



## **STAFF REPORT**

**TO:** Mayor and Town Council

**FROM:** Sarah Greenwald, Assistant Clerk

**DATE:** June 5, 2026

**RE: Ordinance No. 2026-004 – Regulations Governing Open Burning, Recreational Fires, Outdoor Fire Use, Fire Restrictions, and Pyrotechnic Devices**

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### **Purpose:**

To provide Town Council with revisions made to Ordinance No. 2026-004 following discussion and to request Council direction regarding specific provisions related to recreational fires and portable outdoor fireplaces.

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### **Background:**

The Town of Alpine previously regulated outdoor burning and fireworks through Ordinance Nos. 2020-01 and 2018-13. Staff has prepared Ordinance No. 2026-004 to consolidate, modernize, and clarify regulations governing open burning, recreational fires, outdoor fire use, fireworks, and fire restrictions within the incorporated limits of the Town of Alpine.

The ordinance was updated to improve consistency between sections, strengthen enforcement language, and ensure Town regulations automatically align with county and state fire restrictions when enacted.

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### **Analysis / Discussion:**

#### **Revisions Made by Staff**

Staff incorporated the following revisions into the ordinance draft:

- Added a definition for “Pyrotechnic Devices.”
- Reorganized definitions into alphabetical order for consistency and readability.
- Updated the ordinance title and repealer section to include Ordinance No. 2018-13 and broader conflicting ordinances.

- Revised Section 7 to clarify that fire restrictions or burn bans enacted by Lincoln County, the State of Wyoming, or applicable federal agencies shall automatically apply within the Town of Alpine unless otherwise exempted or modified by the Town Council.
  - Updated nuisance smoke language and extinguishment authority language to ensure consistency throughout the ordinance.
  - Added additional safety provisions to the Portable Outdoor Fireplaces section to mirror requirements already established for Recreational Fires, including:
    - Requirement for fire suppression equipment
    - Requirement that fires be fully extinguished before unattended
    - Restrictions during hazardous conditions or high winds
    - Restrictions on prohibited burning materials
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#### **Discussion Item – Definition of “Responsible Person”**

Section 4 regarding Recreational Fires currently requires that fires be “constantly attended by a responsible person.”

Staff requests Council direction regarding whether “responsible person” should be further defined within the ordinance. Council may wish to consider:

- Whether a responsible person must be at least eighteen (18) years of age
  - Whether the responsible person must remain physically present and capable of extinguishing the fire
  - Whether additional language is necessary for enforcement clarity
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#### **Discussion Item – Portable Outdoor Fireplace Setback**

Staff proposes reducing the setback requirement for portable outdoor fireplaces from ten (10) feet to five (5) feet from structures or combustible materials. This proposed change is intended to reflect the typical residential use of portable outdoor fireplaces on patios, decks, and similar outdoor living spaces while still maintaining reasonable fire safety standards.

Council direction is requested regarding whether the setback requirement should remain at ten (10) feet or be reduced to five (5) feet.

## **Discussion Item – Fireworks Regulations**

Staff requests Council direction regarding whether the discharge of permissible fireworks should be allowed within the incorporated limits of the Town of Alpine during specific holidays, including the Fourth of July and/or New Year’s Eve.

Council may wish to consider:

- Whether fireworks should be permitted during the Fourth of July holiday
- Whether fireworks should be permitted during New Year’s Eve/New Year’s Day
- Whether fireworks should be prohibited entirely within Town limits except by special permit

Staff requests clarification from Council regarding the preferred regulatory approach prior to final adoption of the ordinance.

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## **Strategic or Community Impact:**

The proposed ordinance supports public safety, wildfire mitigation, and consistent enforcement standards while providing clearer regulations for residents regarding outdoor burning and fire restrictions.

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## **Discussion Items for Council:**

Council may wish to discuss:

1. Whether “responsible person” should be formally defined within the ordinance.
  2. Whether the minimum age requirement for supervision of recreational fires should be established.
  3. Whether the setback requirement for portable outdoor fireplaces should remain at ten (10) feet or be reduced to five (5) feet.
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## **Recommended Action:**

Staff recommends that the Town Council provide direction regarding the proposed revisions and discussion items prior to adoption of Ordinance No. 2026-004.