



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 in land use decision-making within the Town of Alpine.

SECTION 2: APPLICABILITY

- a) The notice requirements of this Ordinance shall apply to the following land use actions requiring a public hearing before the Alpine Planning and Zoning Commission, the Alpine Board of Adjustment, or the Alpine Town Council:
- 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 and Zoning Administrator shall provide the official public notice sign in digital format. The applicant shall be responsible for producing the physical sign based on the provided digital copy.
- 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 post the official notice sign on the subject property in a location clearly visible from the property line or an adjacent public right-of-way. The notice sign shall be a minimum size of eighteen inches by twenty-four inches (18" x 24").
- d) **Posting Duration and Maintenance.** The notice sign shall be posted not fewer than thirty (30) days prior to the public hearing and shall remain in place for the full required notice period. The sign shall be maintained in a legible condition throughout the posting period.
- 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 Posting to the Town verifying compliance with this requirement.

3.2 Mailed Notice to Property Owners

- a) **Official Written Notice.** The Town of Alpine shall provide a digital version of the official written notice to the owner(s)/applicant(s).
- b) **Mailing Responsibility.** The owner(s)/applicant(s) shall be responsible for mailing the required notices
- c) **Notice Recipients.** Mailed notice shall be provided to:
 - i. All owners of property located within five hundred (500) feet of the property or properties under consideration;
 - ii. All affected public utility providers;
 - iii. The Wyoming Department of Transportation (WYDOT); and
 - iv. Lincoln County, Wyoming.
- 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) **Ownership Records.** Ownership shall be determined using the most current Lincoln County Assessor records available at the time of mailing.
- f) **Costs.** The applicant shall pay all costs associated with the required mailed notices.
- g) **Affidavit of Mailings.** The applicant shall submit an Affidavit of Mailings to the Town verifying that all required notices were sent in accordance with this Section, including a list of recipients and the date of mailing.

3.3 Annexations — 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 most recently adopted by the Town Council of the Town of Alpine, Wyoming.

- a) **Certified Mail Notice.** The applicant (petitioner) shall be responsible for sending notice of the proposed annexation and public hearing by certified mail, in accordance with W.S. §§ 15-1-402 and 15-1-405 and Town ordinance, not fewer than twenty (20) business days prior to the hearing, to:
 - i. All affected public utilities; and
 - ii. All persons owning property that is adjacent to or within five hundred (500) feet of the territory proposed for annexation, regardless of whether such property lies within or outside the corporate limits of the Town.
- b) **Form of Notice.** The notice required by this Section shall be prepared by the Town and shall include the information required under applicable Wyoming Statutes. The applicant (petitioner) shall be responsible for mailing such notices, completing and submitting an Affidavit of Certified Mailings to the Town verifying compliance, and bearing all associated costs.

3.4 Published Legal Notice (Newspaper Advertising)

- a) **Applications Requiring Published Notice.** Any land use application requiring a public hearing before the Alpine Planning and Zoning Commission, the Alpine Board of Adjustment, or the Alpine Town Council shall require published legal notice in accordance with this Section.
- 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) **Preparation and Publication.** The Town shall prepare the official public notice and provide the applicant with a digital copy suitable for publication. Public notice shall be advertised in one (1) newspaper of general circulation throughout Lincoln County, Wyoming. This requirement is adopted pursuant to the Town’s municipal authority under W.S. § 15-1-103 and applicable land use authority of the Town of Alpine. Publication shall comply with the requirements governing legal notices set forth in 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 and shall submit an Affidavit of Published Public Notice to the Town verifying compliance.
- 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 Public Hearings

- a) **Planning and Zoning Commission Hearings.** The following applications shall require a public hearing before the Alpine Planning and Zoning Commission:
 - i. Minor Subdivision
 - ii. Major Subdivision
 - iii. Overlay district adoption or amendment
 - iv. Planned Unit Development (PUD)
 - v. Special Use Permit (SUP)
 - vi. Land use plan map amendments and zone changes
- b) **Board of Adjustment Hearings.** Variances shall require a public hearing before the Alpine Board of Adjustment in accordance with applicable Wyoming Statutes and Town ordinance.
- c) **Town Council Hearings.** The following applications shall require a public hearing before the Alpine Town Council:
 - i. Major Subdivision
 - ii. Annexation
 - iii. Planned Unit Development (PUD)
 - iv. Land use plan map amendments and zone changes
 - v. Overlay district adoption or amendment

- d) **Additional Hearings.** The Alpine Planning and Zoning Commission, Board of Adjustment, and Town Council may conduct additional public hearings as required by Town ordinance, applicable law, or as deemed necessary to fully consider an application.

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 Affidavit of Mailings;
 - 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 established by this Ordinance are intended to provide minimum uniform standards for public notice of specified land use actions.

This Ordinance establishes minimum notice requirements. Where any other applicable law or regulation requires a higher level of public notice, that requirement shall control.

Where a conflict exists between this Ordinance and applicable Wyoming Statutes, state law shall control. Where a conflict exists between this Ordinance and any other Town ordinance or regulation, the provision imposing the more restrictive or higher standard of public notice 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:

<i>Ayes:</i>	5	Mayor Green:	Aye
<i>Nays:</i>	0	Burchard:	Aye
<i>Abstentions:</i>	0	Larsen:	Aye
<i>Absent:</i>	0	Wierda:	Aye
		Scaffide:	Aye

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

VOTING RECORD:

<i>Ayes:</i>	5	Mayor Green:	Aye
<i>Nays:</i>	0	Burchard:	Aye
<i>Abstentions:</i>	0	Larsen:	Aye
<i>Absent:</i>	0	Wierda:	Aye
		Scaffide:	Aye

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

VOTING RECORD:

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

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