

## **Town of Alpine – Staff Report**

Subject: Review and Discussion of Current Town of Alpine Ordinances – Recreational Fires (Ord. No. 2020-01) and Pyrotechnic Devices (Ord. No. 2022-13)

Prepared By: Sarah Greenwald, Assistant Clerk

Date: November 4, 2025

### **Background**

On October 7, 2025, the Town of Alpine distributed a letter to partnering agencies requesting feedback on the Town's existing ordinances related to open burning, recreational fires, and fireworks. The purpose of this review was to identify potential updates or amendments to ensure that local regulations align with state, county, and federal standards, as well as to strengthen enforcement, safety, and environmental protection measures.

Feedback was requested on the following ordinances:

- Ordinance No. 2020-01: Regulating Recreational Fires
- Ordinance No. 2022-13: Regulating Pyrotechnic Devices

Responses were received from the Alpine Fire District, Alpine Area Wildfire Protection Coalition, and the U.S. Bureau of Reclamation.

### **Agency Feedback Summary**

#### **1. Alpine Fire District – Chief Mike Vogt**

Ordinance No. 2022-13 (Pyrotechnic Devices): Chief Vogt recommends removing all references to the Alpine Fire Department in the ordinance. He advises deleting the section requiring a \$150 inspection fee payable to the Fire Department and the provision requiring the Fire Chief's approval of site plans. He suggests that all permitting, inspection, and site review responsibilities be handled exclusively by the Town of Alpine.

Ordinance No. 2020-01 (Recreational Fires): Chief Vogt recommends adding a "Nuisance of Smoke" provision to allow the Town to temporarily suspend or terminate recreational fires when smoke becomes a nuisance to neighboring properties or affects air quality.

Additional Notes: Chief Vogt provided state fireworks inspection guidelines that could serve as a reference for the Town's Code Enforcement Officer during permit evaluations and inspections.

#### **2. Alpine Area Wildfire Protection Coalition – Dr. Chuck Butterfield, PhD, NFPA HIZ Certified**

General Comments: Dr. Butterfield emphasized the importance of aligning the Town's ordinances with state, county, and federal fire management policies, noting that Alpine is surrounded by federal and private lands. He recommended a unified approach to wildfire prevention and mitigation, and stressed the need for clear enforcement mechanisms, stating that

enforcement of legally binding ordinances should be the Town's responsibility.

Specific Recommendations for Ordinance No. 2020-01 (Recreational Fires):

- Correct a typographical error in Section 1, Definitions ("area of three (3) feet...").
- In Section 2, clarify who has authority to issue emergency declarations (Town, County, or Forest Service) and the criteria for such decisions.
- In Section 4, require that all fires be fully extinguished before being left unattended, and include overhead combustibles in the 25-foot clearance rule.
- Include a means for residents to report violations anonymously to prevent neighbor conflicts.
- Apply the same extinguishment requirement to Section 5, Portable Outside Fireplaces.

Additional Recommendations: Dr. Butterfield encouraged the Town to explore fire-resistant building codes and Firewise landscaping, aligning with the Alpine Master Plan and Lincoln County Community Wildfire Protection Plan. He also offered the Coalition's support in future prevention and education efforts.

### **3. U.S. Bureau of Reclamation – Michael Hilliard**

Mr. Hilliard reviewed both ordinances and had no specific comments or concerns. He provided a reference to 43 CFR Part 423 – Public Conduct on Bureau of Reclamation Facilities, Lands, and Waterbodies, which governs public behavior on federal lands and may serve as a helpful consistency reference for the Town's ordinances.

### **Attachments**

1. Request for Agency Feedback Letter – October 7, 2025
2. Comments from Chief Mike Vogt – Alpine Fire District
3. Comments from Dr. Chuck Butterfield – Alpine Area Wildfire Protection Coalition
4. Email from Michael Hilliard – U.S. Bureau of Reclamation



Town of Alpine  
P.O. Box 3070  
Alpine, WY 83128

October 7, 2025

**Subject:** Request for Agency Feedback – Review of Current Town of Alpine Ordinances

Dear Agency Representatives,

The Town of Alpine is currently reviewing its existing ordinances related to open burning and the burning of trash, recreational fires, and fireworks. As part of this process, we are seeking input from our partner agencies to ensure that any future updates align with regional, state, and federal standards for safety and environmental protection.

To assist with your review, we have attached the Town's current ordinances pertaining to these topics. We welcome and appreciate any feedback, comments, or suggestions you may have regarding these regulations; particularly related to fire safety, environmental impacts, air quality, enforcement considerations, or coordination with agency procedures.

Your insight will be invaluable as the Town of Alpine works to ensure our ordinances effectively support both community safety and environmental stewardship.

Please find attached:

- **Current Ordinance – Regulating Recreational Fires (Ordinance No. 2020-01)**
- **Current Ordinance – Pyrotechnic Devices (Ordinance No. 2022-13)**

If you have any questions, or would like to discuss specific details, please feel free to contact me directly at 307-654-7757 or [clerk@alpinewy.gov](mailto:clerk@alpinewy.gov)

Thank you for your time, expertise, and continued partnership with the Town of Alpine.

Sincerely,

A handwritten signature in blue ink, appearing to read "Monica Chenault", is written over a blue circular stamp.

Monica Chenault  
Clerk/ Treasurer

		<b>CONSUMER FIREWORKS RETAIL SALES FACILITY- (CFRS) INSPECTION GUIDELINES</b>
	<b>NFPA 1124 Code Sections</b>	<p><b>7.3.1.1</b> The requirements of this chapter shall not apply to CFRS facilities or stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition.</p> <p><b>***Questions are not to be construed as an all-inclusive list, and firework CFRS operators shall meet all other applicable NFPA 1124 code requirements***</b></p>
1.	7.3.4*	Are all sides of building accessible within 150 feet of a public way or an approved fire apparatus access?
2.	7.3.6.3	Does the CFRS facility have at least two portable fire extinguishers, with at least one pressurized water type with a minimum rating of 2A (2.5 gallons)?
3.	7.3.8.1	Is there at least one, approved 4A:40B:C fire extinguisher per NFPA 10?
4.	7.3.8.3	Is the maximum distance of travel required to reach a portable fire extinguisher 75 feet or less in the CFRS?
5.	7.3.11.1	Is smoking inside or within 50 feet of the CFRS area prohibited?
6.	7.3.11.2	Are "NO SMOKING" signs conspicuously posted in at least 2 inch letters and maintained at each entrance or within 10 feet of each aisle directly serving the CFRS area in a store?
7.	7.3.12.1	Are retail propane dispenser(s) or flammable liquid above ground storage tank(s) or compressed natural gas dispensing station dispensers a minimum of 50 feet from the building?
8.	7.3.12.2	Is the new CFRS facility located at least 50 feet from motor vehicle fuel- station dispensers?
9.	7.3.12.3	Is the existing CFRS facility located at least 25 feet from motor vehicle fuel dispenser(s)?
10.	7.3.13*	Are the life safety and evacuation plans in writing and maintained current?
11.	7.3.14.1.1	Does the new CFRS facility have a minimum of 3 exits?
12.	7.3.14.1.1	Does the existing CFRS have a minimum of 2 exits with travel distance to an exit of 75 feet or less, or a minimum of 3 doors if travel distance to an exit exceeds 75 feet?
13.	7.3.14.2	Is the maximum egress travel distance, from the most remote point (along natural and unobstructed path), 75 feet or less?
14.	7.3.14.1.2	Is required means of egress prohibited from passing through a storage room?
15.	7.3.14.3.1.1	Do all aisles have a minimum clear width of 48 inches?
16.	7.3.14.3.2*	Does at least one aisle lead directly to an exit, do all aisles terminate at another aisle or cross-aisle with NO DEAD END AISLES?
17.	7.3.14.4.1	Are all egress doors at least 36 inches in width with a clear minimum width of 32 inches?
18.	7.3.14.4.2	Is every egress door with a latching device provided with panic hardware complying with <i>NFPA 101, Life Safety Code</i> ?
19.	7.3.14.4.3	Are all egress doors the side-hinge swing type and arranged to swing in the direction of egress travel?
20.	7.3.14.5.2	Are all exits signs self-luminous or internally or externally illuminated?
21.	7.3.14.6.1-2	Is emergency lighting present and adequate per NFPA 101?
22.	7.3.15.2.1	Are retail sales displays limited to 6 feet in height within the CFRS area?
23.	7.3.15.2.2	Are retail sales displays limited to 12ft along the perimeter of the CFRS sales area?
24.	7.3.15.3	Are flame breaks installed a minimum of every 16 feet along the length of the continuous displays of consumer fireworks located on shelving, cases, counters, and similar display fixtures?
25.	7.3.15.3.2	Do flame breaks extend the full depth of the display and not less than 6 inches above the full height or to the underside of display surface directly above?

26.	7.3.15.5.1	Do all consumer fireworks meet the criteria for covered fuses?
27.	7.3.19.1	Are all means of egress clear at all times when the facility is occupied?
28.	7.3.19.2.1	Are consumer fireworks displays and storage prohibited within 5 feet of a public entrance?
29.	7.3.19.2.2	Are consumer fireworks displays and storage prohibited within 2 feet of any exit or private entrance?
30.	7.3.21.1	Are CFRS areas and storage rooms kept free of accumulations of debris and rubbish?
31.	7.3.24	Are records of available inventory maintained on premise?
32.	7.4.5.3	Does the permanent CFRS, over 3000 square feet in area, have a public address system or a means for manually activating audible and visible alarm indicating devices located throughout the facility in accordance with NFPA 72? *A proper functioning bullhorn that can be heard throughout the entire facility meets the requirements of 7.4.5.3 as a "public address system"
33.	7.4.6.1	Is combustible debris, accumulated dry grass, and dry brush a minimum of 30 feet from the CFRS?
34.	7.4.6.2	Are all trailers, motor vehicles, or storage units used for the storage of consumer fireworks a minimum of 10 feet from the CFRS facility, except when delivering, loading or unloading?
35.	7.4.6.3	Is there at least one "NO FIREWORKS DISCHARGE WITHIN 300 FEET" sign, with a minimum of 4 inch letters on contrasting background, conspicuously posted on each exterior side of the building?
36.	7.4.10	Is the floor area occupied by the retail displays of consumer fireworks limited to 40 percent of the available floor area within the retail sales area?
		*= Must check Appendix A

		<b>CONSUMER FIREWORKS RETAIL SALES - (STAND) INSPECTION GUIDELINES</b>
	<b>NFPA 1124 Code Sections</b>	<p><b>7.3.1.1</b> The requirements of this chapter shall not apply to CFRS facilities or stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition.</p> <p><b>***Questions are not to be construed as an all-inclusive list, and firework CFRS operators shall meet all other applicable NFPA 1124 code requirements***</b></p>
1.	7.3.11.1	Is smoking inside or within 50 feet of the CFRS stand area prohibited?
2.	7.3.11.2	Are "NO SMOKING" signs posted in at least 2 inch letters and maintained on the exterior of the CFRS stand?
3.	7.3.12.1	Is the CFRS stand located at least 50 feet away from retail propane dispensers, aboveground storage tanks for flammable or combustible liquid, flammable gas, flammable liquefied gas, or compressed natural gas dispensers?
4.	7.3.12.2	Is the CFRS stand located at least 50 feet away from motor vehicle fuel dispensers?
5.	7.3.14.5.1	Are exits clearly marked with an exit sign?
6.	7.3.19.2.2	Are consumer firework displays and storage prohibited within 2 ft of an exit or public entrance?
7.	7.3.8.1	Is there at least 1 approved 4A:40B:C fire extinguisher per NFPA 10?
8.	7.3.6.3	For stands over 200 square feet, is there at least 1 approved 2.5 Gallon pressurized water fire extinguisher?
9.	7.4.6.1	Is combustible debris, accumulated dry grass, and dry brush a minimum of 30 feet from the CFRS stand?
10.	7.4.6.3	Is there at least one "NO FIREWORKS DISCHARGE WITHIN 300 FEET" sign, with a minimum of 4 inch letters on contrasting background, conspicuously posted on each exterior side of the CFRS stand?
11.	7.4.7.1.2	Is the existing permanent CFRS stand separated from adjacent permanent buildings and structures by not less than 10 feet or separated by a wall with a 1-hour fire resistance rating.
12.	7.4.7.2	Is the temporary CFRS stand separated 20 feet from a building or fireworks storage?
13.	7.4.7.2	Is the temporary CFRS stand separated a minimum of 5 feet from another CFRS stand?
14.	7.4.7.2	Is parking prohibited within 10 feet from a temporary CFRS stand?
15.	7.4.9.1.2	Is temporary power protected from physical damage from pedestrian and vehicular traffic?
16.	7.4.9.2.2	Are portable generators and generator fuel storage located at least 20 feet from the stand?
17.	7.4.9.2.3	Are all fuel cans located at least 20 feet from the CFRS stand?
18.	7.6.1	Does the site plan show separation distances from buildings, combustibles, parking, fuel dispensers, and storage of fireworks?
19.	7.6.2.3.1	Does the temporary CFRS stand measuring up to and including twenty feet in length have at least one approved exit?
20.	7.6.2.3.1	Does the temporary CFRS stand greater than twenty feet in length and up to including forty feet in length with the maximum travel distance to an approved exit not exceeding thirty five feet have one approved exit and at least one additional opening with a minimum clear opening of 5.7 sq. ft. or greater for emergency escape or rescue?
21.	7.6.2.3.2	Does the temporary CFRS stand in excess of forty feet in length, with a maximum travel distance to an exit exceeding thirty five feet, have at least two approved exits?
22.	7.6.2.3.3	If CFRS stand interior is accessible to the public, are all provisions of 7.3.14 met?
23.	7.6.4.1	In temporary CFRS stands with no public access, are aisles at least 28 inches clear width?
24.	7.6.4.2.1	In temporary CFRS stands with no public access, are doors a minimum of 28 inches clear width?
25.	7.6.4.3	Is the maximum height of sales displays limited to 8ft in height?
26.	7.6.4.6	Are fireworks displayed in a manner that prevents consumers from handling individual fireworks?
27.	Regulation 71-7405.5	Is the temporary structure immobile with measures in place to prevent it from shifting or blowing over and are the wheels removed?

		<b>CONSUMER FIREWORKS RETAIL SALES - (STORE) INSPECTION GUIDELINES</b>
	<b>NFPA 1124 Code Sections</b>	<p><b>7.3.1.1</b> The requirements of this chapter shall not apply to CFRS facilities or stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb. (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition.</p> <p>***Questions are not to be construed as an all-inclusive list, and firework CFRS operators shall meet all other applicable NFPA 1124 code requirements***</p>
1.	7.3.4*	Are all sides of building accessible within 150 feet of a public way or an approved fire apparatus access?
2.	7.3.6.3	Does the CFRS facility have at least two portable fire extinguishers, with at least one pressurized water type with a minimum rating of 2A (2.5 gallons)?
3.	7.3.8.1	Is there at least 1 approved 4A:40B:C fire extinguisher per NFPA 10?
4.	7.3.8.3	Is the maximum distance of travel required to reach a portable fire extinguisher 75 feet or less in the store?
5.	7.3.11.1	Is smoking inside or within 50 feet of the CFRS area prohibited?
6.	7.3.11.2	Are "NO SMOKING" signs conspicuously posted in at least 2 inch letters and maintained at each entrance or within 10 feet of each aisle directly serving the CFRS area in a store?
7.	7.3.12.1	Are retail propane dispenser(s) or flammable liquid above ground storage tank(s) or compressed natural gas dispensing station dispensers at least 50 feet from the building?
8.	7.3.12.2	Is the new Store located at least 50 feet from motor vehicle fuel station dispensers?
9.	7.3.12.3	Is the existing Store located at least 25 feet from a motor vehicle fuel dispenser?
10.	7.3.13*	Are the life safety and evacuation plans in writing and maintained current?
11.	7.3.14.1.1	Does the new CFRS store have a minimum of 3 exits?
12.	7.3.14.1.1	Does the existing CFRS store have a minimum of 2 exits with travel distance to an exit of 75 feet or less, or a minimum of 3 doors if travel distance to an exit exceeds 75 feet?
13.	7.3.14.2	Is the maximum egress travel distance, from the most remote point (along natural and unobstructed path), 75 feet or less?
14.	7.3.14.1.2	Is the required means of egress prohibited from passing through a storage room?
15.	7.3.14.3.1.1	Do all aisles have a minimum clear width of 48 inches?
16.	7.3.14.3.2*	Does at least one aisle lead directly to an exit, do all aisles terminate at another aisle or cross-aisle with NO DEAD END AISLES?
17.	7.3.14.4.1	Are all egress doors at least 36 inches in width with a clear width a minimum of 32 inches?
18.	7.3.14.4.2	Is every egress door with a latching device provided with panic hardware complying with <i>NFPA 101, Life Safety Code</i> ?
19.	7.3.14.4.3	Are all egress doors the side-hinge swing type and arranged to swing in the direction of egress travel?
20.	7.3.14.5.2	Are all exits signs self-luminous or internally or externally illuminated?
21.	7.3.14.6.1-.2	Is emergency lighting present and adequate per NFPA 101?
22.	7.3.15.2.1	Are retail sales displays limited to 6 feet in height within the CFRS area?
23.	7.3.15.2.2	Are retail sales displays limited to 12ft along the perimeter of the CFRS sales area?
24.	7.3.15.3*	Are flame breaks installed a minimum of every 16 feet along the length of the continuous displays of consumer fireworks located on shelving, cases, counters, and similar display fixtures?
25.	7.3.15.5.1	Do all consumer fireworks meet the criteria for covered fuses?
26.	7.3.19.1	Are all means of egress clear at all times when the facility is occupied?
27.	7.3.19.2.1	Are consumer firework displays and storage prohibited within 5 feet of a public entrance?

**CFRS Store Inspection Guidelines, page 2**

28.	7.3.19.2.2	Are consumer firework displays and storage prohibited within 2 feet of any exit or a private entrance?
29.	7.3.24	Are records of available inventory maintained on premise?
30.	7.5.1.1*	Is the sales area of the fireworks less than 600 square feet or 25% of the total sales area, whichever is less?
31.	7.5.1.2(1)	Are fireworks displays always visible to the employees?
32.	7.5.1.2(2)	Are all fireworks packaged merchandise?
33.	7.5.1.2(3)*	Are fireworks packaged and displayed for sale in a manner that will limit travel distance if ignition of the fireworks occurs?
34.	7.5.1.2(4)	Are aerial devices and audible ground devices physically separated and restricted from public with not less than 2 exits?
35.	7.5.4	Does the permanent CFRS Store, over 3000 square feet in area, have a public address system or a means for manually activating audible and visible alarm indicating devices located throughout the facility in accordance with NFPA 72?
		*= Must check Appendix A

**Date:** 26 October 2025

**To:** Town of Alpine

**From:** Chuck Butterfield, PhD, Chair, Alpine Area Wildfire Protection Coalition, NFPA HIZ Certified

**Subject:** Feedback on Town of Alpine ordinances related to open burning, recreational burning and management burning

Thank you for allowing me the opportunity to comment on the existing ordinances as presented.

Overall, I feel the ordinances need to align with state and county policy as well as the policies of the two surrounding forests as closely as possible. The town is surrounded by state and federal lands as well as private lands within the county boundary (e.g. Rees). Thus, it is imperative that efforts to mitigate fire potentials must come as a unified front as the town itself is a very small footprint in existing fuel loads. It is also important to recognize that the town itself presents the higher potential for creating an ignition.

Another broader point of consideration/need is that the town needs some level of enforcement to make these policies work. It is not the job of the fire chief to enforce legally binding policies/ordinances.

**Section 1. Definitions**, there is a typo on the 4<sup>th</sup> line of the second paragraph it should read “**area** of three (3) feet ....”.

**Section 2. Emergency Declarations** who will make the declaration? And based on what? Is this done with the forests and/or the county? This should be well defined to not be considered arbitrary and capricious.

Regarding **Section 4. Recreational Fires**, I am aware of some town residences that have an almost nightly recreational fire that do not fit the current regulations of distance from all other combustibles, and they simply allow it to burn out overnight and unattended. Neighbors need a way to report this in a manner that does not create conflict, and the town needs a way to enforce compliance. Thus, a need within this ordinance that requires all fires to be fully extinguished prior to leaving them. This should apply to **Section 5. Portable Outside Fireplaces** as well. Also, within **Section 4** the space requirement of being 25 feet from combustibles should include overhead combustibles.

Lastly, I think the town needs to consider reviewing building codes to encourage fire resistant building materials and Firewise landscaping. Now would be opportune to do this with the current ongoing updates of the Alpine Master Plan and the county Community Wildfire Protection Plan.

The Alpine Area Wildfire Protection Coalition is always willing to assist the town. Feel free to reach out to me 307-413-4800.

Hilliard, Michael W<mhilliard@usbr.gov>  
Office  
Monica Chenault;Eric Green

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Thanks for the opportunity to review.

I don't have any specific comments regarding the ordinances.

For awareness, below is the 43 CFR Part 423 that outline public conduct on Bureau of Reclamation facilities, lands, and waterbodies

[eCFR :: 43 CFR Part 423 -- Public Conduct on Bureau of Reclamation Facilities, Lands, and Waterbodies](#)

Thanks,

*Michael Hilliard*

Assistant Area Manager | Upper Snake Field Office  
Snake River Area Office | Bureau of Reclamation  
Office (208) 677-6901  
[mhilliard@usbr.gov](mailto:mhilliard@usbr.gov)