

Title 8 Health and Safety

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Chapter 8.04 NUISANCES

Sections:

8.04.010 Throwing or accumulating garbage.

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8.04.010 Throwing or accumulating garbage.

Any person who throws any garbage, filth, or offal of any kind into the streets or alleys of the town or any occupant of any building, allowing such garbage, filth or offal, or any person who dumps any garbage, offal, or refuse within the limits, except upon the dumping ground provided by the town, or any person or persons allowing manure to accumulate in any stable or yard so as to become a nuisance, shall, upon conviction thereof, be deemed guilty of committing a nuisance, and shall be fined in any sum not more than seven hundred fifty dollars.

(Ord. 289 § 4, 1982; Ord. 12 § 1, 1926.)

8.04.020 Offensive cellars, vaults, drains, pools and sewers.

If any person or persons suffers or permits any cellar, vault, private drain, pool, privy, sewer or grounds upon any premises belonging to, or occupied by such person or persons, to become nauseous, foul, offensive or injurious to the public health, he or they shall be subject to a fine of not more than seven hundred fifty dollars. (Ord. 289 § 5, 1982; Ord. 12 § 2, 1926.)

8.04.030 Abatement authority.

It shall be the duty of the chief of police and the health officer to abate all nuisances, and such police chief shall have power at all times in the daytime to enter any storehouse, stable or building, and to cause the floors to be raised, if necessary, for a thorough examination of cellars, vaults, sinks, drains, stagnant water, and to enter upon all lots or grounds and cause all stagnant water to be drained off, and pools, sinks, drains, and vaults or low grounds to be cleansed, and kept in good condition and to cause all dead animals and noxious substances to be burned or removed beyond the limits of the town, to the dumping grounds provided by the town.

(Ord. 12 § 4, 1926.)

Chapter 8.08 DELETERIOUS SUBSTANCES

Sections:

8.08.010 Labeling drugs and medicine required.

8.08.020 Exposing putrid meat and provisions for sale.

8.08.010 Labeling drugs and medicine required.

All persons who prepare or put up drugs or medicines, are required to label them in plain and legible manner in the English language, and all drugs of a poisonous nature shall be labeled "poison." (Ord. 14 § 6, 1926.)

8.08.020 Exposing putrid meat and provisions for sale.

If any person exposes for sale, in any market house or elsewhere within the town, any tainted or putrid meats or provisions, every such person shall, upon conviction thereof, be fined in any sum not greater than seven hundred fifty dollars for each and every offense. (Ord. 289 § 6, 1982; Ord. 15 § 4, 1926.)

Chapter 8.12 GARBAGE AND REFUSE DISPOSAL

Sections:

- 8.12.010 Purpose--Enforcement.**
- 8.12.020 Definitions.**
- 8.12.030 Storing or scattering refuse prohibited.**
- 8.12.040 Premises to be kept clean and orderly.**
- 8.12.050 Receptacles required.**
- 8.12.060 Closed garbage containers required.**
- 8.12.070 Regulations for collection by town.**
- 8.12.080 Using boxes for garbage unlawful.**
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- 8.12.100 Abuse of receptacles by collectors prohibited.**
- 8.12.110 Burning garbage and refuse prohibited.**
- 8.12.120 Endangering property by careless burning unlawful.**
- 8.12.130 Cleaning premises required upon vacating.**
- 8.12.140 Covering vehicle required.**
- 8.12.150 Dumping refuse prohibited.**
- 8.12.160 Trailer and mobile home park owners--Garbage removal duty.**
- 8.12.165 Open burning.**
- 8.12.166 Recreational fires.**
- 8.12.170 Penalty for violations.**

8.12.010 Purpose--Enforcement.

This chapter is enacted as a sanitary measure, and for the prevention and elimination of nuisances. The town council is authorized, empowered, and directed to provide for the enforcement of the provisions hereof. (Ord. 121 § 1, 1969.)

8.12.020 Definitions.

For the purpose of this chapter the following terms, phrases and words shall have their meanings given herein:

- A. "Garbage" means and includes any and all kitchen refuse, rejected or wasted food, meats, fish, fowl, offal, carrion or their refuse accumulation of fruit, vegetable or animal matter that attends the preparation, use, cooking of, or dealing in, or storing of meats, fish, fowl, fruits, vegetables or anything whatsoever which may decompose and become foul, offensive, unsanitary or dangerous to health. (Ord. 121 § 2, 1969.)
- B. "Place of business" means any place in the Town of Jackson in which there is conducted or carried on principally or exclusively any pursuit or occupation by any person or persons for the purpose of gaining a livelihood. (Ord. 121 § 2, 1969.)
- C. "Public buildings and places" means office buildings, theaters, garages, motels, hotels, clubs, churches, schools, hospitals or other places of similar character. (Ord. 121 § 2, 1969.)

- D. "Refuse" means hay, straw, shavings, excelsior, paper, ashes, rubbish, containers, boxes, glass, cans, bottles and residue from the burning or other destruction of all combustible material whatsoever and any and all other material commonly known as rubbish or refuse of any kind or character, or by any name known, except as herein excluded. (Ord. 121 § 2, 1969.)
- E. "Residences" means buildings or dwellings, including house trailers, where no business of any kind is conducted except such home occupations as are allowed under the zoning ordinances of the Town of Jackson. (Ord. 121 § 2, 1969.)
- F. "Trade waste" means all discarded wooden boxes, barrels, lumber, cardboard boxes, cartons, water paper, plastics, styrofoam, insulation, leather, rubber, excelsior, cuttings, sweepings, rags and other inflammable waste materials and all discarded trade or manufacturing refuse from stores, factories, or other places of business which are not included within the definition of garbage, stove ashes and market waste. (Ord. 900 § 1, 2009; Ord. 121 § 2, 1969.)
- G. "Outdoor fireplace" means a freestanding fireplace, manufactured of stone, concrete block, concrete, metal, ceramic or other non-combustible material, with an enclosed burn chamber, solid or screened opening, and chimney with spark arrestor. (Ord. 900 § 1, 2009.)
- H. "Manufactured outdoor fireplace" mean a freestanding fireplace manufactured of metal, ceramic or other non-combustible material, with a burn chamber entirely enclosed by screen, metal, ceramic, other non-combustible material, or any combination thereof. (Ord. 900 § 1, 2009.)
- I. "Outdoor fire pit or fire bowl" means a freestanding or in-ground pit or bowl manufactured of stone, concrete block, concrete, metal, ceramic or other non-combustible material, covered with a screen with openings not greater than 1/8 inch (3.04 mm). (Ord. 900 § 1, 2009.)
- J. "Bonfire" means an outdoor fire utilized for ceremonial purposes. (Ord. 900 § 1, 2009.)
- K. "Open burning" means the burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from and enclosed chamber. Open burning does not include road flares, cutting torches, weed burners, or recreational fires. (Ord. 900 § 1, 2009.)
- L. "Recreational fires" means an outdoor fire burning materials other than garbage, refuse, or trade waste where the fuel being burned is not contained in an incinerator, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes. (Ord. 900 § 1, 2009.)

8.12.030 Storing or scattering refuse prohibited.

No refuse or other combustible materials, sod, lawn mowings, weeds, ashes, garbage, bottles, broken glass, nails, tacks, wire, cans, rocks, stones, or any other refuse or materials, shall be stored or accumulated anywhere in the town, or thrown or swept into any street, gutter, sewer intake, alley, vacant lot, or other property. (Ord. 121 § 3, 1969.)

8.12.040 Premises to be kept clean and orderly.

It shall be the duty of every person, whether owner, lessee or occupier, of any vacant lot, building or premises, including any place of business, residence, or public building or place, or other establishment, to maintain the premises in a clean and orderly condition at all times, permitting no deposit or accumulation of materials other than those ordinarily attendant upon the use for which the premises are legally intended. Any such accumulation constitutes a nuisance, and a nonconforming use of the premises. (Ord. 121 § 4, 1969.)

8.12.050 Receptacles required.

Every owner, lessee or occupant of any building, premises or place of business, or public building or place, shall provide or cause to be provided and at all times keep, at such place as the town council or board of health may direct, suitable and sufficient garbage receptacles, either acceptable plastic or metallic receptacles with tapered sides and tight-fitting lids or properly and sufficiently treated weather-resistant paper bags manufactured specifically for use in garbage and refuse collection and having a twenty to thirty gallon capacity for receiving and holding garbage, refuse or other trash that may accumulate from the building, place of business or upon the premises or the portion thereof under the control of such person. No metal receptacle shall be filled to exceed one hundred pounds in weight and no paper bag above described shall exceed seventy-five pounds in weight including weight of receptacle. Each metal receptacle shall be provided with handles for convenient lifting of the same. (Ord. 121 § 5, 1969.)

8.12.060 Closed garbage containers required.

All garbage and market waste must be placed in rain-proof and fly-proof receptacles, either a metallic container with proper covers or weather-resistant paper bags specifically for use in garbage and refuse collection having a method of closing the bag tightly, and shall at all times be kept securely closed, and shall be kept in such place and in such manner as to prevent offense. (Ord. 121 § 6, 1969.)

8.12.070 Regulations for collection by town.

Receptacles containing garbage and other waste matter to be collected and hauled by the town or licensed collector, shall be set out for collection at the places and at such times as may be designated by the order of the mayor and town council. Such receptacles must not be set out upon the street for collection prior to the day of collection; and must be set out on the day of collection before the hour of collection designated by the town council. All empty receptacles must be removed from the street as soon as practicable after being emptied, and in every case must be removed from the street the same day they are emptied. No such receptacle shall be permitted to remain on any street longer than may be necessary for the removal of the contents thereof. (Ord. 121 § 7, 1969.)

8.12.080 Using boxes for garbage unlawful.

It is unlawful for any person to deposit garbage or other wet refuse in wooden boxes, barrels, or paste board cartons. If any such receptacles are used as containers for garbage or wet refuse, they shall be considered refuse and removed by the garbage collector. (Ord. 121 § 8, 1969.)

8.12.090 Placing loose material on street unlawful.

It is unlawful for any person to place or cause to be placed upon any street or alley for the purpose of collection or otherwise any loose paper, excelsior or similar trade waste. All such trade waste must be baled or placed in sacks securely tied before collection is made. (Ord. 121 § 9, 1969.)

8.12.100 Abuse of receptacles by collectors prohibited.

- A. All licensed collectors of garbage or other refuse and town employees engaged in garbage and refuse collection shall immediately upon emptying receptacles replace the cover thereon and set such receptacles in upright position. All garbage collectors shall exercise reasonable care in handling of garbage and other refuse and the receptacles containing the same.
- B. It is unlawful for any person to willfully break, deface, or injure any receptacle used to contain garbage or other refuse, or to do or permit anything to be done in connection with such receptacles or the contents thereof, which shall be offensive or filthy in relation to any person, place, building, premises or highway. (Ord. 121 § 10, 1969.)

8.12.110 Burning garbage and refuse prohibited.

It is unlawful for any person to burn garbage, waste manure, or other material in the open air, or in any furnace, stove or incinerator within the Town limits. (Ord. 900 § 1, 2009; Ord. 611 §1, 1998; Ord. 121 § 11, 1969.)

8.12.120 Endangering property by careless burning unlawful.

It is unlawful for anyone to burn trash, rubbish, grass or other combustible material either in or out of incinerator, which through lack of supervision or through carelessness, causes a fire to spread to other property and which in turn causes the fire department to be called to extinguish the blaze. Anyone in violation of this section, upon conviction, shall be fined a sum not exceeding seven hundred fifty dollars, and cost of damages to the property as decided by the court. (Ord. 289 § 7, 1982; Ord. 75 § 15, 1961.)

8.12.130 Cleaning premises required upon vacating.

It is unlawful for any person upon vacating or removing from dwellings, storerooms, or any building situated within the corporate limits of the town, to fail to remove all garbage, rubbish and ashes from such buildings and premises, and also the grounds appurtenant thereto; or to fail to place the same in a thoroughly sanitary condition within twenty-four hours after the premises shall be vacated. (Ord. 121 § 12, 1969.)

8.12.140 Covering vehicle required.

It is unlawful for any person to haul, convey or transport through or upon any of the public streets, any garbage, ashes, market wastes, trade wastes, manure, night soil, loose paper, scrap lumber, excelsior, tree limbs, bush clippings, lawn clippings, house refuse, yard refuse, liquid wastes, or any other refuse materials, in open trucks, open trailers or other open conveyances, unless covered completely with a heavy tarp, canvas or other acceptable material subject to the approval of the town council. Each vehicle must be covered with a heavy duty canvas or other heavy acceptable material at all times when the vehicle is being used for the collection of, or carrying, transporting or hauling garbage, manure, market waste, night soil, dead animals, or other refuse and is being driven for a distance of five blocks or more without making a stop. (Ord. 121 § 13, 1969.)

8.12.150 Dumping refuse prohibited.

It is unlawful for any person to place, deposit or dump garbage, ashes, market waste, paper boxes, cartons, trade waste, manure or night soil or any other refuse upon any lot within the limits of the town of Jackson, whether such lot is occupied or vacant, and whether such person so placing, depositing or dumping such refuse is the owner, tenant, occupant or lessor thereof or has the same under his jurisdiction or control. (Ord. 121 § 14, 1969.)

8.12.160 Trailer and mobile home park owners--Garbage removal duty.

Trailer or mobile home park owners or operators and rental unit owners or operators shall be responsible for providing for the removal of all garbage from their occupants and be responsible for fees involved. (Ord. 258 § 1, 1979; Ord. 121 § 15, 1969.)

8.12.165 Open burning.

The Town Council may, by proclamation, resolution or ordinance, order that burning of tree trimmings, leaf and grass rakings be allowed for a limited period of time each year. Open burning that is offensive or objectionable because smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. Open burns, including bonfires, shall be approved by the fire department. (Ord.900 § 2, 2009.)

8.12.166 Recreational fires.

Recreational fires shall be conducted within an outdoor fireplace, manufactured outdoor fireplace, outdoor fire pit or fire bowl approved by the fire department. Gas fired outdoor fireplaces, fire pits or fire bowls are not prohibited. Recreational fires that are offensive or objectionable, because smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous, shall be prohibited. (Ord.900 § 2, 2009.)

8.12.170 Penalty for violations.

Any person who violates any of the provisions of this chapter, except Section 8.12.120, is guilty of a misdemeanor, and may be punished according to Section 1.12.010. (Ord. 121 § 16, 1969.)

Chapter 8.16 WEED CONTROL AND ABATEMENT

Sections:

8.16.010 Noxious weeds defined.

8.16.020 Weeds on private property prohibited.

8.16.030 Removal notice--Time.

8.16.040 Failure to remove--Removal by town--Costs a lien.

8.16.010 Noxious weeds defined.

Whenever used in this chapter, “noxious weeds” means any plant which the Wyoming Board of Agriculture and the Wyoming Weed and Pest Council have found to be detrimental to the general welfare of persons residing within a specified district and as set forth in the Wyoming Weed and Pest Control Act, Wyo. Stat. § 11-5-101 et seq. and those weeds on the designated list and the Teton County declared list. (Ord. 824 § 1, 2006; Ord. 93 § 2, 1965).

8.16.020 Weeds on private property prohibited.

No owner or owners of any lot, place, or area within the Town, or the agent of such owner or owners, shall permit noxious weeds on such lot, place or area and one-half of any road or street or alley lying next to such land abutting thereon. The existence of such noxious weeds constitutes a public nuisance. (Ord. 824 § 1, 2006; Ord. 263 § 1, 1979; Ord. 93 § 3, 1965).

8.16.030 Removal notice – Time.

The representatives designated by the mayor, including but not limited to the Director of the Teton County Weed and Pest division and the Town Public Works Director, or any other designated representative, are authorized and empowered to notify in writing the owner or owners of any such lot, place or area within the Town, or the agent of such owner or owners, to exterminate or remove any such noxious weeds found growing, lying or located on such owners’ property or upon the one-half of any road, street or alley lying next to abutting thereon. Such notice shall be by certified mail, with return receipt, addressed to the owner or owners or agent of the owner or owners, and shall give such owner or his agent such period of time as stated in the notice, but not less than ten days from the receipt of notice, to exterminate or remove the noxious weeds. (Ord. 824 §1, 2006; Ord. 355 § 1, 1986; Ord. 93 § 4, 1965).

8.16.040 Failure to remove – Removal by Town – Costs and lien.

Upon the failure, neglect or refusal of any owner or owners or the agent thereof so notified to exterminate or remove noxious weeds growing, lying, or located upon the owner’s or owners’ property or upon the one-half of any road, street, or alley lying next to the lands abutting thereon, after receipt of written notice provided for in Section 8.16.030, or within ten days after the date of such notice in the event the same is returned to the Town because of inability to make delivery thereof, with the authorization of the designated representatives as set forth in Section 8.16.030, the Teton County Weed and Pest division is authorized to exterminate or remove such noxious weeds and report to the Town Clerk the same, together with vouchers of the cost of such exterminations and removal, plus twenty five percent additional to cover the cost of administration and notice. Such total cost shall be assessed against the lot or parcel of land from which or adjoining which the noxious weeds shall have been exterminated or removed. The

Town Clerk shall charge the cost of such extermination and removal to the property owner or owners as a special bill for refuse removal and such special assessment shall become a lien upon and against the lot or parcels of land and collectible as such. (Ord. 824 § 1, 2006; Ord. 263 § 1, 1979; Ord. 93 § 5, 1965).

Chapter 8.20 FIREWORKS

Sections:

8.20.010 Definitions.

8.20.020 Sale, use and giving away prohibited.

8.20.030 Permits for public displays required.

8.20.040 Exceptions.

8.20.050 Enforcement of chapter--Destruction of seized fireworks.

8.20.060 Penalty for violation.

8.20.010 Definitions.

Certain words and terms in this chapter are defined for the purpose thereof as follows:

- A. "Fireworks" means and includes any article, device or substance prepared for the primary purpose of producing a visual or auditory sensation by combustion, explosion, deflagration, or detonation, including, without limitation, the following articles and devices commonly known and used as fireworks: Toy cannons or toy canes in which explosives are used, blank cartridges, firecrackers, torpedoes, sky-rockets, Roman candles, and daygo bombs, soft shell firecrackers, vesuvius fountains, spray fountains, torches, color fire cones, star and comet type aerial shells with or without explosive charge for the purpose of making a noise, and color wheels; but not including toy cap pistols and toy caps each of which does not contain more than twenty-five hundredths of a gram of explosive material and sparklers.
- B. "Person" includes an individual, partnership, co-partnership, firm, company, association or corporation. (Ord. 138 § 1, 1970.)

8.20.020 Sale, use and giving away prohibited.

Except as hereinafter provided, it is unlawful for any person to offer for sale at retail, expose for sale at retail, sell at retail, give away, use, discharge or detonate any fireworks in the town of Jackson. (Ord. 138 § 2, 1970.)

8.20.030 Permits for public displays required.

The town council shall have the power to grant permits within the town of Jackson for supervised public displays of fireworks by individuals, amusement parks and other organizations and groups, and to adopt reasonable rules and regulations for the granting of such permits. Every such display shall be handled by a competent operator and shall be of such character and so located, discharged and fired as not to be hazardous to property or endanger any person. No permit shall be transferable or assignable. (Ord. 138 § 3, 1970.)

8.20.040 Exceptions.

This chapter shall not be construed to prohibit:

- A. Any person from offering for sale, exposing for sale, selling or delivering fireworks to the town of Jackson, or any association, amusement park, or other organization or group holding a permit issued as herein provided;

- B. Any person from using or exploding fireworks in accordance with the provisions of any permit issued as herein provided;
- C. Any person from offering for sale, exposing for sale, selling, using or exploding any article, device or substance for a purpose other than display, exhibition, amusement or entertainment; or when used for mining purposes, danger signals, or other necessary uses; or
- D. Any person from offering for sale, exposing for sale, selling, using, or exploding blank cartridges for theatrical or ceremonial purposes or in organized athletic or sporting events. (Ord. 138 § 4, 1970.)

8.20.050 Enforcement of chapter--Destruction of seized fireworks.

The police authorities of the town of Jackson shall seize, take, remove or cause to be removed at the expense of the owner, all stocks of fireworks offered or exposed for sale, stored or held in violation of this chapter. Such fireworks shall be destroyed or otherwise disposed of upon order of any justice of the peace, any district court, any district judge or district court commissioner of the state of Wyoming. (Ord. 138 § 5, 1970.)

8.20.060 Penalty for violation.

Any person violating any provision of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished according to Section 1.12.010 of this code. (Ord. 138 § 6, 1970.)

Chapter 8.24 FLAMMABLE LIQUIDS

Sections:

8.24.010 Bulk plants--Above ground--Maximum storage.

8.24.020 Bulk plants--Sale--Storage underground.

8.24.030 Violation a nuisance--Penalty.

8.24.010 Bulk plants--Above ground--Maximum storage.

All bulk plants with overhead storage, (above ground) for all petroleum products, classed as No. 1, 2, 3, etc., are restricted to maximum storage as follows:

- Gasolines 550 gallons
- Benzines 550 gallons
- Aviation gas 550 gallons
- Butane, L.P. gas 550 gallons
- Fuel oils, numbered 1 to 5 1000 gallons
- Diesel fuel 1000 gallons

(Ord. 52 (part), 1946.)

8.24.020 Bulk plants--Sale--Storage underground.

All bulk plants maintained for selling of petroleum products at wholesale, or retail, are restricted to storage underground, and in accordance with underwriters requirements covering such installations. (Ord. 52 (part), 1946.)

8.24.030 Violation a nuisance--Penalty.

Any and all installations in violation of this chapter are a public nuisance and shall be abated forthwith, and shall be penalized not less than ten dollars or more than seven hundred fifty dollars per day per violation. (Ord. 289 § 8, 1982; Ord. 52 (part), 1946.)

Chapter 8.28 HOUSE NUMBERING

Sections:

8.28.010 House numbering required.

8.28.020 Maps.

8.28.030 Numbers on buildings.

8.28.010 House numbering required.

All lots, buildings and structures in the town shall be numbered in accordance with the following plan:

- North and south numbers shall commence at Broadway. East and west numbers shall commence at Cache Street.
- Odd numbers shall be on the west and north sides of the streets; even numbers shall be on the south and east sides of the streets.
- House or building numbers for buildings located at the front of a lot shall end in zero or five, while numbers for buildings at the rear of a lot shall end in the appropriate odd or even number nearest the front of the lot building number. (Ord. 193 § 1 (part), 1976.)

8.28.020 Maps.

The town police department shall keep a map showing the proper street number of every lot in the town which shall be open to inspection by any interested person. (Ord. 193 § 1 (part), 1976.)

8.28.030 Numbers on buildings.

It shall be the duty of the owner and occupants of every house and occupied building in the town to have placed thereon, in a place visible from the street, figures at least three inches high, showing the number of the house or building; any person, firm or corporation failing to so number any house, building or other structure occupied by him, or after receiving notice to do so from the chief of police shall continue in his failure to so number such house, building, or structure, shall be fined one dollar for each day during or on which a failure to so number continues. (Ord. 193 § 1 (part), 1976.)

Chapter 8.32 ALARMS

Sections:

- 8.32.010 Title**
- 8.32.020 Purpose**
- 8.32.030 Definitions**
- 8.32.040 Fire Alarm Permits**
- 8.32.050 Fire Alarm Design Standards**
- 8.32.060 Fire Alarm Plans**
- 8.32.070 Fire Alarm Required Documentation**
- 8.32.080 Alarm Activation**
- 8.32.090 False alarm**
- 8.32.100 Penalties**

8.32.010 Title.

This Ordinance shall be known as the Alarm Ordinance of the Town of Jackson, Wyoming. (Ord. 1093 §1, 2015; Ord. 768 § 2, 2004.)

8.32.020 Purpose.

It is the purpose of this Ordinance to establish a framework for the reduction of false alarms. The Town Council of the Town of Jackson determined that the health, safety and welfare of the citizens, and the Police and Fire/EMS personnel of the Town of Jackson would be best served by establishing regulations for the installation, use, and maintenance of alarm systems. It is further the purpose of this Ordinance to require Fire Department and Building Department review and approval of all fire alarm systems prior to installation. It is the intent of this Ordinance that the provisions contained herein be applied to systems installed after the date of adoption, and existing systems. (Ord. 1093 §1, 2015; Ord. 768 § 3, 2004.)

8.32.030 Definitions.

The following words and phrases shall have the meaning respectively ascribed to them by this section:

- A. "Alarm" means any telephonic or electronic device used to notify the Police or Fire/EMS Departments to an act of trespass, burglary, robbery, fire/smoke, medical emergency, or imminent danger with the intent of triggering a response to the location by the Police or Fire/EMS Departments.
 - 1. "Trespass Alarm" means an alarm typically designed to activate when an unauthorized person has entered an area or zone that is unauthorized to be in the location and intended to summons law enforcement to the location.
 - 2. "Commercial Burglary Alarm" means an alarm typically designed to activate when a business is not open for business or closed and an unauthorized entry into the location from the exterior of the building is attempted or achieved for the purpose of committing the crime of burglary as defined in Section 6-7-201 of the Wyoming State Statutes, and amendments thereto, and intended to summons law enforcement to the location.

3. “Residential Burglary Alarm” means an alarm typically designed to activate when a residence is locked and secured and an unauthorized entry into the location from the exterior of the building is attempted or achieved for the purpose of committing the crime of burglary as defined in Section 6-7-201 of the Wyoming State Statutes, and amendments thereto, and intended to summons law enforcement to the location.
 4. “Fire or Smoke Alarm” means an alarm typically designed to activate when a business or residence has the presence of fire or smoke that activates based upon heat sensors or smoke sensors and intended to summons firefighting personnel to the location.
 5. “Robbery Alarm” means an alarm typically designed to activate when an intruder enters a business or a residence that is occupied with the intent of committing the crime of robbery or aggravated robbery as defined in Sections 6-4-401 and 6-4-402 of the Wyoming State Statutes, and amendments thereto.
 6. “Medical Alarm” means an alarm typically designed to be manually activated by a person who is having a medical emergency and intended to summons law enforcement and Fire/EMS personnel to the location.
 7. “Panic Alarm” means an alarm type typically designed to be manually activated by a person who perceives an imminent danger to their welfare and intended to summons law enforcement personnel to the location.
- B. “Alarm system” mean any alarm-initiating device or assembly of equipment which when activated, transmits a telephonic, wireless, electronic, video, or other form of message to an alarm system monitoring company, or some other number, or emits an audible or visual signal that can be heard or seen by persons outside of the protected premises, or transmits a signal beyond the premises in some other fashion, except any system or mechanism primarily protecting a motor vehicle. Any system that makes notification for a public safety or emergency response.
- C. “Burglary” means the crime of burglary as set forth in Section 6-7-201 of the Wyoming State Statutes, and amendments thereto, or an attempt to commit such crime.
- D. “Robbery” means the crimes of “Robbery” or “Aggravated Robbery” as set forth in Sections 6-4-401 and 6-4-402 of the Wyoming State Statutes, and amendments thereto, or an attempt to commit such crime.
- E. “Trespass” means the activation of alarms for the purposes other than burglary, robbery, or breaking into a locked or sealed building.
- F. “Test” or “Maintenance” alarms shall include activation by authorized Technicians for the purposes of testing and calibrating an alarm system, after having notified the Teton County Dispatch Center that the test will be occurring and that the system is temporarily inactivated and does not require a response from the Police or Fire Departments.
(Ord. 1093 §1, 2015, Ord. 769 § 2, 2004; Ord. 245 § 1 (part), 1978.)

8.32.040 Fire Alarm Permits.

It shall be unlawful for any person to install, operate, or maintain any fire alarm without having first applied for and been granted a permit for such system by the Jackson/Teton County Fire Department. (Ord. 1093 §1, 2015; Ord. 768 § 5, 2004.)

8.32.050 Fire Alarm Design Standards.

Fire alarm systems shall be installed in accordance with applicable requirements of the most current edition of the *International Fire Code* as adopted by the Town of Jackson, the listing of devices used within the system, industry standards of good practice, and all laws regulating such systems. (Ord. 1093 §1, 2015; Ord. 768 § 6, 2004.)

8.32.060 Fire Alarm Plans.

Each application for a permit to install, operate, or maintain any Fire Alarm shall be accompanied with not less than two (2) sets of plans subject to review and approval by the appropriate authority having jurisdiction. Plans shall include, at a minimum, the following:

- A. The name, physical address, mailing address, and phone number of the owner;
- B. The name, mailing address, and phone number of the installing company;
- C. Working diagrams of the intended system installation;
- D. A list of exceptions from installation standards being requested; and,
- E. Cut Sheets of equipment proposed for use.

(Ord. 1093 §1, 2015; Ord. 768 § 7, 2004.)

8.32.070 Alarm System Required Documentation.

All vendor and/or installers of Alarm Systems shall, each January fifteen, submit to the Teton County Sheriff's Office a complete and accurate report detailing all systems presently being used within the Town of Jackson. All Alarm System vendors and/or installers shall complete and submit to the Teton County Sheriff's Office the *Law Enforcement and Emergency Alarm Subscriber Information Form* available at the Sheriff's Office. (Ord. 1093 §1, 2015; Ord. 768 § 8, 2004.)

8.32.080 Alarm Activation.

It is unlawful for a person or business to maintain an Alarm on any premises, unless there is at the Teton County Dispatch Center a list of responsible persons with telephone numbers and the exact physical address, including the unit number of the premises, who are authorized and responsible to enter such premises and deactivate such Alarm. It is unlawful for any person included on such list, who has been personally contacted by the police or fire department, to fail to appear within the time designated by the Police or Fire/EMS Department and inactivate the Alarm for which he is responsible. (Ord. 1093 §1, 2015; Ord. 769 § 3, 2004; Ord. 245 § 1 (part), 1978.)

8.32.090 False alarm.

- A. It is unlawful for a person to give a False Alarm, which shall be defined as "Any person who accidentally trigger an Alarm System and fails to immediately notify the Teton County Dispatch Center to prevent an unnecessary response of the Police or Fire/EMS Departments." All robbery and panic alarms, however, whether legitimate or false, will result in a response

by law enforcement due to the unique nature of those types of alarms to verify the welfare of the person having triggered the alarm. (Ord. 1093 §1, 2015.)

- B. For a Police or Fire/EMS Department response to a False Alarm, the respective Police or Fire Chief shall charge and collect from the person having or maintaining the activated alarm a fee in an amount established by resolution.
(Ord. 1280 § 6, 2021; Ord. 1093 §1, 2015; Ord. 769 § 6, 2004; Ord. 245 § 1 (part), 1978.)

8.32.100 Penalties.

Any person convicted of a violation of or failure to comply with any of the provisions of the chapter shall be punishable in accordance with Section 1.12.010 of this code. (Ord. 1093 §1, 2015; Ord. 769 § 6, 2004; Ord. 245 § 1 (part), 1978.)

Chapter 8.33
TRANSMISSION OF FALSE FIRE ALARMS

Repealed (Ord. 1093 § 2, 2015)

Chapter 8.34
SMOKING IN PUBLIC FACILITIES PROHIBITED

Sections:

8.34.010 Definition.

8.34.020 Prohibition.

8.34.030 Exceptions. Repealed (Ord. 1253 § 1, 2020)

8.34.040 Enforcement. Repealed (Ord. 1253 § 1, 2020)

8.34.010 Definition.

- A. *Smoke or smoking* means the act of burning any nicotine products, weed, filler or plant of any kind in a cigarette, cigarette paper, cigar, pipe or in any other device whatsoever and/or actively using, inhaling or exhaling any electronic cigarettes, vapor material or flavored tobacco products of any kind.

- B. *Public Facility* means any facility, including, but not limited to, buildings, property, recreation areas and public parks which are owned, leased, or otherwise operationally controlled, or wholly funded by the Town of Jackson or the Jackson Hole Airport, with the exception of public sidewalks, public streets, public alleys, or public surface parking lots.

(Ord. 1253 § 1, 2020; Ord. 461 § 1 (part), 1993.)

8.34.020 Prohibition.

- A. It shall be unlawful to smoke or carry lighted nicotine products, electronic cigarettes, vapor material or flavored tobacco products in any form in any Public Facilities of the Town of Jackson or the Jackson Hole Airport, including but not limited to all interior spaces, courtyards, atriums, balconies, and bus stops.

- B. Smoking nicotine products, electronic cigarettes, vapor material or flavored tobacco products is prohibited within 25 feet of all doorways, outdoor air intakes, and operable windows of Public Facilities.

- C. Smoking nicotine products, electronic cigarettes, vapor material or flavored tobacco products is prohibited in all outdoor seating areas, picnic tables, patios and foot paths of Public Facilities, even if beyond the 25-foot limit.

(Ord. 1253 § 1; Ord. 461 § 1 (part), 1993.)

8.34.030 Repealed. (Ord. 1253 § 1; Ord. 461 § 1 (part), 1993.)

8.34.040 Repealed. (Ord. 1253 § 1; Ord. 461 § 1 (part), 1993.)

**CHAPTER 8.36
DISPOSABLE BAG REQUIREMENTS**

Sections:

8.36.010 Legislative Findings.

8.36.020 Definitions.

8.36.030 Single-Use Disposable Plastic Bag Prohibition.

8.36.040 Disposable Paper Bag Fee Requirements.

8.36.050 Collection and Remittance of the Waste Reduction Fee.

8.36.060 Exemptions.

8.36.070 Audits and Violations.

8.36.010 Legislative Findings.

WHEREAS, the Town of Jackson, Wyoming (“Town”) is a municipal corporation existing pursuant to the laws of the Wyoming Constitution, the Wyoming Statutes, and the Town Charter; and

WHEREAS, the Town has a responsibility to protect the natural environment, economy, and health of its citizens and guests; and

WHEREAS, the Town, pursuant to Resolution 15-18 (“A Resolution Adopting Zero Waste as a Guiding Principle and Supporting the Creating of a Zero Waste Plan”) is committed to: pursuing a waste diversion goal of sixty percent (60%) or better; preserving Jackson’s unique environmental resources for generations to come by limiting environmental degradation and waste; and promoting practices that are sustainable and minimize harms to the natural environment; and

WHEREAS, the Town, pursuant to Resolution 12-001 (“A Resolution Certifying the Illustration of Our Vision Chapter of the Jackson/Teton County Comprehensive Plan as Part of the Comprehensive Master Plan for the Town of Jackson, Wyoming and Teton County, Wyoming”) is committed to minimizing the amount of solid waste it directs to landfills with a goal of “zero waste” by increasing efforts such as recycling and composting of waste; and

WHEREAS, the Town, pursuant to Resolution 17-08 (“A Resolution Recognizing Jackson Hole as a World-Leading Sustainable Community and Destination”) is committed to be a model of sustainability and support public and private sustainability efforts; and

WHEREAS, in the Town, innumerable single-use disposable plastic bags are used each year that cannot be recycled in a cost-effective manner; and

WHEREAS, single-use disposable plastic bags create waste, pollute the Town’s waterways, roadways, landscapes and harm wildlife populations; and

WHEREAS, the Town Council finds and determines that prohibiting single-use disposable plastic bags and requiring a charge for disposable paper bags and reusable plastic bags at grocers, large retailers, retailers and retail stores would address the environmental and health problems associated with such use, would relieve Town taxpayers of the costs incurred by the Town in conjunction therewith, and would be in the best interest of the public health, safety, and welfare of the Town.

8.36.020 Definitions.

As used in this Chapter the following definitions apply:

- A. **Disposable Paper Bag** means a bag made predominantly of paper that is provided to a customer by a Grocer, Large Retailer, Retailer and Retail Store at the point of sale for the purpose of transporting goods which is subject to the Town's Waste Reduction Fee.
1. Disposable Paper Bag does not include the following:
 - a. Paper Bags used by consumers inside Retail Stores to:
 1. Package bulk items including: fruit, vegetables, nuts, grains, candy, or small hardware items; or
 2. Provided for the sale of gift cards and post cards.
- B. **Fast Food Restaurant** means a retail food establishment where food and beverages are:
1. Prepared in advance of customer orders or are able to be quickly prepared for consumption on or off premises; and
 2. Are ordered and served over counters or at drive-through windows; and
 3. Are paid for before being consumed.
- C. **Grocer** means a retail establishment or business within the Town limits that is a full-line, self-service market with a retail market area more than Five Thousand (5,000) square feet and which sells a line of staple foodstuffs, meats, produce, household supplies, dairy products or other perishable items.
- D. **Large Retailer** means any person, corporation, partnership, business, facility, vendor, organization or individual that sells or provides merchandise, goods or materials, including without limitation, clothing, food, or personal items of any kind directly to a customer that has a building square footage greater than Nineteen Thousand (19,000) square feet.
- E. **Retailer** means any person, corporation, partnership, business, facility, vendor, organization or individual that sells or provides merchandise, goods or materials, including without limitation, clothing, food, or personal items of any kind, directly to a customer.
- F. **Retail Store** includes, without limitations, any department store, hardware store, pharmacy, liquor store, restaurant, catering truck, convenience store, gas station, and any other retail store or vendor.
1. **Retail Store** for the purposes of this ordinance does not include:
 - a. Vendors at a farmers' market, excluding any of the vendors' associated permanent business location(s);
 - b. Fast Food Restaurants; or
 - c. Art galleries and Art Fairs.

G. **Reusable Bag** means a bag that is:

1. Designed and manufactured to withstand repeated uses over time; and
2. Is made from a material other than plastic that can be cleaned and disinfected regularly.

H. **Reusable Plastic Bag** means a bag that is:

1. Designed and manufactured to withstand repeated uses over time; and
2. Is made from plastic that is at least four millimeters (4 mil) thick.

I. **Single-Use Disposable Plastic Bag** means any bag that is less than four millimeters (4 mil) thick and is made predominately of compostable or non-compostable plastic that is provided to a customer by a Grocer, Large Retailer, Retailer, or Retail Store at the point of sale for the purpose of transporting goods.

1. Single-Use Disposable Plastic Bag does not include the following:

- a. Bags used by consumers inside Grocers, Larger Retailer, Retailer, and Retail Stores to:
 1. Package bulk items including: fruit, vegetables, nuts, grains, candy, or small hardware items; or
 2. Contain or wrap fresh or frozen meat or fish; or
 3. Contain or wrap flowers or potted plants; or
 4. Contain unwrapped prepared foods or unwrapped bakery goods.
- b. Bags provided by pharmacists to contain prescription drugs.
- c. Newspaper bags, door hanger bags, dry cleaning bags, or bags sold in packages containing multiple bags intended to enclose garbage, pet waste, or yard waste.

J. **Waste Reduction Fee** means the Town fee in an amount established by resolution imposed and required to be paid by each consumer making a purchase from a Grocer, Large Retailer, Retailer, or Retail Store for each Disposable Paper Bag and Reusable Plastic Bag used during the purchase at the point of sale. (Ord. 1280 § 6, 2021; Ord. 1205 §1, 2019.)

8.36.030 Single-Use Disposable Plastic Bag Prohibition.

- A. On and in perpetuity after April 15th, 2019, no Grocer or Large Retailer shall provide a Single-Use Disposable Plastic Bag to a customer at the point of sale.
- B. On and in perpetuity after November 1st, 2019, no Retailer or Retail Store shall provide a Single-Use Disposable Plastic Bag to a customer at the point of sale.
- C. Nothing in this section shall preclude any person or organization from making Reusable Bags available for sale or for no cost to customers.

8.36.040 Disposable Paper Bag Fee Requirements.

- A. Effective on and after April 15th, 2019, Grocers and Large Retailers shall collect from customers, and customers shall pay, at the time of purchase a Waste Reduction Fee in an amount established by resolution for each Disposable Paper Bag or Reusable Plastic Bag provided to the customer at the point of sale.
- B. Effective on and after November 1st, 2019, Retailers and Retail Stores shall collect from customers, and customers shall pay, at the time of purchase a Waste Reduction Fee in an amount established by resolution for each Disposable Paper Bag or Reusable Plastic Bag provided to the customer at the point of sale. (Ord. 1280 § 6, 2021; Ord. 1205 §1, 2019)
- C. Grocers, Large Retailers, Retailers and Retail Stores shall record the number of Disposable Paper Bags and Reusable Plastic Bags provided at the point of sale and the total amount of the Waste Reduction Fee charged on the customer transaction receipt.
- D. Grocers, Large Retailers, Retailers and Retail Stores shall not refund to the customer any part of the Waste Reduction Fee or pay the Waste Reduction Fee for the customer or advertise or state to any customer that any part of the Waste Reduction Fee will be refunded to the customer.
- E. For the purposes of this subsection, a restaurant is not a Grocer, Large Retailer, Retailer or Retail Store.

8.36.050 Collection and Remittance of the Waste Reduction Fee.

- A. Each Grocer, Large Retailer, Retailer and Retail Store shall retain a portion of the Waste Reduction Fee it collects and said portion shall be in an amount established by resolution.
- B. The remaining portion of each Waste Reduction Fee collected by each Grocer, Large Retailer, Retailer and Retail Store, which also shall be in an amount established by resolution shall be due and remitted to the Town of Jackson Finance Department for each quarter on the following days: April 30, July 31, October 31, and January 31. The Town shall provide the necessary forms for Grocers, Large Retailers, Retailers and Retail Stores to file with each quarter's remittance. (Ord. 1280 § 6, 2021; Ord. 1205 §1, 2019)
- C. The Waste Reduction Fees collected by the Grocers, Large Retailers, Retailers and Retail Stores paid to the Town of Jackson Finance Department shall be deposited into the Waste Reduction Fee account.
- D. The Town of Jackson Finance Department shall remit all funds collected pursuant to this ordinance to the Teton County Integrated Solid Waste and Recycling Division.
- E. The Waste Reduction Fee shall be administered by the Teton County Integrated Solid Waste and Recycling Division.
- F. Waste Reduction Fees deposited in the Waste Reduction Account shall be used for the costs of the Plastic Bag Outreach Plan managed by Integrated Solid Waste and Recycling, which includes only:
 - 1. Integrated Solid Waste and Recycling-sponsored reusable bag distribution and retailer support; and
 - 2. Community litter clean up; and
 - 3. Integrated Solid Waste and Recycling Zero Waste Infrastructure and Program.

- G. No Waste Reduction Fee collected in accordance with this ordinance shall be used to supplant funds appropriated as part of The Town of Jackson Annual Budget.
- H. No Waste Reduction Fee collected in accordance with this ordinance shall revert to the Town of Jackson General Fund at the end of the fiscal year, or at any other time.

8.36.060 Exemptions.

A Grocer, Large Retailer, Retailer or Retail Store may provide a Disposable Paper Bag or a Reusable Plastic Bag to a customer at no charge to that customer if the customer provides evidence that he or she is a participant in a state or federal food assistance program.

8.36.070 Audits and Violations.

- A. Each Grocer, Large Retailer, Retailer and Retail Store shall maintain accurate and complete records of the Waste Reduction Fees collected, the number of Disposable Paper Bags and Reusable Plastic Bags provided to customers, and any underlying records, including any books, accounts, invoices, or other records necessary to verify the accuracy and completeness of such records. It is the duty of each Grocer, Large Retailer, Retailer and Retail Store to keep and preserve all such documents and records, including any electronic information, for a period of three (3) years beginning at the end of the calendar year of such records.
- B. If requested, each Grocer, Large Retailer, Retailer and Retail Store shall make its records available for audit by the Town Manager or his/her designee during regular business hours for the Town to verify compliance with the provisions of this Chapter. All such records shall be treated as confidential commercial documents.
- C. Violation(s) of any of the requirements of this Chapter subject a Grocer, Large Retailer, Retailer and Retail Store to the following penalties:
 - 1. Any Person upon conviction of a violation of any provision of this ordinance, shall be subject to the following penalties:
 - a. Fifty Dollars (\$50.00) for the first conviction.
 - b. One Hundred Dollars (\$100.00) for the second conviction.
 - c. For the third and all subsequent convictions there shall be a mandatory Jackson Municipal Court appearance and such penalty as may be determined by the Jackson Municipal Court pursuant to Jackson Municipal Code § 1.12.010.
 - 2. No more than one (1) citation shall be issued to a Grocer, Large Retailer, Retailer or Retail Store within any seven (7) calendar days.
- D. If payment of any portion of the Waste Reduction Fee is not received by the Town Finance Department on or before the due dates set forth on 8.36.050.B, a late fee in an amount established by resolution shall be imposed per month until said payment is received. (Ord. 1280 § 6, 2021; Ord. 1205 §1, 2019).