



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 an official public notice sign for posting on the subject property.

- 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 provided by the Town on the subject property in a location clearly visible from the property line or an adjacent public right-of-way. The notice shall remain posted for the full required notice period and shall be maintained in legible condition.
- d) **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 verifying compliance with this requirement.

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 located 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 pay all costs associated with the required mailed notices and shall submit a signed affidavit to the Town affirming compliance 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) **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) **Publication.** Public notice shall be advertised in one (1) newspaper of general circulation throughout Lincoln County. 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) The following applications shall require a public hearing before the Alpine Planning and Zoning Commission:
 - i. Minor Subdivision
 - ii. Major Subdivision
 - iii. Annexation
 - iv. Overlay district adoption or amendment
 - v. Planned Unit Development (PUD)
 - vi. Special Use Permit (SUP)
 - vii. Land use plan map amendments and zone changes
- b) Variances shall require a public hearing before the Alpine Board of Adjustment in accordance with applicable Wyoming Statutes and Town ordinance.
- c) 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) The Town Council may conduct additional public hearings as required by Town ordinance or state law prior to final action.

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 established by this Ordinance are intended to provide minimum uniform standards for public notice of specified land use actions. Nothing in this Ordinance shall be interpreted to reduce or eliminate any more stringent public notice requirement contained in the Town of Alpine Land Use and Development Code or other applicable law.

Where a conflict exists between this Ordinance and another Town ordinance or regulation, the provision providing the greater level of public notice shall control.

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

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