



ORDINANCE NO. 2026-002

AN ORDINANCE ESTABLISHING UNIFORM PUBLIC NOTICE REQUIREMENTS FOR CERTAIN LAND USE ACTIONS WITHIN THE INCORPORATED BOUNDARIES OF THE TOWN OF ALPINE

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ALPINE, WYOMING:

SECTION 1: PURPOSE AND INTENT

The purpose of this Ordinance is to establish uniform, enhanced public notice requirements for specified land use actions, in order to ensure transparency, meaningful public participation, and procedural due process.

SECTION 2: APPLICABILITY

- a) The notice requirements of this Ordinance shall apply to the following land use actions:
- i. Simple Subdivision;
 - ii. Minor Subdivision;
 - iii. Major Subdivision;
 - iv. Annexation;
 - v. Planned Unit Developments (PUDs);
 - vi. Special Use Permit (SUPs);
 - vii. Land use plan map amendments and zone changes;
 - viii. Variance;
 - ix. Overlay district adoption or amendment; and
 - x. Any other discretionary land use approval requiring a public hearing before the Planning and Zoning Commission or Town Council, as determined by the Zoning Administrator or Town Clerk.

SECTION 3: REQUIRED PUBLIC NOTICE

3.1 Posted Notice (On-Site Signage)

- a) **Official Notice Sign.** The Planning & Zoning Administrator shall provide an official public notice sign.

- b) **Posting Responsibility.** The landowner(s) and/or applicant(s) shall be responsible for posting the notice sign on the subject property.
- c) **Physical Posting of Notice.** The applicant shall physically post the notice provided by the Town on the subject property. The notice must be placed in a location visible from the property line or adjacent public right-of-way and must remain posted for the full required notice period. The Town shall supply the official notice for posting, and the applicant is responsible for ensuring it is properly displayed and maintained on the property during the notice period.
- d) **Timing.** All required mailed notices shall be deposited with the United States Postal Service and postmarked no fewer than thirty (30) calendar days prior to the scheduled public hearing date.
- e) **Costs and Verification.** The landowner(s)/applicant(s) shall be responsible for all costs associated with producing and posting the notice and shall submit an **Affidavit of Public Notice** to the Town as verification of compliance.

3.2 Mailed Notice to Property Owners

- a) **Official Written Notice.** The Town of Alpine shall provide an official written notice to the owner(s)/applicant(s).
- b) **Mailing Responsibility.** The owner(s)/applicant(s) shall mail the notice to **all owners of property within five hundred (500) feet** of the property or properties under consideration.
- c) **Timing.** All required mailed notices shall be deposited with the United States Postal Service and postmarked no fewer than thirty (30) calendar days prior to the scheduled public hearing date.
- d) **Ownership Records.** Ownership shall be determined using the most current Lincoln County Assessor records available at the time of mailing.
- e) **Costs and Verification.** The applicant shall:
 - i. Pay all costs associated with the required mailed notices; and
 - ii. Submit a signed affidavit to the Town affirming that the applicant has complied with all applicable notice requirements.

3.3 Annexations — Certified Mail Notice Requirement

In addition to the notice requirements contained in this Ordinance, annexations shall comply with all applicable notice requirements established by Wyoming Statutes Title 15, Chapter 1, Article 4, and the Town of Alpine Uniform Annexation Process Ordinance, as amended.

Without limiting the foregoing, annexation proceedings require that a summary of the proposed annexation report and notice of the public hearing be sent by certified mail, not fewer than twenty (20) business days prior to the hearing, to all landowners within the territory proposed for annexation and to all affected public utilities as required by W.S. §§ 15-1-402 and 15-1-405 and applicable Town ordinance.

3.4 Published Legal Notice (Newspaper Advertising)

- a) **Public Hearing Requirement.** The following applications shall require at least one (1) public hearing before the Alpine Planning and Zoning Commission, to be held at a public facility within the Town of Alpine:
 - i. Minor Subdivision
 - ii. Major Subdivision
 - iii. Annexation
 - iv. Planned Unit Development (PUD)
 - v. Special Use Permit (SUP)
 - vi. Land use plan map amendments and zone changes
 - vii. Overlay district adoption or amendment
- b) **Notice to the Public.** Town residents and the general public shall be provided notice at least thirty (30) calendar days prior to the scheduled public hearing.
- c) **Publication.** Public notice shall be advertised in **one (1) newspaper of general circulation throughout Lincoln County**, in compliance with Wyoming Statutes §§ 18-3-518 and 18-3-519.
- d) **Costs and Verification.** The applicant shall be responsible for placing and paying for the advertisement. The applicant shall submit an **Affidavit of Published Public Notice** to the Town as verification.
- e) **Public Record.** Public comments received during the hearing shall be documented and retained for subsequent reference in the land use decision-making process.

3.5 Additional Hearings

- a) The following applications require a Town Council public hearing, and the Council may conduct additional public hearings prior to final action:

- i. Minor Subdivision
 - ii. Major Subdivision
 - iii. Annexation
 - iv. Overlay district adoption or amendment
- b) Variances shall require a public hearing before the Alpine Board of Adjustment.

SECTION 4: RECORD OF NOTICE

- a) The Town shall maintain a complete record demonstrating compliance with this Ordinance, including:
- i. Proof of newspaper publication;
 - ii. Mailing lists and affidavits;
 - iii. Affidavit of posted notice; and
 - iv. Hearing records and public comments.

SECTION 5: EFFECT OF NOTICE ERRORS

Failure to provide mailed notice to an individual property owner due to clerical error, postal error, or outdated ownership records shall not invalidate the proceeding, provided the Town has substantially complied with this Ordinance and all required published notices were properly completed.

SECTION 6: RELATIONSHIP TO OTHER LAWS

The notice requirements set forth in this Ordinance shall supersede and control over any conflicting notice provisions contained in any other ordinance, resolution, regulation, or provision of the Town of Alpine Land Use and Development Code. In the event of a conflict between this Ordinance and any other Town of Alpine law, the provisions of this Ordinance shall govern.

SECTION 7: SEVERABILITY

If any provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions.

SECTION 8: EFFECTIVE DATE

This Ordinance shall take effect upon adoption and publication as required by law.

Passed First Reading on the 17th day of March 2026.

VOTING RECORD:

<u>Ayes:</u>	<u>Mayor Green:</u>
<u>Nays:</u>	<u>Burchard:</u>
<u>Abstentions:</u>	<u>Larsen:</u>
<u>Absent:</u>	<u>Wierda:</u>
	<u>Scaffide:</u>

Passed Second Reading on the 21st day of April 2026.

VOTING RECORD:

<u>Ayes:</u>	<u>Mayor Green:</u>
<u>Nays:</u>	<u>Burchard:</u>
<u>Abstentions:</u>	<u>Larsen:</u>
<u>Absent:</u>	<u>Wierda:</u>
	<u>Scaffide:</u>

Passed on Third and Final Reading 5th day of May 2026.

VOTING RECORD:

<u>Ayes:</u>	<u>Mayor Green:</u>
<u>Nays:</u>	<u>Burchard:</u>
<u>Abstentions:</u>	<u>Larsen:</u>
<u>Absent:</u>	<u>Wierda:</u>
	<u>Scaffide:</u>

TOWN OF ALPINE

Eric Green, Mayor of Alpine

ATTEST:

Monica L. Chenault, Clerk / Treasurer

ATTESTATION OF THE TOWN CLERK

STATE OF WYOMING)
COUNTY OF LINCOLN)
TOWN OF ALPINE)

I hereby certify that the forgoing Ordinance No. 2026-002 shall be duly posted for ten (10) days in the Town Office.

I further certify that the foregoing Ordinance will be posted on the Town website in final form, upon its passing and approved by the Town Council as soon as is practicable.

I further certify that the forgoing Ordinance will be duly recorded in the BOOK OF ORDINANCES, TOWN OF ALPINE, LINCOLN COUNTY, WYOMING.

ATTEST:

Monica L. Chenault, Clerk / Treasurer