

Regular Town Council Workshop

October 21, 2024

1:30 PM

Town Council Chambers

Chair: Hailey Morton Levinson

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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/83441658633?pwd=c6rn9a4pTlqnpmq4pBJAml8Mlaulgi.1>

Or join at zoom.com with Webinar ID: **834 4165 8633** and Password: **83001** or by phone: **+1 669 444 9171**

II. CALL TO ORDER AND ROLL CALL

III. WORKSHOP ITEMS

- A. Comprehensive Update to Jackson Municipal Code Title 7, Animals (Lea Colasuonno, 60 mins)
- B. Adoption of the 2024 Building and Fire Codes (Raymond Lane & Kelly Sluder, 60 mins)

IV. MATTERS FROM MAYOR AND COUNCIL

V. UPCOMING AGENDA UPDATE

- A. Council Priorities and Upcoming Agendas

VI. ADJOURN

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

STAFF REPORT



Meeting Date:	October 21, 2024	Meeting Title:	Workshop
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Comprehensive Update to Jackson Municipal Code Title 7, Animals	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for the Council to review the substantive and technical updates to Title 7 Animals, which were initially discussed with Council on February 26, 2024.

Requested Action.

Staff request Council review the changes and draft of the Title attached and either approve the Title as drafted or provide feedback regarding further desired changes.

Recommendations.

Staff's individual recommendations for the changes are set forth in the Analysis section.

Background.

The Town periodically updates the Municipal Code to ensure its applicability and content match the community's and municipality's needs and remains relevant. To update each title, the Legal Department works closely with appropriate staff for each to, first, identify policy questions and present them to Council for consideration and, second and relatedly, identify necessary technical updates for functionality/practicality. The following progress has been made thus far:

Title 1 – General Provisions <i>Outstanding</i>	Title 10 – Vehicles <i>Complete</i>
Title 2 – Personnel <i>Complete</i>	Title 10 – Vehicles <i>Complete</i>
Title 5 – Business Licensing <i>Complete</i>	Title 12 – Public Places <i>Outstanding</i>
Title 6 – Liquor <i>Complete</i>	Title 13 – Utilities <i>Outstanding</i>
Title 7- Animals <i>Currently before Council</i>	Title 15 – Buildings <i>Complete (third reading 9/16)</i>
Title 8 – Health and Safety <i>Outstanding</i>	Title 16 – Housing <i>Updated biennially</i>
Title 9 – Public Peace Morals <i>Complete</i>	

The Council considered Title 7 Animals updates on February 26, 2024 and the significant policy discussions centered on allowing bees within Town, allowing chickens within Town, and changing the status quo of dogs in Town parks.

Analysis & Key Policy Questions.

The first key policy question decided by Council was whether chickens should be allowed within Town limits and Council directed staff to draft an ordinance allowing chickens in the Town for Council's consideration. Staff accomplished this by adding a new subsection to Title 7. The highlights of the subsection include:

- Only hens are allowed; roosters are not.

- A maximum number is provided and currently set at 6 on each lot.
- Hens may not be butchered in the Town outside a facility licensed pursuant to state law for butchering.
- Hens may not be at large (consistent with all other domestic animals).
- Their coop or run must be kept clean and sanitary, as well as meeting minimum treatment standards (access to adequate ventilation, food, and water, having access to the coop and pen during daylight hours).
- Bear conflict prevention measures include:
 - Hens must be shut in the coop from sunset to sunrise.
 - Feed shall be stored in a bear-resistant container, building, etc. that meets the Town Code (JMC 8.12.105)
 - Fully enclosed and covered combination coop and pen, or chicken run, that meets the requirements of a bear-resistant building, fencing, or enclosure is required.
 - May only be outside of the coop and pen during daylight hours to have free range access if they are confined within an area that is a bear-resistant container or inside a bear-resistant building, fencing, or enclosure.
 - The coop and pen must be kept free of chicken waste and unharvested eggs.
- Limits on where chickens can be situated on a parcel:
 - At least 50 feet from any residential structure.
 - At least 50 feet from any adjoining property line.
 - Cannot exceed 60 square feet nor a height of 7 feet at the highest point of the roof.
 - Cannot be inside a dwelling unit of any kind.
- Limits on which properties can harbor chickens:
 - Cannot be on or at any public property, community gardens, or any property that adjoins a property with waterbodies or wetlands, including, but not limited to, those with rivers, streams, creeks, marshes, bogs, lakes, and ponds.
 - Cannot be on any residential properties with multiple units, whether attached or detached.

Recommendation: Staff recommended against allowing chickens within the Town. Staff's recommendation remains to not allow chicken within the Town. Staff notes it has received significant public comment urging the Council not to allow chickens and honey bees within the Town, specifically including from the U.S. Fish and Wildlife Service - Grizzly Bear Recovery Program, U.S. Fish and Wildlife Service - National Elk Refuge, Wyoming Game and Fish, and Bear Wise Jackson Hole (a consortium of Grand Teton National Park, JH Wildlife Foundation, Bridger-Teton National Forest, Teton County, the Town, Wyoming Game and Fish, and U.S. Fish and Wildlife Service).

The **second key policy question** decided by Council was whether honey bees should be allowed within Town limits and Council directed staff to draft an ordinance allowing honey bees in the Town. Staff accomplished this by adding a new subsection to Title 7. The highlights of the subsection include:

- The only species of bee that may be kept within Town limits is the Apis Mellifera.
- All honey bees must be kept in compliance with Title 11 of the Wyoming Agriculture Act in, Chapter 7 of the Wyoming Statutes and beekeepers must provide certification of such upon request.
- All bee colonies shall be kept in hives that can be inspected with removable combs.
- All hives shall be located and maintained in a bear-resistant building, fencing, or enclosure compliant with Town Code Sec. 8.12.
- All hives shall be located at least 10 feet from any adjoining property line measured from the back of the hive facing the nearest abutting property line.
- If a colony is situated within 25 feet of a developed public or private property line, a flyway barrier at least 6 feet in height, consisting of a solid wall or fence parallel to the property line and extending 10 feet beyond the colony in each direction shall be established and maintained so that all bees are forced to fly at an elevation of at least 6 feet above ground level.

- A convenient source of fresh water shall be available and maintained on the Owner's Premises.
- It is unlawful for any person to keep, maintain, harbor, or board bees on any public property, community gardens, or multifamily residential properties within the Town.

Recommendation: Staff recommended against allowing honey bees within the Town. Staff's recommendation remains to not allow honey bees within the Town. Staff notes it has received significant public comment urging the Council not to allow chickens and honey bees within the Town, specifically including from the U.S. Fish and Wildlife Service - Grizzly Bear Recovery Program, U.S. Fish and Wildlife Service - National Elk Refuge, Wyoming Game and Fish, and Bear Wise Jackson Hole (a consortium of Grand Teton National Park, JH Wildlife Foundation, Bridger-Teton National Forest, Teton County, the Town, Wyoming Game and Fish, and U.S. Fish and Wildlife Service).

The **third key policy question** decided by Council was to keep the status quo with respect to dogs and cats in Town parks. Staff accomplished this by leaving the relevant subsections of Title 7 as is (with the exception of technical updates).

Recommendation: Staff recommended the status quo be retained. Staff's recommendation remains to retain the status quo.

The **fourth key policy question** decided by the Council was for staff to undertake technical updates to Title 7 Animals with respect to naming convention, constitutionality, consistency with state law, and the like. Highlights of these changes include:

- 1) Definitions in the Chapter were updated.
- 2) Specific authorization for animal control officers was set out for trapping and impounding animals.
- 3) The impoundment provision was rewritten to detail what animals may be impounded (i.e., those At Large, unlicensed, abandoned, left unattended, surrendered, or that pose a threat to public safety), owner notification when an animal is impounded, redemption of impounded animals, when an unredeemed animal becomes property of the Town, and disposition of impounded animals.
- 4) The adoption provision was updated to detail who may adopt and fees.
- 5) The maximum number of animals allowed on any single premises:
 - a. The maximum of two dogs over three months' old is unchanged.
 - b. A maximum number of cats was *added* (three over the age of three months' old).
 - c. A maximum combined total was *added* (5 of these two types of animals).
 - d. There is no maximum for horses (the minimum coral space acts as a maximum in practice).
 - e. Chickens have a maximum of 6 (see the details of the first key policy question).
- 6) Prohibition on keeping, feeding, or harboring feral cats was *added*.
- 7) Provisions with respect to the below issues were retained but rewritten (modern language / concision):
 - a. Keeping horses (permitted/unpermitted areas, coral space requirements).
 - b. Nuisances (animals trespassing, disturbing the peace, damaging property, chasing vehicles, injuring people and other domestic animals, etc.).
 - c. Dangerous and vicious animals (prohibited unless adequately protect the public from them).
 - d. Biting animals (unlawful for domestic animals to bite, exceptions).
 - e. Chasing livestock or wildlife (prohibited).
 - f. Disposal of dead animals.
 - g. Cruelty to or neglect of animals.
 - h. Leaving animals in public places.
 - i. Vehicle collisions with domestic animals.
 - j. Supplemental feeding of wildlife.
 - k. Wildlife attractants.

l. Licensure.

m. Rabies (vaccination, control).

- 8) Repeal of Cruelty to Animals in Title 9. Given this ordinance relates to animals, the substance has been moved to Title 7, *Animals*, and removed from Title 9, *Public Peace, Morals and Welfare*

Recommendation: Staff recommended technical updates be implemented. Staff's recommendation remains that the technical updates be implemented.

Possible Alternatives.

Council could elect to:

- 1) Not update Title 7.
- 2) Update Title 7 with changes directed today.

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: Depends. Rate and fee changes in Title 7 Animals are set forth in and approved as part of the Master Fee Schedule Resolution amendments. If chickens are allowed in the Town, there will be added cost for the shelter, which will be addressed via the budget process, not the Title updates.

Expense: Minimal.

- The Town is, pursuant to statute, required to publish ordinances in a newspaper of general circulation in the community (which is the News & Guide weekly). The cost of publication varies, depending on ordinance length, and is a minimum of \$200 for short ordinances.
- The Town of Jackson contracts with the company MuniCode to host the Jackson Municipal Code and process changes enacted by Council. The supplement service to codify new ordinances costs \$3,000 annually and does not fluctuate with the number of ordinances enacted by Council, thus the fiscal impact of this ordinance (and all) codification is minimal.

Attachments or Links.

- Draft redline version of Title 7
- Public Comment

Suggested Motion.

I move to direct staff to draft appropriate final ordinances for Title 7 and Title 9, and accompanying resolutions, consistent with Council direction as set forth in this staff report, dated October 21, 2024, and modifications, if any, during today's meeting, and present them for readings beginning on the November 18, 2024 Council meeting.

TITLE 7
ANIMALS

Chapter 7.02 DEFINITIONS, ~~AUTHORITY~~~~ADMINISTRATION~~, AND ~~IMPOUNDMENT~~~~ENFORCEMENT~~

7.02.010 Definitions.

A. The following definitions shall apply to this Title, ~~unless otherwise stated~~:

- ~~A. — Repeal. Aggressive Manner shall mean charging a person to within potential biting or striking distance while snapping or snarling or growling or displaying teeth in a threatening manner or exhibiting any behavior demonstrating a potential attack.~~
- ~~B~~1. *Animal* means any living creature, domestic or wild, other than a human.
- ~~C~~2. *Animal Control Officer* ~~or Officer~~ means any peace officer or other person designated by the State, County Commissioners, or the Town, or another municipal government, who is qualified to perform duties under the laws, regulations or ordinances of the State, county, the Town or other municipality to enforce State, County, and Town laws and regulations pertaining to Animals or and A animal cControl and shall include Animal Control employees.
- ~~D~~3. *Animal Shelter* means a facility recognized ~~and designated~~ by the governing bodyTown for the purpose of housing, impounding, or caring for, and disposing for of Animals held under the authority of ~~this title or state law~~State, County, and Town laws and regulations. Animal Shelter as used in this Title includes the staff of the Animal Shelter.
- ~~E~~4. *At Large* means an Animal which is off the Premises of the Owner and is not under the Control of the Owner in accordance with this Title, physically off the property of its Owner and not under immediate Restraint of a competent person; or not controlled by a Leash, Lead, rope, or reins; or not in the immediate company of a competent person and obedient to that person's command; or not confined within a vehicle on a street or other enclosure.
- ~~F~~5. *Control* means under immediate, continuous physical control of an Animal secured by a Leash that is not harmful or injurious to the Animal and which is managed by a person capable of physically restraining the Animal; or under voice control regardless of circumstances or distractions that may be encountered, and the Owner shall at all times be clearly and fully within unobstructed sight and hearing of the Animal. Voice control shall mean the Animal returns immediately to and remains by the side of the Owner in response to a single command of the Owner. to exercise restraining or directing influence over, to dominate, regulate, to hold from action, to curb, and to govern.
- ~~G. — Close Proximity shall mean next to its Owner or another responsible person designated by the Owner and not greater than 20 feet distance in any direction from its Owner or another responsible person designated by the Owner.~~6. Corral Space means any building, yard, field, pasture, shed, stable, corral, or enclosure wherein Horses are kept, maintained, harbored, or boarded.
- ~~H~~7. *Dangerous Animal* means an animal which is dangerous to the public health or safety if exposed in public, and includes but is not limited to, black bear, grizzly bear, mountain lion, wolf, bobcat, coyote, badger, porcupine, raccoon, red fox, skunk, and animals defined as predatory animals in Wyoming State Statute.

8. Dog means any domesticated canine breed excluding wolf, coyote, fox, other wild canine species, or any hybrid thereof.
9. Domestic Animal means an Animal habituated to live in or about the homes of human beings.
10. Feral cat means a cat that lives outside, does not have an owner, is unsocialized to people, and typically avoids contact with humans. A feral cat is not domesticated, is wild, and is not owned or controlled by anyone.
11. Fowl means chickens, ducks, geese, turkeys, pheasants, ostriches, grouse, peacocks, guinea fowl, partridges, quails, and any other birds used for producing eggs or meat.
12. Horse means any horses, ponies, mules, and donkeys, ~~ass, horse or any other solid hoofed herbivorous ungulate mammal.~~
13. Impound or Impoundment means the act of taking or receiving an Animal into custody in accordance with the provisions of this Title for placement in the Animal Shelter by the Animal Shelter or an Animal Control Officer.
14. Leash ~~/Lead~~ means a thong, cord, rope, chain, reins, or similar device which holds-restrains an Animal ~~in Restraint~~, and which is not more than six feet in length.
15. Livestock means Horses, cattle, swine, sheep, goats, hogs, poultry Fowl, llamas, alpacas, bees, or other Animals generally used for food or in the production of food or fiber.
- N. ~~Noisy Animal~~ means any Domestic Animal that habitually, constantly or frequently disturbs the sleep, peace or quiet of any neighborhood or person, or a Dog that excessively, continuously or untimely barks, whines or howls.
16. ~~Own and~~ Owner means a person who owns, harbors, keeps, maintains or has charge over an Animal. Proof that a person is in control of a Premises where an Animal is usually kept, harbored, or maintained shall establish a prima facie presumption that such person is the Owner of such Animal. The parent or guardian of an Owner shall be deemed the Owner for purposes of this Title when the Owner is under the age of 18 years. ~~shall apply to any person or persons, firm, association, or corporation who shall Own, possess, keep or harbor a Domestic Animal, Fowl and/or Livestock, including the person named on an Animal registration record as Owner, or who shall permit a Domestic Animal, Livestock or Fowl to be fed or remain habitually in or about the Premises under their Control. "Owner" includes, but is not limited to, an occupant of the Premises or dwelling unit where the Animal is usually kept, if the Premises or dwelling unit are other than the Premises of the Owner shown on the registration record; or any person having Control or purporting to have Control over any Animal which is running At Large; or any person in possession of, harboring, or who allows any Animal to remain about their Premises for a period of three consecutive days or more. The parent or guardian of an Owner shall be deemed the Owner for purposes of this title when the Owner is under the age of 18 years. For purposes of recovering stolen Animals, a person named on the Animal's most recent registration record will be considered the Animal's Owner.~~
- P. ~~Pack~~ means a group of three or more Animals of the same species.
- Q. ~~Predatory Animal~~ means black bear, grizzly bear, mountain lion, coyote, bridger, marmot, picas, squirrels, jackrabbit, porcupine, raccoon, red fox, skunk, stray cat, or any other Animal which preys on Domestic Animals, Livestock, Fowl or humans.

~~17R.~~ *Premises* means the real or personal property owned, leased, controlled, or occupied by the Owner of the Animal ~~and includes any vehicles in which the Owner of the Animal is residing.~~

~~*Restraint* means physical Control by a responsible person by use of a Leash, Lead or other physical means to limit the Domestic Animal, Livestock or Fowl's actions or when such Animal is in Close Proximity to its Owner agent or responsible person and subject to immediate recall by said person; tethering an Animal to a stationary object not within range of a public street, sidewalk, alley or common path; or confining an Animal within a fence or other enclosure which restricts it to a particular premises. An Animal shall be deemed to be under Restraint if on the premises of its Owner or if accompanied by a responsible person and under that person's Control.~~

18. *Rodent* means mice, rats, and voles.

19. *Supplemental Feed* means any feed product, and includes but is not limited to any human food, garbage, pet food, hay, salt, mineral supplements, forage product or supplements, grain, honey, seed, and birdseed

20. *Vehicle* means any device in, upon, or by which any person or property is or may be transported.

~~21F. *Vicious Animal* means an Animal which has bitten or attacked, or attempted to bite or attack, a person or another Animal either at a place where the person or Animal is legally entitled to be or without provocation, or an Animal which is known or reasonably should be known to have a propensity to bite or attack persons or other Animals without provocation. any Animal which constitutes a physical threat to human beings or other Animals, or an Animal which, when unprovoked, bites or attacks or manifests a disposition to bite or attack any person or Domestic Animal. Proof of the fact that the Animal has bitten or attacked any person or Domestic Animal at any place where the person or Domestic Animal has a legal right to be may be used as evidence that the Animal is vicious. An certified Animal properly trained and certified properly used as a guard, sentry, or police Dog Animal shall not be considered a Vicious Animal.~~

22U. *Wildlife* means any nondomestic animal.

23. *Wildlife Attractant* means any substance which could reasonably be expected to attract wildlife or lead to the unintentional feeding of wildlife, which includes, but is not limited to, trash, food products, pet food, feed products, fruit, compost, or any other material attractive to or edible by wildlife. Wildlife attractant does not include recyclables that have been rinsed and cleaned.

(Ord. §1, 2024; Ord. 1322 § 1, 2022; Ord. 920 § 2, 2009; Ord. 802, § 1, 2005; Ord. 793 § 2, 2005; Ord. 789 §§ 2—6, 2004; Ord. 146 § 1, 1971).

7.02.020 Purpose—Authority—General provisions. Repealed.

~~A. The purpose of this title is to establish regulations and procedures for the registration, Control, impoundment, and general care of Animals within the Town.~~

~~B. Authority is granted cities and towns by Wyo. Stat. Ann. § 15-1-103(a)(xiv) to regulate any Animals within the Town and to provide for the operation of Animal Control and Animal Shelter services.~~

~~C. *Animal Control Officer authority.* No person shall interfere with, hinder, molest, delay, obstruct, or abuse any Officer in the exercise of theirhis duties, nor willfully set any Animal upon the Officer, or break or assist to break open any enclosure where an Animal is confined by the Officer.~~

~~1. If an Animal Control Officer observes a vehicle parked within the city Town in which Domestic Animals are confined with no visible means of ventilation or the health or safety of the Animal is threatened,~~

~~the Officer shall immediately attempt to locate the vehicle Owner or person responsible to provide for ventilation or to remove the Animal from the vehicle. If unable to locate the vehicle Owner or the person responsible within a reasonable time, the Officer will be empowered to use whatever means reasonably necessary to enter the vehicle to provide ventilation or to remove the Animal from the vehicle to preclude serious harm to the Animal.~~

~~2. Animal Control Officers are authorized to enter upon any Premises, excluding a dwelling unit, within the Town for the purpose of apprehending and impounding Animals which the Officer is authorized to impound or for any other purpose authorized in this title.~~

~~D. *Trespassing on Animal Shelter or Animal Control vehicle.* No person shall obtain an Animal from within the confines of the Animal Shelter, from an Animal Control vehicle, or from the custody and Control of any Animal Control Officer without the permission of the authority in charge. Any person who tampers with any lock, gate, door or fence on the Animal Control vehicle or located at the Animal Shelter or any person who climbs or attempts to climb any fence located at the Animal Shelter shall be considered a trespasser.~~

~~(Ord. _____ § 1, 2024; Ord. 920 § 2, 2009; Ord. 793 § 14, 2005; Ord. 180 § 1, 1975; Ord. 146 § 14, 1971).~~

7.02.025 Authority for Animal Control – Interference.

A. Animal Control Officers are authorized to enforce the provisions of this Title and Impound Animals. Animal Control Officers are allowed to do the following to Impound Animals:

1. Place or authorize the use of humane and safe traps on public property, or private property at the request of the property owner or occupant; and

2. Utilize safe and humane chemicals to capture Animals if other means fail.

B. After making a reasonable effort to locate the Owner, Animal Control Officers, or other emergency responders, may use any reasonable means necessary under the circumstances to enter a Vehicle and remove an Animal if the Animal appears to be in immediate danger from heat, cold, lack of adequate ventilation, lack of food or water, or other environmental conditions that could reasonably be expected to constitute a hazard to the Animal.

C. It is unlawful for any person to obstruct, impede, interfere with, or resist any Animal Control Officer while the Animal Control Officer is engaged in the lawful performance of their official duties.

(Ord. _____ § 1, 2024).

7.02.030 Capture of Animals.

~~A. Animal Control Officers are authorized to:~~

~~1. Place or authorize the use of humane and safe traps in order to capture unrestrained Animals on public or private property within the Town at the request of the property Owner or occupant;~~

~~2. Utilize chemicals to capture public nuisance, aggressive, or Vicious Animals;~~

~~3. Capture unrestrained Animals whether At Large singly or in Packs.~~

~~B. Police Officers may shoot a Vicious Animal when necessary, to avoid immediate physical threat or injury to human beings or other Animals.~~

~~A€.~~ It is unlawful for any person to No person shall capture, which includes trapping, Animals, except Rodents, within the Town without the express consent of an Animal Control Officer.

(Ord. § 1, 2024; Ord. 920 § 2, 2009).

7.02.040 Impound~~ing~~ment.

A. Grounds for Animal Impoundment.

1. An Animal Control Officer may Impound any Animal that is At Large, unlicensed, abandoned, left unattended, surrendered, poses a threat to public safety or welfare, or when Impoundment is otherwise authorized in this Title.

The Animal Shelter is authorized to Impound an Animal that is surrendered at the Animal Shelter.

2. _____

B. Release of Animal Impounded Animals Prior to Taking to Animal Shelter.

1. If the Owner of an Impounded Animal can be readily identified and located, the Animal Control Officer may release the Animal to the Owner instead of taking the Animal to the Animal Shelter.
2. The authorization for an Animal Control Officer to release an Impounded Animal to the Owner shall not absolve the Owner of liability for any violations of this Title.

C. Notice of Impoundment.

1. The Animal Shelter shall make reasonable efforts to determine the ownership of each Animal impounded. The Animal Shelter shall, as soon as practicable after determining ownership, notify the Owner of the Animal's Impoundment.

D. Redemption of Impounded Animals.

1. The Owner of an impounded Animal, or the agent of an Owner, may claim and redeem the Animal within seven days after Impoundment, which period includes the day the Animal is taken into custody, upon complying with the following requirements:
 - i. If the Animal is required to be licensed as provided in Chapter 7.12, show proof of such license, or, if the Animal is not licensed, pay for and obtain such license;
 - ii. If the Animal is required to have a rabies vaccination as provided in Chapter 7.12, show proof the Animal is current on its rabies vaccination, or, if the Animal is not current the Animal will be vaccinated at the Shelter prior to release and the Owner shall be responsible for all costs therefor;
 - iii. Pay any capture fee due prior to taking possession of the Animal.
 - iv. Pay impoundment fee due prior to taking possession of the Animal; and
2. This subsection does not apply to Animals that are Impounded and quarantined for biting a person pursuant to Chapter 7.05 and W.S. §11-31-301(e).

E. Disposition of Impounded Animals.

1. If an Impounded Animal is not claimed and redeemed from the Animal Shelter by close of business on the seventh day of Impoundment and in the manner provided for in this Section, the Animal shall become the property of the Town and may be made available for adoption or humanely

ethanized. If the seventh day of Impoundment falls on a Saturday, Sunday, or legal holiday, the deadline for redemption is extended to close of business on the next business day. The Animal Shelter shall have the sole discretion to determine the disposition of the Animal once the Animal is the property of the Animal Shelter.

- ~~A. Procedure generally. Unlicensed Animals, unrestrained Animals, Animals running At Large, Animals that pose a threat to public safety or welfare, or any Animal that has been treated in a cruel or inhumane manner may be taken up and impounded by an Animal Control Officer.~~

~~The Owner of any Animal so impounded may reclaim such Animal upon payment of the permit or license fee, if unpaid, and of all costs and charges incurred by the town for impoundment and maintenance of the Animal. However, an Animal Control Officer may deny or refuse return of an Animal to its Owner where there is concern for the health, safety and welfare of the Animal or the public.~~

- ~~1. An administrative appeal may be made to the Municipal Court of the Town of Jackson, Teton County, of the Animal Control Officer's decision to deny or refuse return of an Animal.~~

- ~~B. Redemption—Payment of costs. The Owner or agent of an Owner of any Animal impounded under these rules shall have the privilege of claiming such Animal within seven days after it is impounded, upon complying with the following requirements:~~

- ~~1. Show proof of licensure, and if no license, then obtain a license.~~
- ~~2. Show proof of vaccination against rabies, where applicable, and if none, then obtain the proper vaccination within two weeks of release and furnish such proof to the Jackson/Teton County Animal Shelter.~~
- ~~3. Pay the fees in an amount established by resolution to the Jackson/Teton County Animal Shelter.~~
- ~~4. Pay the Jackson/Teton County Animal Shelter in an amount established by resolution for board for each 24 hours or portion thereof. The first 24 hours of impoundment is included in the impoundment fee delineated per resolution.~~

- ~~C. Return to Owner without impounding. If an Animal is found running At Large and its Owner can be identified and located, such Animal need not be impounded but may, instead, be taken to the Owner. In such a case, the Animal Control Officer may cite the Owner for any violations of this chapter.~~

- ~~D. Notification of Owner. Upon impounding any Animal pursuant to this division, the Animal Shelter shall make reasonable efforts to ascertain the ownership and notify the Owner of each Animal so impounded.~~

- ~~E. Disposition of Animals.~~

- ~~1. Impounded Animals shall be kept for at least seven days unless reclaimed by their Owners. All Animals left unclaimed after seven days become the property of the Town.~~
- ~~2. Any person, who adopts an Animal after the seven day waiting period, shall have an Animal spayed or neutered within 30 days, and secure a license for any Dog or cat so adopted. A license is not required if the Dog or cat shall not be remaining in Teton County. A licensed veterinarian shall vaccinate any Dog or cat adopted out, for rabies within 14 days if not current on its rabies vaccination.~~

(Ord. _____ § 1, 2024; Ord. 1280 § 5, 2021; Ord. 920 § 2, 2009; Ord. 793 § 8, 2005; Ord. 789 §§ 10, 11, 2004; Ord. 710 § 1, 2002; Ord. 647 § 1, 2000; Ord. 371 § 3, 1987; Ord. 252 § 1, 1979; Ord. 194 § 6, 1976; Ord. 146 §§ 7, 8, 1971).

7.02.045 Possession of impounded animals.

~~It is unlawful for any~~ No person ~~shall to~~ have in ~~their~~~~his or her~~ possession, care, or custody ~~or Control~~ any Impounded Animal that has not been properly released by the Animal Shelter~~an Animal Control Officer or other authorized agent or official.~~

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 793 § 15, 2005; Ord. 213 § 2, 1977).

7.02.050 Adoption~~—Fee~~.

A. The adoption of any Animal shall be by a person deemed by the Animal Shelter to be a responsible and suitable owner for that Animal. The adopter of the Animal shall comply with the following:

1. Pay an adoption fee prior to taking possession of the Animal;
2. License the Animal as provided in Chapter 7.12 if the Animal is to remain in Teton County prior to taking possession of the Animal;

B. The Animal Shelter may have each adopted Animal implanted with an identifying microchip.

~~The Animal Shelter manager or other designated official is authorized to advertise and place for adoption all Dogs, cats or other Animals, which have been impounded for a period of not less than seven days. Any person wishing to adopt an Animal shall pay a fee in an amount established by resolution.~~

(Ord. §1, 2024; Ord. 1280 § 5, 2021; Ord. 920 § 2, 2009; Ord. 793 § 9, 2005; Ord. 711 § 1, 2002; Ord. 648 § 1, 2000; Ord. 252 § 2, 1979).

7.02.055 Fees – Established; Payment.

A. Fees for adoption, capture, licensure, and Impoundment are hereby established, which fees may be set by resolution, may be amended from time to time by resolution, and are nonrefundable.

(Ord. § 1, 2024).

7.02.060 Repealed~~Violation—Penalty~~.

~~Any person who violates any provisions of this title for which violation no specific penalty is provided is guilty of a misdemeanor and upon conviction thereof shall be punished according to Section 1.12.010 of this Code. If any violation is continuing, each day's violation shall be deemed a separate violation.~~

(Ord. § 1, 2024; Ord. 920 § 2, 2009).

Chapter 7.04 KEEPING ANIMALS, HORSES, PREDATORY ANIMALS, LIVESTOCK AND FOWL

7.04.010 Keeping certain animals unlawful.

A. It is unlawful for any person to~~The keep~~keeping, maintaining, harboring, or boarding ~~of any L~~livestock, ~~or predatory Dangerous A~~animals, ~~or fowl~~ in the Town except as permitted in this Chapter. ~~within the corporate limits of the Town, or within any cemetery or park, or upon any ground owned, leased or controlled by the Town, for any purpose whatsoever, is a nuisance and hereafter is unlawful, except for horses as set forth in this chapter.~~

B. It is unlawful for any person to maintain, keep, feed, or harbor feral cats.

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 130 § 1, 1970).

7.04.020 Keeping horses on public land.

It is unlawful for any person to ~~The keeping, maintaining, harboring, or boarding of any~~ Horses on any tract of land within the corporate limits of the Town, or within any cemetery or park, or upon any ground property owned, leased, or controlled by the Town ~~for any purpose whatsoever, is a nuisance and hereafter unlawful,~~ unless permission is obtained by the ~~Town Council~~ Town Manager, or their designee.

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 130 § 2, 1970).

7.04.030 ~~General restrictions on~~ Keeping horses – Corral Space.

A. ~~In areas where Horses are permitted,~~ It is unlawful for any person to keep, maintain, harbor, or board Horses ~~in areas of the Town where Horses are allowed unless the Horses are confined in a Corral Space.~~

B. A Corral Space shall comply with the following ~~the following conditions apply~~:

1A. ~~The keeping of one to two Horses requires a~~ minimum ~~corral space~~ of 800 square feet for one to two Horses.

2B. ~~The keeping of three Horses requires a~~ minimum ~~corral space~~ of 1,000 square feet for three Horses.

3C. ~~Four Horses require a~~ minimum ~~corral space~~ of 1,200 square feet for four Horses.

4D. ~~The keeping of more than four Horses requires a~~ minimum ~~corral space~~ of 1,200 square feet plus 200 square feet per each additional Horse over for more than four Horses.

E. ~~At the request, made in writing to an Animal Control Officer, of any person owning property adjacent to premises for which Horses are kept, all fences or structures for the confining of animals shall be a minimum distance of five feet from the requesting owner's property line.~~

5. Be maintained in a condition that is clean and sanitary, ~~including but not limited to, not having an excessive accumulation of manure, filth, or debris, and not being infested with flies.~~

(Ord. § 1, 2024; Ord. 920 § 2, 2009).

7.04.040 Keeping horses—Areas where prohibited.

A. ~~It is unlawful for any person to keep, maintain, harbor, or board Horses in the Prohibited Horse Area, which is hereby established, and which contours are as set forth in resolution, which resolution may be amended from time to time. No Horse may be kept within that area of the Town lying within the following boundaries:~~

~~All of that portion of the SW1/4 of Section 27, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson;~~

~~All of that portion of the NW1/4 of Section 34, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson, except that portion being described as follows: Beginning at Corner No. 1,~~

~~which is 30 feet south and 2457.8 feet east of the northwest corner of said Section 34; thence south 750 feet to Corner No. 2; thence east 195 feet to Corner No. 3; thence north 750 feet to Corner No. 4; thence west 195 feet to Corner No. 1, the place of beginning.~~

~~All of that portion of the NE1/4 of Section 33, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson;~~

~~All of that portion of the SE1/4 of Section 28, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson.~~

~~(Ord. _____ § 1, 2024; Ord. 920 § 2, 2009; Ord. 139 § 1, 1971; Ord. 130 § 3.1, 1970).~~

7.04.080 Keeping horses—Cleanliness of premises. Repealed.

~~An owner or caretaker of Horses kept under the provisions of this chapter must at all times keep any building, yard, shed, stable, corral, or enclosure wherein any Horses are kept, in a clean and sanitary condition and may not permit accumulations of any manure or other filth or debris.~~

~~(Ord. _____ § 1, 2024; Ord. 920 § 2, 2009; Ord. 130 § 6, 1970).~~

7.04.090 Keeping horses—Premises—Spraying for flies. Repealed.

~~It is an express condition that an owner or caretaker of Horses kept under the provisions of this chapter is required to spray for flies any building, yard, shed, stable, corral or enclosure where any Horses are kept, fed or maintained, and each owner or caretaker shall be required to lime or otherwise treat such stables or such other areas, both spraying and liming to be done as frequently as may be deemed necessary by an Animal Control Officer.~~

~~(Ord. _____ § 1, 2024; Ord. 920 § 2, 2009; Ord. 188 § 4, 1976; Ord. 130 § 7, 1970).~~

7.04.110 Exceptions.

This ~~e~~Chapter shall not apply to the Teton County Fair Grounds and the ~~Town Council~~Town Manager, or their designee, may, ~~for special events and youth programs~~, waive the requirements ~~for permission to keep Horses of this Chapter for special events and youth programs~~.

~~(Ord. _____ § 1, 2024; Ord. 920 § 2, 2009; Ord. 130 § 11, 1970).~~

7.04.120 Keeping Dogs and Cats— quantity.

~~It is unlawful to have more than two dogs over the age of three months and more than three cats over the age of three months, totaling a maximum of five of these Animals, living on one any Premises within the Town.~~

~~(Ord. _____ § 1, 2024).~~

7.04.130 Keeping Chicken Hens.

A. —The following definitions apply to the words in this subsection:

1. “Chicken Hens” shall mean female chickens.

2. “Roosters” shall mean male chickens.

B. It is unlawful for any person to keep, maintain, harbor, or board Fowl within the Town except as provided in this Section:

1. Chicken Hens are permitted to be kept, maintained, harbored, or boarded within the Town if all regulations set forth in this subsection are followed.

2. Roosters are not permitted to be kept, maintained, harbored, or boarded within the Town.

3. The maximum number of Chicken Hens permitted on any single Premises is six.

4. Chicken Hens may not be butchered within the Town except for facilities licensed pursuant to state law for butchering.

5. Chicken Hens may not be At Large, and any Chicken Hen found At Large may be Impounded pursuant to the procedures set forth in Chapter 7.02.

6. Chicken Hens must have access to adequate and fresh water at all times.

7. Chicken feed must be stored in a bear-resistant container or inside a bear-resistant building, fencing, or enclosure as set forth in Section 8.12.105. If chicken feed is stored in a bear-resistant building, fencing, or enclosure, the feed must be stored in an airtight container to discourage attracting insects and Rodents.

8. A fully enclosed and covered combination coop and pen, or chicken run, compliant with the bear-resistant building, fencing, or enclosure regulation set forth in Section 8.12 of this Code shall be provided for the Chicken Hens and must adhere to the following requirements:

i. The coop and pen shall provide adequate ventilation.

ii. The coop and pen shall be a sufficient size to allow free movement of the Chicken Hens.

iii. The coop and pen shall be located at least 50 feet from any residential structure.

iv. The coop and pen shall be located at least 50 feet from any adjoining property line.

v. The coop and pen shall not exceed 60 square feet nor a height of 7 feet at the highest point of the roof.

vi. The coop and pen shall be cleaned and maintained so as to ensure the health and safety of the Chicken Hens and not to cause offensive odors, excessive dust, or attract excessive insects or Rodents.

vii. The coop and pen shall be kept free of chicken waste and unharvested eggs. Chicken waste shall not be spread, scattered, distributed, or deposited on another's property without their express written permission.

9. Chicken Hens shall be shut in the coop from sunset to sunrise each night.

10. Chicken Hens shall have access to both the coop and pen during daylight hours.

11. Chicken Hens are permitted to be outside of the coop and pen during daylight hours to have free range access if they are confined within a bear-resistant container or inside a bear-resistant building, fencing, or enclosure as those terms are defined in 8.12 of this Code.

C. It is unlawful for any person to keep, maintain, harbor, or board any Fowl on or at any public property, community gardens, or any property that adjoins a property with waterbodies or wetlands, including, but not limited to, those with rivers, streams, creeks, marshes, bogs, lakes, and ponds.

D. It is unlawful for any person to keep, maintain, harbor, or board any Fowl inside a dwelling unit of any kind.

E. It is unlawful for any person to keep, maintain, harbor, or board Fowl on any residential properties with multiple units, whether attached or detached.

(Ord. _____ § 1, 2024).

7.04.140 Keeping Bees.

A. It is unlawful for any person to keep, maintain, harbor, or board bees within the Town unless bees are kept in compliance with Title 11 of the Wyoming Agriculture Act in, Chapter 7 of the Wyoming Statutes and the following additional regulations:

1. The only species of bee that may be kept within Town limits is the Apis mellifera.
2. Any person keeping bees shall comply with the Wyoming Agricultural Act and provide certification of such upon request.
3. All bee colonies shall be kept in hives that can be inspected with removable combs.
4. All hives shall be located and maintained in a bear-resistant building, fencing, or enclosure compliant with Section 8.12 of this Code.
5. All hives shall be located at least 10 feet from any adjoining property line measured from the back of the hive facing the nearest abutting property line.
6. If a colony is situated within 25 feet of a developed public or private property line, a flyway barrier at least 6 feet in height, consisting of a solid wall or fence parallel to the property line and extending 10 feet beyond the colony in each direction shall be established and maintained so that all bees are forced to fly at an elevation of at least 6 feet above ground level.
7. A convenient source of fresh water shall be available and maintained on the Owner's Premises.

B. It is unlawful for any person to keep, maintain, harbor, or board bees:

1. On any public property, community gardens, or multifamily residential properties within the Town; or
2. Within ½ mile of the National Elk Refuge, as measured from the closest point of the National Elk Refuge to the property where the bees would be kept.

(Ord. § 1, 2024).

Chapter 7.05 ANIMAL CARE AND CONTROL REGULATIONS GENERALLY

7.05.010 Responsibility of owner.

Owners are responsible for ~~control of~~ their animals.

(Ord. § 1, 2024; Ord. 920 § 2, 2009).

7.05.020 Public nuisances.

A. ~~—The following are considered public nuisances and, as such, are prohibited. It is unlawful for the Owner of any Animal to do any of the following:~~

- 1A. Permit the Animal to be At Large within the Town or to trespass on public or private property without the prior approval of the property owner. ~~Animals at large. No person or persons, firm, association, or corporation owning, keeping or harboring any livestock, predatory animals, fowl or domestic animals shall permit the same to run at large within the corporate limits of the Town, including trespassing on school grounds or private property.~~

~~2B. Uncontrolled animals.~~

- ~~1. A dog shall be deemed to be under control if it is in close proximity to its owner or another responsible person designated by the owner, at all times while off the premises of the owner and providing that such dog is not engaged in any action which would classify it as a nuisance under this title. In order for a dog to be considered under control it must either be under physical restraint or subject to and responsive to the verbal commands of the owner or other person asserting control of the dog such that it does not interfere with the right of others' peaceable use of the streets, pathways, sidewalks or other public or private way.~~
 - ~~2. In addition to subsection 1 herein, a dog is not under control if it is running at large or unrestrained in the streets, along the sidewalks, or on any school ground, playground, park or place of public amusement or recreation.~~ ~~T~~
 - ~~3. An animal is not under control if it molests passersby, chases vehicles, or attacks other domestic animals.~~
- 2E. Permit the Animal to unreasonably disturb the peace and quiet of any neighborhood or person by allowing the Animal to make frequent, continuous, excessive, or untimely noise, including but not limited to barking, whining, and howling. *Disturbing the peace.*
- ~~1. A noisy animal as defined in this title is deemed a disturbance of the peace and is prohibited.~~
- 3D. Permit their Premises to accumulate animal feces to a degree that creates unsanitary conditions or a situation where offensive odors emanate from the Premises. *Noxious or offensive odors.* No person shall allow a noxious or offensive odor to emanate from an animal's living environment.
- 4E. *Diseased animals.* An animal that becomes an untreated source of communicable disease shall be deemed a public nuisance.
- ~~F. Permit the Animal to damage or destroy in any manner public or private property, real or personal, not owned or occupied by the Owner. *Destruction of property.* No domestic animal, livestock or fowl shall chew, tear, dig in or scratch, litter or soil, destroy, or in any other manner injure clothing, washing, garbage containers, gardens, flower beds, lawns, trees or shrubbery, fences or any other public or private property, real or personal.~~
- 5G. *Excessive number of dogs.* The keeping or maintaining of more than two dogs over the age of three months on any lot, residence or premises within the Town is a public nuisance.
- H. Permit the Animal to defecate on public or private property not owned or occupied by the Owner without immediately removing the feces, securing the feces in a bag, wrapper, or other suitable container, and disposing of the feces in a sanitary manner. *Defecation (scoop the poop).* Any person who has the charge and control of any dog on any public street, sidewalk, pathway, park, pedestrian way, or any public facility, or on any school ground, or on any private property not owned or possessed by the owner or person having the charge or control of such animal shall at all times:
- ~~1. Repealed. Maintain in his/her possession sufficient suitable wrappers, bags or containers for the purpose of complying with this section;~~
 - ~~2. Shall immediately and securely enclose all feces deposited by the animal in a bag, wrapper, or other suitable container; and~~
 - ~~3. Dispose of collected feces in a sanitary manner.~~
- 6 This section shall not apply to any service dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.

- ~~4. Animals on the pathways. No person shall allow any dog belonging to themhim or her or in theirhis or her custody to enter upon any Pathway within the Town without the dog under leash control. This section shall not apply to any guide dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.~~
- ~~5. Dogs and cats prohibited in Town parks. No owner of any dog or cat shall aAllow the dog or catAnimal to enter or be upon any Town park, including but not limited to the Town Square, North Park, Miller Park, Phil Baux Park, Snow King Ball Park, Powderhorn Park, Powderhorn Ball Park, Mike Yokel Park, Rangeview Park, Garaman Park, and Mateosky Ball Park.~~
7. Spread, scatter, distribute, or deposit in any manner any Animal feces on any property not owned or occupied by the Owner without the express permission of the owner or occupant of the property.
8. Permit the Animal to chase, stalk, threaten, or otherwise harass people or passersby when the person or passerby is in a place where they have a legal right to be.
9. Permit the Animal to attack, chase, stalk, or threaten other Domestic Animals.
10. Permit the Animal to chase passing Vehicles.~~which means every device, in, upon, or by which any person or property is or may be transported.~~

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 802, § 1, 2005; Ord. 793 §§ 2, 13, 2005; Ord. 789 §§ 2—6, 2004; Ord. 293 § 1, 1982; Ord. 253 § 1, 1979; Ord. 213 § 3, 1977; Ord. 146 § 1, 1971).

7.05.030 ~~Biting, aggressive or V~~vicious ~~A~~animals.

- A. It is unlawful for any Owner to keep, maintain, harbor, or board a Vicious Animal unless the animal is properly restrained, secured, or muzzled to prevent it from injuring a person or another Animal or damaging property.

~~Aggressive or vicious animals.~~

- ~~1. No person shall allow an aggressive or vicious animal to be upon the premises of anyone other than its owner, unless the animal is muzzled or secured in an appropriate container or vehicle.~~
- ~~2. No person shall keep, harbor, or allow an aggressive or vicious animal to be upon any premises other than the owner's unless the animal is muzzled or secured in an appropriate container or vehicle occupied by him or her under his or her charge or control that may manifest a disposition to bite anyone without having the animal properly secured, contained or muzzled so as to prevent it from injuring any person, domestic animal or passersby.~~

~~B. Control of biting domestic animals.~~

- ~~1. Every owner shall take reasonable steps to prevent his or her their domestic Animal from biting a person or other domestic animal so as to break the skin or result in an open wound, or and from engaging in an unprovoked attack on any person or other domestic animal. This subsection does not apply:~~

~~This subsection shall not apply if the biting domestic animal is on the owner's premises and either the premises are clearly posted with warnings concerning the biting domestic animal or the entry onto the premises was unlawful.~~

~~This section shall not apply to a police dog in the performance of law enforcement duties.~~

~~or To a veterinarian treating domestic animals.~~

- ~~2. If the Ninth Judicial Circuit Court of Teton County further finds the biting domestic animal to be vicious and has a propensity to bite any person or other domestic animal or attack any person or other domestic animal in a vicious manner again, the court may order that the biting domestic animal be disposed of in a humane manner in addition to any fines ordered. If the biting domestic animal is euthanized, the Court may order that the remains be examined for the presence of any disease communicable to humans or animals, and that all costs of destruction and analysis, expenses incurred by the victim, and impoundment fees as delineated shall be paid by the owner.~~
- ~~3. Any domestic animal that bites another domestic animal or person, other than its owner or immediate family member, which results in an open wound or attempts to attack or attacks any person or other domestic animal in a vicious manner shall be reported by the owner to an Animal Control Officer. In the event the biting domestic animal may be a carrier of rabies or other communicable diseases, it may be apprehended and impounded.~~
 - ~~i. If the owner of a dog or cat which bites can show evidence of a current valid rabies vaccination, the dog or cat shall be returned to the owner after payment of impoundment fees as delineated in this title.~~
 - ~~ii. If the owner cannot produce evidence of a current and valid rabies vaccination, the domestic animal, if capable of transmitting rabies, may be impounded and quarantined for a period of at least ten days or as long as necessary as determined by the Animal Control Officer after the attack to determine whether it has any disease which may be communicable to humans. At the discretion of the Animal Control Officer, the quarantine may be on the premises of the owner. Prior to release of the domestic animal to the owner, the owner of the animal shall pay the impoundment fees as delineated in this title.~~
 - ~~iii. If the owner cannot produce evidence of a current and valid rabies vaccination and the owner does not desire to proceed pursuant to Section 7.02.030(B)(3)(ii), the animal may be humanely destroyed, and its remains analyzed for the presence of any disease communicable to humans or may be forfeited to the Jackson/Teton County Animal Shelter for disposition. The owner shall pay all costs of destruction and analysis and any applicable impoundment and shelter fees and shall be responsible for any Court ordered restitution to the victim.~~
- ~~C. Dog chasing, injuring or killing livestock or wildlife. A dog chasing, injuring or killing livestock or wildlife may be impounded and a determination shall be made by the Ninth Judicial Circuit Court for Teton County as to the propensity for the dog to continue to pose a threat to livestock or wildlife. If it is determined that the dog may pose a future threat to livestock or wildlife, the Court may order that the dog be humanely disposed of or restriction be placed on the movements of the dog. This section does not limit the ability of an owner of livestock or his agent or any peace officer from killing a dog in the act of chasing, injuring or killing livestock pursuant to Wyoming Statute. This section does not limit the ability of a peace officer to utilize the provisions of Wyoming Statute that allows for killing of the dog at the time of an attack on wildlife.~~

(Ord. § 1, 2024; Ord. 1004 § 1, 2012; Ord. 920 § 2, 2009; Ord. 793 § 10, 2005; Ord. 146 § 11-, 1971)

7.05.032 Biting animals.

- A. It is unlawful for an Animal to bite any person that causes bodily injury or to bite another Domestic Animal that causes an open wound. This subsection does not apply to the following:
1. The person bit was committing or attempting to commit a criminal offense against the Owner;
 2. The person bit was unlawfully present at the location where the bite occurred;
 3. The person bit knowingly tormented, provoked, abused, or inflicted injury upon the Animal which resulted in the bite;
 4. A police dog in the performance of official duties; or
 5. A veterinarian treating the Animal.
- B. The Owner of the Animal that is in violation of this Section shall be liable for the violation.
- C. Any Animal that bites a person may be Impounded and held in quarantine as provided in W.S. § 11-31-301(e).

(Ord. § , 2024).

7.05.035 Dog chasing, injuring, or killing livestock or wildlife.

- A. It is unlawful for any Owner to permit a dog to chase, threaten, injure, or kill any livestock or wildlife unless the dog was attempting to protect Livestock or other property.
- B. A dog found chasing, threatening, injuring, or killing any Livestock or Wildlife may be Impounded.
- C. This section does not limit the ability of a peace officers to kill a dog under the circumstances provided in W.S. § 11-31-301(d) or W.S. § 23-3-109.

(Ord. § 1, 2024).

7.05.040 Disposal of dead animals.

- A. Owners shall dispose of deceased Animals within 24 hours by burying them in a lawful location, transferring them to a veterinary clinic, cremating the remains, or disposing of them in accordance with rules and regulations of the Teton County Trash Transfer Station. If the Teton County Trash Transfer Staton is closed, the time limit set forth herein is extended through the hours of operation on the first business day that the Teton County Trash Transfer Station is open.

~~When any animal has died or has been destroyed, the remains of such animal shall be cremated by a licensed crematorium or buried beneath the surface of the ground at the Teton County Landfill or any other appropriate location. The remains of animals shall not be placed in garbage cans for pickup and disposal by employees of the franchise holder for garbage disposal in the Town. Notwithstanding the foregoing, licensed veterinary clinics, Animal Control Officers or the Animal Shelter may dispose of animals in garbage receptacles with proper notice given to the garbage disposal franchise holder.~~

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 793 § 16, 2005; Ord. 649 § 1, 2000; Ord. 146 §§ 11, 15, 1971).

Chapter 7.08 TREATMENT AND USE OF ANIMALS

7.08.010 Killing, maiming or disfiguring animals. Repealed.

~~It shall be unlawful for any person to willfully kill, maim, inhumanely trap, or disfigure any domestic animal or administer any poison to any domestic animals or expose any poisonous substance with the intent that it be devoured by any domestic animal, unless otherwise permitted by law.~~

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 14 § 1, 1926).

7.08.020 Cruelty to or neglect of ~~to~~ animals.

A. It is unlawful for any person, either through their action or omission, to:

1. Intentionally or knowingly unnecessarily injure, beat, or cause suffering to an animal;
2. Knowingly carry an animal in a manner that poses undue risk of injury or death;
3. Knowingly override an animal or drive an animal when overloaded;
4. Abandon an animal. The relinquishment of an animal to a public or private animal shelter or like facility is not a violation of this Section;
5. Fail to provide adequate food, clean water, protection from the elements, adequate sanitation, adequate facilities, or standard and accepted veterinary care for an animal's health and well-being;
6. Place, leave, or confine an animal, or allow an Animal to be placed, left or confined, in a Vehicle without providing adequate air, ventilation, food, water, sanitary conditions, bedding, shelter or protection from heat, cold or other environmental conditions or under other circumstances that would constitute a hazard to the Animal;
7. Cause the death, injury or suffering to an Animal except when performed by a licensed veterinarian or veterinary office;
8. Cause or allow an Animal to remain in its own filth, urine, or feces;
9. In the case of immediate, obvious, serious illness or injury to the Animal, fail to provide the animal with appropriate care;
10. Keep an Animal in a manner that results in chronic or repeated serious physical harm to the Animal;
11. Attach or allow to be attached a collar or harness to an Animal that is of an inadequate size so that it restricts the Animal's growth or causes damage to the Animal's skin;
12. Attach or allow to be attached a tether that is not appropriately sized for the Animal or so heavy as to restrict or burden the Animal's movements which causes harm to the Animal;

13. Tease, taunt, or provoke an aggressive reaction from an Animal;
14. Fail to place or attach a tether to avoid entanglement with chains of other Animals or other objects so as to deny the Animal convenient and safe access to food, water, or shelter;
15. Own, possess, keep, or train an Animal with the intent to allow the Animal to engage in an exhibition of fighting with another Animal;
16. For gain cause or allow any Animal to fight with another Animal;
17. Promote any Animal fighting;
18. Shoot at, place poison, a toxicant, or other substance, or otherwise intentionally act to seriously injure or destroy any Animal owned by another person while the Animal is on property where the Animal is authorized to be present;
19. Intentionally frighten, scare, or torment an Animal with loud noises;
20. Crop an Animal's ear or dock an Animal's tail unless it is performed by a licensed veterinarian; and
21. Intentionally poison any Domestic Animals or expose any poisonous substance with the intent that it be devoured by Domestic Animals.

It shall be unlawful for:

- A. Any person to knowingly and intentionally maltreat, torture or torment an animal with the intent to cause death, injury or undue suffering; to cruelly overwork, override, beat, injure, mutilate or otherwise abuse any animal; to carry an animal in a cruel or inhumane manner, or having the right and authority, to kill any animal in any way except in a humane manner.
- B. Any person to frighten or scare any animal in an enclosure or on the street by airguns, firecrackers, noisemakers, gestures, motorized vehicles, or other loud noises with the intent to torment the animal.
- C. Any owner to: fail to provide an animal with sufficient quantities of proper food, water, shelter and protection from the weather; neglect an animal; abandon an animal; or fail to provide appropriate veterinary care or sanitary living conditions.
- D. Any person to cause or encourage a dogfight, cockfight, bullfight, or any other form of combat between animals or between animals and humans, nor Own, keep, possess or train any bird, fowl, dog or other animal with the intent of engaging or using the animal in an exhibition of fighting, or to permit the same to occur on premises under his charge or control. animals so kept, possessed, owned or trained may be subject to forfeiture. Nothing in this subsection shall be construed to prohibit rodeo events.
- E. A person to knowingly be present at any place where an exhibition of animal fighting is occurring for amusement or gain.
- F. Any person other than a licensed veterinarian to crop an animal's ear or dock an animal's tail.
- G. A person to leave any animal in an unattended vehicle without adequate ventilation or in such a manner as to subject the animal to extreme temperatures which adversely affect its health or welfare.
- H. A person to utilize a chain, cable or rope to restrain a dog unless it is placed or attached to avoid entanglement with chains of other dogs or any other object, and is at least three times the length

~~of the dog as measured from the tip of its nose to the base of its tail allowing the dog convenient and safe access to water and protection from the elements.~~

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 793 § 12, 2005; Ord. 645 § 1, 2000; Ord. 609 § 1, 1998; Ord. 189 § 1, 1976; Ord. 146 § 13, 1971; Ord. 15 § 2, 1926).

7.08.030 ~~Leaving~~ Animals in a public places.

A. It is unlawful for an Owner to permit an Animal to leave their Premises without the Animal being under Control.

B. It is unlawful for any person to tie, tether, or otherwise fasten an Animal to any structure or object where:

1. The Animal is not securely tied, tethered, or otherwise fastened to the structure or object,

2. The Animal presents a danger or nuisance; or

3. The Animal obstructs or interferes with vehicular or pedestrian traffic along any public roadway, pathway, sidewalk, alley, or ~~ingress/egress of any building from public property.~~

~~A. No person shall leave any animal in a public place without securely fastening such animal or allow any animal to be picketed or to graze along public thoroughfares where it may be a danger or nuisance, or tie or picket any animal so as to obstruct any sidewalk, street, alley or access to any public place. This section shall not apply to an animal engaged in the performance of law enforcement duties or a certified service animal.~~

~~B. All dogs shall be kept under restraint when off the property of the owner. However, no owner of any dog shall restrain the dog with a leash, cord, chain, rope or other device and then secure such leash, cord, chain, rope or other device to any vehicle, mailbox, post or other structure adjacent to any roadway, doorway, pathway or sidewalk, that would allow said dog to interfere with vehicular or pedestrian traffic along any public roadway, pathway, sidewalk or entrance to any building frequented by the general public. This section shall not apply to any service dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.~~

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 189 § 1976; Ord. 15 § 3, 1926).

7.08.040 Release of animals.

It is unlawful for any person to release any Animals ~~a~~ At ~~l~~arge or fail to close any gate which ~~they or she~~ has opened by which any Animals may escape.

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 189 § 3, 1976).

7.08.045 Gate and fence maintenance.

It shall be the Owner's ~~or lessor's~~ responsibility to maintain and repair all gates and fences around any aAnimal enclosure.

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 189 § 3, 1976).

7.08.050 ~~Herding~~ Obedience to traffic regulations.

~~Unless a special permit or Town Council approval is obtained, It is unlawful for any person to drive, herd, or cause to be driven or herded the running of any~~ Livestock upon any public highway, street, alley,

pathway, sidewalk, or other public thoroughfare- unless written permission is obtained from the Town Manager, or their designee is not allowed. and all horse riders and horse drawn vehicles are required to respect and follow the traffic ordinances of the Town unless otherwise stated and except those that by their very nature do not apply.

(Ord. _____ § 1, 2024; Ord. 920 § 2, 2009; Ord. 189 § 4, 1976).

7.08.060 Vehicular collisions with Domestic Animals.

~~Any motorist, while operating a vehicle, who~~ The driver of any Vehicle that collides with a Domestic Animal shall immediately and safely stop ~~and to immediately~~ render such assistance as is safely possible to the Domestic Animal, and shall take reasonable steps to notify the Owner of the Domestic Animal ~~report the incident to either the animal's owner,~~ or, in the event the ~~o~~Owner cannot be ascertained ~~and~~ or located, to give notice to an Animal Control Officer or law enforcement.

(Ord. _____ § 1, 2024; Ord. 920 § 2, 2009).

7.08.070 Supplemental feeding of wildlife.

A. It is unlawful for any ~~No~~ person ~~shall to~~ provide supplemental feed to wildlife.

~~B. As used in this section, the term "supplemental feed" means any additional feed product of any kind given to wildlife, and includes but is not limited to any human food, garbage, pet food, hay, salt or mineral supplements, forage product or supplements, grain, honey, seed, or birdseed, and any other feed product that may be consumed by wildlife.~~ A person engaged in ~~any of~~ the following activities that leads to wildlife accessing Supplemental Feed is not subject to liability under this section:

1. The normal feeding of Livestock, ~~excluding the storage of the feed;~~
2. Normal agricultural practices that involve ~~The practice of~~ raising crops and crop aftermath, including hay, alfalfa, and grains produced, harvested, stored, or fed to ~~domestic~~ Livestock ~~in accordance with normal agricultural practices;~~
3. The cultivation of a lawn or garden, which generates incidental food sources such as lawns and garden produce;
4. Bird feeding, but ~~if and~~ only if the bird or hummingbird feeder is inaccessible to any wildlife other than birds and the area below the feeder is kept free of the accumulation of seed, seed debris, ~~or and~~ other edible materials.
5. ~~The person is authorized to p~~roviding ~~s~~Supplemental ~~f~~Feed pursuant to authorization of ~~by~~ an agency of ~~either~~ the State of Wyoming or the United States of America.

(Ord. _____ § 1, 2024; Ord. 1322 § 1, 2022; Ord. 920 § 2, 2009; Ord. 727 § 1, 2003).

7.08.080 Wildlife attractants.

~~A. As used in this section, the term "wildlife attractant" means any substance which could reasonably be expected to attract wildlife or lead to the unintentional feeding of wildlife, which includes, but is not limited to, trash, food products, pet food, feed, fruit, compost, or any other material attractive to or edible by wildlife. Wildlife attractant does not include recyclables that have been rinsed and cleaned.~~

~~BA.~~ It is unlawful for any person shall to knowingly store, keep, leave out, dispose of, or place any wildlife attractants on or about any property that is not in a bear-resistant container or inside a bear-resistant building, fence, or enclosure as set forth in Section 8.12.105 of this Code.

~~C. Repeal. All wildlife attractants shall be stored in a bear-resistant container or inside a bear-resistant building, fence, or enclosure as set forth in Section 8.12.105.~~

~~BD.~~ Ornamental fruit bearing trees. Ornamental fruit bearing trees, which are not harvested for food and include but are not limited to crabapple and cherry trees, shall not be planted. Existing ornamental fruit bearing trees shall be managed to prohibit wildlife from feeding on fruit, and therefore, shall be either fenced in compliance with Section 8.12.105 of this Code or maintained by pruning the tree branches to be at least ten feet from the ground and by keeping the area below the tree free of any fruit.

(Ord. § 1, 2024; Ord. 1322 § 1, 2022).

Chapter 7.12 DOG ~~AND CAT~~ LICENSES AND REGULATIONS

7.12.020 Dog ~~and cat~~ license required.

A. It is unlawful for a person to own or keep a dog over the age of three months within the Town for more than 30 days without a valid Town or Teton County, Wyoming license tag. Any dog or cat residing in Town more than 30 days must be licensed.

7.12 025- Applications—Initial and renewal.

A. Those seeking a license must complete an application pursuant to this section.

B. All applications 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. Each application 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. Payment of the application fee.

E. There shall be no pro-rated reduction of the annual fee based on the time of year when a license is issued or renewed.

~~B. Such license shall not be issued until~~

~~Payment of the applicable fee in an amount established by resolution and~~

~~presentation of a current and valid certificate subscribed by a licensed veterinarian that the dog or cat has been vaccinated against rabies, and that dog or cat is current on its rabies vaccination. The vaccination certificate shall indicate the date of vaccination, the type used and the period of immunization.~~

~~C. Licenses shall be renewed at the start of every calendar year.~~

~~D. — Dogs and cats less than four months of age are exempt from having licenses.~~

~~E. — Upon issuance, the license tag shall be fastened to the dog's collar or harness. Such tags shall be worn at all times when the dog is off the premises of its owner.~~

~~(Ord. § 1, 2024; Ord. 1280 § 5, 2021; Ord. 920 § 2, 2009; Ord. 793 § 4, 2005; Ord. 789 § 7, 2004; Ord. 646 § 1, 2000; Ord. 194 §§ 1, 2, 1976; Ord. 146 §§ 2, 4, 1971).~~

7.12.030 License—Conditions of issuance. Repealed.

~~Licenses issued in accordance with this chapter are conditioned upon the requirement for humane care of the dogs or cats and for compliance by the owner with all provisions of this chapter and other applicable state and local laws.~~

~~(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 793 § 5, 2005; Ord. 213 § 1, 1977; Ord. 146 § 12, 1971).~~

7.12.040 License—Revocation. Repealed.

~~— The Town Clerk or an Animal Control Officer may revoke any license if the person holding the license refuses or fails to comply with this or any state or local law governing cruelty to animals or the keeping of animals. When a license is revoked, the owner of the dog or cat shall within ten days thereafter surrender the dog or cat to the animal shelter, remove the dog or cat from the Town jurisdiction or humanely euthanize the dog or cat.~~

~~— No part of the license fee shall be refunded.~~

~~A. If the owner fails to surrender the dog or cat to the Animal Shelter, remove the dog or cat from the Town jurisdiction or euthanize the dog or cat being owned, kept or harbored by such person as required in this chapter, such dog or cat may be seized by an Animal Control Officer subject to a Court's disposition of the dog or cat and, thereafter, put up for adoption or humanely disposed of.~~

~~(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 793 § 5, 2005; Ord. 213 § 1, 1977; Ord. 146 § 3, 1971).~~

7.12.090 Rabies vaccination required.

A. It is unlawful for any person to own or keep a dog or cat over the age of **three** months within the Town unless the dog or cat has a current vaccination against rabies.

B. The Owner of the dog or cat shall possess a **tag or documentation** from a licensed veterinarian, and the current contact information of the veterinarian, showing the dog or cat has a valid and current vaccination and provide it to an Animal Control Officer upon **request**.

~~A rabies certificate signed by a licensed veterinarian showing that a dog or cat has been vaccinated against rabies is required of all dog and cat owners.~~

~~(Ord. § 1, 2024; Ord. 920 § 2, 2009).~~

7.12.100 Rabid dog—muzzling. Repealed.

~~Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the Mayor, if he deems it necessary, may issue a proclamation ordering every person owning a dog to confine it securely on his premises and to muzzle the dog with a muzzle of sufficient strength to prevent its biting any person. Any unmuzzled dog found within the Town during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies. All dogs so noticeably infected with rabies and~~

~~displaying vicious propensities shall be killed by a Police Officer or other authorized person finding such dog, without notice to the owner. If it is determined that an impounded dog is not infected, the dog shall be released to the owner upon payment of the impounding charge provided for in this title. If unclaimed after 30 days, the dog may be summarily destroyed or adopted.~~

(Ord. § 1, 2024; Ord. 920 § 2, 2009; Ord. 146 § 10, 1971).

7.12.110 Rabies control.

- A. If an Animal Control Officer has reason to believe an Animal has been exposed to rabies or is infected with rabies, they may order the Animal quarantined in accordance with the procedures set forth in Section 6 of the Livestock Board's State Veterinarian's Rabies Prevention and Post Exposure Management Rules found in Wyoming Rules and Regulations.
- B. If an Animal Control Officer has reason to believe an Animal possibly exposed a person to rabies, they may order the Animal quarantined in accordance with Section 7 of the Livestock Board's State Veterinarian's Rabies Prevention and Post Exposure Management Rules found in Wyoming Rules and Regulations.
- C. If a quarantine under this Section cannot be imposed because the Animal cannot be captured, an Animal Control Officer may euthanize the Animal after reasonable capture methods have been exhausted. Euthanasia under this Section shall be in a humane manner that avoids damage to the Animal's head.

(Ord. § 1, 2024)



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Grizzly Bear Recovery Program
University of Montana
University Hall, Room 309
Missoula, Mt 59812



September 6, 2024

Jackson Town Council
PO Box 1687
Jackson, WY 83001

Dear Members of Town Council,

I am writing to urge you not to adopt the proposed changes to Title 7 of the municipal code to allow honeybees and chickens within town limits. Both bees and chickens are strong bear attractants. When bears gain access to these food sources, they can create financial loss to the homeowner through destruction of hives and chicken coups, as well as the killing of chickens. Bears that obtain these food sources may also become conditioned to them such that they actively seek them out where possible. Bears that become food conditioned are often more likely to be involved in human-bear conflict, and potentially represent an increased threat to human safety.

Electric fencing is an effective way to protect bees and chickens from bears. However, electric fences are not infallible, are costly, and may have unique challenges in a town setting. Electric fences require routine maintenance from the homeowner in order to function properly. The fence must be in an area where a bear cannot gain access from above (i.e. a tree limb extending over a fenced area, or an elevated platform alongside the electric fence). Electric fences must be properly signed and children should be educated about safety around the fence. If bees and chickens were to be permitted, the town must consider what changes they will make to the bear attractant storage regulations and how those will be effectively enforced.

I commend the town for the strides taken to minimize bear attractants on the landscape and therefore reduce human caused bear mortalities. However, I feel that adding attractants, like bees and chickens, is a step in the wrong direction. Thank you for your time and consideration.

Sincerely,

Rebecca Lyon
Grizzly Bear Conflict Specialist
US Fish and Wildlife Service



United States Department of the Interior



U.S. FISH AND WILDLIFE SERVICE
NATIONAL ELK REFUGE
P.O. Box 510
675 E. Broadway
Jackson, WY 83001

October 9, 2024

Jackson Mayor and Town Council
PO Box 1687
Jackson, WY 83001

Dear Mayor Levinson and Town Council Members,

Considering the proposed changes to Title 7 of the municipal code to allow honeybees within town limits, I would like to provide some additional perspective on the potential impacts to native bees.

- Honeybees are not native to the United States. A single honeybee hive houses 20,000 – 60,000 bees. Honeybees forage 0.5 miles from their hive on average and can travel more than three miles away.
- Native bee populations are in decline across the U.S. There are 700-800 native bee species in Wyoming with new species still being discovered. Three bee species found in Wyoming have recently been petitioned for listing under the U.S. Endangered Species Act. At least one of these petitioned bees occurs on the National Elk Refuge.
- Field studies provide evidence that honeybees compete with native bees for pollen and nectar which changes visitation, flower use, and foraging costs of native bees. Competition for floral resources has caused declines in some native wild bee populations.
- Native bees are more effective pollinators for many native plants. This means that when native flowers are pollinated by native bees, more seeds are created, and the reproductive fitness of native plants increases.
- Honeybees can increase the risk of pathogen spillover to native bees. Studies have found that native wild bees have a higher prevalence of pathogens the closer they are to honeybee hives.
- The National Elk Refuge has been collecting bees as part of a monitoring and inventory project. During the last two years, only a few honeybees have been detected. These individuals were found at headquarters on Broadway and along the western boundary. These two areas are along the interface with urban and human developed spaces and closest to registered apiaries.

Honeybees are likely to be detrimental to the natural resources and ecosystem on the National Elk Refuge. I appreciate the opportunity to provide comments on this issue.

Sincerely,



Amy Girard
Fish and Wildlife Biologist
United States Fish and Wildlife Service



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699

wgfd.wyo.gov

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Ashlee Lundvall

Kenneth D. Roberts

John J. Masterson

Rusty Bell

August 30, 2024

Jackson Mayor and Town Council
150 E Pearl Avenue
Jackson, WY 83001
electedofficials@jacksonwy.gov

RE: Municipal Code Update: Title 7, Animals

Dear Town of Jackson Elected Officials,

It has come to the attention of the staff of the Wyoming Game and Fish Department (Department) that the Jackson Town Council directed staff to draft ordinance changes to allow chickens and honey bees within the Town of Jackson at the Regular Town Council Workshop on February 26, 2024. The Department offers the following comments for your consideration.

- Chicken coops and beehives are a powerful bear attractant and cause a high number of bear-human conflicts in the Department's Jackson Region. In the last 10 years, there have been 29 total bear conflicts involving chicken coops and beehives in the Jackson Region. Grizzly bear 399 and her offspring have been involved in 8 conflicts involving chicken coops and beehives. This is the most common type of conflict that bear 399 and her offspring are involved in.
- If chickens and beehives are permitted within the Town of Jackson, there will likely be associated bear-human conflict that can result in agency removals of bears. These conflict types have resulted in 4 (3 black and 1 grizzly) bears that were captured and relocated or euthanized in the Jackson Region.
- The increased probability of bear-human conflict would also increase public safety concerns and the potential for human injury, pet injury, and property damage.
- When bears come into contact with chicken coops and beehives, they often cause significant damage that results in total loss of investment.
- Chicken coops and beehives can be secured from bears with electric fence, however properly building and maintaining electric fence can be costly, time consuming, and has a learning curve.
- Chickens can present disease risk to wildlife, including highly pathogenic avian influenza (HPAI).
- Chickens and honey bees can be attractants and alter food availability for other species, such as mountain lions, bobcats, pine martens, coyotes, foxes, raccoons, feral cats, ravens, crows, and others.

We appreciate the opportunity to review and provide technical comments. If you have any questions, please contact me at 307-733-2321.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Stewart'.

Cheyenne Stewart
Jackson Region Wildlife Management Coordinator

cc: Mike Boyce, WGFD
Brad Hovinga, WGFD
Tanya Anderson, Town of Jackson



Jackson Town Council Members

September 16th, 2024

150 E Pearl Avenue
Jackson, WY 83001
P.O. Box 1687
Jackson, WY 83001

RE: Opposition to Proposed Ordinance Allowing Chickens and Bees in the town of Jackson.

Dear Council Members:

On behalf of Bear Wise Jackson Hole, I would like to convey our opposition to the Town's proposed ordinance that would allow chickens and beehives within town limits. Chickens and beehives are powerful bear attractants and could lead to increased human-bear conflict. Allowing this threatens human safety as well as the safety of black and grizzly bears and other wildlife. The correlation of wildlife conflict with the farming of chickens and bees has been seen in other communities who have made these allowances.

"In 2007, in response to the growing practice of urban chicken-keeping, the City Council of Missoula, Montana passed an ordinance allowing six chickens per urban lot" (SHERIDAN, 2013). "The main challenge that nearly many experienced first-hand was the threat of predators, both wild and domestic, either killing or injuring their flock. The city limits of Missoula are precariously close to wilderness areas and urban wildlife conflict is a common occurrence...bears were a concern for the household." Since passing this ordinance, there have been multiple incidents of bears getting too close to people, damaging property and depredating chickens. Several articles exist about chicken coops being damaged by bears, resulting in a complete loss of investment. Unfortunately, most of the time, the result is euthanization of the bear.

Similar to Missoula, the town of Jackson is frequented with bears. There are an estimated 1,002 grizzly bears and a robust population of black bears in the Greater Yellowstone Ecosystem. Adding bees and chickens will only increase their time spent in town and chances of causing harm to people, livestock, property and ultimately themselves. About 11,000 people call Jackson home. According to the United States Census Bureau, the Town of Jackson, WY is only 2.9 square miles. Including 2.6 million annual visitors, it is an incredibly densely populated area. Adding an extra attractant will likely increase the risk of human and bear interaction which could be dangerous.

If chickens and beehives are allowed in the Town of Jackson, we recommend that the ordinance include a requirement that all chicken coops and beehives be enclosed in electric bear resistant fences. These fences should have 3 strands of wire, an energizer that outputs 0.7-1 joules, with the highest wire standing 36-42 inches above the ground. Electric fences are one of the most effective ways to protect livestock from bears.

The negatives of having bees and chickens allowed in the Town of Jackson outweigh the positives. We hope, for the sake of bear and human safety, the Mayor and Town Council members vote against the proposed ordinance for bees and chickens.

Thank you for your time.

Sincerely,

The Team at Bear Wise Jackson Hole



P.O Box 8042 Jackson, WY 83002



307-739-0968



info@bearwisejh.org



www.bearwisejh.org

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Online Form Submittal: Sally Baughman Email the Town Council
Date: Saturday, March 16, 2024 1:23:46 AM



Email the Town Council

Email Content:

Good morning, bear watchers. As a resident of east simpson ave, I'm concerned folks are missing the link between bears and chickens being raised in towns. I had a harrowing experience in Granite, Colorado at my sisters house when a bear broke into a chicken coop(made out of the previous owners horse barn). This heavy duty building had a Hooke scratched 8n to it and the bear ate twenty chickens. The bear returned to pick off the free range turkeys.

Please, I love chickens and appreciate folks in town think it's only rooster noise that wil" disturb folks. But seriously, the bears will soon quickly follow.

Thank you,

Sally Baughman

Your Name: Sally ♀ Baughman

Your Company Name: xcDOGS

Your Phone Number: [REDACTED]

Your Email Address: [REDACTED]

Your City: Jackson

Your State: WY

Your Zip Code: 83001

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Hailey Morton Levinson](#)
Subject: Online Form Submittal: Steve Ussery Email Hailey Morton Levinson
Date: Wednesday, March 27, 2024 1:58:49 PM



Email Hailey Morton Levinson

Email Content:

Mrs. Levinson, in light of the City of Jackson considering allowing beekeeping within the city limits, I would like to make you aware of a resource that is available to Teton County residents. My name is Steve Ussery and I am the president of High Mountain Pollinators and Bees, a nonprofit organization that provides training opportunities to anyone interested in beekeeping and creating/protecting pollinator habitat. We are based in Lincoln County, but also work in Teton County and eastern Idaho. Two of our 5 directors are in Teton County. We hold monthly training sessions for beekeepers or those interested in getting started in the hobby. During the months of April - October we hold what are called Open Apiary meetings, which are hands-on beekeeping training sessions at an apiary location where participants can handle frames of bees, learn techniques for caring for bees, and share knowledge and experiences. Last year we had our hives at the Teton Raptor Center in Wilson, but could not leave them there during the winter. We currently have an apiary location just north of Rafter J and will be holding our first open apiary session for the season on April 20th. We also hold an Introduction to Beekeeping class each spring in both Lincoln and Teton counties. That class is scheduled for April 13th at 10:00am and will be at the library. During the winter months when we cannot be in the hives, we offer Zoom meetings where we find experts to speak on pertinent topics.

I would like to offer our services to the Town Council to answer any questions you may have about beekeeping in this area, and to invite any interested Council members to attend the Intro to Beekeeping class on April 13th. It is free and open to anyone. Please feel free to contact me if you have any questions about beekeeping that we could help with. You can find more information about High Mountain Pollinators and Bees on our website: highmountainpollinatorsandbees.org. Thank you.

Your Name: Steve Ussery

Your Company Name: High Mountain Pollinators and Bees

Your Phone Number: [REDACTED]

Your Email Address: [REDACTED]

Your City:	Smoot
Your State:	Wyoming
Your Zip Code:	83126

Email not displaying correctly? [View it in your browser.](#)

From: [Ann Smith](#)
To: [Hailey Morton Levinson](#)
Subject: 8 Reasons Why Keeping Urban Chickens Is a Bad Idea - Animal Justice
Date: Sunday, March 17, 2024 12:52:44 PM

A friend of mine who lives south of town tried to keep chickens for two years. The raccoons, foxes, bears and mountain lions dug under the fence and got them and they gave up. The same thing will happen in the town of Jackson.

As you know, 399 brought her 4 cubs thru town and that may not be the last time.

When I left Wilson and moved to Cache Creek seven years ago, Game And Fish killed seven black bears in my neighborhood due to human wildlife conflict. Why tempt them like this?

We are so blessed to live in a community frequented by wild creatures and we need to do everything we can to protect them!

After all they were here first!

Ann Smith

Cache Creek drive

Jackson.

<https://animaljustice.ca/blog/8-reasons-why-keeping-urban-chickens-is-a-bad-idea>

Sent from my iPhone



October 4, 2024

Town of Jackson
150 E Pearl Avenue
PO Box 1687
Jackson, WY 83001

Dear Town Councilors and Mayor Levinson:

As an organization that has spent nearly three years and over \$300,000 dollars to distribute bear-resistant trash cans throughout the town of Jackson and Teton County, we stand fully opposed to changing restrictions on allowing apiaries and chickens within town limits. We appreciate the sentiment that people are trying to reduce their waste, their carbon footprint, and their impact on the environment. However, as we have seen with compliance with trash cans and waste disposal, it takes time for people to catch on and install the correct resources to keep bears and people safe in our communities.

Even with a requirement to have a self-locking bear-resistant trash can, Teton County code compliance officers have recently (autumn 2024) written over 40 letters to area residents and property management companies informing them that residents do not have the required cans. Code compliance officers with the County and Town are both busy with an enormous amount of requests from non-wildlife related issues. Adding requests to check if beehives and chicken coops are up to code, would only increase the heavy workload they have which would likely leave many apiaries and coops unprotected and out of compliance even if there were regulations that required these structures to be inaccessible to bears.

Proper use and installment of electric fencing which is the best deterrent for bears around bees and chickens is difficult to obtain, costly, and requires maintenance. Chickens are constantly a source of conflicts for bears in many places with usually deadly results for bears. Even in places that have only black bears, communities are experiencing high levels of conflicts with chickens. [A September 3, 2022 article](#) from a Massachusetts newspaper touted, "Black bears killing chickens and damaging coops is becoming the number one human-bear conflict in Massachusetts. Coops and chicken wire provide inadequate protection from bears."

A [September 23, 2024 article from The Daily Montanan](#) announcing that the Montana Fish, Wildlife and Parks launched a new grizzly bear mortality dashboard shows that just since August of 2024, two grizzlies have been killed as a result of getting into chicken coops in Montana. There is no reason to think that our community will be any different. Let's not forget that 97% of Teton County is public lands located within the southern end of the Greater Yellowstone Ecosystem. This is bear country and one of the only places in the contiguous states where grizzly bears can live. Adding additional attractants at this time when bears are continuing to lose their lives because of humans is not in the best interest of our residents or bears. Please do not pass this regulation allowing bees and chickens to be present in town.

Thank you for your consideration,

A handwritten signature in black ink that reads "Kristin Combs". The signature is written in a cursive, flowing style.

Kristin Combs
Executive Director
JH Bear Solutions
Wyoming Wildlife Advocates

STAFF REPORT



Meeting Date:	October 21, 2024	Meeting Title:	Town Council Workshop
Submitting Department:	Building Department and Fire Department	Presenter:	Kelly Sluder Building Official Raymond Lane Fire Marshal
Agenda Item:	Adoption of the 2024 Building & Fire Codes	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to discuss adoption of the 2024 International Building, Existing Building, Fire, Wildland Urban Interface, Residential, Mechanical, Plumbing, Fuel Gas, and Energy Codes, as well as the 2023 National Electrical Code.

Requested Action.

The goal of this discussion is to gain Council's approval to move forward with adoption of the 2024 I-Codes and the 2023 National Electrical Code, and to obtain Council's recommendations on amendments to those codes.

Recommendations.

The Building Official recommends Town Council adopt, by ordinance, the 2024 Editions of the International Building, Fire, Wildland Urban Interface, Mechanical, Residential, Plumbing, and Fuel Gas Codes with amendments recommended by the Building Official and Fire Official.

In addition, to assist the design community in transitioning to the new 2024 codes, the Building Official also recommends a grace period until March 31, 2025, during which building plans may be designed to comply with either the 2021 or 2024 International Codes (this was done last time when the 2018 codes were adopted).

Background.

The purpose of the building codes is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

Town of Jackson Building Department and Jackson Hole Fire/EMS are responsible for enforcement of Building and Fire codes in the Town of Jackson. The Wyoming State Fire Marshal through the provision in State Statute 35-9-121 has assigned the Town of Jackson "Home Rule" for oversight of the Building and Fire Codes adopted at the state level with exception of enforcement in state-owned or leased buildings. In July 2024, the Wyoming State Fire Marshal in accordance with W.S. 35-9-106 moved to adopt the 2024 International Building Code, Existing Building Code, Fire Code, Mechanical Code, and Fuel Gas Code. Also, please note that ICC published the International Electric Code in 2023 and that this code is always published in a cycle that is one year prior to the other Building and Fire codes. The State Fire Marshall has adopted the 2023 International Electric Code but the Town has not yet adopted it. For all of these mandatory codes, Town Council may only amend to more restrictive requirements. In addition to the codes and code editions required by the State Fire Marshal's Rules. The Town previously voluntarily adopted the Energy Conservation, Wildland Urban Interface, Residential, and Plumbing Codes in 2021 and the Town Council may amend these codes as they see fit. Title 15 of the TOJ Municipal Code contains the ordinances for adoption of the codes, indicates the code editions and contains local amendments to the codes.

Summary of Building and Fire Codes	
Mandatory Codes Adopted by State Fire Marshall	Voluntary Codes the Town Can Choose to Adopt
2024 International Building Code (“commercial code”)	Residential Code (one and two-family dwellings)
Existing Building Code	Plumbing Code
Fire Code	Energy Conservation Code
National Electrical Code (2023)	Wildland Urban Interface Code
Mechanical Code	
Fuel Gas Code	

Attached are documents from the Building Official and Fire Official indicating what they consider significant changes between the 2021 Codes currently enforced and the new 2024 Codes. However, not all changes are provided. Ordinances in the Town Municipal Code Chapter 15 currently amend portions of the adopted codes. Existing amendments contained in the Town Municipal Code which will not be changed or that are modified only to reflect renumbering or relocation in the respective code have not been included in the attachments in an attempt to keep the attachments from being cumbersome. There is information included pertaining to minor modifications to some existing amendments and additional amendments the Building Official and Fire Official would like considered for the respective codes those individuals oversee. Council can recommend for or against amending or modifying an amendment as it sees fit. The Building Official is recommending Town Council not adopt the 2024 International Energy Conservation Code or the Energy provisions in the 2024 International Residential Code until staff has had adequate time to fully analyze the many changes to the 2024 International Energy Conservation Code. In addition, the delayed publication of the codes and supplemental commentaries by the ICC further hindered staff from being able to conduct a comprehensive review of the 2024 International Energy Conservation Code in time for the workshop. Staff recommend continuing to apply the 2021 International Energy Conservation Code at this time.

Key Policy Questions.

- Does Council concur with the local amendments recommended by staff for State required Codes (International Building Code, Existing Building Code, Fire Code, National Electrical Code (2023), Mechanical Code, and Fuel Gas Code)? What further amendments if any would Council like to see included in these codes?
- Does the Town Council want to continue to adopt the voluntary adopted codes, which include the Residential, Plumbing, Energy Conservation, and Wildland Urban Interface codes?
- If so, does the Town Council approve the local amendments recommended by staff for these codes or does Council want to recommend other changes?
- Does the Town Council want to delay adoption of the 2024 International Energy Conservation Code and Energy provision of the 2024 International Residential Code until staff has had time to further vet these codes?
- Does the Town Council want to extend the Wildland Urban Interface (WUI) boundary to include the rest of the Town of Jackson that is currently not included?

Analysis

Adoption of the building and fire codes, including designation of the code editions and approving amendments to those codes, is the responsibility of Town Council. Individuals and businesses within the Town of Jackson and others outside the community involved with the design and construction of the built environment will be affected by the update to the 2024 building and fire codes.

Attached to this staff report are summaries from the Building Official and Fire Marshall that summarize the most

significant changes added to the various building and fire codes. Below is some additional analysis of the practical impacts that some of the major changes may have on landowners, developers, and the general public.

Some highlights of Building Code changes:

The State of Wyoming adopted the 2024 International Fire Code on 6/28/2024. Below is a brief overview of major changes in the 2024 fire code. It is worth noting that the fire code and the building code share multiple chapters that are identical. Also important to note the fire code is a maintenance code, and its compliance is required in existing buildings and operations – in contrast the Building Codes are not maintenance code and so do not require, for example, annual inspections, like the Fire Department conducts on certain commercial buildings (e.g., hotels).

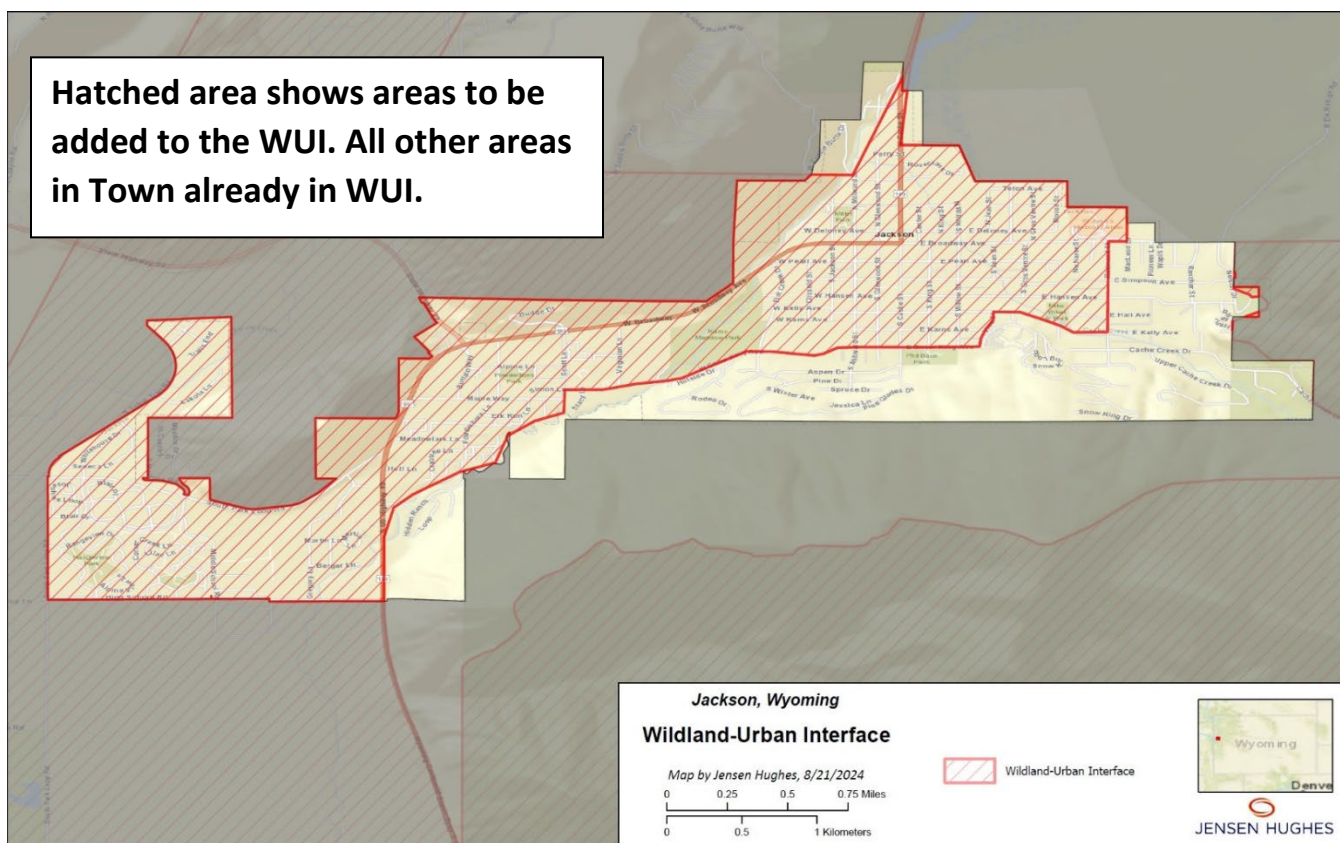
- **2024 International Building Code (mandatory)**
 - Carbon monoxide (CO) detectors are now required in all Occupancy types where there is a fuel fire appliance, i.e. gas or wood fireplace in a restaurant, bar, office, store, etc.
 - There is a new provision for Public- Occupancy Temporary Structures (e.g., farm stands, party tents that are engineered for snow and seismic) to be allowed to stay for up to 1 year rather than 180 days, if approved by the Building Official and inspections done by a third party at least every 180 days.
- **2024 International Existing Residential Code**
 - A Change of Occupancy or use will not require compliance with the ADA accessibility requirements if there is no alteration taking place in a building. This will help small businesses not have to absorb costs to modify restrooms or add wheelchair ramps that do not already exist in some of our older structures.
 - Existing stairways do not have to be brought up to the current code if replacing existing stairs in the same opening in the IRC.
- **2024 International Residential Code**
 - Sleeping Lofts are now allowed per the 2024 IRC. Until this code cycle, these were never an allowed use.
- **The 2024 International Energy Conservation Code (IECC) (voluntary)**
 - includes a number of important changes. For example, it has significantly increased the insulation requirements of wall assemblies in our Climate Zone to now require a R-30 insulation (R-26 is currently required) in walls, which would require either a more expensive spray foam type of insulation to comply or a thicker wall framing using 2X8 construction (instead of 2X6) for exterior walls. Also, the code decreased the ceiling insulation from an R-60 to an R-49 but the ICC has not stated why they decreased the ceiling insulation requirement. In addition to trying to assess and understand these proposed new changes in the IECC, staff is doing this review under significant time constraints due to the late publication of the Energy Codes. Finally, supporting software to help code users apply new code requirements, such as REScheck, which provides alternate compliance options, is not yet available. For these reasons, the Building Official does not recommend adopting the 2024 IECC at this time. Instead, the Building Official would like to come back to Council with an update later in 2025 once there has been sufficient time to fully vet the 2024 IECC and determine what financial and design impacts it might have on the community. Under this option, the Council might consider adopting the 2024 IECC one year later than all the other code in January of 2026.
- **2024 Internation Residential Code (voluntary)**
 - There are also new design guidelines for Electric Vehicles (EV) and Energy Storage Systems (ESS) in the Residential Code that will continue to help the Town with more home-based charging systems for electric vehicles.

Most of the Building Code changes appear to allow design teams, owners, and contractors to have more flexibility, especially for existing buildings in our area.

Some highlights of changes to the Fire Code and Wildland Urban Interface (WUI) code:

- **2024 International Fire Code (mandatory)**
 - IFC new permit types added: Temporary heating or cooking in tents or membrane structures, temporary heating or cooking in wildfire risk areas, temporary heating for construction sites, storage and handling of lithium batteries
 - New Section 320: Lithium-ion and Lithium Metal Battery Storage: New section addressing the growing concern over lithium-ion battery fires. Introduces storage limits, sprinkler requirements, fire safety plans, and explosion control requirements. New battery related sections have been added throughout the fire code.
 - New Section 322: Powered Micromobility Devices: Charging requirements for powered micromobility devices. Prohibits commercial charging operations in residential buildings. Provides requirements for charging in commercial spaces.
 - New Chapter 41: Temporary Heating and Cooking Operations: Provides clearer guidelines and safety protocols for temporary heating and cooking operations, addressing their complex nature.
 - Appendix O: Valet Trash and Recycling Collection in Group R-2 Occupancies: Introduces regulations for valet trash services in multi-family residential buildings (Group R-2 occupancies).
 - **2024 International Wildland Urban Interface Code (IWUIC) (voluntary) (See below for proposed WUI map)**
 - International Wildland Urban Interface Code (IWUIC) 2024: Chapter 5: Special Building Construction Regulations Updated regulations now allow the use of roof vents in various roof systems, previously prohibited.
 - Wildland Urban Interface (WUI) Boundary Extension. Expanding the WUI boundary to include all of Town is a significant proposed change. This recommendation is based on our CWPP planning document recommendations. Studies show that structure-to-structure ignition is a leading cause of wildfire destruction. Extending the WUI boundary is a crucial step toward building a wildfire-resilient community, focusing on reducing the risk of ember ignition in buildings.
 - By building structures to resist ember ignition, these large-scale events can be minimized. Extending the WUI boundary is an important first step to building a wildfire resilient future for the Town of Jackson and surrounding lands.
 - This change will impact the parts of the Town that currently are not in the existing WUI boundary. When it comes to construction additions or new building requirements are broken into 3 different requirement sections based on a parcel-based assessment. Ignition resistant class 1, 2, and 3 (IR 1,2,3)
 - IR 1 has requirements related to roof assembly, roof valleys, protection of eaves, fire sprinklers, gutters, exterior walls, flashing, underfloor enclosures, appendages and projections, underfloor areas, exterior glazing, exterior doors, vents and detached accessory structures.
 - IR 2 has requirements related to roof assembly, roof valleys, protection of eaves, gutters, exterior walls, flashing, underfloor enclosures, appendages and projections, underfloor areas, exterior glazing, exterior doors, vents and detached accessory structures. IR 2 allows different materials than IR 1.
 - IR 3 has requirements related to roof assembly, roof valleys, underfloor enclosures, gutters and vents.
- Defensible space requirements are either 30ft or 50ft depending on the parcel assessment. For new construction projects this requirement is for the entire structure. For additions on existing structures this is applied to from the addition area only.
- Other WUI requirements include:

- The Driveways in excess of 150 feet shall be provided with turnaround. Driveways in excess of 200 feet and less than 20 feet in width shall be provided with turnouts in addition to turnarounds. Turnarounds shall have inside turning radii of not less than 30 feet and outside turning radii of not less than 45 feet. Turnouts shall be all-weather road surface at least 10 feet wide and 30 feet long. (IWUIC 403.2)
- Firewood and combustible material shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. (IWUIC 607.1)
- Chimneys serving fireplaces, barbecues, incinerators, or decorative heating appliances in which solid or liquid fuel is used, shall be provided with a spark arrester. Arrester shall be constructed of woven or welded wire screening of 12 gage wire having openings not exceeding ½ inch. (IWUIC 605.1)
- LP-gas containers shall be installed underground. (IWUIC 606.2; amended)
- Fuel modification distance shall not be less than 30 feet or to the lot line, whichever is less. Trees are allowed within the defensible space provided that the distance between the crowns of adjacent trees, overhead electrical facilities and structures is not less than ten feet. (IWUIC 603.2/ 603.2.2) Trees within the defensible space must be pruned to remove limbs located within 6' of the ground surface. Maintenance of required defensible space shall be in accordance with IWUIC 604.
- All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. (IWUIC 403.6).
- **2023 National Electrical Code**
 - There are no known significant changes to this code.



Possible Alternatives.

- 1) The Council may consider adopting more restrictive amendments to one or more of the mandatory codes (i.e., 2024 International Building, Existing Building, Fire, Mechanical, and Fuel Gas codes – and 2023 National Electric Code).
- 2) The Council may consider not adopting the voluntary adopted codes at this time or adopting different amendments to the voluntary codes (i.e., Wildland Urban Interface, Residential, Plumbing, and Energy Conservation Codes).

Comprehensive Plan & Priority Alignment.

The Comprehensive Plan addresses with the following policies:

Policy 2.1.a: Construct energy efficient buildings:

Policy 2.4.d: Use energy efficient building systems and appliances

Policy 3.4.e: Protect development against seismic activity

Policy 3.4.F: Protect development against wildfire

The adoption of the state-mandated and voluntary building and fire codes will support all of the above policy goals. While the staff is not recommending that we adopt the most current 2024 Energy Code, the existing energy code already requires very energy efficient buildings that balance cost to the builder and conservation of energy. The Fire Department is also proposing to expand the WUI boundary to include the entire Town which will strengthen our protections against wildfire risk.

Fiscal Impact.

None Identified.

Staff Impact.

The Building Department and JH Fire/EMS have invested considerable time in assessing the new building and fire codes under consideration and in preparation for proposal of code adoption and will be continuing to spend considerably more time in reviewing and educating the public on the new codes.

Attachments or Links.

List of significant changes to the 2024 Building Codes

List of significant changes to the 2024 Fire Code and Wildland Urban Interface Code

Suggested Motion.

I move to direct Staff to prepare Ordinances that provide for the adoption as currently amended or as directed by Council of the 2024 International Building, Fire, Wildland Urban Interface, Electrical (2023), Mechanical, Residential, Plumbing, and Fuel Gas Codes.

Some Significant Changes to the International Building Code, Existing Building Code (IEBC), Residential Code (IRC)

International Building Code (IBC)

- There are multiple changes to the Occupancy Groups. Most are now dealing with lithium-ion battery storage, production and research. Also included with some of these changes are EV (electric vehicles) that are powered by lithium-ion and lithium metal batteries storage and repair shops and ESS (energy storage systems) for solar systems.
- There is a change in the Residential Occupancy that now allows Lodging Houses (Owner occupied Bed and Breakfast type) to increase occupancy without having to meet Hotel type standards. In the past, it was based on a maximum 10 occupants, now it is based on the rooms to be rented, which is maximum 5 rooms without going to a hotel standard.
- There is now a little more leniency on puzzle rooms and escape rooms that are still gaining popularity.
- There is a new standard for Carbon Monoxide Detectors. In the past, they were only required in Residential type dwelling units where a fuel fired appliance (gas stove, gas furnace, gas water heaters, gas and wood fireplaces and attached garages) and where someone would typically be sleeping. Now the CO detectors are required in all Occupancy types where there is a fuel fire appliance, i.e. gas or wood fireplace in a restaurant, bar, office, store, etc.
- There is also a new provision for Public-Occupancy Temporary Structures to be allowed to stay for up to 1 year rather than 180 days, if approved by the Building Official and inspections done by a 3rd party at least every 180 days. There are other requirements, but this is a change that will affect the Fire and Building Departments but will allow a lot more flexibility for those that use these.

International Existing Building Code (IEBC)

- A Change of Occupancy or use will not require compliance with the accessibility ADA requirements if there is no alteration taking place in a

building. This will help those small businesses not have to absorb cost to bring restrooms and ramps that are not in some of our older structures.

- If there is damage to a building, the repair work does not have to be brought up to the current code, but it cannot be less compliant than the original construction.
- Existing stairways do not have to be brought up to the current code if replacing existing stairs in the same opening.

International Residential Code (IRC)

- Smoke alarms are now required within 10 feet of a permanently installed cooking appliance. Prior to this year they were not required near stoves and ovens.
- Sleeping Lofts are now allowed per the new code. The design of lofts must meet the 2024 IRC but until this code cycle, these were never an allowed use.
- There are now reference standards for EV charging systems in the IRC.
- Existing stairways do not have to be brought up to the current code if replacing existing stairs in the same opening in the IRC also.
- There is now a standard in the IRC for solar systems installed on homes.
- There is also a standard for ESS (energy storage systems) for areas that are in an attached garage and rated assemblies for protection of the home.

Summary of Major Changes in the 2024 IFC and IWUIC

Below is a brief overview of major changes in the 2024 fire code. It is worth noting that the fire code and the building code share multiple chapters that are identical. Also important to note the fire code is a maintenance code, and its compliance is required in existing buildings and operations.

SECTION: 105 PERMITS

New Permit types

The Fire Code has two different types of permits construction and operational.

Construction permits

These are required for changes or installation of fire protection related systems or equipment. The Fire Code has 25 construction permits examples include solar systems, smoke control systems, LP gas tanks /systems, fire alarms, sprinkler systems, private fire hydrants, gates across fire access roads etc..

Operational permits

These are required for high hazard operations and require inspection annually to conduct the permitted operations. The Fire Code has 57 operational permits examples include carnivals and fairs, aviation facilities, cutting and welding operations, explosives, energy storage systems, hazmat storage and operations, lumber yards, mobile food vendors, motor fuel dispensing facilities, outdoor assembly events ect..

Impacts of these new permits

105.5.55 Temporary heating or cooking in tents or membrane structures. An operational permit is required to operate temporary heating or cooking equipment within tents or membrane structures.

The above permit will trigger an increase in required permits. A permit would now be required for any cooking in a tent. Fire / EMS has always conducted inspections of these operations due to the known risk of large amounts of people in a small area with heating and cooking. The Fire Code has now added this permit type to make those inspections legitimate.

105.5.56 Temporary heating or cooking in wildfire risk areas. Where required by local regulations, an operational permit is required to operate temporary heating or cooking equipment in wildfire risk areas

The above permit impacts should be minimal as Fire / EMS has been inspecting these types of operations already.

105.5.57 Temporary heating for construction sites. An operational permit is required to operate temporary heating equipment in structures during the course of construction, alteration or demolition.

This permit will have impacts on construction projects. Contractors will be required to notify Fire / EMS when setting up their heating for winter. Fire / EMS is heavily involved with construction projects already the impact should be minimal.

105.5.29 Lithium batteries. An operational permit is required for an accumulation of more than 15 cubic feet (0.42 m) of lithium-ion and lithium metal batteries, where required by Section 320.2.

This permit should have limited impact in our community as we do not have large industrial areas. 15 cubic feet is a large amount of batteries.

SECTION 107: TEMPORARY STRUCTURES, USES, EQUIPMENT AND SYSTEMS

[A] 107.1 General. The fire code official is authorized to issue a permit for temporary structures, uses, equipment or systems as required in Sections 105.5 and 105.6. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The fire code official is authorized to grant extensions for demonstrated cause.

The impacts of this new section should be minimal, but it is an important addition. During the Covid pandemic many buildings, areas and equipment had to be quickly modified to deal with varying issues we were having at the time. The building code generally speaking only addresses permanent structures and uses, and the Fire Code only addressed certain things when used for less than 180 days. As fire code officials this put us in a hard spot because the code did not allow for temporary uses that were needed at the time. This section was added to maintain safety during those type of operations.

SECTION 320: LITHIUM-ION AND LITHIUM METAL BATTERY STORAGE

The impacts of this new section should also be minimal. This section applies to battery storage of more than 15 cubic feet. The section lays out sprinkler requirements, storage limitations, fire safety planning requirements and explosion control for these storage areas.

SECTION 322: POWERED MICROMOBILITY DEVICES

New section that addresses charging of these devices. Requirements prohibiting commercial charging operations in all residential uses. Requirements for charging in commercial spaces.

The section may have impacts on a few businesses in town. Requirements such as charging proximity to exits and only using listed chargers.

SECTION 915: CARBON MONOXIDE (CO) DETECTION

Changes to this section requiring CO detection in most new and existing buildings if they have a CO producing device.

This section will have impacts on a number of existing buildings in the town. CO alarms will now be required. The code does allow these to be battery operated type in existing buildings.

CHAPTER 41: TEMPORARY HEATING AND COOKING OPERATIONS

Chapter 41 provides all requirements relative to temporary heating and cooking operations in a single chapter. During the COVID-19 pandemic, many fire and building officials found that the code requirements surrounding temporary heating and cooking, especially in tents and canopies, were disjointed and often confusing when spread across Chapters 3, 6 and 31. In addition, some types of heating and cooking appliances were not adequately covered. This chapter is intended to facilitate consistent enforcement of temporary heating and cooking operations by making the requirements more straightforward.

This section is more of a rewrite and moving things to be in the same area. No real changes to the requirements.

APPENDIX O: VALET TRASH AND RECYCLING COLLECTION IN GROUP R-2 OCCUPANCIES

Unknown impact on apartment buildings in the town as I'm unsure if anyone is currently using these services.

International Wildland Urban Interface Code 2024

CHAPTER 5: SPECIAL BUILDING CONSTRUCTION REGULATIONS

Changes to allow roof vents in differing types of roof systems. (previously not allowed)

Wildland Urban Interface Boundary Extension

Jackson Hole Fire / EMS is proposing an extension to the WUI boundary based on recommendations in our Community Wildfire Protection Plan (CWPP). Sections of the Town are currently in the WUI boundary and have been since 2008. Based on research and fire modeling done by the CWPP consultants, the TOJ's proximity to Snow King mountain and other vegetative fuels place the town at high risk to ember showers from a wildfire event. Nationally recognized organizations have conducted studies on recent devastating wildfires (Lahaina Fire, Camp Fire, Marshal Fire, etc.) and that research is showing structure to structure ignitions (primarily caused by embers) are the leading cause of large-scale destruction within communities during wildfires.

COUNCIL WORK PLAN CALENDAR 2024		
JANUARY	FEBRUARY	MARCH
TOWN MTGS.	TOWN MTGS.	TOWN MTGS.
Equity Task Force Presentation	Title 7, Animals	Equity Task Force Updated Resolution
Pre-Construction Bid for Stilson	Censure Ordinances	Fairgrounds & Rodeo Lease Extension
Snow King & Willow Stop Sign	LDR General Update 2023	PI List Review (continued to May)
	Kelly Place Deed Restriction	
JIM	JIM	JIM
Cancelled	Joint Department Funding Task Force Discussion	Housing Department Work Plan & Housing Supply Plan
		Regional Transportation Work Plan
APRIL	MAY	JUNE
TOWN MTGS.	TOWN MTGS.	TOWN MTGS.
Legislative Debrief & Resolutions for WAM	Gregory Lane Design	Accessible Housing Policy Upgrades
Furthering Accessibility @ Town Bldgs. & Sites (scoping)	Title 15 Updates Building & Construction	Town & County Joint Revenue Options
Fire JPA	PI List Review (continued to TBD)	Moratorium Proposed Process
SPECIAL MTG. (April 22)	JIM	JIM
Long Range Planning Work Plan & Indicator Report	90 Virginian Lane Developer Selection	90 Virginian Lane Developer Selection
Joint Alternative Funding Options	SS4A Vision, Goals, & Leadership Commitment	Joint Alternative Funding Options (2nd Mtg.)
	Mobility Hub Study & Next Steps	
	Community Wildfire Protection Plan (WUI)	

COUNCIL WORK PLAN CALENDAR 2024 (CONTINUED)		
JULY	AUGUST	SEPTEMBER
TOWN MTGS.	TOWN MTGS.	TOWN MTGS.
Budget & Revenue Strategy	Moratorium	Total Compensation & Benefit Review
Final Sustainability Plan	County Water Quality Plan & Update to Sewer Policies	Police Department Staff Retention
Rights of Nature Resolution	Destination Management & Marketing Organization	Pay As You Throw Pricing/Alcohol Container Ordinance
Fire JPA	West Jackson Subarea Transportation Plan	
Equity Task Force Appointments (Special Mtg.)		
Moratorium		
JIM	JIM	JIM
Fire JPA	Housing Dept. Rules & Regs Issues Identification	Housing Department Rules & Regs Clean Up
Joint Revenue Ballot Initiatives	90 Virginian Lane Update	Indicator Report Dashboard
OCTOBER	NOVEMBER	DECEMBER
TOWN MTGS.	TOWN MTGS.	TOWN MTGS.
Title 7, Animals (2nd mtg.)	Legislative Approach Prep	Policy Manual Update
Fire & Building Code Updates	License Plate Readers Update	Gregory Lane - Design & Construction
	Further Steps to Reduce Barriers to ECE Scoping Report	EBike Scoping Report
	Karns Meadow EA & CUP (evening)	Affordable Non-Residential Space Scoping Report
	Public Art Plan (evening)	Potential Increase to Taxi Fees Scoping Report
		Recommendation to Create Task Force on Transportation/Comms
JIM	JIM	JIM
90 Virginian Lane Development	Housing Department Rules & Regs Adoption	Rec Center 6-Month Operations & Revenue Review
Housing Department Rules & Regs Clean Up	90 Virginian Lane Development	90 Virginian Lane Development
		SS4A Leadership Commitment Adoption & Update
		Stilson Transit Center GMP & SPET Use of Funds
		TTB Destination Management & Marketing Org. Update

SHIFTS & CHANGES	
Furthering Accessibility @ Town Bldgs. & Sites (scoping)	Moved from March to April
Community Wildfire Protection Plan	Added to May JIM at Request of Interim Fire Chief
Rights of Nature Resolution	Moved from March to June to July
Final Sustainability Plan	Moved from June to July
Joint Revenue Ballot Initiatives	Added in July
Equity Task Force Appointments (Special Mtg.)	Moved from May to June
Community Solar	Moved from June to July & then just a memo
Budget & Revenue Strategy	Moved to June after budget, then discussed w/ County
County Water Quality Plan & Update to Sewer Policies	Combined & moved from June to August
Modernizing Mobility for West Jackson Plan	Moved from June to July then shift to Town mtg. in Aug.
Total Comp/Benefit Review/PD Staff Retention	Moved from May to July to September & split into 2 items
Indicator Report Dashboard	Added to September JIM
Regional Transportation CIP	Moved from April to June to November to TBD
Joint Alternative Funding Options	Moved to April JIM
Fire JPA	Moved from March & June to TBD
Stormwater Management Plan	Moved from May to July to Sept. to Update & Schedule in '25
Karns Meadow EA & CUP Preview	Moved from April to July to September to October
PI List Review	Continued to May, then continued to TBD
Fairgrounds & Rodeo Lease Extension	2nd Mtg., response from County received in September
Cow Pasture 1 & 2 Softball Field Replacement	Moved from July to October to TBD
Moratorium Process	Added in July, August, & September
Stilson Transit Center GMP & SPET Use of Funds	Moved from August JIM to November to December
90 Virginian Lane Development	Added to October, November, & December JIMs
Gregory Lane Design & Construction	Moved to November to December
Fire/EMS Level of Service & Expectation Setting	Moved to TBD
SS4A Leadership Commitment Adoption & Update	Moved from October to December JIM
Transportation CIP & Grant Opportunities	Moved from October to January 2025
Dedicated Transportation Revenue Options	Moved from December to March 2025
Early Childhood Education Scoping Report	Added to December
Regional Transportation Needs Assessment	Moved from November to Memo
Town Mobility Overlay	Moved from November to be part of SS4A
Cow Pasture 1 & 2 Softball Field Replacement	Removed from October JIM to survey constituents
SPET Follow-Up & Next Steps	Removed to schedule in 2025

Joint Meeting Agenda Item Requests			
<i>Submittal / Request Section</i>			
November 4, 2024 JIM			
#	Submitter Name	Agenda Item	Time Needed
1	April Norton	Housing Department Rules and Regulations Adoption	consent
2	Riley Taylor	2025 Meeting Dates for Joint Board Interviews	consent
3	April Norton	Virginian Development	120 min
4	Bruce Abel	START Budget Amendment	consent
5	Town Staff	Disbursements & Ordinances - Town Only	15 mins
Upcoming Joint Meeting Items			
	Steve Ashworth	Dec 2 - Rec Center 6-Month Operations & Revenue Review	30 mins
	Heather Overholser and Johnny Ziem	Dec 2 - Stilson Transit Center GMP Contract and SPET use of funds	45 mins
	Charlotte Frei	Jan 6 2025 - Transportation CIP & Grant Opportunities	45 mins
	Charlotte Frei	March 3 2025 - Options for Dedicated Transportation Funding	30 mins