



Temporary Parklet Application



A Special Event Application Process

Submit form to cpelletier@jacksonwy.gov or Town Hall (150 East Pearl)

Applicant Information

Business / Establishment Name: _____

Business Phone Number: _____

Primary Contact Name: _____

Primary Contact Cell: _____

Primary Contact Email: _____

Secondary / On-Site Contact

Secondary Contact Name: _____
(A secondary on-site contact)

Secondary Contact Cell: _____

Secondary Contact Email: _____

Parklet Business Information

Parklet Name: _____
(If different than Business / Establishment name)

Business Address: _____
(Physical location where the parklet will be located)

Estimated Daily Attendance: _____
(Estimated number of people will you serve in the parklet throughout the day)

Maximum Occupancy at One Time: _____
(Maximum number of seats in the parklet you plan on filling at one time)

Does the applicant own the space that the parklet will be located on? _____ Yes _____ No

Is the space that the parklet will be located on public property? _____ Yes _____ No

Is the parklet space adjacent to your existing business? _____ Yes _____ No
(A parklet located across a sidewalk from a business is considered "adjacent")

Property Authorization

For applicants requesting parklet activation on public property:

Complete and submit the Parklet Property Authorization Form (APPENDIX A)

For applicants requesting parklet activation on private property:

Complete and submit a Letter of Authorization (APPENDIX B)

Parklet Dates and Times

Start Date: _____

End Date: _____

*Temporary Parklets Allowed
May 1, 2021 - October 31, 2021*

Setup Date: _____

Removal Date: _____

*Time needed to set up / remove
parklet elements*

Which days of the week and hours of the day do you plan on activating the parklet?

	(Opening at:)	(Closing at:)
_____ Monday	_____ am / pm	_____ am / pm
_____ Tuesday	_____ am / pm	_____ am / pm
_____ Wednesday	_____ am / pm	_____ am / pm
_____ Thursday	_____ am / pm	_____ am / pm
_____ Friday	_____ am / pm	_____ am / pm
_____ Saturday	_____ am / pm	_____ am / pm
_____ Sunday	_____ am / pm	_____ am / pm

Parking Space Utilization

How many parking spaces will be utilized to activate your parklet? _____

(A maximum of 3 parking spaces will be considered per parklet on public property. No limit to parklets on private property.)

Activation Elements Include: *(Please check all that apply)*

_____ Café Tables	_____ Bike Racks	_____ Chairs	_____ Lights <i>(including decorative)</i>
_____ Benches	_____ Umbrellas	_____ Planters	_____ Portable Heaters <i>(candles not allowed)</i>
_____ Decking	Other Elements: _____		

(Pop up tents and other similar overhead structures will not be permitted)

Parking Space Utilization (continued)

The elements of the parklet will be:

All of the elements of the activation will be removed each day and stored during non-business hours.

Some of the elements will be left within the permitted space during non-business hours.
(Elements include café tables, chairs, bike racks, umbrellas, planters, approved signage, fencing, benches, etc.)

Who will the parklet be available to?

Will seating and tables be available for public use during non-operating hours? Yes No
(*This is encouraged)

Will the parklet be dedicated to patrons of the business during business hours? Yes No

Are you providing indoor restrooms/handwashing facilities for parklet patrons? Yes No

If yes, please identify where these facilities are located: _____

Site Plan

The site plan should be a drawing with a legend indicating all aspects of the parklet including: perimeter dimensions, café tables, chairs, benches, bike racks, proposed lighting, umbrellas, planters, fire extinguishers, proposed signage, portable heaters, hand sanitizer, location of fire hydrants, manhole covers, utility poles, utility boxes, alleyways, handicap parking, etc. No tents or overhead structures will be permitted.

Parklets may not interfere with existing curb uses including designated fire lanes, loading zones, bus stops, taxi zones, handicap parking spaces, alleyways, etc. Manhole covers, utility poles and utility boxes must remain accessible. Any electrical cords crossing pedestrian areas must be covered to prevent a tripping hazard. Parklets must not interfere with pedestrian traffic. Use of sidewalks for parklets are prohibited. Fire hydrants and FDC connections cannot be blocked. If enclosing a space with fence/railings there must be openings for egress of at least 36". Any partitions used must be flame rated.

The site plan should indicate efforts made to accommodate any social distancing requirements in effect. All parklets must adhere to all State and County Health Orders in effect.

Complete and Submit a Site Plan Attachment with this Application.

Parklet Perimeter

A defined perimeter is required. Please identify how you will create and secure the perimeter of your parklet. Please make sure your perimeter is identified on the site plan.

Here are some considerations:

Ensure people who use the parklets are safely buffered from traffic. A physical barrier is always required alongside the travel lane and adjacent to active parking spaces.

Parklets may not activate within 5 feet of a traffic lane or alleyway. Provide an unoccupied 2-foot buffer along the sides where a parklet borders an active parking area.

Install wheel stops on the short ends of parklets adjacent to parallel parking.

Perimeter Types: *(Please check all that apply)*

Planter Boxes

Barricades

Fencing *(not exceeding a height of 42")*

Bike Racks

Jersey Barriers

Wheel Stops

Other *(Please list)* : _____

Please explain in more detail how you will secure the perimeter of the parklet.

(This may include fencing, signage, security, etc... Perimeter elements may not exceed 42" in height)

Food, Beverage, and Merchandise

What type of establishment will be activated?

Restaurant

Retail *(non-food/beverage)*

Grocery

Bar

Other *(Please list)* : _____

What is your parklet model?

Full Service
(Food/Beverage)

TO GO Service Only
(Food / Beverage)

Retail / Merchandise
(No alcohol sales)

Other: _____

Food, Beverage, and Merchandise (continued)

For Full Service (Food / Beverage) Parklets - Explain how food, drinks, and tableware will be protected.

For Full Service Parklets - please contact Teton County Environmental Health (732-8490) for further information.

Will your parklet include alcohol consumption? Yes No

Do you have a current year-round liquor license? Yes No

If "yes" what type liquor license do you possess?

Name of liquor license holder:

Alcohol Server Training Records for alcohol server staff attached? Yes No

Temporary alcohol beverage permit attached? Yes No (24 Hour Permit - APPENDIX C)
(Permit is necessary if you are not a current liquor license holder or if the parklet is not adjacent to your building)

What types of food will be sold?

None

Produce (whole/uncut only)

Dry Goods (goods that can be stored at room temperature)

Non-Time and Temperature Controlled Foods (pre-packaged food from the manufacturer)

Food prepared in a permitted food facility and served directly to the consumer for immediate consumption.

Other (please explain):

Applicant must acknowledge that they will not store, setup, display, or sell any Time/Temperature controlled for food safety items in the parklet (except for restaurants serving TO GO or serving directly to the consumer for immediate consumption). There shall not be any food preparation in the parklet.

Do you acknowledge that you have read, understand, and will be able to abide by the above Time/Temperature Controlled Statement? Yes No

If activating a retail parklet, please list the types of sales merchandise:

Annual Inspections

Is this business in good standing with annual inspections for JH Fire/EMS and TC Health Department?

Yes No

Amplified Sound

Will your parklet have amplified sound? Yes No

(A temporary parklet permit does not override the Town of Jackson Municipal Code on Noise Regulations)

What type of amplified sound will you have? _____

(Outdoor amplified sound is permitted between the hours of 8 a.m. and 10 p.m.)

Temporary Signage

Will you have temporary signage at your parklet? Yes No

All signage must be located inside of the parklet perimeter. Signage is not allowed on adjacent sidewalk or boardwalk. Signage shall not exceed 8 square feet. Temporary banners will not be permitted. A temporary banner is a sign which is constructed of pliable materials such as canvas, fabric, vinyl plastic or similar materials.

Indemnification and Waiver

In consideration for the Town of Jackson's issuance of the permit for the permitted activity, the Host Applicant agrees to indemnify, defend and hold harmless the Town of Jackson and all of its elected officials officers, agents, representatives and employees against any and all suits, including attorney's fees, causes of action or claims for injuries, damages, costs and expenses to persons or property, whether public or private, that may arise out of, or any activity constituting a part of, the Special Event, or any act, negligence, omission or misconduct of the Applicant or its officers, members, agents, representatives, contractors, subcontractors, invitees or employees. Notwithstanding the foregoing, the above shall not be construed to and shall not impose an obligation to indemnify and save harmless the Town or any of its elected officials, officers, agents or employees from any claim, loss, damage, liability or expense arising from any gross negligence by the same.

The provisions of this Indemnification and Waiver are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity, and shall survive termination or expiration of this Indemnification and Waiver.

By signing the Indemnification and Waiver above, the Applicant certifies that the information provided to the Town of Jackson is correct; the Applicant has read and understood the information contained in this Indemnification and Waiver; and the Applicant agrees to conduct the Special Event in compliance with all applicable local codes and ordinances, state and federal laws.

Do you acknowledge that you have read, understand, and will abide by the above Indemnification and Waiver clause? Yes No

Insurance Certificate

An insurance certificate that 1) names the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and 2) states that coverage is "primary and non-contributory" is required for every parklet. Insurance limits must be at least \$1,000,000 per occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town Attorney. You must include alcohol liability if there will be alcohol in the parklet. You must provide the insurance certificate to the Town of Jackson.

Standard Conditions

All town ordinances shall apply to all parklets.

The applicant shall be responsible for the collection and removal of all refuse generated by the parklet.

The applicant shall ensure that the parklet is trash-free at the end of each operating day.

Trash and recycling containers shall not be permitted to overflow.

If recyclable materials are generated from the parklet operations, then the applicant is required to provide recycling containers and provide for the removal of all recycled material.

All roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets.

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

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

All electrical/temporary power shall be in accordance with the current National Electric Code and subject to inspection from the Fire Department.

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

There shall not be any food preparation in the parklet.

The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises.

Customers shall not be permitted to leave the parklet perimeter with open alcohol containers.

Standard Conditions (continued)

Temporary signs in the perimeter of the parklet shall be limited to a total of 8 square feet.

Parklet perimeter fencing height may not exceed 42 inches.

All temporary signage must be located inside of the parklet perimeter.

The applicant shall not use temporary banners in or on the perimeter of the parklet.

Parklets must be inspected by Town staff prior to activation.

The Town of Jackson has the right to inspect parklets at any time.

The applicant will not allow patrons to sit on any perimeter elements including, but not limited to: jersey barriers, barricades, planter boxes, fencing, etc.

The Parklet shall not exceed maximum occupancy as defined by the Town of Jackson while the parklet is in use by the applicant.

All approved and activated Parklets shall display a Parklet Permit sign which will be issued by the Town of Jackson.

Parklets shall be removed if they are not utilized or activated for more than one (1) week, unless a letter explaining extenuating circumstances has been submitted to the Town of Jackson for review.

Failure to comply with any of the above mentioned conditions may result in revocation of the issued Parklet permit. In most cases a written warning will be issued following a violation of any of the conditions. After three (3) written warnings have been issued the Parklet permit will be revoked.

Applicant will provide Alcohol Server Training Records for their alcohol server staff.

Acknowledgement / Signature

By signing this document, I certify that the information provided above is correct, complete and accurate.

- ° I acknowledge having read and understood the information contained in this application.
- ° I agree to submit any additions/revisions in writing to the Town of Jackson.
- ° I agree to conduct my parklet in compliance with all applicable codes, ordinances, and laws and the conditions contained in the parklet permit.

The Town of Jackson will communicate directly with persons named on the application only, unless additional contacts are provided in writing by the applicant.

Acknowledgement / Signature (continued)

This permit is subject to all standard conditions listed in this application. This permit may be revoked by the Town of Jackson at any time for any reason including not following standard conditions set forth in this application or for not complying with Town of Jackson Municipal Code.

This permit and application may be modified by the Town of Jackson at any time.

Applicant's Signature (contact person or secondary contact only) required.

Signature

Date

Printed Name

Internal Use Only

Application Received:

Application Reviewed:

COMMENTS / CONSIDERATIONS

Fire/EMS

Police

Planning & Building

TC Health Department

Public Works

Administration

Town Clerk

Large empty rectangular box for comments and considerations.

Linear Feet Utilized for Parklet :

Maximum Occupancy :

Date of Activation:

Last Day of Activation:

Permit Number :

Appendix A

Parklet Property Authorization - All parklets Requesting Use of Public Property

Permits will be issued for space adjacent to existing businesses to supplement their existing primary use.

Secure permission from the property owner and/or tenant if utilizing any public property that is not adjacent to and/or abutting your establishment.

If your activation requires use of indoor restrooms and hand washing facilities in another establishment, please include authorization for those facilities.

This form is to be completed by the property OWNER, TENANT, or SUBTENANT.

Parklet Name: _____

Parklet Start Date: _____

Authorization Given To: _____
(Applicant/Establishment Name requesting authorization)

Applicant Name: _____
(Who you are authorizing)

Property Owner or Tenant/Subtenant Business Name: _____

Person Authorizing Permission: _____

Phone: _____ **Email:** _____

Property Address: _____

Authorizing Permission:

_____ I am giving permission for parklet activation in front of my business.

_____ I own the property where parklet will be located and authorizing use of property.

_____ I own the property where parklet will be adjacent to and I authorize use of space.

Signature: _____ **Date:** _____

Printed Name: _____

Appendix B

Letter of Authorization - All Parklets Requesting Use of Private Property

_____, "Owner" whose address is: _____

(Name of all individuals or entities owning the property)

_____, as the owner of the property more specifically legally described as: _____

(If too lengthy, attach description)

Hereby Authorizes _____ **as**

agent to represent and act for Owner in making application for and receiving and accepting on Owners behalf, any permits or other action by the Town of Jackson, or the Town of Jackson Planning, Building, Engineering and/or Environmental Health Departments relating to the modification, development, planning or replatting, improvement, use or occupancy of land in the Town of Jackson. Owner agrees that Owner is or shall be deemed conclusively to be fully aware of and to have authorized and/or made any and all representations or promises contained in said application or any Owner information in support thereof, and shall be deemed to be aware of and to have authorized any subsequent revisions, corrections or modifications to such materials. Owner acknowledges and agrees that Owner shall be bound and shall abide by the written terms or conditions of issuance of any such named representative, whether actually delivered to Owner or not. Owner agrees that no modification, development, platting or replatting, improvement, occupancy or use of any structure or land involved in the application shall take place until approved by the appropriate official of the Town of Jackson, in accordance with applicable codes and regulations. Owner agrees to pay any fines and be liable for any other penalties arising out of the failure to comply with the terms of any permit or arising out of any violation of the applicable laws, codes or regulations applicable to the action sought to be permitted by the application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing on behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

OWNER:

(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: _____

(If signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner)

STATE OF _____)

)SS.

COUNTY OF _____)

The foregoing instrument was acknowledged before me by _____ this _____ day of _____, 20____

WITNESS my hand and official seal.

(Seal)

(Notary Public) My commission expires:

APPENDIX C
24 - Hour Liquor Permit

[24- Hour Liquor Permit Application and Instructions on following pages]



24-HOUR ALCOHOL BEVERAGE PERMIT APPLICATION

Application for authorization to sell or serve alcoholic beverages at an event, under the temporary permit-type selected below.

Fee \$ _____

Date Pd: _____

APPLICANT.	
Name of Person <i>please print</i> Requesting Permit:	
Organization:	Phone:

EVENT INFORMATION. Complete the following information about the event.			
Name of Event:		Purpose:	
Held at:	<i>business name</i>	List the Date(s) and Hours that Alcohol will be Available:	
Address:	<i>location to be permitted</i>		
Anticipated number of attendees at any given time:			

SELECT THE TYPE OF 24-HOUR PERMIT. Refer to Application Packet for details about each permit type.	
<input type="checkbox"/> CATERING PERMIT - <i>allow 3 days for processing</i> \$20.00 per day For the sale or serving of alcoholic product which was purchased from the retail or resort liquor license holder who authorized this permit application.	This permit must be agreed to and authorized by a current retail or resort liquor license holder. Name of Retail or Resort Liquor License Holder: _____ Authorized Signature: _____ Print Name: _____
<input type="checkbox"/> MALT BEVERAGE PERMIT - <i>allow 21 days for processing</i> \$50.00 per day For the sale or serving of only malt beverages.	Applicant must submit proof of current alcohol server education training with this application.
<input type="checkbox"/> MALT BEVERAGE PERMIT FOR A MICROBREWERY - <i>allow 21 days for processing</i> Permitted Microbrewery Only \$50.00 per day For the sale or serving of only the microbrewery's own brewed malt beverage product away from their licensed premises.	Applicant must submit proof of current alcohol server education training with this application. Authorized Signature: _____ Print Name: _____
<input type="checkbox"/> MANUFACTURER'S OFF-PREMISES PERMIT - <i>allow 21 days for processing</i> Licensed Manufacturer Only \$50.00 per day For the sale or serving of only the manufacturer's own Wyoming manufactured product away from their licensed premises.	Authorized Signature: _____ Print Name: _____

All permit holders are responsible for abiding by all applicable alcohol dispensing regulations. These regulations include, but are not limited to:

- ◆ Confirm age of participants by checking identification; ensure minors are not served alcohol.
- ◆ Complimentary alcohol is not available for self-service.
- ◆ Control pouring to curb overserving individuals.
- ◆ Prohibit participants from leaving the permitted location with alcohol.
- ◆ Non-alcoholic beverage options are encouraged.

By filing this application, I agree to comply with State and Local Liquor Regulations regarding the sale and service of alcoholic beverages.

Applicant's signature

Date

Permit Descriptions:

Catering Permit. Wyoming Statute 12-4-502

A catering permit authorizing the sale of alcoholic and malt beverages may be issued to any person holding a retail or resort retail liquor license authorizing the off-premises sale of both alcoholic and malt beverages, for sales at meetings, conventions, private parties and dinners or at other similar gatherings not capable of being held within the licensee's licensed premises.

No licensee holding a catering permit shall sell or permit consumption of any alcoholic or malt beverage off the premises described in the permit.

The permits authorized by this section shall be issued for one (1) twenty-four (24) hour period. No person or organization shall receive more than a total of thirty-six (36) catering permits for sales at the same premises in any one (1) year.

Malt Beverage Permit. Wyoming Statute 12-4-502

A malt beverage permit authorizing the sale of malt beverages only, may be issued by the licensing authority to any responsible person or organization for sales at a picnic, bazaar, fair, rodeo, special holiday or similar public gathering.

No person or organization holding the malt beverage permit shall sell any alcoholic liquor other than malt beverages on the premises described on the permit, nor shall any malt beverage be sold or consumed off the premises authorized by the permit.

The permits authorized by this section shall be issued for one (1) twenty-four (24) hour period. No person or organization shall receive more than a total of twelve (12) malt beverage permits for sales at the same premises in any one (1) year.

Jackson Municipal Code requires applicants for Malt Beverage Permits to have successfully completed an alcohol server education course approved by the Wyoming Liquor Division or the Jackson Police Department. Proof of current Alcohol Server Training Certification is required as part of the malt beverage permit application. (JMC 6.50.020)

Malt Beverage Permit for a Microbrewery. Wyoming Statute 12-4-412

The holder of a microbrewery permit under this section may also hold a malt beverage permit under W.S. 12-4-502 for the purpose of selling its own brewed malt beverages.

Jackson Municipal Code requires applicants for Malt Beverage Permits to have successfully completed an alcohol server education course approved by the Wyoming Liquor Division or the Jackson Police Department. Proof of current Alcohol Server Training Certification is required as part of the malt beverage permit application. (JMC 6.50.020)

Manufacturer's Off-Premises Permit. Wyoming Statute 12-2-203

The local licensing authority may issue to a manufacturer licensee who is a federally licensed distiller or rectifier: A manufacturer's off-premises permit authorizing the permittee to sell product manufactured at the site identified on the manufacturer's license only for sales at meetings, conventions, private parties, dinners, and other similar gatherings to promote their product.

No permittee holding a manufacturer's off-premises permit shall sell or permit consumption of any of their manufactured product off the premises described in the permit.

An off-premises permit shall be issued for one (1) twenty-four (24) hour period. No holder of a manufacturer's license shall receive more than twelve (12) off-premises permits in any one (1) calendar year.