpretations, where needed, as to the exact location of the boundaries of the areas of special Flood hazards (for example, where there appears to be

a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to Appeal the interpretation as provided in Section 15.30.140 of this chapter.

- F. When a Regulatory Floodway has not been designated, the ~~Town Manager~~administrator or ~~their~~his/her designee must require that no New Construction, Substantial Improvements, or other Development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed Development, when combined with all other existing and anticipated Development, will not increase the Water Surface Elevation of the Base Flood more than one-foot at any point within the community.

(Ord. _____, § _____, 2024; Ord. 1091 § 1, 2015; Ord. 830 § 2, 2006; Ord. 392 § 1, 1989).

15.30.140 Variance procedure.

A. *Appeal board.*

1. The Town Board of Adjustment, as established by the Town, shall hear and decide Appeals and requests for Variances from the requirements of this chapter.
2. The Board of Adjustment shall hear and decide Appeals when it is alleged there is an error in any requirement, decision, or determination made by the Town ~~Manager~~Administrator or ~~their~~s designee in the enforcement or administration of this chapter.
3. Those aggrieved by the decision of the Board of Adjustment ~~or any taxpayer~~, may Appeal such decisions to the Ninth Judicial District Court as provided by Wyoming Statutes.
4. In passing upon such applications, the Board of Adjustment shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and:
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to Flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to Flood damage and the effect of such damage on the individual owners;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use which are not subject to Flooding or erosion damage;
 - g. The compatibility of the proposed use with the existing and anticipated Development;
 - h. The relationship of the proposed use to the Comprehensive Plan and Flood damage prevention for that area;
 - i. The safety of access to the property in times of Flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

- k. The costs of providing governmental services during and after Flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets and bridges.
5. Upon consideration of the factors of subdivision 4 of this subsection, and the purposes of this chapter, the Board of Adjustment may attach such conditions to the granting of Variances as it deems necessary to further the purposes of this chapter.
6. The Town ~~Manager, Administrator~~ or ~~theirs~~ designee, shall maintain the records of all Appeal actions, including technical information, and report any Variances to the Federal Emergency Management Agency.

B. *Conditions for Variances.*

1. Generally, Variances may be issued for ~~an~~New ~~e~~Construction and Substantial ~~I~~Improvements to be erected on a lot of one-half acre or less in size contiguous to ~~a~~ and surrounded by lots with existing Structures constructed below the base level, providing paragraphs a through k of subdivision 4 of subsection A of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justifications required for issuing the Variance increases.
2. Variances may be issued for the reconstruction, rehabilitation or restoration of Structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the rest of this section.
3. Variances shall not be issued within any designated Floodway if any increase in Flood levels during the Base Flood discharge would result.
4. Variances shall only be issued upon a determination that the Variance is the minimum necessary, considering the Flood hazard, to afford relief.
5. Variances shall only be issued upon the following:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the Variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a Variance will not result in increased Flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in subdivision 4 of subsection A of this section or conflict with existing local laws or ordinances.
6. Any applicant to whom a Variance is granted shall be given written notice that the Structure will be permitted to be built with a Lowest Floor below the Base Flood elevation and that the cost of Flood insurance will be commensurate with the increased risk from the reduced Lowest Floor elevation.
7. Variances may be issued for the repair or rehabilitation of Historic Structures upon a determination that the proposed repair or rehabilitation will not preclude the Structure's continued designation as a Historic Structure and the Variance is the minimum necessary to preserve the historic character and design of the Structure.
8. Variances may be issued by a community for New Construction and Substantial Improvements and for other Development necessary for the conduct of a Functionally Dependent Use provided that:

- a. The criteria outlined in Section 15.30.140 are met, and
- b. The Structure or other Development is protected by methods that minimize Flood damages during the Base Flood and create no additional threats to public safety.

15.30.150 Provisions for Flood hazard reduction.

A. General standards.

1. In all areas of special Flood hazards, the standards set out in this section are required:

B. Anchoring.

1. All New Construction and Substantial Improvements shall be adequately anchored to prevent flotation, collapse, or lateral movement of the Structure and capable of resisting the hydrostatic and hydrodynamic loads, including the effects of buoyancy as projected by a Wyoming registered engineer.
2. All Manufactured Homes must be elevated and adequately anchored to resist flotation, collapse, or lateral movement and be capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. Specific requirements may be:
 - a. Over-the-top ties be provided at each of the four corners of the Manufactured Home, with two additional ties per side at intermediate locations, with Manufactured Homes less than 50 feet long requiring one additional tie per side;
 - b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with Manufactured Homes less than 50 feet long requiring four additional ties per side;
 - c. All components of the anchoring system be capable of carrying a force of 4,800 pounds; and
 - d. Any additions to the Manufactured Home must be similarly anchored.

C. Construction materials and methods.

1. All New Construction and Substantial Improvements shall be constructed with materials and utility equipment resistant to Flood damage.
2. All New Construction and Substantial Improvements shall be constructed using methods and practices that minimize Flood damage.
3. All New Construction and Substantial Improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located so as to prevent water from entering or accumulating within the components during conditions of Flooding.

D. Utilities.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during Flooding.

E. *Subdivision proposals.*

1. All Subdivision proposals shall be consistent with the need to minimize Flood damage;
2. All Subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize Flood damage;
3. All Subdivision proposals shall have adequate drainage provided to reduce exposure to Flood damage; and
4. Base Flood elevation data shall be provided for Subdivision proposals and other proposed Development which contain at least 50 lots or five acres, (whichever is less).

15.30.160 Specific standards.

In all areas of special Flood hazards where Base Flood elevation data has been provided as set forth in Section 15.30.060, or Section 15.30.130B, the following provisions are required:

A. *Residential construction.*

1. New Construction and Substantial Improvement of any residential Structure shall have the Lowest Floor (including Basement) elevated one foot above the Base Flood elevation.

B. *Nonresidential construction.* New Construction and Substantial Improvement of any commercial, industrial, or other nonresidential Structure shall either have the Lowest Floor (including Basement) elevated one foot above the level of the Base Flood elevation or, together with attendant utility and sanitary facilities, shall:

1. Be Floodproofed so that below the Base Flood elevation the Structure is watertight with walls substantially impermeable to the passage of water;
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this paragraph. Such certifications shall be provided to the official as set forth in Section 15.30.130C2.

C. *Manufactured Homes.*

1. Manufactured Homes shall be anchored in accordance with Section 15.30.150B2.
2. All new Manufactured Homes or those to be substantially improved shall be elevated on a permanent foundation such that the Lowest Floor of the Manufactured Home is one-foot above the Base Flood elevation and is securely anchored to an adequately anchored foundation system.

D. *Enclosures.* New Construction and Substantial Improvements, with fully enclosed areas below the Lowest Floor that are usable solely for parking of vehicles, building access or storage in an

area other than a Basement and which are subject to Flooding shall be designed to automatically equalize hydrostatic Flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to Flooding shall be provided.
 2. The bottom of all openings shall be no higher than one-foot above grade.
 3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- E. *Recreational Vehicles.* Require that Recreational Vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:
1. Be on the site for fewer than 180 consecutive days,
 2. Be fully licensed and ready for highway use, or
 3. Meet the permit requirements of this Section 15.30.160~~Article 4, Section C(1)~~, and the elevation and anchoring requirements for "Manufactured Homes" in paragraph (4) of this section. A Recreational Vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
- F. *Standards for below grade crawlspaces in special Flood hazard areas.* The interior grade of a below grade crawlspace may be constructed below an elevation equal to the Base Flood elevation plus one foot provided:
1. That the interior grade of the crawlspace is no lower than two feet below the lowest adjacent exterior grade.
 2. The height of the crawlspace measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four feet at any point.
 3. There must be an adequate drainage system that removes floodwaters from the interior of the crawlspace.
 4. That the building must be designed and adequately anchored to resist flotation, collapse and lateral movement of the Structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 5. That the portions of the building below the Base Flood elevation (BFE) must be constructed with materials resistant to Flood damage.
 6. Those portions of the building below the BFE must be constructed by methods and practices that minimize Flood damages.
 7. That electrical, heating, ventilation, plumbing and air conditioning equipment, and other service facilities constructed are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of Flooding.
 8. That the areas below the Lowest Floor that are subject to Flooding shall be designed to automatically equalize hydrostatic Flood forces on exterior walls by allowing for the entry and exit of floodwaters.

15.30.170 Floodways.

Located within areas of special Flood hazard established in Section 15.30.060 are areas designated as Floodways. Since the Floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, New Construction, Substantial Improvements and other Development within the adopted Regulatory Floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in Flood levels within the community during the occurrence of the Base Flood discharge.
- B. If subsection A of this section is satisfied, all New Construction and Substantial Improvements shall comply with all applicable Flood hazard reduction provisions of Section 15.30.150.

(Ord. 830 § 2, 2006; Ord. 686 § 1, 2001; Ord. 393 § 1, 1989; Ord. 392 § 1, 1989).

Chapter 15.32 MUNICIPAL CAPITAL CONSTRUCTION PROJECTS (REPEALED)

15.32.010 Definitions. (repealed)

~~For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.~~

- ~~1. A. Major Municipal Capital Improvement Project is any capital project which is in whole or part funded by the Town and the total cost of which is estimated to exceed \$100,000.00 (the threshold currently set forth in Wyo. Stat. Ann. § 9-2-1031(b)).~~
- ~~2. B. Design Consultant shall mean an individual or firm engaged in the practice of architecture or landscape architecture pursuant to Wyo. Stat. Ann. §§ 33-4-101 through 33-4-115 or engaged in the practice of engineering or land surveying pursuant to Wyo. Stat. Ann. §§ 33-29-114 through 33-29-139.~~

15.32.020 Standard design process. (repealed)

~~There shall be a standard design process utilized by the Town for all Major Municipal Capital Improvement Projects. This process shall be set forth in and adopted by resolution of the Town Council. Said process may be amended by further resolution adopted by the Town Council. Other municipal capital improvement projects not meeting the threshold set forth in subsection 15.32.010A of this chapter are not required to utilize the standard design process but may do so if the project is deemed to be of high visibility or sensitivity to the community. Should a Major Municipal Capital Improvement Project be subject to a conditional use permit approval process, said process shall substitute for the required standard design process.~~

~~(Res. 99-06).~~

15.32.030 Design consultant selection process. (repealed)

~~For all Major Municipal Capital Improvement Projects and for those other municipal capital improvement projects for which the estimated Design Consultant fee is in excess of \$25,000.00 (the threshold currently set forth in Wyo. Stat. Ann. § 9-2-1031(b)) for which the Town elects to utilize a Design Consultant, the Town shall also utilize a formal Design Consultant selection process. Said process shall at a minimum comport with the State of Wyoming 'Professional Architectural, Engineering and Land Surveying Services Procurement Act' (Wyo. Stat. Ann. §§ 9-2-1027 through 9-2-1033). The process utilized by the Town shall be set forth in and adopted by resolution of the Town Council. Said process may be amended by further resolution adopted by the Town Council. Other municipal capital improvement projects not meeting the thresholds set forth in Wyo. Stat. Ann. § 9-2-1031(b) are not required to follow the full Design Consultant selection process but may follow an abbreviated process comporting with Wyo. Stat. Ann. § 9-2-1031(a), (c), and (d).~~

~~(Res. 99-05).~~

15.32.040 Contracts for public improvements. (repealed)

~~All contracts for any type of public improvement, excluding contracts for professional services, shall be advertised for bid if the cost exceeds the threshold set forth in Wyo. Stat. Ann. § 15-1-113(a). The procedures utilized by the Town in letting contracts for public improvements shall at a minimum comport with Wyo. Stat. Ann. § 15-1-113 and Wyo. Stat. Ann. §§ 16-6-101 through 16-6-119.~~

15.32.050 Conflict of interest. (repealed)

~~For the purposes of this chapter, the mayor, members of the Town Council, and members of the planning and zoning commission/board of adjustment are considered to be 'public officials,' as that term is defined in Wyo. Stat. Ann. § 9-13-102, and shall be subject to all of the provisions of Wyo. Stat. Ann. §§ 9-13-101 through 9-13-107 and Wyo. Stat. Ann. § 9-13-109.~~

~~(Ord _____, § _____, 2024; Ord. 627 § 1, 1999).~~

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Chapter 15.36 CONTRACTOR LICENSING AND CERTIFICATION

15.36.0059 Purpose and relationship between Licenses and Certificates of Qualification~~scope~~.

A.—The purpose of authorizing contractors and tradespeople is to ensure minimum safety, education, and qualification standards are applied in the construction of buildings within the Town in order to protect the public, property, and workers. To ensure appropriate standards are met, every person is required to be qualified for the trade they practice, and the level of their trade, via Certificates of Qualification. Moreover, every Licensee is required to obtain a Master certificate, or employ a person who has obtained a Master certificate, appropriate to the types of work the Licensee is undertaking. A Licensee is responsible for the work covered by the License and may be a business or corporation. The Certificate of Qualification holder is responsible for on-site supervision during all phases of construction and is an individual. To provide minimum safety measures and equipment to protect property, workmen and the

~~public as provided herein or otherwise prescribed by the Town of Jackson and other local, state or federal regulations.~~

15.36.010 Board of examiners created; duties of same.

- A. Town of Jackson Board of Examiners shall be created, consisting of five to nine members, including a chairperson, to be appointed by the Town Council. The Board shall serve at the pleasure of the Town Council and members shall be volunteer, nonpaid positions. Upon the affirmative vote of a majority of the Town Council, members may be removed from the Board. Members of the Board of Examiners shall consist of professionals in the construction industry, including by way of example and not exclusion, tradespeople, architects, and engineer~~tradespeople from the trades that are being regulated or others who have knowledge of such issues as may be taken under consideration by the Board of Examiners. At least one member shall be from the public at large. The Building Official or designee shall be an ex-officio member of the Board.~~
- B. Initial appointments to the Board of Examiners shall be two appointments for one year and three appointments for two years, and thereafter appointments shall be for a term of two years in the manner herein provided at the expiration of the term of each member.
- C. The Board of Examiners shall establish rules, regulations, and procedures for conducting business, which rules, regulations, and procedures shall be subject to the approval of by the Town Council prior to being effective, such approval not to be unreasonably withheld. These shall be established and written and will be made available to the public prior to any decisions or determinations being made.
- ~~C. Initial appointments to the Board of Examiners shall be two appointments for one year and three appointments for two years, and thereafter members shall be appointed for a term of two years in the manner herein provided at the expiration of the term of each member.~~
- ~~D. The Board of Examiners shall review the qualifications of applicants licensed in other jurisdictions or applicants who have not passed the Contractors License exam as administered by the Wyoming Association of Municipalities (WAM) to determine the applicants eligibility to obtain a License to perform work within the Town of Jackson.~~
- ~~D.E.~~ The Board of Examiners shall also serve as the Board of Appeals as required by the building codes, in order to hear and decide appeals of orders, decisions, or determinations made by the Town Building Official relative to the application and interpretation of the building codes adopted by the Town of Jackson.

15.36.020 Definitions.

A. As used in this title.

- A1. *Apprentice* means an individual who is learning a trade under the direct Supervision of a person qualified under the terms of this chapter to train an individual in that trade.
- 2B. *Certificate of Qualification* means nontransferable authority to perform certain skills and is issued to an individual ~~by the administrative authority.~~
- 3C. *Contractor* means anyone engaged in any of the trades as a general, building, or residential Contractor, construction manager, and all classifications as set forth herein~~electrical Contractor, plumbing Contractor, HVAC Contractor, gas service Contractor, wood stove/ gas stove installer, water conditioning installer, lawn sprinkler installer, fire sprinkler Contractor or refrigeration Contractor.~~

- ~~4~~. *Journeyman* means an individual who, through proven experience and demonstrated knowledge, shows proficiency in their trade. Such an individual shall be qualified to work for a Licensed Contractor without direct Supervision.
- 5E. *License* means the authority to contract and obtain permits for the construction, alteration, addition to or relocation of any system or portions of a system regulated by this chapter. ~~A License shall be nontransferable.~~
- 6F. *Master* means an individual who, through demonstrated knowledge and verified experience, may qualify a business, corporation, partnership or individual for a License.
7. *Principal Place of Residence* means the place which is an individual's primary home used for the purposes of filing taxes or, if a vacant lot, that will upon issuance of a certificate of occupancy become the individual's primary home used for the purposes of filing taxes.
- ~~8~~. *Supervision* means the continuous control of all work in progress as authorized by the Journeyman or Master.

15.36.030 – Building Official authority~~Contractor Licenses and Certificates of Qualification.~~

- A. Authority. There is vested in the Building Official, or their designees, ~~—herein known as the administrative authority,~~ the authority~~duty~~ of determining the qualifications of applicants for those Licenses and Certificates of Qualification established by this ~~Chapter~~ and to effectuate all authority and power as set forth in the building codes adopted by the Town. ~~When approved, the Town shall issue a Contractor License and certificate.~~
- B. The Building Official may render reasonable interpretations of these provisions and rules and regulations as established by the Board of Examiners as necessary to carry out the intent and purpose of this Chapter and the rules and regulations, respectively.
- ~~A-C.~~ Jurisdictional Reciprocity. The Building Official, or their designee, may grant reciprocity with other jurisdictions and agencies as the Building Official, or their designee, determines. The Building Official shall maintain a record of all reciprocal agreements that have been approved.

15.36.031 – License and certification required.

- A. It shall be unlawful for any person to undertake any of the types of work regulated by this Chapter within the Town without first obtaining a Certificate of Qualification, complying with the provisions of this Chapter.
- B. Except as otherwise provided in Section **15.36.040**, A, it shall be unlawful for any firm, corporation, or other corporate entity to undertake any of the types of work regulated by this Chapter within the Town without first obtaining an appropriate License, complying with the provisions of this Chapter. Such License shall serve as the business license required by Title 5 of this Code.
- C. It is the duty of each Licensee and Certificate of Qualification holder to renew and maintain a valid License and/or Certificate in conformance with the requirements of this Chapter.

15.36.032 – Personal privilege.

- A. The Licenses and Certificates of Qualification issued under this Chapter shall be a personal privilege, good for the period for which issued, subject to the condition however, that they may be denied, revoked, or suspended.

15.36.033 – Evidence of doing business

- A. Whenever any person by the use of signs, circulars, cards, telephone books, or newspapers, advertises, holds out, or represents that they are in any and every kind of lawful business, trade, calling, profession, or occupation in the Town, or when any person holds an active license or permit issued by a governmental agency indicating that they are in any business, trade, calling, profession, or occupation in the Town, these facts shall be considered prima facie evidence that they are conducting business in the Town.

15.36.034 – Fees—Payment

- A. There shall be annual application fees for all Licenses and Certificates of Qualification authorized hereunder, for both initial issuance and for renewal, and the fees for such shall be in an amount established by resolution, be paid at the time application therefor is made, and be nonrefundable.
- B. Applicants seeking reciprocity pursuant to Wyo. Stat. § 16-6-1101, as amended, shall not pay an initial issuance fee, provided the work they are seeking to perform in the Town is covered under their existing license issued by another jurisdiction and is at an equivalent level of required competency in the Town. If they seek to perform work that is not covered under the license issued by another jurisdiction or that is not at an equivalent level of required competency in the Town, they shall pay initial application fees. All parties that are Licensed and/or Certified via reciprocity shall, consistent with all other Licensed and Certified parties, pay annual renewal fees.
- C. Applicants seeking reciprocity other than under Wyo. Stat. § 16-6-1101, as amended, shall pay fees in accordance with Section 15.35.034.A.
- D. There shall be no pro-rated reduction of the fee based on the time of year when a License and Certificate of Qualification is applied for initially or renewed.
- E. Receipt of payment does not constitute approval of a License or a Certificate of Qualification application.
- F. If a Licensee or Certificate holder seeks to change or upgrade a License or Certificate, no credit shall be given for fees paid on the existing License or Certificate. A complete initial application and associated fee shall be paid for the new License or Certificate.

15.36.035 – Applications—Initial and renewal

- A. Every person seeking to begin work regulated by this Chapter, or continue it if previously licensed or certified, within the Town must complete the appropriate application pursuant to this section and obtain approval before beginning or continuing such work.
- B. All applications, whether for a License or a Certificate of Qualification, shall be made in writing to the Town Manager, or their designee, on forms provided by the Town, which must be complete to be processed.

C. It shall be the duty of the applicant to seek any reviews, authorizations, permits and/or approvals from state, federal, Town or Teton County authorities that may be required in addition to the License and Certificate of Qualification set forth in this Chapter.

D. Each application, whether for a License or a Certificate of Qualification, submitted shall be affirmed as being true and correct to the best of the applicant's knowledge and shall affirm that the applicant understands that information provided on and with the application may be investigated for accuracy.

E. Applications, whether for a License or a Certificate of Qualification, shall be processed within 30 days of the receipt of an application.

F. Applications for a Contractor License shall include:

1. Proof of workers' compensation with the State of Wyoming or provide proof of why workers' compensation is not required.

2. Proof of unemployment insurance with the State of Wyoming or provide proof of why unemployment insurance is not required.

3. A compliance bond in the amount set forth below for the respective license class and executed by a surety company authorized to transact business in the State of Wyoming, with the applicant as principal and the Town of Jackson as obligee, conditioned that the applicant shall faithfully perform the duties and in all things comply with the provisions of this Chapter, including all amendments thereto. Bond amounts are as follows:

i.

<u>License</u>	<u>Bond amount</u>
<u>General Contractor (Class A)</u>	<u>\$250,000</u>
<u>Building Contractor (Class B)</u>	<u>\$250,000</u>
<u>Building Contractor— Restricted (Class Br)</u>	<u>\$100,000</u>
<u>Residential Contractor (Class C)</u>	<u>\$100,000</u>

4. If the applicant is a corporation or limited liability company, proof of good standing with the office of the Wyoming Secretary of State.

5. A License shall not be issued until a certificate of insurance has been filed and approved by the Building Official, or their designee. Licensees shall be responsible for keeping the required insurance in force and for providing current certificates of insurance. Each certificate of insurance shall state the type(s) of insurance purchased and the limits of each type of coverage as required by these regulations. The Town of Jackson must be named as certificate of insurance holder. Commercial general liability limits are as follows:

i.

<u>License</u>	<u>Limit Per Occurrence</u>	<u>Total Aggregate</u>
<u>General Contractor (Class A)</u>	<u>\$1,000,000</u>	<u>\$2,000,000</u>
<u>Building Contractor (Class B)</u>	<u>\$1,000,000</u>	<u>\$2,000,000</u>
<u>Building Contractor— Restricted (Class Br)</u>	<u>\$500,000</u>	<u>\$1,000,000</u>
<u>Residential Contractor (Class C)</u>	<u>\$500,000</u>	<u>\$1,000,000</u>

- G. Renewal of a Certificate of Qualification requires the applicant to either have completed 8 hours of educational seminar covering the adopted code for the applicable trade approved by the Building Official, or their designee, or the applicant may re-test through the ICC Trade Certification Program.

15.36.036 – Possession and Display Certificate of Qualification.

- A. Any person certified hereunder shall maintain possession of their current Certificate of Qualification and shall produce the same upon the request of the Building Official, or their designee, any Law Enforcement Officer, any Community Service Officer, or any Special Municipal Officer of the Town of Jackson.

15.36.037– Transfer; Using another’s License or Certificate of Qualification.

- A. No License or Certificate of Qualification shall be valid for more than one person, nor shall a License or Certificate of Qualification be transferable.
- B. A licensed or certified person may not enter into an agreement, oral or written, whereby their License or Certificate of Qualification is used, or will be used, by any other person.
- C. A licensed or certified person may not knowingly allow their License or Certificate of Qualification to be used by any other person.
- D. A licensed or certified person may not apply for or obtain a building permit for construction work unless the licensed or certified person have agreed to make improvements to, or perform the contracting at, the real property specified in the application or permit. This paragraph does not prohibit a person from applying for or obtaining a building permit to allow the person to perform work for another person without compensation or to perform work on property that is owned by the applicant.
- E. The dissolution of a business entity which has been licensed terminates the License and no person may operate under that License.
- F. A new License is required for the creation of a new business entity and shall not entitle any person to transfer any License to the new entity.

15.36.038 – Expiration; Licenses and Certificates of Qualification.

- A. All Licenses expire on December 31 annually.
- B. All Certificates of Qualification expire on December 31 triennially.
- C. All Licenses and Certificates of Qualification automatically expire if any applicable requirement(s) of this Chapter lapse, are canceled, or expire during the term of an existing License or Certificate of Qualification; provided Licensees and Certificate of Qualification holders shall have 30 days from the date of the lapse, cancellation, or expiration of the requirement to provide proof of being current with said requirement before an expiration shall be effective.
- D. If an application has not been received by the Town prior to January 1, the Licensee or Certificate of Qualification holder will have until January 31 to submit a renewal application together with payment of the annual fee, plus an additional late fee in an amount established by resolution. All Licenses and Certificates of Qualification are delinquent beginning January 1 and concluding January 31 on 11:59

p.m. After 11:59 p.m. on January 31 the License or Certificate of Qualification is not eligible for renewal; an application for a new License or Certificate of Qualification must be submitted.

15.36.039 – Denial, revocation, and suspension

A. The Town Manager, or their designee, may deny an application except for an application for reciprocity pursuant to Wyo. Stat. § 16-6-1101, as amended, and may suspend or revoke an issued License or Certificate of Qualification, whether initially issued via reciprocity or otherwise, when the applicant/holder commits any one or more of the following acts or omissions:

1. The breach of any condition upon which the License or Certificate of Qualification was issued or failure to comply with any applicable provision(s) of law.
2. The violation of any local, state, or federal law(s) or codes relating to health and safety of the premises at which work is taking place or relating to the Town of Jackson Land Development Regulations.
3. The securing of any License or Certificate of Qualification by fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the application process.
4. Failure of the Licensee to notify the Building Official, or their designee, within 5 business days that the Master left the Licensee's employ.
5. The securing of any permit sought pursuant to the codes of this Title or the Land Development Regulations by fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the application process.
6. Engaging in any work regulated by this Chapter or advertising as available to engage in any such work without being duly licensed or certified pursuant to this Chapter.
7. Commencing or performing work for which a permit is required pursuant to this Title or the Land Development Regulations without such permit being in effect.
8. The conviction for a crime involving dishonesty, false statement, or a felony.
9. The conduct of the License or Certificate of Qualification holder puts the health, safety, or welfare of their customers, public employees, or the public at risk.
10. The failure to timely provide any information required by the Town for the application process.
11. The applicant had a License or Certificate of Qualification issued hereunder revoked or suspended within three years immediately preceding the date of application.

B. The Town Manager, or their designee, may deny an application for reciprocity pursuant to Wyo. Stat. § 16-6-1101, as amended, when the applicant:

1. Fails to comply with Wyo. Stat. § 16-6-1101, as amended.
2. Previously had a License or Certificate of Qualification revoked or suspended by the Town.

C. When the Town Manager, or their designee, deems that a License or Certificate of Qualification issued hereunder shall be denied, suspended, or revoked, the procedure shall be as follows:

1. The applicant or Licensee or Certificate of Qualification holder shall be notified by the Town Manager, or their designee, in writing, sent via certified mail; such notice shall be sent at least 15 days prior to the action contemplated, setting forth the reasons therefor.
2. Upon receipt of the notice, the applicant or Licensee or Certificate of Qualification holder may request a hearing before the Town Council. Such request shall be in writing and shall be received by the Town Manager, or their designee, within 15 days of the postal date of the suspension or revocation notice; failure on the part of the applicant or Licensee or Certificate of Qualification holder to request a hearing in writing and within the specified time period shall be deemed a waiver of their right to a hearing.
3. If a hearing is requested by the applicant or Licensee or Certificate of Qualification holder, the Town Manager, or their designee, shall set the time, date, and location, which shall be not less than 15 days and not more than 45 days of receipt of the notice requesting such. The Town Manager, or their designee, shall notify the applicant or Licensee or Certificate of Qualification holder in writing, sent by certified mail, of the hearing.
4. At the hearing, the parties have the right to be represented by counsel, and to present testimony and evidence. The Town Council shall, by majority vote, render a decision. The decision of the Town Council shall be final and binding on all parties concerned.
5. The Town Manager, or their designee, shall notify the applicant or Licensee or Certificate of Qualification holder in writing, by certified mail, of the Town Council decision as the result of the hearing.

D. Such revocation or suspension may be in addition to any fine imposed.

15.36.040 Contractor Licenses ~~required~~.

~~A. Except as provided in this chapter, it shall be unlawful for any person, firm, corporation or other organization to contract for any of the types of work regulated by this section for work within the Town. Such License shall serve as the business License as required in Chapter 5.12 of the Town of Jackson Municipal Code.~~

- ~~1. B. Exemptions. A homeowner who constructs, alters or repairs their own residence that they occupy, including accessory buildings, or other dwelling units that under the International Residential Code on the property at which they reside may do so wby obtaining a Proprietary Homeowner License. A homeowner building their own residence shall not build more than one residence in any two-year period without obtaining, at a minimum, a Class C residential Contractor License. The owner or tenant of a commercial structure or tenant space may perform their own repairs or maintenance as permitted in the permits exempt work provisions of each applicable code. A qualified individual in the employ of the business may perform work requiring a permit without obtaining a Contractors License for that trade, provided he/she has been granted a Certificate of Qualification, specific to that business, by the Town of Jackson. Sewer and water service line installation and repair work from the building to the public sewer or public water main shall be exempt from the requirements of this chapter. However, this shall not exempt the work being performed from the requirements of a permit pursuant to the current edition of the adopted codes.~~

~~C. Application. Every applicant for a License shall complete the application form provided by the administrative authority. A nonrefundable application fee shall be submitted at the time of application~~

for a License. The name of the certified Master of the trade to be Licensed shall appear on the License application. A final review and appropriate action shall be taken on such License application and the administrative authority shall notify the applicant within 30 days of such action.

- ~~D. *Business location and telephone required.* Every applicant for a License shall provide a physical and mailing address. In the event of any change in the required address, the licensee shall notify the administrative authority within a ten-day period. Failure to do so shall result in the same suspension time frames and penalties as enumerated below. No License shall be issued unless the licensee has a business telephone listed in the telephone directory that serves the Town or on file with the office of the administrative authority. The telephone shall be answered during normal working hours. The removal of the telephone service shall automatically suspend the License. The License may be removed from suspension by providing the required telephone service within a ten-day period of suspension and notifying the administrative authority of that action. In order to reestablish the business License after said ten-day period and within 60 days of such suspension the licensee must provide the required telephone service and pay the full new License fee. In the event that the License is not removed from suspension within the 60-day period immediately following suspension of the License, the License shall automatically be revoked and in order to reestablish said License the full application fee and process for new Licenses must be followed.~~ 035
- ~~E. *Supervision required.* Every Contractor shall be required to have in their employ a person holding a Master Certificate of Qualification in such classification as the Licensed is issued. The License shall be valid only as long as the named Master shall remain in the employ of the licensee in an active, full-time capacity. If the Master should leave the employ of the licensee, the licensee shall notify the administrative authority within five business days. Failure of the licensee to notify the administrative authority shall be cause for suspension or revocation of the License, as determined by the Board of Examiners. The licensee shall be required to obtain a qualified Master as otherwise required by this chapter within 30 days of notification to the Town. The administrative authority may grant not more than three ten-day extensions when considered to be in the best interest of the Town. If such Master is not obtained within the 30-day period or subsequent extensions, the License shall be deemed suspended until such supervisor is obtained.~~
- ~~F. *Additional requirements.*~~
- ~~1. Applicants for a general, building, residential, plumbing, or HVAC License shall provide a certificate of insurance assuring that the applicant has purchased and has in effect an insurance policy by an insurance company authorized to do business in the State of Wyoming providing for public liability and property damage in the amount of not less than \$500,000.00. Applicants for a low-voltage electrical, wood stove/gas stove installer, gas service Contractor, lawn sprinkler installer, and water conditioner installer's License shall provide a certificate of insurance assuring that the applicant has purchased and has in effect an insurance policy by an insurance company authorized to do business in the State of Wyoming providing for public liability and property damage in the amount of not less than \$300,000.00.~~
 - ~~2. Every applicant shall provide proof of workers' compensation with the State of Wyoming or provide proof of why such is not required.~~
 - ~~3. Every applicant shall provide proof of unemployment insurance with the State of Wyoming or provide proof of why such is not required.~~
 - ~~4. Every application shall be accompanied by a compliance bond in the amount of \$10,000.00 and executed by a surety company authorized to transact business in the State of Wyoming, as surety with the applicant as principal on the bond, and the Town of Jackson as obligee, conditioned~~

that the applicant shall faithfully perform the duties and in all things comply with the provisions of this chapter, including all amendments thereto, pertaining to the License or permit applied for.

~~5. Every applicant that is a corporation or limited liability company shall show proof of good standing with the office of the Wyoming Secretary of State.~~

~~6. Each applicant shall be required to remit all sales tax receipts as specified by the Wyoming Department of Revenue.~~

GA. *Classifications.* There shall be the following classes of Licenses and the respective Licensee holder of each license shall be authorized to do the following:

1. *General Contractor (Class A)*—To contract for the construction, alteration, or repair of any type or size of structure.

2. *Building Contractor (Class B)*—To contract for the construction, alteration, or repair of commercial buildings and single or multi-dwelling residential buildings, not exceeding three stories in height.

3. *Building Contractor—Restricted (Class Br)*—To contract for work of a nonstructural nature in a commercial tenant space with a maximum gross floor area of 5,000 square feet or less and for the construction, alterations and repairs of one- and two-family residences, townhouses and buildings accessory thereto.

4. *Residential Contractor (Class C)*—To contract for the construction, alterations, and repairs of one- and two-family residences, and buildings accessory thereto.

5. *Proprietary Homeowner Contractor*— To construct, alter, or repair only i) once every 8 years, which period begins on the date of the issuance of a certificate of occupancy; ii) one's own principal place of residence, including accessory buildings and excluding accessory residential units; iii) that are regulated under the International Residential Code; and iv) if an accessory building, that is on the same property as the principal place of residence. Prior to issuance, the owner is required to pass a written Proprietary Homeowner Contractor exam administered by the Town of Jackson or a Class C Contractor License exam.

~~5. *Electrical Contractor*— A person or company that holds a State of Wyoming electrical Contractor License. Electrical Contractors are not subject to the WAM testing program as referenced in Section 15.36.050 C.~~

~~6. *Low voltage electrical Contractor*— A person or company that holds any or all of the low voltage electrical Contractor categories and is Licensed in those categories by the State of Wyoming. Low voltage electrical Contractors are not subject to the WAM testing program as referenced in Section 15.36.050.~~

~~7. *Plumbing Contractor*—Installation, alteration, addition or relocation of all sanitary plumbing, sanitary sewer and potable water supply and distribution piping, including all plumbing fixtures and traps and potable water-treating or water-using equipment, and including piping for transmission of chemicals, oil and gases, installation of steam and hydronic heating and chilled systems and water heaters and related vents. The appropriate Licensed low voltage or electrical Contractor shall perform electrical installations.~~

~~8. *Heating, Ventilating, and Air Conditioning (HVAC) Contractor*—Installation, alteration, addition to, relocation, or replacement of any heating, ventilating, cooling, refrigeration system,~~

incinerators, or other miscellaneous heat-producing appliances, to include gas piping of related equipment.

~~9. Wood stove/gas stove installer—Installation, alteration, or relocation of any solid fuel or gas heating appliance and venting.~~

~~108. Gas service Contractor—Installation, repair, or maintenance of fuel gas systems.~~

~~11. Lawn sprinkler installer—Installation of water lines for lawn sprinkler systems, including their connection to potable water supply and related backflow prevention devices. The appropriately Licensed low voltage or electrical Contractor shall perform electrical installations.~~

~~121. Water conditioning installer—Installation and repair of potable water softeners and filtering equipment, including all necessary connections to the potable water supply and drainage system and related backflow prevention devices. The appropriately Licensed low voltage or electrical Contractor shall perform electrical installations.~~

~~131. Refrigeration Contractor—Installation and repair or maintenance of refrigeration systems for freezing or cooling cabinets and mechanically refrigerated air conditioning units.~~

~~91. Specialty Solar Panel Installer-NABCEP Certification or similar Certifications approved by the Building Official is required.~~

~~10. Specialty Licenses—Pool and Spa, Cell Tower Installers, and any other Installers that the Building Official deems appropriate to need a contractor's license.~~

~~14. Fire sprinkler Contractor—Installation, repair and maintenance of fire sprinkler systems including all necessary connections to the potable water supply and related backflow prevention devices.~~

~~B. Supervision required. Every Contractor shall be or must have in their employ a person holding a Master Certificate of Qualification in such classification as the Licensed is issued. The License shall be valid only as long as the named Master shall remain in the employ of the Licensee in an active, full-time capacity. If the Master should leave the employ of the Licensee, the Licensee shall notify the Building Official, or their designee, within 5 business days. The Licensee shall be required to obtain a qualified Master as otherwise required by this Chapter within 30 days of the Master leaving the employ of the Licensee. The Building Official, or their designee, may grant not more than three 10-day extensions when considered to be in the best interest of the Town. If such Master is not obtained within the 30-day period or subsequent extensions, the License shall be deemed suspended until such supervisor is obtained.~~

~~H.C. Responsibilities. All Licensees shall be responsible for work requiring a permit under the provisions of this chapter and, without limitation, for the following to the items as specified in this section:~~

~~1. For all work requiring a permit under the provisions of this Chapter.~~

~~2. To provide minimum safety measures and equipment to protect property, workersmen and the public as provided herein or otherwise prescribed by the Town of Jackson and other local, state, or federal regulations;~~

~~23. To obtain permits;~~

~~4. andTo request inspections and be physically present on-site for inspections, which inspection shall be coordinated by the general contractor when required;~~

~~34. To present Certificate of Qualification cards when requested by the Building Official, or their designees, authorized agents of the administrative authority;~~

45. To faithfully construct and complete the project as indicated by the permit and approved set of plans, without substantial departure from, or disregard of, drawings and specifications, when such drawings and specifications have been filed and approved and permit issued for same, unless such changes are approved by the Building Official, or their designee~~administrative authority~~.
56. To complete all work authorized by the permit issued unless good cause is shown.
67. To pay any fee ~~assessed~~required by the Town of Jackson.
78. To comply with all applicable codes and ordinances.
89. To be responsible for all work for which a permit is issued.

D. Exemptions. A firm, corporation, or other corporate organization may undertake the types of work regulated by this Chapter within the Town without first obtaining a License only under the following exemptions:

1. Permits-Exempt Building Code Provisions. The owner or tenant of a commercial structure or tenant space may perform their own repairs or maintenance as permitted in the permits-exempt work provisions of each applicable code adopted by the Town.
2. Proprietary Certificate of Qualification. An individual employed by a Person may perform work requiring a permit without a Contractor's License, provided they have been granted a Proprietary Certificate of Qualification specific to one business and specific to the trade(s) applicable to the work being performed.
3. Sewer and Water Service Lines. Sewer and water service line installation and repair work from a structure to the public sewer or public watermain shall be exempt from the requirements of this Chapter. However, this shall not exempt the work being performed from the requirements of a permit pursuant to the current edition of the adopted codes.

- I. ~~Contractor License fees.~~ The fees for a Contractor License shall in an amount established by resolution.
- J. ~~Renewal.~~ Contractor Licenses shall expire on December 31 of each year and shall be renewed by that date. Any work performed after expiration and prior to obtaining such License shall be in violation of this section. To reestablish a License after it expires, a new application shall be filed and new License fees shall be paid. Current proof of compliance with State of Wyoming laws pertaining to Contractors shall be provided. A 30-day grace period may be granted by the administrative authority.
- K. ~~Suspension or revocation.~~ The administrative authority shall review any complaint concerning the licensee's activities and upon finding good cause for License suspension or revocation, shall notify the licensee in writing of the grounds for suspension or revocation. The licensee shall have ten days from receipt of said notice in which to file a written request for hearing in front of the Board of Examiners. Such hearing shall be held within 30 days of the request and shall be conducted in accordance with the provisions of the Wyoming Administrative Procedures Act for contested case type hearings. Failure to file a written request for hearing in a timely manner shall constitute a waiver by the licensee of any right to a hearing on the matter. After hearing, or after the ten-day notification period in the event that there is not written request for hearing, the Board shall take whatever action it deems appropriate as to the License, including, but not limited to, suspension or revocation of said License.

(Ord. §, 2024; Ord. 1280 § 8, 2021; Ord. 1089, § 1, 2015; Ord. 701 § 1, 2002).

15.36.050 Certificates of Qualification ~~required.~~

- A. Certificates of Qualification shall be required of individuals for all types of work involving skills as specified and classified in this section and as otherwise provided in Section 15.36.040 ~~B.D In lieu of a Town of Jackson Certificate of Qualification, Masters, Journeyman, and Apprentices in the electrical trade shall be certified by the State of Wyoming. While engaged in a building or trade activity, the Certificate of Qualification shall be in the possession of the individual.~~

~~Through December 31, 2002, for transition purposes, the following will apply:~~

- ~~1. One Master certificate will be granted to any Contractor in a trade defined as a "Contractor" in Section 15.36.020 C. provided they have been in business within the Town of Jackson for five or more years or as approved by the Board of Examiners.~~
 - ~~2. Journeyman certificates shall be granted to any tradesperson who can verify having worked in the Town of Jackson, in their trade for four or more years, or as approved by the Board of Examiners.~~
 - ~~3. Businesses in a trade defined as a "Contractor" in Section 15.36.020 C. who have been in business in the Town of Jackson for less than the time period of five years shall have until December 31, 2002, to obtain a Master Certificate of Qualification pursuant to this chapter.~~
- ~~B. The Board of Examiners shall determine that this requirement is met by examining each application for such certificates. All other applicants will be required to obtain their certificate pursuant to this chapter.~~

~~BC.~~ *Examining procedure.*

- ~~1. The Town shall use the then current International Code Council National Contractor/Trades Examination Wyoming Association of Municipalities Wyoming Trades Certification Program as a means of determining the qualifications of applicants for those certificates that are covered by said program. Electrical and low voltage electrical Contractors shall be subject to existing state laws regarding such Contractors. The Town of Jackson Building Department shall test wood stove/gas stove installer, gas service Contractor, lawn sprinkler, water conditioning, refrigeration, and fire sprinkler installers.~~
 - ~~2. Testing arrangements and testing fees are the responsibility of the applicant.~~
 - ~~1.3. A Town of Jackson Certificate of Qualification will be issued to the applicant upon presentation of the International Code Council National Contractor/Trades Examination certificate noting successful completion of the appropriate examination and meeting all other requirements of this Chapter.~~
- ~~D. Temporary work authorization. The Building Official may grant a temporary work authorization to applicants for a Master, Journeyman, or Apprentice Certificate of Qualification. A temporary work authorization shall not apply to general, building, or residential Master Certificates of Qualification.~~
- ~~E. Application fee. Applicants for a Certificate of Qualification shall fill out the form provided by the administrative authority and shall pay all application fees. Testing shall be through the Wyoming Association of Municipalities "Wyoming Trades Certification Program". Testing arrangements and fees are the responsibility of the applicant. A Town of Jackson Certificate of Qualification will be issued to the applicant upon presentation of the Wyoming Association of Municipalities certificate noting~~

successful completion of the appropriate examination and meeting all other requirements of this chapter. If the applicant is reexamined for any reason whatsoever, a new application shall be filed and an additional fee shall be required.

CF. ~~Issuance/~~Reciprocity.

1. ~~Reciprocity with Wyoming Jurisdictions.~~ A Certificate of Qualification shall be issued to every person who makes application for such certificate, is able to show proper qualifications, pays the required fees and successfully passes an examination conducted by the Wyoming Association of Municipalities, "Wyoming Trades Certification Program"; provided, however, that ~~if~~ in lieu of an examination, the Building Official, or their designee, administrative authority may issue a such ~~e~~Certificate of Qualification to any persons who makes application therefore, is able to show proper qualifications, pays the required fees and that, in addition to meeting all other requirements of this Chapter, possesses and presents a valid authorization Certificate of Qualification issued to them by any other governmental agency pursuant to Wyo. Stat. § 16-6-1101, as amended giving an examination, the scope and character of which, in the opinion of the Board of Examiners, is at least equal to that used by the administrative authority. The Board of Examiners may grant reciprocity with other jurisdictions and/or agencies as the Board determines appropriate. The Board shall maintain a record of all reciprocal agreements that the Board has approved. The applicant shall procure ~~such~~the eCertificate of Qualification from the Town within 30 days after being notified of being granted reciprocity approval. If ~~the~~ applicant fails to procure said ~~e~~Certificate of Qualification within 30 days, the ~~e~~Certificate of Qualification shall be void and a new application shall be ~~filed~~required.

~~1-2.~~2. Reciprocity with jurisdictions outside of Wyoming. Reciprocity may be granted pursuant to 15.36.030.

DG. ~~Certificate fee.~~ The initial fee for a Certificate of Qualification shall be in an amount established by resolution. The fee for the renewal of certificates of qualification shall be in an amount established by resolution. This shall be a nonrefundable fee.

E.H ~~Examination failure.~~ Every applicant who fails to pass the required examination shall not be eligible for another examination for 30 days, and any applicant who fails to pass the second examination shall not be eligible for re-examination for ~~six~~6 months thereafter.

4F. ~~Classifications.~~ There shall be the following classes of certification and the holder shall be authorized to do the following:

1. *Masters Certificate of Qualification.* A Certificate of Qualification shall be required and shall permit the holder thereof to be supervisor or Master for each of the trades in which they have been certified.
2. *Journeyman Certificate of Qualification.* A Certificate of Qualification shall be required in the trades described in this chapter and shall entitle the individual to work only in the trade for which they are certified and classified. Such certificates shall permit the individual to work only under the authority of a certified Master or supervisor.
3. *Apprentice Certificate of Qualification.* A Certificate of Qualification shall serve as a registration with the Town~~administrative authority~~. Such certificate shall entitle the Apprentice to work under the direct Supervision of a Journeyman or Master within each respective classification. With the exception of general, building, and residential Contractors, no individual Journeyman or Master shall have more than four Apprentices under their direct Supervision.

GJ. *Classifications—experience required.* An application shall be filed in accordance with the time periods listed below unless otherwise approved by the Building Official, or their designee~~Board of Examiners~~. A person may not apply to upgrade their certificate to the next higher classification until they have met the experience requirement or equivalent, as approved by the Building Official, or their designee~~Board~~. Up to 50 percent credit may be given toward the experience period set forth below at the discretion of the Building Official, or their designee~~Board~~ for relevant equivalent education in the construction field. The Building Official, or their designee~~Board~~ shall assist in verifying such experience requirements. Applicants that are unable to provide adequate and appropriate experience or time in service will be issued the next lower classification regardless of the exam they passed.

1. *General Contractor Certification (Class A).* Master applicants shall be able to verify at least eight years actively working in the building construction or contracting trade, which must include at minimum having constructed or acted principally in the role of supervisor for the construction of three entire buildings, each of which must have been at least two stories in height, and have been of occupancy classifications other than Group R3 and U occupancies.
2. *Building Contractor Certification (Class B).* Master applicants shall be able to verify at least four years working in the building construction or contracting trade, which must include at minimum having constructed or acted principally in the role of supervisor for the construction of three entire buildings of occupancy classifications other than Group R3 and U occupancies, each of which must have exceeded 5,000 square feet in floor area.
3. *Building Contractor restricted Certification (Class Br).* Master applicants shall have held a Class C License for the previous two years and make application to the Building Official, or their designee~~Board of Examiners~~ for this License classification. ~~The Board shall determine if an applicant qualifies.~~ No additional testing required.
4. *Residential Contractor Certification (Class C).* Master applicants shall be able to verify at least two years working in the building construction or contracting trade.
75. *Plumbing Certification* —Apprentices shall be able to verify four years of working actively in a training program or for a qualified plumbing Contractor prior to applying to advance to the Journeyman level. Journeyman shall be able to verify four years of working actively in a training program or for a qualified plumbing Contractor prior to applying to advance to the Master level.
86. *HVAC Certification* —Apprentices shall be able to verify four years of working actively in a training program or for a qualified HVAC Contractor as an Apprentice prior to applying to advance to the Journeyman level. Journeyman shall be able to verify four years of working actively in a training program or for a qualified HVAC Contractor as a Journeyman prior to applying to advance to the Master level.
- ~~97. *Wood stove/gas stove installer*—Masters shall pass an examination as required by the Town of Jackson.~~
- ~~1078.~~ *Gas service Certification* —Applicants shall be able to verify three years of working actively in a training program or for a qualified gas service Contractor prior to attempting to advance to the Master level. Masters shall pass an examination as required by the Town of Jackson.
- ~~119. *Lawn sprinkler installer*—Masters shall pass an examination as required by the Town of Jackson.~~
- ~~1210. *Water conditioning installer*—Masters shall pass an examination as required by the Town of Jackson.~~

~~1311. — Refrigeration — Applicants shall be able to verify three years of working actively in a training program or for a refrigeration Contractor prior to attempting to advance to the Master level. Masters shall pass an examination as required by the Town of Jackson.~~

~~812. Specialty Solar Panel Installer Certification — Applicants shall have NABCEP Certification or similar Certifications approved by the Building Official.~~

~~913. Other Specialty Contractors Certification - Must be able to verify that there is a minimum of three-year work history in the related field of the type of construction they will be performing.~~

~~10. Proprietary Certificate of Qualification – Applicants must be either the owner or a qualified individual in the employ of the owner's business to be able to perform work requiring a permit without obtaining a Contractor's License for that trade specific to that business.~~

~~14. Automatic fire sprinkler installer and designers — Masters shall pass the Wyoming Association of Municipalities test for Wyoming Fire Suppression Installer/Worker. Designers of such systems shall be NICET level III or IV certified.~~

~~K. Renewal. Certificates of qualification shall expire three years from date of issuance and shall be renewed by that date. Certificate renewal shall consist of either eight hours of approved educational seminar covering the adopted code for the applicable trade or the applicant may re-test through the ICC Wyoming Association of Municipality Wyoming Trade Certification Program. Any work performed after expiration shall be in violation of this section. To establish a Certificate of Qualification after it expires, a new application shall be filed and new application fees shall be paid.~~

~~L. Suspension and revocation.~~

~~1. The Board of Examiners shall review any complaint concerning the activities of the holder of a Certificate of Qualification and, upon finding good cause for certificate suspension or revocation, shall notify the holder in writing of the grounds for suspension or revocation.~~

~~2. The holder shall have ten days from receipt of said notice in which to file a written request for an appeal hearing before the Board. The hearing shall be held within 30 days of the request and shall be conducted in accordance with the provisions of the Wyoming Administrative Procedures Act for contested cases type hearings. Failure to file a written request for the hearing in a timely manner shall constitute a waiver by the holder of any right to a hearing on the matter.~~

~~3. After the hearing, or after the ten-day notification period runs, in the event that there is not written request for hearing, the Board shall take whatever action it deems appropriate as to the suspension or revocation of said certificate. The Board's decision may be appealed to the Town Council within 30 days of the Board's decision, such decision being final. Further appeal may be made to the district court by the Town or the holder pursuant to the Wyoming Rules of Appellate Procedure.~~

(Ord. § , 2024; Ord. 1280 § 8, 2021; Ord. 1142 § 1, 2016; Ord. 1090 § 1, 2015; Ord. 701 § 1, 2002).

Chapter 15.38 DEMOLITION STANDARDS

15.38.010 Permit required—~~Application.~~

A. It is unlawful for any person to ~~commence~~ demolition of ~~sh~~ any building or structure within the Town limits, whether in connection with the application for a separate building permit or other purpose without ~~first~~ obtaining a demolition permit from the Building Official, ~~or their~~^{his} designee. Such Building Official, ~~or designee,~~ shall not issue any demolition permit unless the plans of and for the proposed demolition fully conform to the building regulations and the ~~applicable International Building Codes,~~ and versions thereof, then in effect.

15.38.012 – Application

- A. All applications for a demolition permit shall be made in writing to the Building Official, or their designee, on forms provided by the Town, which must be complete to be processed.
- B. It shall be the duty of the applicant to seek any reviews, authorizations, permits and/or approvals from state, federal, Town or Teton County authorities that may be required in addition to the permit set forth in this chapter.
- C. Each application for a demolition permit submitted shall be affirmed as being true and correct to the best of the applicant's knowledge and shall affirm that the applicant understands that information provided on and with the application may be investigated for accuracy.
- D. In addition to any other required information, the following:
 - 1. A statement, to the best of the applicant's knowledge, of whether the building or structure is more than or less than 50 years old as of the date of the application.
 - 2. A narrative ~~that provides the size and use of the structure,~~ a summary of the history of the structure, and "as built" floor plans, if available, and photographs of ~~the structure from all sides.~~

15.38.013 – Financial Assurance

A. Prior to issuance every applicant shall provide a compliance bond executed by a surety company authorized to transact business in the State of Wyoming, with the applicant as principal and the Town of Jackson as obligee, conditioned that the applicant shall abandon utilities in place and shall faithfully perform the duties to comply with this provision.

15.38.014 – Fees; Payment

- A. There shall be application fees for demolition permits authorized hereunder, and the fees for such shall be in an amount established by resolution, be paid at the time application therefor is made, and be nonrefundable.
- B. Receipt of payment does not constitute approval of a demolition permit application.
 - ~~A. All applications for demolition permits shall be accompanied by a fee in an amount to be established by resolution, all documentation as required on the demolition permit application and~~

~~such other information as may be deemed necessary to provide for the enforcement of the Town's Land Development Regulations (LDRs) [Appendix A of this Code, which is on file with the Town].~~

15.38.016 Definitions.

A. For purposes of this chapter, demolition includes the act of either demolishing or removing (including removals without destruction of the component elements of the structure):

1. Fifty percent or more of the exterior walls of a building as measured continuously around the building coverage; or
2. 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
- ~~1.3.~~ Any exterior wall facing a public street or right-of-way.

(Ord. § , 2024; Ord. 1280 § 8, 2021; Ord. 888 § 1, 2008).

15.38.020 Historic buildings.

A. *General.* The Town Council recognizes that many areas, improvements, buildings, ~~or~~ and structures have features with historic character or special historic or aesthetic interest or value representing architectural products of distinct periods in the history of Jackson. The Town Council also recognizes that the protection, enhancement and perpetuation of areas, improvements, buildings and structures with features having historic character or special historical or aesthetic interest or value is a public necessity and is required in the interest of the people of the Town.

~~For the purposes of this section, historic buildings or structures are those buildings, improvements or structures, which are on the Jackson Historic Register or are in excess of 50 years old, or which are otherwise historically or architecturally significant.~~

~~Every applicant for a demolition permit shall state to the best of his or her knowledge whether a building or structure for which demolition is sought is either in excess of, or less than, 50 years old as of the date of the application.~~

B. *Authority to enact.* Authority for enacting this chapter to protect historic integrity is provided in Wyo. Stat. Ann. § 15-1-601(d)(iv).

C. *The Teton County Historic Preservation Board.* The Teton County Historic Preservation Board ("TCHPB") shall be an advisory board to ~~owners the Town seeking to demolish historic buildings within the Town.~~

1. The TCHPB shall be an informational and advisory board only and shall advise owners or residents of buildings or structures on the historic nature, aspects and other historic preservation issues concerning the building or structure sought for demolition.
2. The TCHPB will maintain a nonexclusive list of structures which are either in excess of 50 years old or are otherwise historically or architecturally significant. This list ~~, the structures of merit,~~ will be made publicly available and will be updated from time to time. The ~~structures of merit~~ list updated from time to time serves as a guideline to building owners and Town of Jackson officials.

3. The TCHPB may present to the Town Council its findings and recommendations about any development proposal or regulation which impacts any building or structure in excess of 50 years old or which are otherwise historically or architecturally significant.

D. *Demolition permit review.*

1. Upon receipt of a demolition permit application pursuant to ~~Section 105.1 of~~ the International Building Code, ~~the~~ Planning and Building Department shall refer the demolition application to the TCHPB.
2. The TCHPB shall review demolition ~~applications proposals which affect the exterior of any principal or accessory building or structure which is on the Jackson Historic Register or Structures of Merit list~~ for their impacts on historic resources. The TCHPB will make a recommendation to the ~~planning and building department and/or~~ Town Council within 3045 calendar days from initial submission of the demolition application to the TCHPB. The TCHPB will either determine that:
 - a. The building or structure is not historically significant, is not architecturally significant, and is not more than 50 years old; ~~or~~
 - b. That the building or structure is historically significant, or is architecturally significant, or is more than 50 years old. If the TCHPB makes one or more of these determinations, it shall and recommend a 90-day stay in the issuance of a demolition permit for a period of not less than 60 days and not more than 100 days, which stay begins on the day the TCHPB makes its recommendation, and shall, be for the purposes of public comment and in order for the applicant, ~~the TCHPB~~ and other interested parties to explore alternatives to demolition. The TCHPB shall cite the historic preservation principles upon which it is relying to make its comments and ~~recommendations~~ regarding the impact of such demolition on historic preservation.
3. All demolition permit applicants with applications affecting~~pertaining to~~ historic buildings or structures may meet with the TCHPB, or a sub-committee thereof, to discuss the impacts of demolition on historic resources. A meeting will be scheduled during the initial 3045-day review period on applicant's request.
4. In the event the TCHPB does not make a recommendation to the ~~planning and building department and/or~~ Town Council within 3045 calendar days from initial submission of the demolition application, the TCHPB will be deemed to concur with demolition~~the Town will assume that the TCHPB does not have a formal recommendation~~, and the application shall proceed through the regular permitting process.

(Ord. §, 2024; Ord. 1279 § 1, 2021; Ord. 888 § 1, 2008).

15.38.30 Priority of ordinances. Repealed.

~~In the event any of the adopted ordinances of the Town as codified in this Code as of the date of the adoption of the ordinance codified in this section conflict with any other sections of the Town of Jackson Municipal Code, the most restrictive shall apply.~~

(Ord. §, 2024; Ord. 888 § 1, 2008).

15.38.40 Penalty. Repealed.

~~A. — It is a misdemeanor for any person to violate any provisions of this chapter.~~

~~B. — Except as provided in specific sections in this chapter, every person convicted of a misdemeanor for a violation of any of the provisions of this chapter shall be punished in accordance with the provisions of Section 1.12.010 of this Code.~~

~~(Ord. _____ § _____, 2024; Ord. 888 § 1, 2008).~~

Chapter 15.50 ENFORCEMENT

15.50.010 General.

Building Officials and Building Inspectors of the Planning Department, appointed as Special Municipal Officers by the Town of Jackson, have specific authority to issue citations for violations of the provisions of this entire Title as set forth by Wyo. Stat. Ann. § 7-2-103(e) and Wyo. Stat. Ann. § 15-1-103(a)(~~ix~~).

~~(Ord. _____ § _____, 2024; Ord. 843 § 1, 2007).~~

ORDINANCE F

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NO. 1281; AND CHAPTER 5.04.022 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING LICENSING CONSTRUCTION CONTRACTORS 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.

An ordinance amending and reenacting section 1 of Ordinance No. 1281; and Chapter 5.04.022 of the Municipal Code of the Town of Jackson regarding licensing construction contractors and providing for an effective date to read as follows:

5.04.022 - Coordination of contractor licensing.

~~A. Pursuant to Municipal Code § 15.36.031, contractors as set out in Chapter 15.36 of this Code, shall be licensed in accordance with Chapter 15.36 and licenses issued thereunder shall serve as the business license required by Title 5 of this Code. Contractors, as that term is defined in Title 15, shall be subject to all relevant requirements of Title 15. Upon issuance of a contractor license, said license shall be renewed each year thereafter through the provisions of this title and pursuant to the fees set forth in this title.~~

~~B. Should the contractor license lapse in any given year, the contractor will be required to reapply under the provisions of Title 15.~~

(Ord. _____ § 1, 2024; Ord. 1281 § 1, 2021).

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 V.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE ____ DAY OF ____, 2024.

PASSED 2ND READING THE ____ DAY OF ____, 2024.

PASSED AND APPROVED THE ____ DAY OF ____, 2024.

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 _____ 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 ____, 2024. 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:	August 5, 2024	Meeting Title:	Regular
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Parking Ticket Procedure: Updating Procedure and Process	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to present and discuss with Council updates to the Municipal Code that are necessary to effectuate technical procedure changes for parking tickets.

Requested Action.

Staff request Council consider and approve the attached ordinances.

Recommendations.

Staff recommend Council approve the attached ordinance.

Background.

Title 10 of the Jackson Municipal Code contains various ordinances that prohibit the stopping, standing, and parking of vehicles in certain areas and under certain circumstances within the Town. The Town, via the Jackson Police Department, currently issues citations to the registered owner of any vehicle found in violation of a parking prohibition and serves the citation to the registered owner by attaching the citation to the vehicle. The citation commences a criminal action in the Municipal Court that must conform to the Wyoming Rules of Criminal Procedure.

Like most parking enforcement agencies, the Jackson Police Department's parking enforcement process involves monitoring street parking and parking lots, identifying parking violations, and concurrently issuing citations for identified parking violations. In most cases, the registered owner or violator is not physically present when the JPD identifies and cites a parking violation. It is recommended the Town shift from a criminal process to a civil process for parking violations, thus keeping in line with common municipal practice nationwide.

Analysis & Key Policy Questions.

First and foremost, shifting from a criminal process to a civil process for parking violations, will not change the current practices of the Jackson Police Department nor have an effect on resident or visitor experiences in the community. Rather, it is a technical change accomplished via ordinance amendments and updating the authority of the Municipal Judge.

Second, the Legal Department has met with and worked closely with the Police Department, the prosecutor, and the Municipal Court over the last year to implement the process and procedure changes necessary to effectuate this shift – i.e., updating parking ticket forms from a citation (criminal) to a notice of violation (civil) and planning for how the Judge will distinguish the criminal portion of Court sessions from the civil parking ticket portions.

Summary of Changes to the Municipal Code.

- ✓ Title 1
 - Adding civil authority and civil duties to Municipal Judge
 - Authorizing a civil bond schedule
 - Clarifying the commencing of civil parking tickets
- ✓ Title 2
 - Adding issuing civil tickets to Community Service Division
- ✓ Title 10

- Creating a new chapter for parking violations and setting out procedures therefor.

Key Policy Question: Will Council adopt the necessary ordinance changes to shift from a criminal process to a civil process for parking violations?

- ✓ Pros. The benefit of making this shift is that the parking ticket process will comply with all procedural legal requirements, will be in line with modern national parking regimes, but, simultaneously, will not alter the day-to-day ticketing process for the Town or the public.
- ✓ Cons. There no negative impacts from making this shift.
- ✓ Staff Recommendation. Staff recommends making this shift.

Possible Alternatives.

Council could elect not to shift from a criminal process to a civil process for parking violations.

Comprehensive Plan & Priority Alignment.

Section 8.1 and 8.2: Timely, efficiently and safely deliver quality services and facilities in a fiscally responsible and coordinated manner.

Fiscal Impact.

None, these changes have no fiscal impact.

Staff Impact.

The staff impact of this item was concentrated in the Legal Department and required, approximately, 150 hours. Other affected departments include Police and Municipal Court.

Additionally, in terms of ongoing impacts, Municipal Court anticipates approximately 5 hours per month will be needed to administer the due process required for the updated vehicle booting procedure.

Attachments or Links.

- Clean then Redline versions of:
- Civil Parking Authority Generally – Ordinance G
- Community Service Unit Civil Parking Authority – Ordinance H
- Revised Parking Regulations – Ordinance I

Suggested Motion.

I move to approve Ordinances G, H, and I on first reading [with the changes as discussed today].

ORDINANCE G

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1287, 1181, 1180, 1054, 870, 798, 527, 526, 300, 179, AND 18; SECTION 2 OF JACKSON ORDINANCE NOS. 871 AND 18; AND SECTION 34 OF JACKSON ORDINANCE NO. 162; AND SECTIONS 1.16.010, 1.16.020, 1.18.010 AND 1.18.080 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING CIVIL PARKING AUTHORITY 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. 1287, 1181, 1180, 1054, 870, 798, 527, 526, 300, 179, and 18; Section 2 of Jackson Ordinance Nos. 871 and 18; and Section 34 of Jackson Ordinance No. 162; and Sections 1.16.010, 1.16.020, 1.18.010 and 1.18.080 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

1.16.010 Office created; qualifications.

- A. The office of Municipal Judge is created in the Town.
- B. The Municipal Judge shall be the judge of the Municipal Court.
- C. The Municipal Court is created, which shall be presided over by the Municipal Judge. The Municipal Court and the Municipal Judge presiding therein shall have the exclusive jurisdiction to hear and determine all violations of the ordinances of the Town and may impose penalties as set forth in this Code.
- D. The Municipal Judge shall have the jurisdiction to hear and determine civil infractions for Parking Violations as set forth in Chapter 10.05 of Title 10 in this Code and may impose civil fines and court costs related thereto.
- E. The Municipal Judge may-be appointed as a hearing officer for administrative and contested cases and has the jurisdiction to hear such cases.
- F. The Mayor, with the advice and consent of the Town Council, shall have the authority to appoint alternative judges and all such alternate Municipal Judges shall be qualified electors of Teton County, Wyoming.
- G. Every Municipal Judge of the Town of Jackson shall:
 - 1. Be an active member of the Wyoming State Bar in good standing for at least five years prior to appointment; and
 - 2. Be free from any discipline by any State Bar or State Supreme Court for a period of five years prior to appointment; and
 - 3. Successfully complete an employment screening.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1180 § 1, 2017; Ord. 870 § 1, 2008; Ord. 526 § 1, 1996; Ord. 300 § 1, 1983; Ord. 18 § 1, 1926).

1.16.020 Bond schedule authorized.

- A. Repealed.

- B. The Municipal Judge may designate specified offenses of this Town in respect to which payment of fines may be accepted by paying the amount designated without appearance before the Municipal Judge, and shall specify by suitable schedules the amount of such fines, provided such fines are within the limits declared by law or ordinance.
- C. The Municipal Judge shall designate and specify by suitable schedules the amount of civil fines that may be paid for the admission of responsibility and liability for civil infractions for Parking Violations provided such fines are within the limits declared by ordinance.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1180 § 1, 2017; Ord. 870 § 1, 2008; Ord. 798 § 1, 2005; Ord. 527 § 1, 1996; Ord. 179 § 1, 1975; Ord. 18 § 2, 1926).

1.18.010 How commenced; proceed.

- A. Criminal actions in Municipal Court shall be commenced and proceed pursuant to the Wyoming Rules of Criminal Procedure.
- B. Administrative actions for violations of ordinances may be commenced in accordance with the procedures set forth in the Town of Jackson Contested Case Rules.
- C. Civil infractions for Parking Violations shall be commenced and proceed in accordance with the process and procedures set forth in Chapter 10.05 of Title 10 of this Code.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1181 § 1, 2017; Ord. 871 § 2, 2008; Ord. 162 § 33, 1973).

1.18.020 Duty of Municipal Judge

The Municipal Judge shall keep all dockets, papers, files, and records associated with the office of the Municipal Judge and the functions thereof in a manner compliant with state law, the rules of judicial ethics, and Wyoming Supreme Court rules.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1181 § 1, 2017; Ord. 871 § 2, 2008; Ord. 162 § 34, 1973).

1.18.080 Administrative fees assessed in Municipal Court; court costs assessed in Municipal Court.

- A. All individuals convicted of driving or having control of a vehicle while under the influence of intoxicating liquor or controlled substances in accordance with this Code or State statute shall be assessed an administrative fee of \$800.00; all individuals subject to a disposition pursuant to Wyo. Stat. Ann. § 7-13-301 for driving or having control of a vehicle while under the influence of intoxicating liquor or controlled substances in accordance with this Code or State statute shall be assessed an administrative fee of \$750.00.
- B. All individuals convicted of or subject to a disposition pursuant to Wyo. Stat. Ann. § 7-13-301 for public intoxication in accordance with this Code or State statute shall be assessed a fee of \$25.00.
- C. Court costs for all matters before the Municipal Court shall be assessed and shall be fixed at \$10.00.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1054 § 1, 2014).

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE _____ DAY OF _____, 2024.

PASSED 2ND READING THE _____ DAY OF _____, 2024.

PASSED AND APPROVED THE _____ DAY OF _____, 2024.

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 _____, 2024.

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 H

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1337, 1186, AND 842; AND SECTION 2.23.051 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING THE COMMUNITY SERVICE UNIT 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 Ordinances 1337, 1186, and 842; and Section 2.23.051 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

2.23.051 Community Service Unit and Code Enforcement Officer.

The Community Service Unit of the Police Department and Code Enforcement Officer(s) appointed as Special Municipal Officers by the Town of Jackson have specific authority to issue citations for violations of the Jackson Municipal Code as set forth in Wyo. Stat. Ann. § 15-1-103(a)(I) and to issue Notices of Parking Violations as set forth in Chapter 10.05 of Title 10 of this Code.

(Ord. __, § __, ____; Ord. 1337 § 1, 2022; Ord. 1186 § 1, 2017; Ord. 842 § 1, 2007)

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1311, 1194, 661, 610, 214, 161, AND 131; AND SECTIONS 10.04.205, 10.04.210, 10.04.285, 10.04.117, AND 10.04.227; AND ADDING CHAPTER 10.05 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING PARKING REGULATIONS 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. 1311, 1194, 661, 610, 214, 161, AND 131; and Sections 10.04.205, 10.04.210, 10.04.285, 10.04.117, and 10.04.227 are hereby amended and reenacted to read as follows:

10.04.205 Designated on-street bicycle lanes and pathways.

- A. For the purposes of this section, on-street bicycle lanes and pathways are the portions of a street or a pathway designated by appropriate signage, pavement markings, or curb markings for the preferred or exclusive use by bicycle or pedestrian traffic.
- B. It is lawful to ride or use Electric Bicycles, as defined in Section 10.13.010, in on-street bicycle lanes and pathways.
- C. It is unlawful to stop, stand, or park a motor vehicle in an on-street bicycle lane or pathway.
- D. It is unlawful to operate a motor vehicle in an on-street bicycle lane or pathway.
- E. This Section shall not apply in cases of unavoidable necessity, for the purpose of crossing to gain immediate access to an adjacent property, in cases of emergency, or when directed to do so by a peace officer or Special Municipal Officer, nor shall it apply to governmental agencies, utility providers, or other duly authorized persons engaged in the maintenance of on-street bicycle lanes, pathways, and adjacent utilities.

(Ord. __, § __, ____; Ord. 1311 § 1, 2022; Ord. 1194 § 1, 2018; Ord. 661 § 1, 2000).

10.04.210 Evidence required on parking violation. Repealed.

(Ord. __, § __, ____; Ord. 1311, § 1, 2022; Ord. 610 § 1, 1998; Ord. 214 § 1, 1977; Ord. 131 § 22, 1970).

10.04.285 Vehicle immobilization. Repealed.

(Ord. __, § __, ____; Ord. 1311 § 1, 2022).

10.04.217 Tampering with immobilization device.

- A. For the purposes of this Section, the term “immobilization device” means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable in accordance with Section 10.05.120.
- B. It is unlawful for any person to do any of the following acts when an immobilization device is used to immobilize a vehicle in accordance with Section 10.05.120 unless such action is authorized by the Town Manager, or their designee:
 - 1. Remove an immobilization device,

2. Attempt to remove an immobilization device,
3. Damage an immobilization device,
4. Tamper with an immobilization device, or
5. Move a vehicle with an immobilization device attached to the vehicle.

(Ord. __, § __, ____).

10.04.227 Parking of unregistered vehicles.

No person shall park a vehicle on any street within the Town, or in any public parking structure, parking lot, or other property owned, operated, leased, or maintained by the Town that does not plainly, visibly, and legibly display in proper position valid registration and license plates.

(Ord. __, § __, ____).

SECTION II.

Chapter 10.05 of the Municipal Code of the Town of Jackson is hereby created to read as follows:

Chapter 10.05 PARKING VIOLATIONS

10.05.010 Definitions.

The following words and phrases when used in this Chapter shall have the following meanings:

- A. *"Notice of Parking Violation"* means a written notice directing a person to answer an alleged Parking Violation.
- B. *"Operator"* means and includes every individual who operates a vehicle as the Owner thereof, or as the agent, employee, or permittee of the Owner, or is the individual who is in actual physical control of a vehicle.
- C. *"Owner"* or *"Registered Owner"* shall mean the registered owner of a vehicle.
- D. *"Parking Law"* shall mean any of the following provisions found in this Code:
 1. Section 10.04.130, Parking parallel to curb;
 2. Section 10.04.140, Angle parking – Restrictions;
 3. Section 10.04.160, Additional prohibitions as to stopping or parking;
 4. Section 10.04.170, Parking in alleys;
 5. Section 10.04.190, Parking time limited on Town streets;
 6. Section 10.04.200, Parking spaces for persons with disabilities;
 7. Section 10.04.201, Bus stops/zones;
 8. Section 10.04.202, Horse-drawn carriage or stagecoach zones;
 9. Section 10.04.203, Fire lanes;
 10. Section 10.04.204, Motorcoaches;
 11. Section 10.04.205(C), Designated on-street bicycle lanes and pathways;
 12. Section 10.04.220, No overnight parking zones;
 13. Section 10.04.225, Public parking structure West Simpson Ave and South Milard St; and
 14. Section 10.04.300, Parking during winter maintenance.
 15. Section 10.04.227, Parking of unregistered vehicles.
- E. *"Parking Violation"* shall mean a vehicle found stopped, standing, or parked in violation of any Parking Law.

(Ord. __, § __, ____).

10.05.020 Parking Violation – Civil infraction.

- A. A Parking Violation shall constitute a civil infraction that is subject to a civil fine of not more than \$750.00.
- B. Notwithstanding a Parking Law being made or declared elsewhere in the Code to be unlawful, a criminal offense, or a misdemeanor, the Parking Law shall be treated as a civil infraction.

(Ord. __, § __, ____).

10.05.030 Liability for a Parking Violation.

- A. The Owner is liable for a Parking Violation. The presence of a particular vehicle in violation of any Parking Law shall be prima facie evidence the Owner committed the violation at the time of such violation.
- B. An Operator of a vehicle served with a Notice of Parking Violation may answer the Notice of Parking Violation as set forth in this Chapter. The authorization for an Operator to answer a Notice of Parking Violation shall not absolve the Owner of liability for a Parking Violation.

(Ord. __, § __, ____).

10.05.040 Notice of Parking Violation.

A Notice of Parking Violation may be issued in accordance with this Chapter whenever a vehicle is found in violation of a Parking Law. A Notice of Parking Violation is prima facie evidence of the facts alleged therein.

(Ord. __, § __, ____).

10.05.050 Contents of Notice of Parking Violation.

- A. A Notice of Parking Violation shall be on a form provided by the Chief of Police, or their designee, and is required to contain, at minimum, the following information:
 - 1. The Registered Owner's name;
 - 2. The state and license number or vehicle identification number, and the make of the vehicle found in violation,
 - 3. The date, time, and location of the violation;
 - 4. The Parking Law violated;
 - 5. The name of the officer issuing the Notice of Parking Violation; and
 - 6. Information that advises of the manner and the time within which the Notice of Parking Violation must be answered.
- B. Error or omission of any of the required information, or any other defect or imperfection, shall not be grounds for the dismissal of an action relating to a Notice of Parking Violation unless the person requesting such a disposition demonstrates prejudice therefrom by a preponderance of the evidence.

(Ord. __, § __, ____).

10.05.060 Authority to Issue a Notice of Parking Violation.

A Notice of Parking Violation may be issued by any peace officer or by any Special Municipal Officer of the Jackson Police Department.

(Ord. __, § __, ____).

10.05.070 Filing of Notice of Parking Violation.

Notices of Parking Violation must be filed with the Municipal Court within 14 days of issuance. Any Notice of Parking Violation that is not filed within 14 days is void.

(Ord. __, § __, ____).

10.05.080 Service of Notice of Parking Violation.

- A. An original or duplicate Notice of Parking Violation must be served upon the Owner of the vehicle by one of the following means:
 - 1. Affixing the Notice of Parking Violation to the vehicle in a conspicuous place;
 - 2. Serving the Notice of Parking Violation personally upon the Owner or Operator of the vehicle.
- B. An Operator of a vehicle who is not the Owner of the vehicle is deemed to be the agent of the Owner to be served a Notice of Parking Violation, whether it is served on the Operator personally or served by affixation, and service made by either manner is deemed to be lawful service upon the Owner.

(Ord. __, § __, ____).

10.05.090 Required answer to a Notice of Parking Violation.

- A. The Owner of a vehicle issued and served a Notice of Parking Violation in accordance with this Chapter must, within the time specified in the Notice of Parking Violation, answer the Notice of Parking Violation in one of the following manners:
 - 1. Admit responsibility and liability for the violation of a Parking Law by paying the civil fine notated on the Notice of Parking Violation;
 - 2. Request a review of the Notice of Parking Violation by the Town Attorney, or their designee, to disclaim responsibility, or to dispute the propriety of the issuance of the Notice of Parking Violation or any penalties thereto in accordance with Section 10.05.100; or
 - 3. Request a hearing to contest the Notice of Parking Violation before the Municipal Court in accordance with Section 10.05.110.
- B. If the Owner fails to answer a Notice of Parking Violation within the time specified in the Notice of Parking Violation, the Municipal Court shall send a notice of delinquency by regular mail to the Owner at their last known address. The Owner will have 30 days after the date of the notice of delinquency to respond thereto in the manner provided in Subsection A.

(Ord. __, § __, ____).

10.05.100 Review of Notice of Parking Violation

- A. An Owner may initiate a review of the Notice of Parking Violation by submitting a request for review to the Town Attorney, or their designee. The request for review shall be submitted in a form and manner provided by the Town. The Town Attorney, or their designee, has the discretion to decide what action to take regarding the Notice of Parking Violation upon review.
- B. Notice of the decision made by the Town Attorney, or their designee, in connection with the review of the Notice of Parking Violation shall be provided by:
 - 1. Mailing such notice to the person at the address provided by the person; or

2. Sending such notice to the person by electronic mail if the person requested communication by means of electronic mail.
- C. Within 14 days after the notice of the decision has been provided, the Owner must answer the Notice of Parking Violation in one of the following manners:
 1. Admit responsibility and liability for the violation of a Parking Law by paying in full the civil fine remaining to be paid regarding the Notice of Parking Violation; or
 2. Request a hearing to contest the Notice of Parking Violation before the Municipal Court in accordance with Section 10.05.110.
- D. If the Owner fails to answer a Notice of Parking Violation as set forth in Subsection C, the Municipal Court shall send a notice of delinquency by regular mail to the Owner at their last known address. The Owner will have 30 days after the date of the notice of delinquency to respond thereto in the manner provided in Subsection C.

(Ord. __, § __, ____).

10.05.110 Hearing on Notice of Parking Violations

- A. An Owner may request a hearing before the Municipal Court to contest a Notice of Parking Violation by submitting a written request for a hearing to the Municipal Court. The Municipal Court shall set a time and date for the hearing, which shall be within 45 days of receipt of the request for the hearing. The Municipal Court shall notify the parties in writing of the hearing time and date.
- B. The hearing shall be conducted and presided over by the Municipal Court. The parties shall have the right to be represented by counsel and to present testimony and evidence. The Municipal Court may proscribe any additional process and procedures deemed necessary for the hearing.
- C. The Municipal Court shall determine whether, by a preponderance of the evidence, a Parking Violation occurred. The Municipal Court's decision shall be final and binding on all parties.
- D. The Municipal Court shall impose a civil fine and court costs for a Parking Violation, which shall be paid at such times and on such conditions as the Municipal Court prescribes.
- E. The Municipal Court's decision regarding a Parking Violation may be appealed pursuant to and in the manner provided by Wyoming law.

(Ord. __, § __, ____).

10.05.120 Failure to act regarding a Notice of Parking Violation – Vehicle Immobilization.

- A. *Definitions.* For the purposes of this Section, the following words and phrases shall have the following meanings:
 1. "Immobilize" or "Immobilization" means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable.
 2. "Boot List" means and includes vehicles that are eligible for Immobilization because they have 3 or more Notices of Parking Violation for which the Owner failed to timely answer, failed to timely pay the fines due, failed to appear at a hearing set by the Municipal Court in connection with a Notice of Parking Violation, or a combination thereof.
 3. "Business Day" means 24 hours in a calendar day, excluding Saturday, Sunday, and legal holidays observed by the Town of Jackson.
- B. *Notice of impending Immobilization.* Prior to placing a vehicle on the Boot List, the Town Manager, or their designee, shall provide notice by regular mail to the Owner that a vehicle is subject to impending Immobilization and placement on the Boot List. The notice shall advise the Owner they may request a hearing regarding the impending Immobilization and placement on the Boot List

before the Municipal Court by submitting a written request to the Municipal Court. The hearing shall be limited to whether the vehicle is properly subject to impending Immobilization and placement on the Boot List and shall not review the underlying Parking Violations that caused the vehicle to be subject to impending Immobilization and placement on the Boot List. Failure to request or attend such a hearing shall be deemed a waiver of the right to the hearing.

- C. *Placement on the Boot List.* If, within 30 days of the date of the notice of impending Immobilization and placement on the Boot List, the Owner fails to respond or fails to request a hearing, the Town Manager, or their designee, shall place the vehicle on the Boot List. If the Owner responds to the notice, but later defaults in any way, the Town Manager, or their designee, shall place the vehicle on the Boot List. The Town Manager, or their designee, shall prepare and update the Boot List as frequently as practicable.
- D. *Removal from Boot List.* A vehicle shall remain on the Boot List until all outstanding fines and fees have been paid in full, or a payment plan has been arranged with the Municipal Court. If a payment plan is arranged, the vehicle shall be temporarily removed from the boot list until all outstanding fines and fees are paid in full. If there is a default in the payment plan, the vehicle shall be returned to the boot list without further notice. A vehicle returned to the Boot List for a second time for the same Parking Violations shall not again be eligible for a payment plan and must pay all outstanding fines and fees in full to be removed from the Boot List.
- E. *Authorization.* The Town Manager, or their designee, is authorized to Immobilize a vehicle found parked on any public property if the vehicle is on the Boot List and the notice requirements for impending immobilization have been met.
- F. *Immobilization.* A notice shall be attached to the vehicle at the time of Immobilization that contains the following information:
 - 1. The vehicle has been immobilized by the Town for 3 or more Notices of Parking Violation for which the Owner failed to timely answer, to timely pay the fines due, failed to appear at a hearing set by the Municipal Court in connection with a Notice of Parking Violation, or a combination thereof.
 - 2. Release from Immobilization may be obtained if all outstanding fines and fees are paid in full or a payment plan is arranged with the Municipal Court.
 - 3. The vehicle may be impounded if an Immobilization device is not removed from a vehicle within 3 days of the Immobilization, including the day the vehicle was Immobilized.
 - 4. It is unlawful for any person to remove or attempt to remove the Immobilization device, to damage the Immobilization device, to tamper with an Immobilization device, or to move the vehicle with the Immobilization device attached, unless authorized by the Town Manager, or their designee.
- G. *Release from immobilization.* The Town Manager, or their designee, shall release a vehicle from Immobilization if all outstanding fines and fees have been paid in full, or a payment plan is arranged with the Municipal Court. The vehicle shall be released from Immobilization promptly but no later than within one Business Day of payment or arrangement of a payment plan. If a payment plan is arranged, the vehicle shall be temporarily removed from the Boot List until all outstanding fines and fees are paid in full. If there is a default in the payment plan, the vehicle shall be returned to the Boot List without further notice. A vehicle returned to the Boot List for a second time for the same Parking Violations shall not again be eligible for a payment plan in the event of Immobilization.
- H. *Impoundment.* If an Immobilization device is not removed from a vehicle within 3 days of the immobilization, including the day the vehicle was Immobilized, the Town Manager, or their designee, may require the vehicle to be removed or cause it to be removed and towed in accordance with the towing and impoundment provisions of this Code.

- I. *Boot List fee.* A fee in an amount established by resolution shall be assessed for each time a vehicle is placed on the Boot List.
- J. *Alternate procedure.* The provisions of this Section are declared to provide an alternative manner for the enforcement of the provisions of this Code pertaining to parking violations and shall not preclude impoundment of the vehicle parked as otherwise authorized pursuant to this Code or any other method of enforcing the parking ordinances. The Town is entitled to collect the amount of any fines or fees incurred under this Chapter by means of any remedy available under applicable law, including referring the matter to a collection agency.

(Ord. __, § __, ____).

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.
PASSED 2ND READING THE ____ DAY OF _____, 2024.
PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 G

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1287, 1181, 1180, 1054, 870, 798, 527, 526, 300, 179, AND 18; SECTION 2 OF JACKSON ORDINANCE NOS. 871 AND 18; AND SECTION 34 OF JACKSON ORDINANCE NO. 162; AND SECTIONS 1.16.010, 1.16.020, 1.18.010 AND 1.18.080 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING CIVIL PARKING AUTHORITY 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. 1287, 1181, 1180, 1054, 870, 798, 527, 526, 300, 179, and 18; Section 2 of Jackson Ordinance Nos. 871 and 18; and Section 34 of Jackson Ordinance No. 162; and Sections 1.16.010, 1.16.020, 1.18.010 and 1.18.080 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

1.16.010 Office created; qualifications.

- A. The office of Municipal Judge is created in the Town.
- B. The Municipal Judge shall be the judge of the Municipal Court.
- C. The Municipal Court is created, which shall be presided over by the Municipal Judge. The Municipal Court and the Municipal Judge presiding therein shall have the exclusive jurisdiction to hear and determine all violations of the ordinances of the Town and may impose penalties as set forth in this Code.
- D. The Municipal Judge shall have the jurisdiction to hear and determine civil infractions for Parking Violations as set forth in Chapter 10.05 of Title 10 in this Code and may impose civil fines and court costs related thereto.
- E. ~~Such~~ The Municipal Judge may, ~~from time to time~~, be appointed as a hearing officer ~~pursuant to the Town of Jackson Contested Case Rules~~ for administrative and contested cases and ~~in said role~~ has the jurisdiction to hear such cases ~~all contested cases arising within the Town and the authority set forth in the Town of Jackson Contested Case Rules.~~
- F. The Mayor, with the advice and consent of the Town Council, shall have the authority to appoint alternative judges and all such alternate Municipal Judges shall be qualified electors of Teton County, Wyoming.
- G. Every Municipal Judge of the Town of Jackson shall:
 - 1. Be an active member of the Wyoming State Bar in good standing for at least five years prior to appointment; and
 - 2. Be free from any discipline by any State Bar or State Supreme Court for a period of five years prior to appointment; and
 - 3. Successfully complete an employment screening.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1180 § 1, 2017; Ord. 870 § 1, 2008; Ord. 526 § 1, 1996; Ord. 300 § 1, 1983; Ord. 18 § 1, 1926).

1.16.020 Bond schedule authorized.

- A. Repealed.
- B. The Municipal Judge may designate specified offenses of this Town in respect to which payment of fines may be accepted by paying the amount designated without appearance before the Municipal Judge, and shall specify by suitable schedules the amount of such fines, provided such fines are within the limits declared by law or ordinance.
- C. The Municipal Judge shall designate and specify by suitable schedules the amount of civil fines that may be paid for the admission of responsibility and liability for civil infractions for Parking Violations provided such fines are within the limits declared by ordinance.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1180 § 1, 2017; Ord. 870 § 1, 2008; Ord. 798 § 1, 2005; Ord. 527 § 1, 1996; Ord. 179 § 1, 1975; Ord. 18 § 2, 1926).

1.18.010 How commenced; proceed.

- A. Criminal actions in Municipal Court shall be commenced and proceed pursuant to the Wyoming Rules of Criminal Procedure.
- B. Administrative actions for violations of ordinances may be commenced in accordance with the procedures set forth in the Town of Jackson Contested Case Rules.
- C. Civil infractions for Parking Violations shall be commenced and proceed in accordance with the process and procedures set forth in Chapter 10.05 of Title 10 of this Code.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1181 § 1, 2017; Ord. 871 § 2, 2008; Ord. 162 § 33, 1973).

1.18.020 Duty of Municipal Judge

The Municipal Judge shall keep all dockets, papers, files, and ~~all associated court~~ records associated with the office of the Municipal Judge and the functions thereof, ~~electronic or otherwise,~~ in a manner ~~and state~~ compliant with state law, the rules of judicial ethics, and Wyoming Supreme Court rules.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1181 § 1, 2017; Ord. 871 § 2, 2008; Ord. 162 § 34, 1973).

1.18.080 Administrative fees assessed in Municipal Court; court costs assessed in Municipal Court.

- A. All individuals convicted of driving or having control of a vehicle while under the influence of intoxicating liquor or controlled substances in accordance with this Code or State statute shall be assessed an administrative fee of \$800.00; all individuals subject to a disposition pursuant to Wyo. Stat. Ann. § 7-13-301 for driving or having control of a vehicle while under the influence of intoxicating liquor or controlled substances in accordance with this Code or State statute shall be assessed an administrative fee of \$750.00.
- B. All individuals convicted of or subject to a disposition pursuant to Wyo. Stat. Ann. § 7-13-301 for public intoxication in accordance with this Code or State statute shall be assessed a fee of \$25.00.
- ~~C. The administrative fee for vehicles referred to the boot list shall be \$50.00.~~
- ~~D.~~ Court costs for all matters before the Municipal Court shall be assessed ~~in Municipal Court~~ and shall be fixed at \$10.00.

(Ord. __, § __, ____; Ord. 1287 § 1, 2021; Ord. 1054 § 1, 2014).

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 H

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1337, 1186, AND 842; AND SECTION 2.23.051 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING COMMUNITY SERVICE UNIT 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 Ordinances 1337, 1186, and 842; and Section 2.23.051 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

2.23.051 Community Service Unit and Code Enforcement Officer.

The Community Service Unit of the Police Department and Code Enforcement Officer(s) appointed as Special Municipal Officers by the Town of Jackson, have specific authority to issue citations for violations of the Jackson Municipal Code as set forth in Wyo. Stat. Ann. § 15-1-103(a)(I) and to issue Notices of Parking Violations as set forth in Chapter 10.05 of Title 10 of this Code.

(Ord. __, § __, ____; Ord. 1337 § 1, 2022; Ord. 1186 § 1, 2017; Ord. 842 § 1, 2007)

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1311, 1194, 661, 610, 214, 161, AND 131; AND SECTIONS 10.04.205, 10.04.210, 10.04.285, 10.04.117, AND 10.04.227; AND ADDING CHAPTER 10.05 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING PARKING REGUALTIONS 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. 1311, 1194, 661, 610, 214, 161, AND 131; and Sections 10.04.205, 10.04.210, 10.04.285, 10.04.117, and 10.04.227 are hereby amended and reenacted to read as follows:

10.04.205 Designated on-street bicycle lanes and pathways.

- A. For the purposes of this section, on-street bicycle lanes and pathways are the portions of a street or a pathway designated by appropriate signage, pavement markings, or curb markings for the preferred or exclusive use by bicycle or pedestrian traffic.
- B. It is lawful to ride or use Electric Bicycles, as defined in Section 10.13.010, in on-street bicycle lanes and pathways.
- C. It is unlawful to stop, stand, or park a motor vehicle in an on-street bicycle lane or pathway.
- D. It is unlawful to operate a motor vehicle in an on-street bicycle lane or pathway.
- E. This Section shall not apply in cases of unavoidable necessity, for the purpose of crossing to gain immediate access to an adjacent property, in cases of emergency, or when directed to do so by a peace officer or Special Municipal Officer, nor shall it apply to governmental agencies, utility providers, or other duly authorized persons engaged in the maintenance of on-street bicycle lanes, pathways, and adjacent utilities.

~~A. It shall be lawful to ride, operate, or use Electric Bicycles, as that term is defined in Section 10.13.010 of this Code, in the on street bike lanes and pathways within the Town, as such are designated by appropriate signage, pavement markings, or curb markings.~~

~~B. Except for the purpose of crossing to gain immediate access to an adjacent property, in the case of an emergency, or when directed to do so by a law enforcement officer, it is unlawful to stop, stand, park, or operate a motor vehicle, motorcycle, or other motorized vehicle in any designated on-street bicycle lane or pathway, as, such is designated by appropriate signage, pavement markings, or curb markings. These provisions shall not apply to governmental agencies, utility providers or other duly authorized persons engaged in maintenance of said bicycle lanes, pathways, and adjacent utilities, nor in cases of unavoidable necessity.~~

(Ord. __, § __, ____; Ord. 1311 § 1, 2022; Ord. 1194 § 1, 2018; Ord. 661 § 1, 2000).

10.04.210 Evidence required on parking violation. Repealed.

The presence of any vehicle in or upon any public street, alley, or municipal parking lot in the Town, parked in violation of the Town ordinances relating to the parking of vehicles, shall be prima facie evidence the person in whose name such vehicle is registered as owner did commit, or authorize the commission of such violation.

(Ord. __, § __, ____; Ord. 1311, § 1, 2022; Ord. 610 § 1, 1998; Ord. 214 § 1, 1977; Ord. 131 § 22, 1970).

10.04.285 Vehicle immobilization. Repealed.

A. ~~Definition.~~ For the purposes of this chapter, the word "immobilize" or "immobilization" means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable.

B. ~~Boot list.~~ As frequently as practicable, the Town Manager, or their designee, shall prepare and update the "boot list," consisting of vehicles that have three or more parking tickets for which the registered owner failed to timely pay the fine due, appear in court on the date assigned pursuant to a parking citation, or a combination of the two.

1. ~~Notice that a vehicle is subject to immobilization shall be served by the Town Manager, or their designee, by mail to the registered owner.~~

2. ~~A vehicle on the boot list and whose registered owner has been so notified by the Town Manager, or their designee, pursuant to section B.1 above, is subject to immobilization by the Town Manager, or their designee, while that vehicle is located upon any public property.~~

3. ~~A person immobilizing the vehicle shall attach to the vehicle, at the time of immobilization, a notice advising the owner that:~~

a. ~~The vehicle has been immobilized by the Town for three or more parking tickets for which the registered owner failed to pay the fines due, appear in court on the date assigned pursuant to a parking citation(s), or a combination of the two.~~

b. ~~Release from immobilization may be obtained by the issuance of a failure to appear citation to the person in control of the vehicle at the time of immobilization for all outstanding parking violations.~~

c. ~~Unless such failure to appear is issued within three business days of the immobilization, including the day the vehicle was immobilized, the vehicle may be impounded.~~

d. ~~It is unlawful for any person to remove or attempt to remove the immobilization device, to damage the immobilization device, or to move the vehicle with the immobilization device attached, unless authorized by the Town Manager, or their designee.~~

4. ~~The Town Manager, or their designee, shall remove a vehicle from the boot list and authorize its release from immobilization within 24 hours of the issuance of the failure to appear citation.~~

5. ~~If a vehicle immobilized pursuant to this section is not released within three business days of the immobilization, including the day the vehicle was immobilized, the Town Manager, or their designee, may require the vehicle to be removed or cause it to be removed and towed in accordance with the towing and impoundment provisions of this Code.~~

C. ~~Boot fee.~~ See JMC § 1.18.080, Administrative fees assessed in municipal court; Court costs assessed in municipal court.

D. ~~Authorized.~~ When the Town Manager, or their designee, finds a vehicle parked in violation of the provisions of this Code, they may immobilize the vehicle or cause the same to be done if that vehicle appears on the boot list.

~~E. *Alternate procedure.* The provisions of this section are declared to provide an alternative manner for the enforcement of the provisions of this Code pertaining to parking violations and shall not preclude impoundment of the vehicle parked as otherwise authorized pursuant to this Code or any other method of enforcing the parking ordinances.~~

~~F. *Tampering with immobilization device.* It is unlawful to tamper with, damage, corrupt, or impair an immobilization device placed on a vehicle.~~

(Ord. __, § __, ____; Ord. 1311 § 1, 2022).

10.04.217 Tampering with immobilization device.

- A. For the purposes of this Section, the term “immobilization device” means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable in accordance with Section 10.05.120.
- B. It is unlawful for any person to do any of the following acts when an immobilization device is used to immobilize a vehicle in accordance with Section 10.05.120 unless such action is authorized by the Town Manager, or their designee:
 - 1. Remove an immobilization device,
 - 2. Attempt to remove an immobilization device,
 - 3. Damage an immobilization device,
 - 4. Tamper with an immobilization device, or
 - 5. Move a vehicle with an immobilization device attached to the vehicle.

(Ord. __, § __, ____).

10.04.227 Parking of unregistered vehicles.

No person shall park a vehicle on any street within the Town, or in any public parking structure, parking lot, or other property owned, operated, leased, or maintained by the Town that does not plainly, visibly, and legibly display in proper position valid registration and license plates.

(Ord. __, § __, ____).

SECTION II.

Chapter 10.05 of the Municipal Code of the Town of Jackson is hereby created to read as follows:

Chapter 10.05 PARKING VIOLATIONS

10.05.010 Definitions.

The following words and phrases when used in this Chapter shall have the following meanings:

- A. “*Notice of Parking Violation*” means a written notice directing a person to answer an alleged Parking Violation.
- B. “*Operator*” means and includes every individual who operates a vehicle as the Owner thereof, or as the agent, employee, or permittee of the Owner, or is the individual who is in actual physical control of a vehicle.
- C. “*Owner*” or “*Registered Owner*” shall mean the registered owner of a vehicle.
- D. “*Parking Law*” shall mean any of the following provisions found in this Code:
 - 1. Section 10.04.130, Parking parallel to curb;
 - 2. Section 10.04.140, Angle parking – Restrictions;

3. Section 10.04.160, Additional prohibitions as to stopping or parking;
 4. Section 10.04.170, Parking in alleys;
 5. Section 10.04.190, Parking time limited on Town streets;
 6. Section 10.04.200, Parking spaces for persons with disabilities;
 7. Section 10.04.201, Bus stops/zones;
 8. Section 10.04.202, Horse-drawn carriage or stagecoach zones;
 9. Section 10.04.203, Fire lanes;
 10. Section 10.04.204, Motorcoaches;
 11. Section 10.04.205(C), Designated on-street bicycle lanes and pathways;
 12. Section 10.04.220, No overnight parking zones;
 13. Section 10.04.225, Public parking structure West Simpson Ave and South Milard St; and
 14. Section 10.04.300, Parking during winter maintenance.
 15. Section 10.04.227, Parking of unregistered vehicles.
- E. *“Parking Violation”* shall mean a vehicle found stopped, standing, or parked in violation of any Parking Law.

(Ord. __, § __, ____).

10.05.020 Parking Violation – Civil infraction.

- A. A Parking Violation shall constitute a civil infraction that is subject to a civil fine of not more than \$750.00.
- B. Notwithstanding a Parking Law being made or declared elsewhere in the Code to be unlawful, a criminal offense, or a misdemeanor, the Parking Law shall be treated as a civil infraction.

(Ord. __, § __, ____).

10.05.030 Liability for a Parking Violation.

- A. The Owner is liable for a Parking Violation. The presence of a particular vehicle in violation of any Parking Law shall be prima face evidence the Owner committed the violation at the time of such violation.
- B. An Operator of a vehicle served with a Notice of Parking Violation may answer the Notice of Parking Violation as set forth in this Chapter. The authorization for an Operator to answer a Notice of Parking Violation shall not absolve the Owner of liability for a Parking Violation.

(Ord. __, § __, ____).

10.05.040 Notice of Parking Violation.

A Notice of Parking Violation may be issued in accordance with this Chapter whenever a vehicle is found in violation of a Parking Law. A Notice of Parking Violation is prima facie evidence of the facts alleged therein.

(Ord. __, § __, ____).

10.05.050 Contents of Notice of Parking Violation.

- A. A Notice of Parking Violation shall be on a form provided by the Chief of Police, or their designee, and is required to contain, at minimum, the following information:
 1. The Registered Owner’s name;
 2. The state and license number or vehicle identification number, and the make of the vehicle found in violation,

3. The date, time, and location of the violation;
 4. The Parking Law violated;
 5. The name of the officer issuing the Notice of Parking Violation; and
 6. Information that advises of the manner and the time within which the Notice of Parking Violation must be answered.
- B. Error or omission of any of the required information, or any other defect or imperfection, shall not be grounds for the dismissal of an action relating to a Notice of Parking Violation unless the person requesting such a disposition demonstrates prejudice therefrom by a preponderance of the evidence.

(Ord. __, § __, ____).

10.05.060 Authority to Issue a Notice of Parking Violation.

A Notice of Parking Violation may be issued by any peace officer or by any Special Municipal Officer of the Jackson Police Department.

(Ord. __, § __, ____).

10.05.070 Filing of Notice of Parking Violation.

Notices of Parking Violation must be filed with the Municipal Court within 14 days of issuance. Any Notice of Parking Violation that is not filed within 14 days is void.

(Ord. __, § __, ____).

10.05.080 Service of Notice of Parking Violation.

- A. An original or duplicate Notice of Parking Violation must be served upon the Owner of the vehicle by one of the following means:
1. Affixing the Notice of Parking Violation to the vehicle in a conspicuous place;
 2. Serving the Notice of Parking Violation personally upon the Owner or Operator of the vehicle.
- B. An Operator of a vehicle who is not the Owner of the vehicle is deemed to be the agent of the Owner to be served a Notice of Parking Violation, whether it is served on the Operator personally or served by affixation, and service made by either manner is deemed to be lawful service upon the Owner.

(Ord. __, § __, ____).

10.05.090 Required answer to a Notice of Parking Violation.

- A. The Owner of a vehicle issued and served a Notice of Parking Violation in accordance with this Chapter must, within the time specified in the Notice of Parking Violation, answer the Notice of Parking Violation in one of the following manners:
1. Admit responsibility and liability for the violation of a Parking Law by paying the civil fine notated on the Notice of Parking Violation;
 2. Request a review of the Notice of Parking Violation by the Town Attorney, or their designee, to disclaim responsibility, or to dispute the propriety of the issuance of the Notice of Parking Violation or any penalties thereto in accordance with Section 10.05.100; or
 3. Request a hearing to contest the Notice of Parking Violation before the Municipal Court in accordance with Section 10.05.110.

- B. If the Owner fails to answer a Notice of Parking Violation within the time specified in the Notice of Parking Violation, the Municipal Court shall send a notice of delinquency by regular mail to the Owner at their last known address. The Owner will have 30 days after the date of the notice of delinquency to respond thereto in the manner provided in Subsection A.

(Ord. __, § __, ____).

10.05.100 Review of Notice of Parking Violation

- A. An Owner may initiate a review of the Notice of Parking Violation by submitting a request for review to the Town Attorney, or their designee. The request for review shall be submitted in a form and manner provided by the Town. The Town Attorney, or their designee, has the discretion to decide what action to take regarding the Notice of Parking Violation upon review.
- B. Notice of the decision made by the Town Attorney, or their designee, in connection with the review of the Notice of Parking Violation shall be provided by:
 - 1. Mailing such notice to the person at the address provided by the person; or
 - 2. Sending such notice to the person by electronic mail if the person requested communication by means of electronic mail.
- C. Within 14 days after the notice of the decision has been provided, the Owner must answer the Notice of Parking Violation in one of the following manners:
 - 1. Admit responsibility and liability for the violation of a Parking Law by paying in full the civil fine remaining to be paid regarding the Notice of Parking Violation; or
 - 2. Request a hearing to contest the Notice of Parking Violation before the Municipal Court in accordance with Section 10.05.110.
- D. If the Owner fails to answer a Notice of Parking Violation as set forth in Subsection C, the Municipal Court shall send a notice of delinquency by regular mail to the Owner at their last known address. The Owner will have 30 days after the date of the notice of delinquency to respond thereto in the manner provided in Subsection C.

(Ord. __, § __, ____).

10.05.110 Hearing on Notice of Parking Violations

- A. An Owner may request a hearing before the Municipal Court to contest a Notice of Parking Violation by submitting a written request for a hearing to the Municipal Court. The Municipal Court shall set a time and date for the hearing, which shall be within 45 days of receipt of the request for the hearing. The Municipal Court shall notify the parties in writing of the hearing time and date.
- B. The hearing shall be conducted and presided over by the Municipal Court. The parties shall have the right to be represented by counsel and to present testimony and evidence. The Municipal Court may proscribe any additional process and procedures deemed necessary for the hearing.
- C. The Municipal Court shall determine whether, by a preponderance of the evidence, a Parking Violation occurred. The Municipal Court's decision shall be final and binding on all parties.
- D. The Municipal Court shall impose a civil fine and court costs for a Parking Violation, which shall be paid at such times and on such conditions as the Municipal Court prescribes.
- E. The Municipal Court's decision regarding a Parking Violation may be appealed pursuant to and in the manner provided by Wyoming law.

(Ord. __, § __, ____).

10.05.120 Failure to act regarding a Notice of Parking Violation – Vehicle Immobilization.

- A. *Definitions.* For the purposes of this Section, the following words and phrases shall have the following meanings:
1. "Immobilize" or "Immobilization" means and includes the use of any device which may be attached or affixed to a vehicle and when so attached or affixed shall render the vehicle immovable.
 2. "Boot List" means and includes vehicles that are eligible for Immobilization because they have 3 or more Notices of Parking Violation for which the Owner failed to timely answer, failed to timely pay the fines due, failed to appear at a hearing set by the Municipal Court in connection with a Notice of Parking Violation, or a combination thereof.
 3. "Business Day" means 24 hours in a calendar day, excluding Saturday, Sunday, and legal holidays observed by the Town of Jackson.
- B. *Notice of impending Immobilization.* Prior to placing a vehicle on the Boot List, the Town Manager, or their designee, shall provide notice by regular mail to the Owner that a vehicle is subject to impending Immobilization and placement on the Boot List. The notice shall advise the Owner they may request a hearing regarding the impending Immobilization and placement on the Boot List before the Municipal Court by submitting a written request to the Municipal Court. The hearing shall be limited to whether the vehicle is properly subject to impending Immobilization and placement on the Boot List and shall not review the underlying Parking Violations that caused the vehicle to be subject to impending Immobilization and placement on the Boot List. Failure to request or attend such a hearing shall be deemed a waiver of the right to the hearing.
- C. *Placement on the Boot List.* If, within 30 days of the date of the notice of impending Immobilization and placement on the Boot List, the Owner fails to respond or fails to request a hearing, the Town Manager, or their designee, shall place the vehicle on the Boot List. If the Owner responds to the notice, but later defaults in any way, the Town Manager, or their designee, shall place the vehicle on the Boot List. The Town Manager, or their designee, shall prepare and update the Boot List as frequently as practicable.
- D. *Removal from Boot List.* A vehicle shall remain on the Boot List until all outstanding fines and fees have been paid in full, or a payment plan has been arranged with the Municipal Court. If a payment plan is arranged, the vehicle shall be temporarily removed from the boot list until all outstanding fines and fees are paid in full. If there is a default in the payment plan, the vehicle shall be returned to the boot list without further notice. A vehicle returned to the Boot List for a second time for the same Parking Violations shall not again be eligible for a payment plan and must pay all outstanding fines and fees in full to be removed from the Boot List.
- E. *Authorization.* The Town Manager, or their designee, is authorized to Immobilize a vehicle found parked on any public property if the vehicle is on the Boot List and the notice requirements for impending immobilization have been met.
- F. *Immobilization.* A notice shall be attached to the vehicle at the time of Immobilization that contains the following information:
1. The vehicle has been immobilized by the Town for 3 or more Notices of Parking Violation for which the Owner failed to timely answer, to timely pay the fines due, failed to appear at a hearing set by the Municipal Court in connection with a Notice of Parking Violation, or a combination thereof.
 2. Release from Immobilization may be obtained if all outstanding fines and fees are paid in full or a payment plan is arranged with the Municipal Court.
 3. The vehicle may be impounded if an Immobilization device is not removed from a vehicle within 3 days of the Immobilization, including the day the vehicle was Immobilized.
 4. It is unlawful for any person to remove or attempt to remove the Immobilization device, to damage the Immobilization device, to tamper with an Immobilization device, or to move

the vehicle with the Immobilization device attached, unless authorized by the Town Manager, or their designee.

- G. *Release from immobilization.* The Town Manager, or their designee, shall release a vehicle from Immobilization if all outstanding fines and fees have been paid in full, or a payment plan is arranged with the Municipal Court. The vehicle shall be released from Immobilization promptly but no later than within one Business Day of payment or arrangement of a payment plan. If a payment plan is arranged, the vehicle shall be temporarily removed from the Boot List until all outstanding fines and fees are paid in full. If there is a default in the payment plan, the vehicle shall be returned to the Boot List without further notice. A vehicle returned to the Boot List for a second time for the same Parking Violations shall not again be eligible for a payment plan in the event of Immobilization.
- H. *Impoundment.* If an Immobilization device is not removed from a vehicle within 3 days of the immobilization, including the day the vehicle was Immobilized, the Town Manager, or their designee, may require the vehicle to be removed or cause it to be removed and towed in accordance with the towing and impoundment provisions of this Code.
- I. *Boot List fee.* A fee in an amount established by resolution shall be assessed for each time a vehicle is placed on the Boot List.
- J. *Alternate procedure.* The provisions of this Section are declared to provide an alternative manner for the enforcement of the provisions of this Code pertaining to parking violations and shall not preclude impoundment of the vehicle parked as otherwise authorized pursuant to this Code or any other method of enforcing the parking ordinances. The Town is entitled to collect the amount of any fines or fees incurred under this Chapter by means of any remedy available under applicable law, including referring the matter to a collection agency.

(Ord. __, § __, ____).

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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:	August 5, 2024	Meeting Title:	Regular Town Council Meeting
Submitting Department:	Planning Department	Presenter:	Katelyn Page
Agenda Item:	First Reading Ordinance J to update director titles in the LDRs (P24-042)	Public Comment:	Yes

Purpose & Policy Considerations.

To approve at first reading Ordinance J to update the Town of Jackson's Land Development Regulations (LDRs) regarding director titles.

Requested Action.

Request to approve at first reading Ordinance J which would modify the Town of Jackson's LDRs regarding director titles. Ordinance J would modify the following sections of the LDRs:

- 4.3.1 – All Planned Resort Zones
- 8.2.4 – Application Submittal
- 8.6.3 – Zoning Compliance Verification (ZCV)
- 8.7.4 – Planned Unit Development (PUD)
- 8.9.2 – Violations
- 8.9.4 – Abatement of Violations
- 8.10.1 – Community Development Director
- 8.10.2 – Planning Director
- 8.10.3 – Plan Review Committee

Recommendation.

The Planning Director recommends Council approve at first reading proposed Ordinance J as presented in this staff report.

Background.

At the July 15, 2024, Regular Council meeting, staff presented to Council a proposed LDR text amendment regarding director titles. Council directed staff to draft an ordinance for first reading at the next available opportunity. The July 15, 2024, staff report referencing P23-042 is attached hereto.

Public Comment.

No public comment has been received by staff at the time of this report.

Staff Findings.

Pursuant to Section 8.7.2 of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt, modify, or deny a proposed LDR Text Amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs;*

Complies. The purposes of the LDRs per Division 1.3 are generally to implement the Comprehensive Plan and to promote the health, safety, and general welfare of the present and future inhabitants of the community. Staff finds the proposed amendment maintains this purpose but improves the organization of the LDRs to best reflect a change in the organizational structure of the Town of Jackson.

2. *Improves the consistency of the LDRs with other provisions of the LDRs;*

Complies. The proposed amendment updates Director titles and responsibilities to improve consistency across LDR Sections noted in this staff report and between the LDRs and the current organizational structure of the Town of Jackson.

3. *Provides flexibility for landowners within standards that clearly define desired character;*

Complies. The proposed amendment does not impact such flexibility for landowners but simply updates references to roles and responsibilities required of certain Town employees.

4. *Is necessary to address changing conditions, public necessity, and/or state or federal legislation;*

Complies. The amendment proposes to update Director titles and responsibilities to be reflective of the recent change in the Town of Jackson's organizational structure.

5. *Improves implementation of the Comprehensive Plan; and*

Not Applicable. Not applicable per Wyoming State statute.

6. *Is consistent with other adopted Town Ordinances.*

Complies. The proposed amendment does not conflict with any other Town Ordinances.

Fiscal Impact.

None identified at this time.

Staff Impact.

The amount of staff time to research and draft this proposed text amendment and ordinance is approximately 11 hours.

Attachments or Links.

Ordinance J Redline

Ordinance J Blackline

Staff Report P24-042 dated July 15, 2024

Suggested Motions.

I move to approve Ordinance J on first reading.

ORDINANCE J

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1196, 1257, AND 1258; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 1074 (PART) AND 1165; SECTION 3 OF TOWN OF JACKSON ORDINANCE NO. 1161; SECTIONS 10, 11, 15, AND 16 OF TOWN OF JACKSON ORDINANCE NO. 1165; AND SECTIONS 4.3.1, 8.2.4, 8.6.3, 8.7.4, 8.9.2, 8.9.4, 8.10.1, 8.10.2, AND 8.10.3 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING THE COMMUNITY DEVELOPMENT DIRECTOR.

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 1257; Section 2 of Town of Jackson Ordinance No. 1074 (part); Section 3 of Town of Jackson Ordinance No. 1161; and Section 4.3.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

4.3.1. All Planned Resort Zones.

...

- E. **Procedure.** A Planned Resort master plan shall be reviewed pursuant to the standard procedures set forth for review of a PUD in Section 8.7.4. In addition, all Planned Resort master plans shall comply with the following procedural standards.

...

3. **Submittal Components.** A Planned Resort master plan application shall include all lands in a given resort area, as listed in subsection 4.3.1.B. The minimum requirements for a master plan application shall be established by the ~~Community Development~~Planning Director and shall include, but not be limited to:

...

(Ord. ____ § 1, 2024; Ord. 1257 § 1, 2020; Ord. 1196 § 1, 2018; Ord. 1161 § 3, 2017)

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1258; Section 2 of Town of Jackson Ordinance Nos. 1074 (part) and 1165; Sections 10, 11, 15, and 16 of Town of Jackson Ordinance No. 1165; and Sections 8.2.4, 8.6.3, 8.7.4, 8.9.2, 8.9.4, 8.10.1, 8.10.2, and 8.10.3 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

8.2.4. Application Submittal.

...

- D. **Application Consolidation.** The application review process is intended to encourage efficient processing. Applicants are encouraged to consolidate the review of concurrent applications for a single site to the extent practical. Appropriate application consolidation will be established at the pre-application conference or by the ~~Community Development Director along with the~~ Planning Director and may include the waiver of overlapping application requirements. The ~~Community Development Director along with the~~ Planning Director may require application consolidation where the information from one application is necessary to review the compliance of another application.

...

- F. **Significant Modifications.** If at any point during the review of an application ~~the Community Development Director along with~~ the Planning Director deems that revisions to the application are significant enough to render previous reviews incomplete or obsolete, ~~the Community Development Director along with~~ the Planning Director may declare that the revision is a resubmittal or a new application and declare the original application withdrawn. Such a declaration resets all review deadlines and processes, and ~~the Community Development Director along with~~ the Planning Director may assess a new application fee.

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020; Ord. 1165 § 2, 2017)

8.6.3. Zoning Compliance Verification (ZCV).

...

- C. **Findings.** In order to issue a zoning compliance verification the ~~Community Development Director along with~~ the Planning Director shall find that the property, portion of the property, or attribute of the property in question:

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020; Ord. 1165 § 10, 2017)

8.7.4. Planned Unit Development (PUD).

...

- F. **Expiration.**

...

2. **Effect of Expiration.** Upon expiration, all rights established by the master plan shall become null and void. The Town shall amend the Official Zoning Map pursuant Section 8.7.3 from PUD to the zone that existed on the land prior to the PUD approval. If the prior zone no longer exists, the ~~Community Development Director~~ Planning Director shall propose the appropriate zone in which to place the land.

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020; Ord. 1165 § 11, 2017)

8.9.2. Violations.

...

- B. **Inspection.** The ~~Community Development Director along with the~~ Planning Director shall gain permission prior to entering onto land within the Town to inspect suspected violations of these LDRs.

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020)

8.9.4. Abatement of Violations.

- A. **Purpose.** Violations of these LDRs may be abated at the election of ~~the Community Development Director along with~~ the Planning Director. This procedure shall not be the sole remedy available, and the Town may enforce these LDRs in any manner provided by law.

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020; Ord. 1165 § 15, 2017)

8.10.1. Community Development Director. (Repealed)

- ~~A. **Creation and Appointment.** The Community Development Director shall be appointed by and serve at the pleasure of the Town Administrator.~~
- ~~B. **Jurisdiction, Authority, and Duties.** In addition to the jurisdiction, authority, and duties which may be conferred upon the Community Development Director by other provisions of the Jackson Municipal Code and the Town Council, the Community Development Director shall have the following jurisdiction, authorities, and duties under these LDRs:~~
- ~~1. To initiate or review, consider, and recommend to the Town Council a decision on the following legislative applications:~~
 - ~~a. LDR text amendments pursuant to Section 8.7.2;~~
 - ~~b. Zoning Map amendment pursuant to Section 8.7.3;~~
 - ~~c. Planned Unit Development pursuant to Section 8.7.4.~~
 - ~~2. To review the effectiveness of these LDRs and the Official Zoning Map in implementing the Comprehensive Plan; and~~
 - ~~3. To lead and provide recommendations to the Town Council on strategic, longrange planning efforts on behalf of the Town including but not limited to the Comprehensive Plan, Integrated Transportation Plan, Housing Action Plan, etc.~~
- ~~C. **Delegation.** Any authority or duty of the Community Development Director may be delegated to a professional level employee of the Community Development Department or Planning Department, unless specified otherwise by these LDRs.~~

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020)

8.10.2. Planning and Building Director.

- A. **Creation and Appointment.** The Planning and Building Director (hereinafter "Planning Director") shall be the agency head of the Planning and Building Department and shall be appointed by and serve at the pleasure of the Town Administrator.
- B. **Jurisdiction, Authority, and Duties.** In addition to the jurisdiction, authority, and duties which may be conferred upon the Planning Director by other provisions of the Jackson Municipal Code and the Town Council, the Planning Director shall have the following jurisdiction, authorities, and duties under these LDRs:

...

10. To initiate or review, consider, and recommend to the Town Council a decision on the following legislative applications:
 - a. LDR text amendments pursuant to Section 8.7.2;

b. Zoning Map amendment pursuant to Section 8.7.3;

c. Planned Unit Development pursuant to Section 8.7.4.

11. To review the effectiveness of these LDRs and the Official Zoning Map in implementing the Comprehensive Plan; and

12. To lead and provide recommendations to the Town Council on strategic, long-range planning efforts on behalf of the Town including but not limited to the Comprehensive Plan, Integrated Transportation Plan, Housing Action Plan, etc.

~~103.~~ To initiate actions to revoke permits where the physical development, use, or development option is not in compliance with the terms and conditions of the permit;

~~144.~~ To initiate requests to the Town Attorney to institute proceedings against the violators of these LDRs;

~~125.~~ To undertake the day-to-day administration of the LDRs;

~~136.~~ To serve as the Secretary to the Planning and Zoning Commission/Board of Adjustment pursuant to the terms of the LDRs; and

~~147.~~ To take such other action and perform such other duties as may be provided for in the LDRs.

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020)

8.10.3. Plan Review Committee.

A. **Purpose.** The purpose of the Plan Review Committee (PRC) is to advise and assist the Planning Director ~~and Community Development Director~~ in reviewing, making recommendations, and deciding applications by providing technical assistance regarding compliance with the LDRs.

...

(Ord. ____ § 2, 2024; Ord. No. 1258 § 1, 2020; Ord. 1165 § 16, 2017)

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 J

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1196, 1257, AND 1258; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 1074 (PART) AND 1165; SECTION 3 OF TOWN OF JACKSON ORDINANCE NO. 1161; SECTIONS 10, 11, 15, AND 16 OF TOWN OF JACKSON ORDINANCE NO. 1165; AND SECTIONS 4.3.1, 8.2.4, 8.6.3, 8.7.4, 8.9.2, 8.9.4, 8.10.1, 8.10.2, AND 8.10.3 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING THE COMMUNITY DEVELOPMENT DIRECTOR.

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4.3.1. All Planned Resort Zones.

...

- E. **Procedure.** A Planned Resort master plan shall be reviewed pursuant to the standard procedures set forth for review of a PUD in Section 8.7.4. In addition, all Planned Resort master plans shall comply with the following procedural standards.

...

3. **Submittal Components.** A Planned Resort master plan application shall include all lands in a given resort area, as listed in subsection 4.3.1.B. The minimum requirements for a master plan application shall be established by the Planning Director and shall include, but not be limited to:

...

(Ord. ____ § 1, 2024; Ord. 1257 § 1, 2020; Ord. 1196 § 1, 2018; Ord. 1161 § 3, 2017)

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1258; Section 2 of Town of Jackson Ordinance Nos. 1074 (part) and 1165; Sections 10, 11, 15, and 16 of Town of Jackson Ordinance No. 1165; and Sections 8.2.4, 8.6.3, 8.7.4, 8.9.2, 8.9.4, 8.10.1, 8.10.2, and 8.10.3 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

8.2.4. Application Submittal.

...

- D. **Application Consolidation.** The application review process is intended to encourage efficient processing. Applicants are encouraged to consolidate the review of concurrent applications for a single site to the extent practical. Appropriate application consolidation will be established at the pre-application conference or by the Planning Director and may include the waiver of overlapping application requirements. The Planning Director may require application consolidation where the information from one application is necessary to review the compliance of another application.

...

- F. **Significant Modifications.** If at any point during the review of an application the Planning Director deems that revisions to the application are significant enough to render previous reviews incomplete or obsolete, the Planning Director may declare that the revision is a resubmittal or a new application and declare the original application withdrawn. Such a declaration resets all review deadlines and processes, and the Planning Director may assess a new application fee.

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020; Ord. 1165 § 2, 2017)

8.6.3. Zoning Compliance Verification (ZCV).

...

- C. **Findings.** In order to issue a zoning compliance verification the Planning Director shall find that the property, portion of the property, or attribute of the property in question:

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020; Ord. 1165 § 10, 2017)

8.7.4. Planned Unit Development (PUD).

...

- F. **Expiration.**

...

2. **Effect of Expiration.** Upon expiration, all rights established by the master plan shall become null and void. The Town shall amend the Official Zoning Map pursuant Section 8.7.3 from PUD to the zone that existed on the land prior to the PUD approval. If the prior zone no longer exists, the Planning Director shall propose the appropriate zone in which to place the land.

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8.9.2. Violations.

...

- B. **Inspection.** The Planning Director shall gain permission prior to entering onto land within the Town to inspect suspected violations of these LDRs.

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020)

8.9.4. Abatement of Violations.

- A. **Purpose.** Violations of these LDRs may be abated at the election of the Planning Director. This procedure shall not be the sole remedy available, and the Town may enforce these LDRs in any manner provided by law.

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020; Ord. 1165 § 15, 2017)

8.10.1. Community Development Director. (Repealed)

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020)

8.10.2. Planning and Building Director.

- A. Creation and Appointment. The Planning and Building Director (hereinafter “Planning Director”) shall be the agency head of the Planning and Building Department and shall be appointed by and serve at the pleasure of the Town Administrator.
- B. Jurisdiction, Authority, and Duties. In addition to the jurisdiction, authority, and duties which may be conferred upon the Planning Director by other provisions of the Jackson Municipal Code and the Town Council, the Planning Director shall have the following jurisdiction, authorities, and duties under these LDRs:

...

- 10. To initiate or review, consider, and recommend to the Town Council a decision on the following legislative applications:
 - a. LDR text amendments pursuant to Section 8.7.2;
 - b. Zoning Map amendment pursuant to Section 8.7.3;
 - c. Planned Unit Development pursuant to Section 8.7.4.
- 11. To review the effectiveness of these LDRs and the Official Zoning Map in implementing the Comprehensive Plan; and
- 12. To lead and provide recommendations to the Town Council on strategic, long-range planning efforts on behalf of the Town including but not limited to the Comprehensive Plan, Integrated Transportation Plan, Housing Action Plan, etc.
- 13. To initiate actions to revoke permits where the physical development, use, or development option is not in compliance with the terms and conditions of the permit;
- 14. To initiate requests to the Town Attorney to institute proceedings against the violators of these LDRs;
- 15. To undertake the day-to-day administration of the LDRs;
- 16. To serve as the Secretary to the Planning and Zoning Commission/Board of Adjustment pursuant to the terms of the LDRs; and
- 17. To take such other action and perform such other duties as may be provided for in the LDRs.

...

(Ord. ____ § 2, 2024; Ord. 1258 § 1, 2020)

8.10.3. Plan Review Committee.

- A. **Purpose.** The purpose of the Plan Review Committee (PRC) is to advise and assist the Planning Director in reviewing, making recommendations, and deciding applications by providing technical assistance regarding compliance with the LDRs.

...

(Ord. ____ § 2, 2024; Ord. No. 1258 § 1, 2020; Ord. 1165 § 16, 2017)

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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:	July 15, 2024	Meeting Title:	Regular Town Council Meeting
Submitting Department:	Planning Department	Presenter:	Paul Anthony
Agenda Item:	P24-042: Request for an LDR Text Amendment to replace the title of Community Development Director and to introduce the title of Planning and Building Director	Public Comment:	Yes

Purpose & Policy Considerations.

All Text Amendments to the Town of Jackson Land Development Regulations (LDRs) require review and recommendation by the Planning Commission according to LDR Section 8.7.2. The Town Council makes the final decision on all LDR Text Amendments.

Requested Action.

This is a staff-initiated request. Staff proposes a Text Amendment to the Town of Jackson LDRs to repeal occurrences of the title “Community Development Director” and to introduce the title of “Planning and Building Director.” The proposed amendment would modify the following LDR Sections:

- 4.3.1 – All Planned Resort Zones
- 8.2.4 – Application Submittal
- 8.6.3 – Zoning Compliance Verification (ZCV)
- 8.7.4 – Planned Unit Development (PUD)
- 8.9.2 – Violations
- 8.9.4 – Abatement of Violations
- 8.10.1 – Community Development Director
- 8.10.2 – Planning Director
- 8.10.3 – Plan Review Committee

Recommendation.

The Planning Director recommends **approval** of LDR Text Amendment P24-042 as presented in this staff report.

Key Policy Question.

Staff has not identified any key policy questions for consideration at this time.

Background.

In early 2024, the Town of Jackson underwent an organizational restructuring that impacted various positions, titles, and responsibilities. The position of Community Development Director (CDD) was eliminated along with the Community Planning Department. The position of Planning Director was expanded to become “Planning and Building Director” to oversee operations of both those departments and to assume some responsibilities previously given to the CDD. This change essentially returns this position to the same responsibilities it had prior to the creation of the Community Development Department.

Proposed Amendment

This staff initiated proposed Text Amendment seeks to align references of the titles and functions currently found within the LDRs for CDD and Planning Director to the new organizational structure of the Town of Jackson.

Please refer to the attached redline ordinance reading for the specific language as the below table summarizes the proposed changes.

LDR Section	Regarding	Current Language	Proposed Language
4.3.1.E.3	Submittal requirements for master plan (resort zones) applications	References role of CDD	Deletes CDD and replaces with Planning Director if that title is not currently mentioned
8.2.4.D-F	Common procedural standards for application submittal and review		
8.6.3.C	Findings for Zoning Compliance Verifications		
8.7.4.F.2	Effect of Expiration of a Planned Unit Development (PUD)		
8.9.2.B	Inspections of Violations of these LDRs		
8.9.4.A	Abatement of Violations of these LDRs		
8.10.3	Plan Review Committee		
8.10.1	Community Development Director	Describes title and responsibility of CDD	Repeals this section in its entirety
8.10.2	Planning Director	References role of Planning Director	Expands title of Planning Director to Planning and Building Director and adds responsibilities previously given to the CDD under LDR Sec. 8.10.1 (to be repealed)

Analysis.

Staff recommend approval of all proposed changes. The proposed amendment will align outdated titles and responsibilities of the CDD and Planning Director to improve both the organization and consistency of the LDRs. These updates address a change in the organizational structure of the Town of Jackson. Staff find the proposed amendment meets the findings of approval required by LDR Sec. 8.7.2 as described below.

Planning Commission.

The Planning Commission reviewed this item at the April 17, 2024, meeting and recommended unanimous approval to Town Council by a vote of (6-0).

Public Comment.

No public comment has been received by staff at the time of this report.

Staff Findings.

Pursuant to Section 8.7.2 of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt, modify, or deny a proposed LDR Text Amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs;*

Complies. The purposes of the LDRs per Division 1.3 are generally to implement the Comprehensive Plan and to promote the health, safety, and general welfare of the present and future inhabitants of the community. Staff finds the proposed amendment maintains this purpose but improves the organization of the LDRs to best reflect a change in the organizational structure of the Town of Jackson.

2. *Improves the consistency of the LDRs with other provisions of the LDRs;*

Complies. The proposed amendment updates Director titles and responsibilities to improve consistency across LDR Sections noted in this staff report and between the LDRs and the current organizational structure of the Town of Jackson.

3. *Provides flexibility for landowners within standards that clearly define desired character;*

Complies. The proposed amendment does not impact such flexibility for landowners but simply updates references to roles and responsibilities required of certain Town employees.

4. *Is necessary to address changing conditions, public necessity, and/or state or federal legislation;*

Complies. The amendment proposes to update Director titles and responsibilities to be reflective of the recent change in the Town of Jackson's organizational structure.

5. *Improves implementation of the Comprehensive Plan; and*

Not Applicable. Not applicable per Wyoming State statute.

6. *Is consistent with other adopted Town Ordinances.*

Complies. The proposed amendment does not conflict with any other Town Ordinances.

Fiscal Impact.

None.

Staff Impact.

The amount of Staff time to review this Text Amendment, including research and report drafting, is approximately 10 hours.

Attachments or Links.

Ordinance Redline Draft

Ordinance Clean Draft

Department Reviews

Suggested Motion.

I move to **approve** LDR Text Amendment P24-042 based upon the findings presented in the staff report, the departmental reviews, minor changes by staff, and subject to this staff report dated July 15, 2024.

STAFF REPORT



Meeting Date:	August 5, 2024	Meeting Title:	Regular Town Council Meeting
Submitting Department:	Planning Department	Presenter:	Katelyn Page
Agenda Item:	First Reading Ordinance K to Sections Referencing Noise Standards in the LDRs (P24-043)	Public Comment:	Yes

Purpose & Policy Considerations.

To approve at first reading Ordinance K to update the Town of Jackson's Land Development Regulations (LDRs) regarding noise standards.

Requested Action.

Request to approve at first reading Ordinance K which would modify the Town of Jackson's LDRs regarding noise standards. Ordinance K would modify the following sections of the LDRs:

- 2.2.2 through 2.2.17 – Neighborhood Low Density-1 (NL-1) through Town Square-2 (TS-2)
- 2.3.10 – Business Park (BP)
- 2.3.13 – Mobile Home Park (MHP)
- 3.3.1 – Rural Residential-Town (R)
- 4.2.1 – Public/Semi-Public—Town (P/SP)
- 4.2.2 – Park and Open Space—Town (P)
- 6.1.10 – Transportation and Infrastructure Uses
- 6.4.3 – Noise

Recommendation.

The Planning Director recommends Council approve at first reading proposed Ordinance K as presented in this staff report.

Background.

At the July 15, 2024, Regular Council meeting, staff presented to Council a proposed LDR text amendment regarding updates to noise standards. Council directed staff to draft an ordinance for first reading at the next available opportunity. The July 15, 2024, staff report referencing P23-043 is attached hereto.

Public Comment.

No public comment has been received by staff at the time of this report.

Staff Findings.

Pursuant to Section 8.7.2 of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt, modify, or deny a proposed LDR Text Amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs;*

Complies. The purposes of the LDRs per Division 1.3 are generally to implement the Comprehensive Plan and to promote the health, safety, and general welfare of the present and future inhabitants of the community. Staff finds the proposed amendment maintains this purpose but clarifies the organization of the LDRs to best reflect the adoption of Ordinance 1317 which updated noise standards in the Jackson Municipal Code.

2. *Improves the consistency of the LDRs with other provisions of the LDRs;*

Complies. The proposed amendment improves consistency of the LDRs. The proposed text consolidates references to noise standards to fewer sections then defers regulation and enforcement to the Municipal Code. Previous inconsistencies or errors in the LDR text for noise standards have been rectified through this process.

3. *Provides flexibility for landowners within standards that clearly define desired character;*

Complies. The proposed amendment maintains landowners' flexibility and shifts the regulation and enforcement of noise standards from the Land Development Regulations to the Jackson Municipal Code.

4. *Is necessary to address changing conditions, public necessity, and/or state or federal legislation;*

Complies. The proposed amendment responds to adopted changes in the Jackson Municipal Code as part of Ordinance 1317.

5. *Improves implementation of the Comprehensive Plan; and*

Not Applicable. Not applicable per Wyoming State statute.

6. *Is consistent with other adopted Town Ordinances.*

Complies. The proposed amendment provides consistency between the LDRs and the Jackson Municipal Code which currently have duplicative noise standards.

Fiscal Impact.

None identified at this time.

Staff Impact.

The amount of staff time to research and draft this proposed text amendment and ordinance is approximately 11 hours.

Attachments or Links.

Ordinance K Redline

Ordinance K Blackline

Staff Report P24-043 dated July 15, 2024

Suggested Motions.

I move to approve Ordinance K on first reading.

ORDINANCE ____

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1094, 1110, 1136, 1149, 1152, 1159, 1160, 1161, 1170, 1196, 1197, 1198, 1210 THROUGH 1222, 1273, 1278, 1299, 1313, 1314, 1316, 1324, 1338, AND 1343; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 1074 (PART), 1122, 1139, AND 1161; SECTIONS 3 THROUGH 13 OF TOWN OF JACKSON ORDINANCE NO. 1348; SECTION 4 OF TOWN OF JACKSON ORDINANCE NO. 1125; SECTION 8 OF TOWN OF JACKSON ORDINANCE NO. 1163; SECTION 11 OF TOWN OF JACKSON ORDINANCE NOS. 1111 AND 1159; SECTION 14 OF TOWN OF JACKSON ORDINANCE NO. 1111; SECTION 18 THROUGH 20 OF TOWN OF JACKSON ORDINANCE NO. 1111; AND SECTIONS 2.2.2 THROUGH 2.2.17, 2.3.10, 2.3.13, 3.3.1, 4.2.1, 4.2.2, 6.1.10, AND 6.4.3 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING NOISE.

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. 1136, 1149, 1159, 1170, 1196, 1197, 1198, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1273, 1278, 1299, 1313, 1316, 1324, 1338, and 1343; Section 2 of Town of Jackson Ordinance Nos. 1074 (part) and 1222; Section 3 of Town of Jackson Ordinance No. 1348; Section 4 of Town of Jackson Ordinance No. 1348; Section 5 of Town of Jackson Ordinance No. 1348; Section 6 of Town of Jackson Ordinance No. 1348; Section 7 of Town of Jackson Ordinance No. 1348; Section 8 of Town of Jackson Ordinance No. 1348; Section 9 of Town of Jackson Ordinance No. 1348; Section 10 of Town of Jackson Ordinance No. 1348; Section 11 of Town of Jackson Ordinance Nos. 1111, 1159, and 1348; Section 12 of Town of Jackson Ordinance No. 1348; Section 14 of Town of Jackson Ordinance No. 1111; and Sections 2.2.2, 2.2.3, 2.2.4, 2.2.5, 2.2.6, 2.2.7, 2.2.8, 2.2.9, 2.2.10, 2.2.11, 2.2.12, 2.2.13, 2.2.14, 2.2.15, 2.2.16, 2.2.17, 2.3.10, and 2.3.13 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

2.2.2. NL-1: Neighborhood Low Density-1.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-1 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-1 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-1 zone, however, all standards in Article 6 are applicable in the NL-1 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Noise(Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration(Sec. 6.4.4)

Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 3, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1210 § 1, 2019; Ord. 1197 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 1, 2017; Ord. 1149 § 1, 2016; Ord. 1136 § 1, 2016; Ord. 1122 § 2, 2016)

2.2.3. NL-2: Neighborhood Low Density-2.

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- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-2 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-2 zone. This subsection is intended to indicate all of the use standards applicable in the NL-2 zone, however, all standards in Article 6 are applicable in the NL-2 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Noise (Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

(Ord. ____ § 1, 2024; Ord. 1348 § 4, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1211 § 1, 2019; Ord. 1197 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 1, 2017; Ord. 1149 § 1, 2016; Ord. 1136 § 1, 2016; Ord. 1122 § 2, 2016)

2.2.4. NL-3: Neighborhood Low Density-3.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-3 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-3 zone. This subsection is intended to indicate all of the use standards applicable in the NL-3 zone, however, all standards in Article 6 are applicable in the NL-3 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)

Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required
Noise (Sec. 6.4.3)
— Sound level at property line (max) 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 5, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1212 § 1, 2019; Ord. 1197 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 1, 2017; Ord. 1149 § 1, 2016; Ord. 1136 § 1, 2016; Ord. 1122 § 2, 2016)

2.2.5. NL-4: Neighborhood Low Density-4.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-4 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-4 zone. This subsection is intended to indicate all of the use standards applicable in the NL-4 zone, however, all standards in Article 6 are applicable in the NL-4 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required
Noise (Sec. 6.4.3)
— Sound level at property line (max) 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 6, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1213 § 1, 2019; Ord. 1197 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 1, 2017; Ord. 1149 § 1, 2016; Ord. 1136 § 1, 2016; Ord. 1122 § 2, 2016)

2.2.6. NL-5: Neighborhood Low Density-5.

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- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-5 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the

NL-5 zone. This subsection is intended to indicate all of the use standards applicable in the NL-5 zone, however, all standards in Article 6 are applicable in the NL-5 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Noise(Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 7, 2023; Ord. 1338 § 1, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1299 § 1, 2021; Ord. 1214 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.7. NM-1: Neighborhood Medium Density-1.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NM-1 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NM-1 zone. This subsection is intended to indicate all of the use standards applicable in the NM-1 zone, however, all standards in Article 6 are applicable in the NM-1 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required > 4 DUs and all nonresidential
Noise(Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 8, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1215 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.8. NM-2: Neighborhood Medium Density-2.

...

- C. **Use Standards.** Standards applicable to uses in the NM-2 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use

determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NM-2 zone. This Subsection is intended to indicate all of the use standards applicable in the NM-2 zone, however, all standards in Article 6 are applicable in the NM-2 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure not required > 4 DUs and all nonresidential
Noise(Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 9, 2023; Ord. 1324 § 1, 2022; Ord. 1316 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1216 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.9. NH-1: Neighborhood High Density 1.

...

- C. **Use Standards.** Standards applicable to uses in the NH-1 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NH-1 zone. This Subsection is intended to indicate all of the use standards applicable in the NH-1 zone, however, all standards in Article 6 are applicable in the NH-1 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure not required > 4 DUs and all nonresidential
Noise(Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 10, 2023; Ord. 1343 § 1, 2023; Ord. 1324 § 1, 2022; Ord. 1316 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1217 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.10. OR: Office Residential.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to subsection 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required > 4 DUs and all nonresidential
Noise (Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 11, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021; Ord. 1218 § 1, 2019; Ord. 1198 § 1, 2018)

2.2.11. CR-1: Commercial Residential-1.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Noise (Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1219 § 1, 2019; Ord. 1198 § 1, 2018)

2.2.12. CR-2: Commercial Residential-2.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Noise(Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1220 § 1, 2019; Ord. 1198 § 1, 2018)

2.2.13. CR-3: Commercial Residential-3.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Noise(Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 12, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1273 § 1, 2021; Ord. 1221 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.14. DC-1: Downtown Core-1.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure Required
Noise(Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021; Ord. 1222 § 1, 2019; Ord. 1198 § 1, 2018)

2.2.15. DC-2: Downtown Core-2.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure Required
Noise(Sec. 6.4.3)
—Sound level at property line (max) 65 DBA

Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021)

2.2.16. TS-1: Town Square-1.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure > 4 DUs and all nonresidential
Noise (Sec. 6.4.3)
—Sound level at property line (max) 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021)

2.2.17. TS-2: Town Square-2.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure > 4 DUs and all nonresidential

Noise(Sec. 6.4.3)
— Sound level at property line (max) 65 DBA
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021)

2.3.10. Business Park (BP).

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the BP zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the BP zone. This Subsection is intended to indicate all of the use standards applicable in the BP zone, however, all standards in Article 6 are applicable in the BP zone, unless stated otherwise.

...

3. Maximum Scale of Use
Individual Use (floor area) (max)
Accessory residential unit 800 sf habitable
4. Operational Standards
Outdoor Storage (Sec. 6.4.1) (E.3.b)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Noise(Sec. 6.4.3)
— Sound level at property line (max) 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1170 § 1, 2017; Ord. 1159 § 8, 2017; Ord. 1136 § 1, 2016; Ord. 1111 § 11, 2016)

2.3.13. Mobile Home Park (MHP).

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the MHP zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the MHP zone. This Subsection is intended to indicate all of the use standards applicable in the MHP zone, however, all standards in Article 6 are applicable in the MHP zone, unless stated otherwise.

...

3. Maximum Scale of Use

Not applicable
4. Operational Standards
Outdoor Storage (Sec. 6.4.1) (E.3.b)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Noise (Sec. 6.4.3)
—Max sound level at property line 55 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 11, 2017; Ord. 1136 § 1, 2016; Ord. 1111 § 14, 2016)

SECTION II.

Section 1 of Town of Jackson Ordinance Nos. 1136, 1160, 1196, 1198, 1313, 1314, and 1324; Section 2 of Town of Jackson Ordinance Nos. 1074 (part) and 1139; Section 13 of Town of Jackson Ordinance No. 1348; Section 18 of Town of Jackson Ordinance No. 1111; and Section 3.3.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

3.3.1. Rural Residential-Town (R).

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the R zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the R zone. This Subsection is intended to indicate all of the use standards applicable in the R zone, however, all standards in Article 6. are applicable in the R zone, unless stated otherwise.

...

4.Operational Standards
Outside Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash and recycling enclosure required >4 DUs and all nonresidential
Noise (Sec. 6.4.3)
—Sound level at property line 65 DBA
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 2, 2024; Ord. 1348 § 13, 2023; Ord. 1324 § 1, 2022; Ord. 1314 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1160 § 1, 2017; Ord. 1139 § 2, 2016; Ord. 1136 § 1, 2016; Ord. 1111 § 18, 2016)

SECTION III.

Section 1 of Town of Jackson Ordinance Nos. 1136, 1161, 1196, 1198, 1313 and 1324; Section 2 of Town of Jackson Ordinance Nos. 1074 (part) and 1161; Sections 19 and 20 of Town of Jackson Ordinance No. 1111; and Sections 4.2.1 and 4.2.2 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

4.2.1. Public/Semi-Public—Town (P/SP)

...

- C. **Use Standards.** Standards applicable to uses in the P/SP zone are provided or referenced below. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the P/SP zone. This subsection is intended to indicate all of the use standards applicable in the P/SP zone, however, all standards in Article 6 are applicable in the P/SP zone, unless stated otherwise.

...

4.Nuisance Standards	
Outside Storage	(Sec. 6.4.1)
Refuse and Recycling	(Sec. 6.4.2)
Trash and recycling enclosure required	>4 DUs and all nonresidential
Noise	(Sec. 6.4.3)
—Max sound level at property line	65 DBA
Vibration	(Sec. 6.4.4)
Electrical Disturbances	(Sec. 6.4.5)
Fire and Explosive Hazards	(Sec. 6.4.6)

...

(Ord. ____ § 3, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1161 § 1, 2017; Ord. 1136 § 1, 2016; Ord. 1111 § 19, 2016)

4.2.2. Park and Open Space—Town (P)

...

- C. **Use Standards.** Standards applicable to uses in the P zone are provided or referenced below. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the P zone. This subsection is intended to indicate all of the use standards applicable in the P zone, however, all standards in Article 6 are applicable in the P zone, unless stated otherwise.

...

4.Nuisance Standards	
Outside Storage	(Sec. 6.4.1)
Refuse and Recycling	(Sec. 6.4.2)
Trash and recycling enclosure required	>4 DUs and all nonresidential

Noise	{Sec. 6.4.3}
—Max sound level at property line	65-DBA
Vibration	(Sec. 6.4.4)
Electrical Disturbances	(Sec. 6.4.5)
Fire and Explosive Hazards	(Sec. 6.4.6)

...
(Ord. ___ § 3, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1161 § 2, 2017; Ord. 1136 § 1, 2016; Ord. 1111 § 20, 2016)

SECTION IV.

Section 1 of Town of Jackson Ordinance Nos. 1094, 1110, 1152, and 1197; Section 2 of Town of Jackson Ordinance No. 1074 (part); Section 4 of Town of Jackson Ordinance No. 1125; Section 8 of Town of Jackson Ordinance No. 1163; and Sections 6.1.10 and 6.4.3 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

6.1.10. Transportation and Infrastructure Uses.

A. All Transportation and Infrastructure Uses.

...

3. Standards for Wireless Facility Permits.

- k). **Noise Level.** All sounds or noise emanating from a Wireless Facility, whether temporary or permanent, must comply with the noise standards set forth in Section 6.4.3 Chapter 9.44 of the Jackson Municipal Code.

...

(Ord. ___ § 4, 2024; Ord. 1163 § 8, 2017; Ord. 1110 § 1, 2016; Ord. 1094 § 1, 2015)

6.4.3. Noise.

All uses shall conform with the noise standards set forth in Chapter 9.44 of the Jackson Municipal Code.

- A. ~~**Maximum Noise.** Noises shall not exceed the maximum sound levels prescribed in the table below, beyond the site boundary lines, except that when a nonresidential activity in contiguous to a residential zone, the residential zone standard shall govern.~~

Noise Level Restrictions	
Zone	Maximum Permitted Sound Level
R, MHP, NL-1, NL-2, NL-3, NL-4, NL-5, NM-1, NM-2, NH-1	55-DBA
All other zones	65-DBA

B. ~~Exceptions.~~

- ~~**General.** Noises of vehicles, home appliances, and chain saws in private use, occasionally used safety signals, warning signals, emergency pressure relief valves, and temporary construction operations shall be exempt from the requirements of this Section.~~
- ~~**Limited Exception/Limited Interval of Time/One Day.** The maximum permitted sound level may be exceeded by ten-DBA for a single period, not to exceed 15 minutes, in any one day.~~

~~C. **Measurement.** Noise shall be measured with a sound level meter meeting the standards of the American National Standards Institute (ANSI S1.4-1961) "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale and the meter to the slow response. Measurements shall be conducted in accord with ANSI S1.2-1962 "American Standard Method for the Physical Measurement of Sound" (or most current standards). Measurements may be made at any point along a zone boundary or site boundary line.~~

SECTION V.

SECTION VI.

SECTION VII.

PASSED 1ST READING THE _____ DAY OF _____, 2024.
PASSED 2ND READING THE _____ DAY OF _____, 2024.
PASSED AND APPROVED THE _____ DAY OF _____, 2024.

ATTEST:

ATTESTATION OF TOWN CLERK

[illegible]

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 _____, 2024.

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 K

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1094, 1110, 1136, 1149, 1152, 1159, 1160, 1161, 1170, 1196, 1197, 1198, 1210 THROUGH 1222, 1273, 1278, 1299, 1313, 1314, 1316, 1324, 1338, AND 1343; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 1074 (PART), 1122, 1139, AND 1161; SECTIONS 3 THROUGH 13 OF TOWN OF JACKSON ORDINANCE NO. 1348; SECTION 4 OF TOWN OF JACKSON ORDINANCE NO. 1125; SECTION 8 OF TOWN OF JACKSON ORDINANCE NO. 1163; SECTION 11 OF TOWN OF JACKSON ORDINANCE NOS. 1111 AND 1159; SECTION 14 OF TOWN OF JACKSON ORDINANCE NO. 1111; SECTION 18 THROUGH 20 OF TOWN OF JACKSON ORDINANCE NO. 1111; AND SECTIONS 2.2.2 THROUGH 2.2.17, 2.3.10, 2.3.13, 3.3.1, 4.2.1, 4.2.2, 6.1.10, AND 6.4.3 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING NOISE.

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. 1136, 1149, 1159, 1170, 1196, 1197, 1198, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1273, 1278, 1299, 1313, 1316, 1324, 1338, and 1343; Section 2 of Town of Jackson Ordinance Nos. 1074 (part) and 1222; Section 3 of Town of Jackson Ordinance No. 1348; Section 4 of Town of Jackson Ordinance No. 1348; Section 5 of Town of Jackson Ordinance No. 1348; Section 6 of Town of Jackson Ordinance No. 1348; Section 7 of Town of Jackson Ordinance No. 1348; Section 8 of Town of Jackson Ordinance No. 1348; Section 9 of Town of Jackson Ordinance No. 1348; Section 10 of Town of Jackson Ordinance No. 1348; Section 11 of Town of Jackson Ordinance Nos. 1111, 1159, and 1348; Section 12 of Town of Jackson Ordinance No. 1348; Section 14 of Town of Jackson Ordinance No. 1111; and Sections 2.2.2, 2.2.3, 2.2.4, 2.2.5, 2.2.6, 2.2.7, 2.2.8, 2.2.9, 2.2.10, 2.2.11, 2.2.12, 2.2.13, 2.2.14, 2.2.15, 2.2.16, 2.2.17, 2.3.10, and 2.3.13 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

2.2.2. NL-1: Neighborhood Low Density-1.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-1 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-1 zone. This Subsection is intended to indicate all of the use standards applicable in the NL-1 zone, however, all standards in Article 6 are applicable in the NL-1 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 3, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1210 § 1, 2019; Ord. 1197 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 1, 2017; Ord. 1149 § 1, 2016; Ord. 1136 § 1, 2016; Ord. 1122 § 2, 2016)

2.2.3. NL-2: Neighborhood Low Density-2.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-2 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-2 zone. This subsection is intended to indicate all of the use standards applicable in the NL-2 zone, however, all standards in Article 6 are applicable in the NL-2 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

(Ord. ____ § 1, 2024; Ord. 1348 § 4, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1211 § 1, 2019; Ord. 1197 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 1, 2017; Ord. 1149 § 1, 2016; Ord. 1136 § 1, 2016; Ord. 1122 § 2, 2016)

2.2.4. NL-3: Neighborhood Low Density-3.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-3 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-3 zone. This subsection is intended to indicate all of the use standards applicable in the NL-3 zone, however, all standards in Article 6 are applicable in the NL-3 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 5, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1212 § 1, 2019; Ord. 1197 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 1, 2017; Ord. 1149 § 1, 2016; Ord. 1136 § 1, 2016; Ord. 1122 § 2, 2016)

2.2.5. NL-4: Neighborhood Low Density-4.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-4 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-4 zone. This subsection is intended to indicate all of the use standards applicable in the NL-4 zone, however, all standards in Article 6 are applicable in the NL-4 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 6, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1213 § 1, 2019; Ord. 1197 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 1, 2017; Ord. 1149 § 1, 2016; Ord. 1136 § 1, 2016; Ord. 1122 § 2, 2016)

2.2.6. NL-5: Neighborhood Low Density-5.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NL-5 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NL-5 zone. This subsection is intended to indicate all of the use standards applicable in the NL-5 zone, however, all standards in Article 6 are applicable in the NL-5 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 7, 2023; Ord. 1338 § 1, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1299 § 1, 2021; Ord. 1214 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.7. NM-1: Neighborhood Medium Density-1.

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the NM-1 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NM-1 zone. This subsection is intended to indicate all of the use standards applicable in the NM-1 zone, however, all standards in Article 6 are applicable in the NM-1 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 8, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1215 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.8. NM-2: Neighborhood Medium Density-2.

...

- C. **Use Standards.** Standards applicable to uses in the NM-2 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NM-2 zone. This Subsection is intended to indicate all of the use standards applicable in the NM-2 zone, however, all standards in Article 6 are applicable in the NM-2 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 9, 2023; Ord. 1324 § 1, 2022; Ord. 1316 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1216 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.9. NH-1: Neighborhood High Density 1.

...

- C. **Use Standards.** Standards applicable to uses in the NH-1 zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the NH-1 zone. This Subsection is intended to indicate all of the use standards applicable in the NH-1 zone, however, all standards in Article 6 are applicable in the NH-1 zone, unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 10, 2023; Ord. 1343 § 1, 2023; Ord. 1324 § 1, 2022; Ord. 1316 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1217 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.10. OR: Office Residential.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to subsection 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure not required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1348 § 11, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021; Ord. 1218 § 1, 2019; Ord. 1198 § 1, 2018)

2.2.11. CR-1: Commercial Residential-1.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1219 § 1, 2019; Ord. 1198 § 1, 2018)

2.2.12. CR-2: Commercial Residential-2.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1220 § 1, 2019; Ord. 1198 § 1, 2018)

2.2.13. CR-3: Commercial Residential-3.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ___ § 1, 2024; Ord. 1348 § 12, 2023; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1273 § 1, 2021; Ord. 1221 § 1, 2019; Ord. 1197 § 1, 2018)

2.2.14. DC-1: Downtown Core-1.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure Required
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ___ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021; Ord. 1222 § 1, 2019; Ord. 1198 § 1, 2018)

2.2.15. DC-2: Downtown Core-2.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure Required
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021)

2.2.16. TS-1: Town Square-1.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage(Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling(Sec. 6.4.2)
Trash & recycling enclosure > 4 DUs and all nonresidential
Vibration(Sec. 6.4.4)
Electrical Disturbances(Sec. 6.4.5)
Fire and Explosive Hazards(Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021)

2.2.17. TS-2: Town Square-2.

...

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

...

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1278 § 1, 2021)

2.3.10. Business Park (BP).

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the BP zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the BP zone. This Subsection is intended to indicate all of the use standards applicable in the BP zone, however, all standards in Article 6 are applicable in the BP zone, unless stated otherwise.

...

3. Maximum Scale of Use
Individual Use (floor area) (max)
Accessory residential unit 800 sf habitable
4. Operational Standards
Outdoor Storage (Sec. 6.4.1) (E.3.b)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 1, 2024; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1170 § 1, 2017; Ord. 1159 § 8, 2017; Ord. 1136 § 1, 2016; Ord. 1111 § 11, 2016)

2.3.13. Mobile Home Park (MHP).

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the MHP zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the MHP zone. This Subsection is intended to indicate all of the use standards applicable in the MHP zone, however, all standards in Article 6 are applicable in the MHP zone, unless stated otherwise.

...

3. Maximum Scale of Use
Not applicable
4. Operational Standards
Outdoor Storage (Sec. 6.4.1) (E.3.b)
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ___ § 1, 2024; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1159 § 11, 2017; Ord. 1136 § 1, 2016; Ord. 1111 § 14, 2016)

SECTION II.

Section 1 of Town of Jackson Ordinance Nos. 1136, 1160, 1196, 1198, 1313, 1314, and 1324; Section 2 of Town of Jackson Ordinance Nos. 1074 (part) and 1139; Section 13 of Town of Jackson Ordinance No. 1348; Section 18 of Town of Jackson Ordinance No. 1111; and Section 3.3.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

3.3.1. Rural Residential-Town (R).

...

- C. **Allowed Uses and Use Standards.** Standards applicable to uses in the R zone are provided or referenced below. Allowed uses are listed in Subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to subsection 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the R zone. This Subsection is intended to indicate all of the use standards applicable in the R zone, however, all standards in Article 6. are applicable in the R zone, unless stated otherwise.

...

4.Operational Standards
Outside Storage (Sec. 6.4.1)
Refuse and Recycling (Sec. 6.4.2)
Trash and recycling enclosure required >4 DUs and all nonresidential
Vibration (Sec. 6.4.4)

Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

...

(Ord. ____ § 2, 2024; Ord. 1348 § 13, 2023; Ord. 1324 § 1, 2022; Ord. 1314 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1160 § 1, 2017; Ord. 1139 § 2, 2016; Ord. 1136 § 1, 2016; Ord. 1111 § 18, 2016)

SECTION III.

Section 1 of Town of Jackson Ordinance Nos. 1136, 1161, 1196, 1198, 1313 and 1324; Section 2 of Town of Jackson Ordinance Nos. 1074 (part) and 1161; Sections 19 and 20 of Town of Jackson Ordinance No. 1111; and Sections 4.2.1 and 4.2.2 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

4.2.1. Public/Semi-Public—Town (P/SP)

...

- C. **Use Standards.** Standards applicable to uses in the P/SP zone are provided or referenced below. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the P/SP zone. This subsection is intended to indicate all of the use standards applicable in the P/SP zone, however, all standards in Article 6 are applicable in the P/SP zone, unless stated otherwise.

...

4.Nuisance Standards	
Outside Storage	(Sec. 6.4.1)
Refuse and Recycling	(Sec. 6.4.2)
Trash and recycling enclosure required	>4 DUs and all nonresidential
Vibration	(Sec. 6.4.4)
Electrical Disturbances	(Sec. 6.4.5)
Fire and Explosive Hazards	(Sec. 6.4.6)

...

(Ord. ____ § 3, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1161 § 1, 2017; Ord. 1136 § 1, 2016; Ord. 1111 § 19, 2016)

4.2.2. Park and Open Space—Town (P)

...

- C. **Use Standards.** Standards applicable to uses in the P zone are provided or referenced below. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited, unless a similar use determination is made pursuant to 6.1.2.D. Where a cross reference is provided, please see the referenced division or section for additional standards applicable in the P zone. This subsection is intended to indicate all of the use standards applicable in the P zone, however, all standards in Article 6 are applicable in the P zone, unless stated otherwise.

...

4.Nuisance Standards	
Outside Storage	(Sec. 6.4.1)
Refuse and Recycling	(Sec. 6.4.2)
Trash and recycling enclosure required	>4 DUs and all nonresidential
Vibration	(Sec. 6.4.4)
Electrical Disturbances	(Sec. 6.4.5)
Fire and Explosive Hazards	(Sec. 6.4.6)

...

(Ord. ____ § 3, 2024; Ord. 1324 § 1, 2022; Ord. 1313 § 1, 2022; Ord. 1198 § 1, 2018; Ord. 1196 § 1, 2018; Ord. 1161 § 2, 2017; Ord. 1136 § 1, 2016; Ord. 1111 § 20, 2016)

SECTION IV.

Section 1 of Town of Jackson Ordinance Nos. 1094, 1110, 1152, and 1197; Section 2 of Town of Jackson Ordinance No. 1074 (part); Section 4 of Town of Jackson Ordinance No. 1125; Section 8 of Town of Jackson Ordinance No. 1163; and Sections 6.1.10 and 6.4.3 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

6.1.10. Transportation and Infrastructure Uses.

A. All Transportation and Infrastructure Uses.

...

3. Standards for Wireless Facility Permits.

- k). **Noise Level.** All sounds or noise emanating from a Wireless Facility, whether temporary or permanent, must comply with the noise standards set forth in Chapter 9.44 of the Jackson Municipal Code.

...

(Ord. ____ § 4, 2024; Ord. 1163 § 8, 2017; Ord. 1110 § 1, 2016; Ord. 1094 § 1, 2015)

6.4.3. Noise.

All uses shall conform with the noise standards set forth in Chapter 9.44 of the Jackson Municipal Code.

(Ord. ____ § 4, 2024; Ord. 1125 § 4, 2016; Ord. 1152 § 1, 2016; Ord. 1197 § 1, 2018)

SECTION V.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI.

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 VII.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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:	July 15, 2024	Meeting Title:	Regular Town Council Meeting
Submitting Department:	Planning Department	Presenter:	Paul Anthony
Agenda Item:	P24-043: Request for an LDR Text Amendment to Repeal Sections Referencing Noise Standards	Public Comment:	Yes

Purpose & Policy Considerations.

All Text Amendments to the Town of Jackson Land Development Regulations (LDRs) require review and recommendation by the Planning Commission according to LDR Section 8.7.2. The Town Council makes the final decision on all LDR Text Amendments.

Requested Action.

This is a staff-initiated request. Staff proposes a Text Amendment to the Town of Jackson LDRs to repeal occurrences of noise standards within the LDRs. The proposed amendment would modify the following LDR Sections:

- 2.2.2 through 2.2.17 – Neighborhood Low Density-1 (NL-1) through Town Square-2 (TS-2)
- 2.3.10 – Business Park (BP)
- 2.3.13 – Mobile Home Park (MHP)
- 3.3.1 – Rural Residential-Town (R)
- 4.2.1 – Public/Semi-Public—Town (P/SP)
- 4.2.2 – Park and Open Space—Town (P)
- 6.1.10 – Transportation and Infrastructure Uses
- 6.4.3 – Noise

Recommendation.

The Planning Director recommends **approval** of LDR Text Amendment P24-043 as presented in this staff report.

Key Policy Question.

Staff has not identified any key policy questions for consideration at this time.

Background.

On June 6, 2022, the Town of Jackson adopted Ordinance 1317 which updated Chapter 9.44 of the Jackson Municipal Code regarding excessive noise standards. Upon adoption of Ordinance 1317, excessive noise within Town limits is now regulated through the Municipal Code rather than the LDRs. Thus, references to noise standards in the LDRs are not needed for their regulation and enforcement.

Proposed Amendment

This staff-initiated proposed Text Amendment seeks to repeal occurrences of noise standards and to then introduce references to the municipal code within the LDRs to provide consistency with other adopted Town Ordinances.

Please refer to the attached redline ordinance reading for the specific language as the below table summarizes the proposed changes.

LDR Section	Regarding	Current Language	Proposed Language
2.2.2.C.3 – 2.2.17.C.3, 2.3.10.C.4, 3.3.1.C.4, 4.2.1.C.4, 4.2.2.C.4	Operational (or Nuisance) Standards for zones: Neighborhood Low Density-1 (NL-1) through Town Square-2 (TS-2), Business Park (BP), Rural Residential-Town (R), Public/Semi-Public— Town (P/SP, Park and Open Space—Town (P)	Noise (Sec. 6.4.3) – Sound level at property line (max) 65 DBA or Max sound level at property line 65 DBA	Deletes current language
2.3.13.C.4	Operational Standards for Mobile Home Park (MHP) zone	Noise (Sec. 6.4.3) – Max sound level at property line 55 DBA	Deletes current language
6.1.10.A.3.k	Standards for Wireless Facility Permits for Transportation and Infrastructure Uses	References LDR Sec. 6.4.3	Defers to noise standards set forth in Chapter 9.44 of the Jackson Municipal Code
6.4.3	Noise	Sets standards for maximum noise, exceptions for, and measurement of	Deletes subsections for maximum noise, exceptions for, and measurement of, then defers to noise standards set forth in Chapter 9.44 of the Jackson Municipal Code

Analysis.

Staff recommend approval of all the proposed changes. The proposed amendment consolidates LDR references to noise standards then defers their regulation and enforcement to the Jackson Municipal Code. This eliminates the opportunity for duplicative or conflicting standards. Staff find the proposed amendment meets the findings of approval required by LDR Sec. 8.7.2 as described below.

Planning Commission.

The Planning Commission reviewed this item at the April 17, 2024, meeting and recommended unanimous approval to Town Council by a vote of (6-0).

Public Comment.

No public comment has been received by Staff at the time of this report.

Staff Findings.

Pursuant to Section 8.7.2 of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt, modify, or deny a proposed LDR Text Amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;

Complies. The purposes of the LDRs per Division 1.3 are generally to implement the Comprehensive Plan and to promote the health, safety, and general welfare of the present and future inhabitants of the community. Staff finds the proposed amendment maintains this purpose but clarifies the organization of the LDRs to best reflect the adoption of Ordinance 1317 which updated noise standards in the Jackson Municipal Code.

2. Improves the consistency of the LDRs with other provisions of the LDRs;

Complies. The proposed amendment improves consistency of the LDRs. The proposed text consolidates references to noise standards to fewer sections then defers regulation and enforcement to the Municipal Code. Previous inconsistencies or errors in the LDR text for noise standards have been rectified through this process.

3. Provides flexibility for landowners within standards that clearly define desired character;

Complies. The proposed amendment maintains landowners' flexibility and shifts the regulation and enforcement of noise standards from the Land Development Regulations to the Jackson Municipal Code.

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation;

Complies. The proposed amendment responds to adopted changes in the Jackson Municipal Code as part of Ordinance 1317.

5. Improves implementation of the Comprehensive Plan; and

Not Applicable. Not applicable per Wyoming State statute.

6. Is consistent with other adopted Town Ordinances.

Complies. The proposed amendment provides consistency between the LDRs and the Jackson Municipal Code which currently have duplicative noise standards.

Fiscal Impact.

None.

Staff Impact.

The amount of Staff time to review this Text Amendment, including research and report drafting, is approximately 10 hours.

Attachments or Links.

Ordinance Redline Draft

Ordinance Clean Draft

Department Reviews

Suggested Motion.

I move to **approve** LDR Text Amendment P24-043 based upon the findings presented in the staff report, the departmental reviews, minor changes by staff, and subject to this staff report dated July 15, 2024.

STAFF REPORT



Meeting Date:	August 5, 2024	Meeting Title:	Regular Town Council Meeting
Submitting Department:	Planning Department	Presenter:	Katelyn Page
Agenda Item:	First Reading Ordinance L to Amend Findings of Approval in the LDRs (P24-044)	Public Comment:	Yes

Purpose & Policy Considerations.

To approve at first reading Ordinance L to update the Town of Jackson's Land Development Regulations (LDRs) regarding findings of approval.

Requested Action.

Request to approve at first reading Ordinance L which would modify the Town of Jackson's LDRs regarding findings of approval. Ordinance L would modify the following sections of the LDRs:

- 4.3.1 – All Planned Resort Zones
- 8.3.2 – Sketch Plan
- 8.3.3 – Development Plan
- 8.4.3 – Conditional Use Permit
- 8.5.3 – Development Option Plan
- 8.7.2 – LDR Text Amendment
- 8.7.3 – Zoning Map Amendment
- 8.8.2 – Administrative Adjustment

Recommendation.

The Planning Director recommends Council approve at first reading proposed Ordinance L as presented in this staff report.

Background.

At the July 15, 2024, Regular Council meeting, staff presented to Council a proposed LDR text amendment regarding updates to findings of approval. Council directed staff to draft an ordinance for first reading at the next available opportunity. The July 15, 2024, staff report referencing P23-044 is attached hereto.

Public Comment.

No public comment has been received by staff at the time of this report.

Staff Findings.

Pursuant to Section 8.7.2 of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt, modify, or deny a proposed LDR Text Amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs;*

Complies. The purposes of the LDRs per Division 1.3 are generally to implement the Comprehensive Plan and to promote the health, safety, and general welfare of the present and future inhabitants of the community. Staff finds the proposed amendment maintains this purpose but improves the organization of the LDRs to best reflect a change in the organizational structure of the Town of Jackson.

2. *Improves the consistency of the LDRs with other provisions of the LDRs;*

Complies. The proposed amendment updates Director titles and responsibilities to improve consistency across LDR Sections noted in this staff report and between the LDRs and the current organizational structure of the Town of Jackson.

3. *Provides flexibility for landowners within standards that clearly define desired character;*

Complies. The proposed amendment does not impact such flexibility for landowners but simply updates references to roles and responsibilities required of certain Town employees.

4. *Is necessary to address changing conditions, public necessity, and/or state or federal legislation;*

Complies. The amendment proposes to update Director titles and responsibilities to be reflective of the recent change in the Town of Jackson's organizational structure.

5. *Improves implementation of the Comprehensive Plan; and*

Not Applicable. Not applicable per Wyoming State statute.

6. *Is consistent with other adopted Town Ordinances.*

Complies. The proposed amendment does not conflict with any other Town Ordinances.

Fiscal Impact.

None identified at this time.

Staff Impact.

The amount of staff time to research and draft this proposed text amendment and Ordinance is approximately 11 hours.

Attachments or Links.

Ordinance L Redline

Ordinance L Blackline

Staff Report P24-044 dated July 15, 2024

Suggested Motions.

I move to approve Ordinance L on first reading.

ORDINANCE L

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1196, 1257, 1258, AND 1273; SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART); SECTION 3 OF TOWN OF JACKSON ORDINANCE NO. 1161; AND SECTIONS 4.3.1, 8.3.2, 8.3.3, 8.4.3, 8.5.3, 8.7.2, 8.7.3, AND 8.8.2 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING FINDINGS OF CONSISTENCY WITH THE PURPOSES AND ORGANIZATION OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS.

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 1257; Section 2 of Town of Jackson Ordinance No. 1074 (part); Section 3 of Town of Jackson Ordinance No. 1161; and Section 4.3.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

4.3.1. All Planned Resort Zones.

...

D. **Findings for Approval.** A Planned Resort master plan shall be approved only if all of the following findings are made.

1. Consistency with the purposes and organization of the LDRs. The Planned Resort master plan is consistent with the purposes and organization of the LDRs. ~~Consistency with Comprehensive Plan. The Planned Resort master plan is consistent with the goals and objectives of the Jackson/Teton County Comprehensive Plan.~~

...

(Ord. § 1, 2024; Ord. 1257 § 1, 2020; Ord. 1196 § 1, 2018; Ord. 1161 § 3, 2017)

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1258 and 1273, Section 2 of Town of Jackson Ordinance No. 1074 (part); and Sections 8.3.2, 8.3.3, 8.4.3, 8.5.3, 8.7.2, 8.7.3, and 8.8.2 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

8.3.2. Sketch Plan.

...

C. **Findings for Approval.** A sketch plan shall be approved upon finding the application:

1. Is consistent with the purposes and organization of the LDRs. ~~Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan;~~

...

(Ord. § 2, 2024)

8.3.3. Development Plan.

...

C. **Findings for Approval.** A development plan shall be approved upon finding the application:

1. Is consistent with the purposes and organization of the LDRs~~Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan;~~

...

(Ord. § 2, 2024)

8.4.3. Conditional Use Permit (CUP).

...

C. **Findings for Approval.** A conditional use permit shall be approved upon finding the application:

1. Is consistent with the purposes and organization of the LDRs~~Is compatible with the desired future character of the area;~~

...

(Ord. § 2, 2024)

8.5.3. Development Option Plan.

...

C. **Findings for Approval.** A development option plan shall be approved upon finding the application:

1. Is consistent with the purposes and organization of the LDRs~~Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan;~~

...

(Ord. § 2, 2024)

8.7.2. LDR Text Amendment.

...

C. **Findings.** The advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;
2. Improves the consistency of the LDRs with other provisions of the LDRs;
3. Provides flexibility for landowners within standards that clearly define desired character;
4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation; and

~~5. Improves implementation of the Comprehensive Plan; and~~

~~6~~5. Is consistent with other adopted Town Ordinances.

...
(~~Ord. § 2, 2024;~~ Ord. 1258 § 1, 2020)

8.7.3. Zoning Map Amendment.

...
C. **Findings for Approval.** The advisability of amending the Official Zoning Map is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed zoning map amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;
- ~~2. Improves implementation of the desired future character defined in the Illustration of Our Vision chapter of the Comprehensive Plan;~~
- ~~32.~~ Is necessary to address changing conditions or a public necessity; and
- ~~43.~~ Is consistent with the other adopted Town Ordinances.

...
(~~Ord. § 2, 2024;~~ Ord. 1258 § 1, 2020)

8.8.2. Administrative Adjustment.

...
C. **Findings.** An administrative adjustment shall be approved upon finding the application:

3. ~~Is consistent with the purposes and organization of the LDRs; Is consistent with the purpose of the zone and the desired future character for the area described in the Comprehensive Plan;~~

...
(~~Ord. § 2, 2024;~~ Ord. 1273 § 1, 2021)

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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 L

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1196, 1257, 1258, AND 1273; SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART); SECTION 3 OF TOWN OF JACKSON ORDINANCE NO. 1161; AND SECTIONS 4.3.1, 8.3.2, 8.3.3, 8.4.3, 8.5.3, 8.7.2, 8.7.3, AND 8.8.2 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING FINDINGS OF CONSISTENCY WITH THE PURPOSES AND ORGANIZATION OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS.

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 1257; Section 2 of Town of Jackson Ordinance No. 1074 (part); Section 3 of Town of Jackson Ordinance No. 1161; and Section 4.3.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

4.3.1. All Planned Resort Zones.

...

D. **Findings for Approval.** A Planned Resort master plan shall be approved only if all of the following findings are made.

1. **Consistency with the purposes and organization of the LDRs.** The Planned Resort master plan is consistent with the purposes and organization of the LDRs.

...

(Ord. __ § 1, 2024; Ord. 1257 § 1, 2020; Ord. 1196 § 1, 2018; Ord. 1161 § 3, 2017)

SECTION II.

Section 1 of Town of Jackson Ordinance No. 1258 and 1273, Section 2 of Town of Jackson Ordinance No. 1074 (part); and Sections 8.3.2, 8.3.3, 8.4.3, 8.5.3, 8.7.2, 8.7.3, and 8.8.2 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

8.3.2. Sketch Plan.

...

C. **Findings for Approval.** A sketch plan shall be approved upon finding the application:

1. Is consistent with the purposes and organization of the LDRs.

...

(Ord. __ § 2, 2024)

8.3.3. Development Plan.

...

C. **Findings for Approval.** A development plan shall be approved upon finding the application:

1. Is consistent with the purposes and organization of the LDRs;

...

(Ord. __ § 2, 2024)

8.4.3. Conditional Use Permit (CUP).

...

C. **Findings for Approval.** A conditional use permit shall be approved upon finding the application:

1. Is consistent with the purposes and organization of the LDRs;

...

(Ord. __ § 2, 2024)

8.5.3. Development Option Plan.

...

C. **Findings for Approval.** A development option plan shall be approved upon finding the application:

1. Is consistent with the purposes and organization of the LDRs;

...

(Ord. __ § 2, 2024)

8.7.2. LDR Text Amendment.

...

C. **Findings.** The advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;
2. Improves the consistency of the LDRs with other provisions of the LDRs;
3. Provides flexibility for landowners within standards that clearly define desired character;
4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation; and
5. Is consistent with other adopted Town Ordinances.

...

(Ord. __ § 2, 2024; Ord. 1258 § 1, 2020)

8.7.3. Zoning Map Amendment.

...

- C. **Findings for Approval.** The advisability of amending the Official Zoning Map is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed zoning map amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:
1. Is consistent with the purposes and organization of the LDRs;
 2. Is necessary to address changing conditions or a public necessity; and
 3. Is consistent with the other adopted Town Ordinances.

...

(Ord. ___ § 2, 2024; Ord. 1258 § 1, 2020)

8.8.2. Administrative Adjustment.

...

- C. **Findings.** An administrative adjustment shall be approved upon finding the application:
3. Is consistent with the purposes and organization of the LDRs;

...

(Ord. ___ § 2, 2024; Ord. 1273 § 1, 2021)

SECTION III.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV.

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 V.

This Ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE ____ DAY OF _____, 2024.

PASSED 2ND READING THE ____ DAY OF _____, 2024.

PASSED AND APPROVED THE ____ DAY OF _____, 2024.

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 _____, 2024.

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:	July 15, 2024	Meeting Title:	Regular Town Council Meeting
Submitting Department:	Planning Department	Presenter:	Paul Anthony
Agenda Item:	P24-044: Request for an LDR Text Amendment to Findings of Approval	Public Comment:	Yes

Purpose & Policy Considerations.

All Text Amendments to the Town of Jackson Land Development Regulations (LDRs) require review and recommendation by the Planning Commission according to LDR Section 8.7.2. The Town Council makes the final decision on all LDR Text Amendments.

Requested Action.

This is a staff-initiated request. Staff proposes a Text Amendment to the Town of Jackson LDRs regarding findings of consistency with the purposes and organization of the Town of Jackson LDRs. The proposed amendment would modify the following LDR Sections:

- 4.3.1 – All Planned Resort Zones
- 8.3.2 – Sketch Plan
- 8.3.3 – Development Plan
- 8.4.3 – Conditional Use Permit
- 8.5.3 – Development Option Plan
- 8.7.2 – LDR Text Amendment
- 8.7.3 – Zoning Map Amendment
- 8.8.2 – Administrative Adjustment

Recommendation.

The Planning Director recommends **approval** of LDR Text Amendment P24-044 as presented in this staff report.

Key Policy Question.

Staff has not identified any key policy questions for consideration at this time.

Background.

All Wyoming counties are required by law to adopt Comprehensive Plans to guide future growth. Zoning is not required but if a zoning ordinance is adopted it must be done in accordance with a Comprehensive Plan. In reviewing a specific development application, however, a recent Wyoming Supreme Court case indirectly called into the question the ability of Towns to deny an application based solely on the reason that the project inconsistent with a Comprehensive Plan. Thus, because the LDRs currently include findings of approval for various permit types or administrative decisions that require consistency with the Jackson/Teton County Comprehensive Plan, the Town Attorney has advised that these findings be replaced with the proposed text.

Proposed Amendment

This staff-initiated Text Amendment seeks to replace references to consistency with the Jackson/Teton County Comprehensive Plan with consistency with the purposes and organization of the Town of Jackson LDRs. These occurrences are found in language for findings of approval for various permit types or administrative decisions. Please refer to the attached redline ordinance reading for the specific language as the below table summarizes the proposed changes.

LDR Section	Regarding	Current Language	Proposed Language
4.3.1.D.1	Findings for Approval for the Planned Resort Zones	Consistency with the Comprehensive Plan The Planned Resort master plan is consistent with the goals and objectives of the Jackson/Teton County Comprehensive Plan	Consistency with the purposes and organization of the LDRs The Planned Resort master plan is consistent with the purposes and organization of the LDRs
8.3.2.C.1 8.3.3.C.1 8.4.3.C.1 8.5.3.C.1	Findings for Approval for the following permits and administrative procedures: Sketch Plan, Development Plan, Conditional Use Permit, and Development Option Plan	Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan	Is consistent with the purposes and organization of the LDRs
8.7.2	Findings for Approval for LDR Text Amendments	Improves implementation of the Comprehensive Plan	Deletes this text
8.7.3	Findings for Approval for LDR Zoning Map Amendment	Improves implementation of the desired future character defined in the Illustration of Our Vision chapter of the Comprehensive Plan	Deletes this text
8.8.2.C.3	Findings for Approval for Administrative Adjustment	Is consistent with the purpose of the zone and the desired future character for the area described in the Comprehensive Plan	Is consistent with the purposes and organization of the LDRs

Analysis.

Staff recommend approval of all the proposed changes. The proposed amendment removes language within the LDRs requiring findings of consistency with the Jackson/Teton County Comprehensive Plan. Staff find the proposed amendment meets the findings of approval required by LDR Sec. 8.7.2 as described below.

Planning Commission.

The Planning Commission reviewed this item at the April 17, 2024, meeting and recommended unanimous approval to Town Council by a vote of (6-0).

Public Comment.

No public comment has been received by Staff at the time of this report.

Staff Findings.

Pursuant to Section 8.7.2 of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt, modify, or deny a proposed LDR Text Amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;

Complies. The purposes of the LDRs per Division 1.3 are generally to implement the Comprehensive Plan and to promote the health, safety, and general welfare of the present and future inhabitants of the community. The proposed amendment maintains this purpose while removing language that requires findings of approval to be consistent with the Jackson/Teton County Comprehensive Plan.

2. Improves the consistency of the LDRs with other provisions of the LDRs;

Complies. The proposed amendment maintains consistency between findings of approval and other provision of the LDRs while removing language that requires findings of approval to be consistent with the Jackson/Teton County Comprehensive Plan.

3. Provides flexibility for landowners within standards that clearly define desired character;

Complies. The proposed amendment maintains landowners' flexibility. The proposed amendment bases findings of approval solely on the purpose and intent of the LDRs and removes findings of approval to be consistent with the goals and objectives, desired future character, and/or implementation of the Jackson/Teton County Comprehensive Plan.

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation;

Complies. The proposed amendment responds to recent legal direction by the Supreme Court of Wyoming stating that denial of a zoning permit cannot be based solely upon a single finding of approval related to inconsistency with the Comprehensive Plan. The proposed Text Amendment removes language tying findings of approval in the Town of Jackson LDRs to the Jackson/Teton County Comprehensive Plan.

5. Improves implementation of the Comprehensive Plan; and

Not Applicable. Not applicable per Wyoming State statute. This Text Amendment would remove this finding of approval.

6. Is consistent with other adopted Town Ordinances.

Complies. The proposed amendment maintains consistency between the LDRs and other adopted Town Ordinances.

Fiscal Impact.

None.

Staff Impact.

The amount of Staff time to review this Text Amendment, including research and report drafting, is approximately 10 hours.

Attachments or Links.

Ordinance Redline Draft

Ordinance Clean Draft

Department Reviews

Suggested Motion.

I move to **approve** LDR Text Amendment P24-044 based upon the findings presented in the staff report, the departmental reviews, minor changes by staff, and subject to this staff report dated July 15, 2024.

STAFF REPORT



Meeting Date:	August 5, 2024	Meeting Title:	Regular Town Council
Submitting Department:	Internal Services	Presenter:	Lynsey Lenamond
Agenda Item:	Planning Commission/Board of Adjustment (PC/BOA) Reappointment	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for the Mayor and Council to consider a reappointment to the Planning Commission/Board of Adjustment ("PC/BOA").

Requested Action.

For Council to reappoint a board member with an expiring term on the PC/BOA.

Recommendations.

Staff recommends the reappointment of the relevant member of the PC/BOA.

Background.

The PC/BOA has 3-7 members, with each member term lasting three years. One member of the PC/BOA, Thomas Smits, has a term expiring July 31, 2024. He wishes to serve a new three-year term. The other current members are Katie Wilson, Anne Schuler, Abigail Petri, Stephanie Wise, and Laura Bonich.

Staff has advertised for two vacancies on the PC/BOA since May and has received no letters of interest. The other vacancy is for former member Christie Schutt who moved away. Staff will continue to advertise for that vacant seat. To ensure continuity of meetings and quorums, staff recommends Council reappoint Thomas Smits to a new term.

Analysis.

Section 2.40.010 of the Municipal Code relates to the Planning Commission and states, in relevant part, that the Planning Commission "*shall consist of an odd number of not more than 7 members and not less than 3*". The PC/BOA members are appointed by the Mayor with the advice and consent of the Town Council.

Possible Alternatives.

1. Make reappointment at a later date.
2. Direct staff to wait for letters of interest and schedule interviews.

Comprehensive Plan & Priority Alignment.

The Planning Commission/Board of Adjustment helps to ensure we accomplish Section 3, *Responsible Growth Management*, and Section 4, *Town as the Heart of the Region* of our Comprehensive Plan.

Fiscal Impact.

Advertising thus far has cost approximately \$2,310.

Staff Impact.

Staff spent approximately 5 hours speaking with board members and relevant department heads, preparing public ads, preparing a staff report, and updating the volunteer board database.

Attachments or Links.

None.

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

Mayor: I nominate Thomas Smits to the Planning Commission/Board of Adjustment for a three-year term, expiring July 31, 2027.

Council: I move to consent to the reappointment of Thomas Smits to the Planning Commission/Board of Adjustment for a three-year term, expiring July 31, 2027.

Mayor: I reappoint Thomas Smits to the Planning Commission/Board of Adjustment for a three-year term, expiring July 31, 2027.

MEMORANDUM

TO: Mayor and Town Council

FR: Tyler Sinclair, Town Manager

DT: August 5, 2024

RE: Town Manager's Report

Snow King Resort Master Association (SKRMA) Annual Report

As part of the Snow King Resort Master Plan approval, the Resort is required to provide the Town an annual report to ensure compliance with specific Master Plan requirements. The 2024 Report has been submitted on time and the Resort is in compliance with all requirements, staff has attached it to the Town Manager's Report for the public and Council's information.

Memorandum of Agreement with the Teton Conservation District

The Town of Jackson has an ongoing Memorandum of Understanding with the Teton Conservation District (TCD). Each year, we have the opportunity to partner with the TCD on conservation projects for which they provide up to 50% of the funding. The Town's portion of funding can include in-kind contributions and funding we receive from other partners. For fiscal year 2025, we requested financial support for three projects:

1. Water quality monitoring below the new wetlands to determine the impact of the additional wetlands on effluent that passes through prior to discharge into the Snake River. We began this study in fiscal year 2024 and hope to continue it for 3-5 years.
2. Per- and polyfluoroalkyl substance (PFAS) testing in surface waters.
3. Purchase of bear-resistant trash containers with educational messaging at Town Square and other prominent downtown locations.

The TCD has awarded the Town of Jackson the full amount of funding we requested. The attached Memorandum of Agreement (MOA) outlines the funding agreement. Upon approval of the Town Manager's Report, staff will have the MOA executed by Mayor Morton Levinson.

Temporary Sign Permits

The Temporary Sign Permits for Council consideration at this meeting are:

- ✓ Presbyterian Church of JH requests to hang one temporary banner at 105 Buffalo Way (Albertsons) from August 11-18, 2024, - to advertise their Annual Rummage Sale (P24-116).

Staff recommends approval of this request and with the approval of the Town Manager's report, staff will issue the Temporary Sign Permit as requested.

Town of Jackson Annual Report from SKRMA
Checklist

Due Date: 06/15/24
Period: 04/15/23 - 04/15/24

- | | |
|-------------------------------------|---|
| ☒ | A. Phasing plan compliance |
| ☒ | B. Confirmation that the SKRMA fee has been collected |
| ☒ | C. The current balance of the SKRMA Fee fund |
| ☒ | D. The current balance of the Reserved SKRMA Fund |
| ☒ | E. A list of the categories of expenditures that over the previous April 15 to April 15 year period the SKRMA fee has been spent on within the Resort District. |
| ☒ | F. SKRMA Board composition and contact information. |
| ☒ | G. Status of the SKRMA organization with the Secretary of State. |
| ☒ | H. The current SKRMA membership and contact information. |
| ☒ | I. Any irregular avalanche control the previous ski season. |
| ☒ | J. Confirmation of whether the ski lifts operated an average of 49/hours a week for the previous ski season. |
| ☒ | K. Information regarding the private shuttle service, if provided and if not, the financial contribution SKRMA made to START the previous year, |
| ☒ | L. Information on special events with the Resort District which have more than 200 guests including, but not limited to, the number of events, the location of each event, any complaints received from neighbors outside the Resort District, and the type of event. |

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

A. Phasing plan compliance

SKRMA is in compliance with the Phasing Plan listed in Condition 9 of the 2020 TOJ Master Plan Amendment.

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

B. Confirmation that the SKRMA fee has been collected

As Director of Property Management for Snow King Resort, I, April Bolden, hereby confirm that the SKRMA Fee has been collected for the period of April 15, 2023 to April 15, 2024. Please note, there is one short term rental licenses that has not yet sent in their quarterly payment. They have made payment arrangements & SKRMA anticipates receiving their missing form & payment. The payment will be reflected in section C & D once the funds have been received.

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

C. The current balance of the SKRMA Fee fund

\$618,615.76 is the balance of the SKRMA Fee Fund as of 6/15/24. This balance includes funds in the amount of \$1,000.00 which were paid by Snow King Mountain Resort in order to open the bank account.

D. The current balance of the Reserved SKRMA Fund

\$500,000.00 is the balance of the Reserved SKRMA Fund as of 6/15/24. This balance includes funds in the amount of \$2,500.00 which were paid by Snow King Mountain Resort in order to open the bank account.

\$	618,615.76	SKRMA Fee Fund (1% Account)
	500,000.00	Reserve SKRMA Fund
\$	<u>1,118,615.76</u>	Total for both accounts

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

- E. A list of the categories of expenditures that over the previous April 15 to April 15 year period the SKRMA fee has been spent on within the Resort District.

Check Number	Date Issued	Amount	Vender	Reference
1017	06/30/23	10,000.00	Fireworks West International	Fireworks for SKR District (July 4th)
1024	12/29/23	15,000.00	Fireworks West International	Fireworks for SKR District (New Years Eve)
1021	09/22/23	24,400.00	Javier Quezada	Stairway between Snow King Hotel & upper portion of Snow King Loop Road by building 537
1018	07/12/23	1,475.00	Log Care, Inc.	Grand View sign by building 527 (Deposit - to fix sign)
244	10/18/23	1,475.00	Log Care, Inc.	Grand View sign by building 527 (Payment in Full - to fix sign)
1026	04/15/24	427.50	On Point Electric	Grand View sign by building 527 (Sign light repair)
1020	08/14/23	17,000.00	PLS Construction of Montana	Stairway off of Snow King Loop Road to Pitchfork Townhomes Residences
1016	06/29/23	75,000.00	Snow King Mountain Resort	Summer Concert Sponsorship
		144,777.50		

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

F. SKRMA Board composition and contact information.

Title		Name	Address	e-mail
President	At-Large Director	Ryan Stanley	PO Box 3520, Jackson, WY 83001	ryan@snowkingmountain.com
Director	At-Large Director	Greg Ogle	PO Box 3520, Jackson, WY 83001	greg@kdgcap.com
Director	At-Large Director	Paul Cherry	PO Box 3520, Jackson, WY 83001	paul@snowkingmountain.com
Director	Non-Residential Director	Sheetal Patel	PO Box 3520, Jackson, WY 83001	drsheelal@patelfamily.com
Director	Non-Residential Director	Dheer Lashkari	PO Box 3520, Jackson, WY 83001	dheer@kdgcap.com
Director	Recreations Director	Max Chapman	PO Box 3520, Jackson, WY 83001	mcc@gardnercmc.com
Director	Residential Director	Harry Dannenberg	PO Box 3520, Jackson, WY 83001	harry.dannenberg1@gmail.com

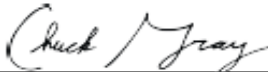
Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

G. Status of the SKRMA organization with the Secretary of State.

Snow King Resort Master Association, a Wyoming Nonprofit Corporation is in existence and in good standing. Enclosed is a copy of the Certificate of Good Standing from the Wyoming Secretary of State web site as of 6/11/24.

STATE OF WYOMING Office of the Secretary of State I, CHUCK GRAY, Secretary of State of the State of Wyoming, do hereby certify that according to the records of this office, Snow King Resort Master Association is a Nonprofit Corporation formed or qualified under the laws of Wyoming did on March 9, 2005, comply with all applicable requirements of this office. Its period of duration is Perpetual. This entity has been assigned entity identification number 2005-000489233. This entity is in existence and in good standing in this office and has filed all annual reports and paid all annual license taxes to date, or is not yet required to file such annual reports; and has not filed Articles of Dissolution. I have affixed hereto the Great Seal of the State of Wyoming and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Cheyenne, Wyoming on this 11th day of June, 2024 at 5:36 PM. This certificate is assigned ID Number 073504825.   _____ Secretary of State Notice: A certificate issued electronically from the Wyoming Secretary of State's web site is immediately valid and effective. The validity of a certificate may be established by viewing the Certificate Confirmation screen of the Secretary of State's website https://wyobiz.wyo.gov and following the instructions displayed under Validate Certificate.

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

H. The current SKRMA membership and contact information.

SKRMA Members	Mailing Address	Contact	Phone	e-mail
Grand View Condominium Association	250 Veronica Ln, PO Box 2228, Jackson, WY 83001	Connie Jones	(307) 733-1684 ext 108	connie@mpmjh.com
Grand View Plaza Condominium Owners' Association	400 E Snow King Ave, PO Box 3520, Jackson, WY 83001	April Bolden	(307) 690-9232	abolden@snowking.com
BREG (See below for details of entities that are owners of lots 53, 57 & 58)				
BREG SK53, LLC	4011 80th Street, Kenosha, WA 53124	Stephen R. Mills	(262) 842-0575	jeh@beardevelopment.com
BREG SK57A, LLC	4011 80th Street, Kenosha, WA 53124	Stephen R. Mills	(262) 842-0575	jeh@beardevelopment.com
BREG SK57B, LLC	4011 80th Street, Kenosha, WA 53124	Stephen R. Mills	(262) 842-0575	jeh@beardevelopment.com
BREG SK57C, LLC	4011 80th Street, Kenosha, WA 53124	Stephen R. Mills	(262) 842-0575	jeh@beardevelopment.com
BREG SK57D, LLC	4011 80th Street, Kenosha, WA 53124	Stephen R. Mills	(262) 842-0575	jeh@beardevelopment.com
BREG SK58, LLC	4011 80th Street, Kenosha, WA 53124	Stephen R. Mills	(262) 842-0575	jeh@beardevelopment.com
Jackson Hole Acquisition Group, LLC	400 E Snow King Ave, PO Box 3520, Jackson, WY 83001	April Bolden	(307) 690-9232	abolden@snowking.com
Jackson Village Acquisition Group, LLC	400 E Snow King Ave, PO Box 3520, Jackson, WY 83001	April Bolden	(307) 690-9232	abolden@snowking.com
Love Ridge Lodge Homes Condominium Association	250 Veronica Ln, PO Box 2228, Jackson, WY 83001	Wendy Meyring	(307) 733-1684 ext 101	wendy@mpmjh.com
Residences at Love Ridge CA	250 Veronica Ln, PO Box 2228, Jackson, WY 83001	Connie Jones	(307) 733-1684 ext 108	connie@mpmjh.com
Simpson Patent Condominium Association	250 Veronica Ln, PO Box 2228, Jackson, WY 83001	Wendy Meyring	(307) 733-1684 ext 101	wendy@mpmjh.com
Snow King Mountain Resort, LLC	575 S Willow St, PO Box 1846, Jackson, WY 83001	Ryan Stanley	(307) 284-4376	ryan@snowkingmountain.com

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

- I. Any irregular avalanche control the previous ski season.

No "irregular avalanche control" was conducted during the 2023-2024 winter season according to Snow King Mountain Resort General Manager Ryan Stanley.

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

- J. Confirmation of whether the ski lifts operated an average of 49/hours a week for the previous ski season.

Ski lifts operated for an average of more than 49 hours per week during the 2023-2024 Winter Season according to Snow King Mountain Resort General Manager Ryan Stanley.

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

- K. Information regarding the private shuttle service, if provided and if not, the financial contribution SKRMA made to START the previous year,

There was an interruption in the shuttle service provided to Snow King Resort District guests due to loss of staff at the Snow King Resort Hotel which was exacerbated by the road closure of highway 22 from Wilson, WY to Victor, ID. The resort is working fill the positions. As soon as they are filled the shuttle service will resume. Below is more information regarding the shuttle service.

Airport Transportation - Shuttle service between the Snow King Hotel and the Jackson Hole Airport.

Town Transportation - Shuttle service between the Snow King Hotel & designated locations within the Town of Jackson.

Jackson Hole Mountain Resort Transportation - Shuttle service between the Snow King Hotel & the Jackson Hole Mountain Resort in Teton Village during ski season.

Town of Jackson Annual Report from SKRMA

Due Date: 06/15/24

Period: 04/15/23 - 04/15/24

L.

Information on special events within the Resort District which have more than 200 guests including, but not limited to, the number of events, the location of each event, any complaints received from neighbors outside the Resort District, and the type of event.

Snow King Mountain:

King Concert Series, Late Nights at the King, Snowmobile Hill Climb

No complaints were received.

Snow King Hotel: The only event that Snow King Hotel had with over of 200 guests was Jackson Hole One Fly.

Event: Jackson Hole One Fly

Location: On Grand Lawn next to the Snow King Hotel.

Complaints: No complaints were received

Type: Annual fundraiser for One Fly



Tanya Anderson
Town of Jackson

July 22, 2024

Dear Tanya,

Congratulations! The Teton Conservation District (TCD) Board of Supervisors voted to support the Memorandum of Agreement (MOA) Request submitted by **Town of Jackson** in the total amount of **\$29,800.00**. Please refer to the Approved Annual Budget on the second page of this Award Letter for further detail on grant funds awarded for each Project and Deliverable. **Grant funds will be awarded as a reimbursement(s).**

By signing on the following page, you are signifying you agree to the following grant requirements:

1. **Funding Purpose:** Grant funds are only to be used for the purpose(s) described in the Annual Request, Approved Annual Budget, and conditions of this letter.
2. **Reimbursement Requests:** The grantee can submit *no more than two* Reimbursement Requests to TCD annually. Reimbursement Requests must be submitted no later than **June 1, 2025**.
3. **Accounting:** All grantees are required to maintain complete and accurate accounting records relating to the awarded grant funds and permit TCD, at its request, to have reasonable access to the grantee's accounting records for the purpose of making verifications concerning the grant. Grantees may be selected at random for a grant audit by TCD or a third party.
4. **Unused Funds:** Awarded funds that cannot be expended by the MOA partner by **June 1, 2025** will be released to TCD for other uses.
5. **Reporting:** The grantee's Final Report deadline is **June 1, 2025**.
6. **Recognition:** Recognize TCD in all publicity related to the funded project(s). [Please read the Communications Guidelines for Grant Recipients](#). If you have social media, TCD asks that grantees tag TCD in any project-related social media content.

Please complete, sign, and return all pages of award letter within two weeks. You may sign the document digitally or scan a signed copy and return it by email to lize@tetonconservation.org. You may also return a hardcopy to: Teton Conservation District c/o Liz Collins, PO Box 1070, Jackson, WY 83001. Please retain a copy of the signed letter for your records. We look forward to seeing your completed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Carlin Girard".

Carlin Girard, Executive Director

APPROVED ANNUAL BUDGET					
Project ID	P.D.	Projects & Deliverables	TCD Grant Funds Awarded	Total Grantee & Partner Match	TOTAL
TOJ_FY25_M01	1.0	Water Quality Monitoring			
	1.1	Data from WWTP end of pipe samples	\$ 2,300.00	\$ 2,300.00	\$ 4,600.00
		Project 1 Subtotal	\$ 2,300.00	\$ 2,300.00	\$ 4,600.00
TOJ_FY25_M02	2.0	PFAS monitoring			
	2.1	Data from PFAS testing	\$ 7,500.00	\$ 7,700.00	\$ 15,200.00
		Project 2 Subtotal	\$ 7,500.00	\$ 7,700.00	\$ 15,200.00
TOJ_FY25_M03	3.0	Bear-Resistant Trash Containers			
	3.1	Cans installed in Town Square and Home Ranch Lot	\$ 10,000.00	\$ 11,000.00	\$ 21,000.00
	3.2	Cans installed in other highly used downtown areas	\$ 10,000.00	\$ 10,976.00	\$ 20,976.00
		Project 3 Subtotal	\$ 20,000.00	\$ 21,976.00	\$ 41,976.00
		TOTAL	\$ 29,800.00	\$ 31,976.00	\$ 61,776.00

Approved Project Budget Notes:

- *Unless otherwise approved by the TCD Board, TCD awards funding for up to 50% of the total Project budget. In other words, TCD requires that grantees and their other partners match or exceed TCD's funding contribution with either direct dollar and/or in-kind contributions for each Project.*
- *If more than 15% of the Project budget amount is being moved from one Deliverable line item to another, written permission by TCD is required. For adjustments of less than 15% from one Deliverable to another (within the same project), permission from TCD is not required, though open communication is appreciated. There is a limit of one adjustment per Project year.*

GRANTEE REPRESENTATIVE CONTACT INFORMATION	
MOA Entity Name:	
MOA Entity Representative: <i>The person responsible for managing the grant and final reporting.</i>	
Representative Email:	
Representative Phone:	

GRANTEE SIGNATURE			
<i>By signing below, I accept the terms of this grant as outlined in this Award Letter. Failure to do so will result in forfeiture of the grant and/or return of any funds disbursed to the applicant.</i>			
Signature of Grantee Representative		Date	
Signature of 2 nd Grantee Representative*		Date	

*A 2nd Grantee Representative is not required. We provide this space for those entities that require two signatories to receive grant funds.