

**295 ORDINANCE No. 2022-13**

**AN ORDINANCE AMENDING SECTION 233-04 OF 233 ORDINANCE NO. 2015 – 06 OF THE ALPINE, WYOMING TOWN CODE**

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ALPINE, WYOMING IN REGULAR SESSION DULY ASSEMBLED THAT SECTION 233-04 OF 233 ORDINANCE NO. 2015 – 06 OF THE ALPINE, WYOMING TOWN CODE SHALL BE AMENDED TO READ AS FOLLOWS:

Section 233-04

(a) Definitions: Pyrotechnic device shall be defined as any explosive or incendiary device designed to create noise, sparks, smoke, or pyrotechnic effects.

(b) Permit Required; Fee: It shall be unlawful for any person(s), company or entity to sell, barter or gift to any person(s), company or entity any pyrotechnic device without first obtaining a permit allowing the holder to sell such pyrotechnic devices and paying an annual permit fee of one thousand dollars (\$1,000.00).

(c) Inspection Fee Required; Fee: In addition to the Permit Fee outlined in subsection (b), all applicants shall pay an inspection fee and site plan review in the amount of one hundred fifty dollars (\$150.00) to the Alpine Fire Department. Said payment shall be issued directly to the Alpine Fire Department. Site plans shall be reviewed within five (5) days from the submission of the Permit Application.

(d) Application; Information: Any person or entity applying for a permit to sell, barter or gift any pyrotechnic device shall file with the Town Clerk a sworn application, in writing, containing the following information:

- i. Name of applicant;
- ii. Permanent home address and local address of the applicant and the representative thereof filing the application;
- iii. Description of the nature and types of pyrotechnic devices to be sold;
- iv. Address and site plan of the place where the sale of the pyrotechnic devices will be sold, said site plan must be approved by the Chief of the Alpine Fire District prior to the issuance of a permit;
- v. Permits authorizing the sale of pyrotechnic devices are valid from date of issue until December 31<sup>st</sup> of the year the permit is issued.

(e) Permanent Stands: Permanent stands are buildings or structures which have a foundation, are not moveable without removing the structure from the foundation, have no wheels, and remain attached to the location;

- i. Electrical service and structure wiring shall meet the current adopted edition of the International Electrical Code, International Fire Code and International Building Code.
- ii. Extension cords shall not be used for permanent wiring;
- iii. Covers are required on all light fixtures;
- iv. A minimum of two (2) exits with exit signs posted over the doors. Doors shall be a minimum of three feet (3') wide and six feet (6') high;
- v. Fire extinguishers must be clearly visible and display inspection tags. Fire extinguishers must be mounted not more than sixty inches (60") above the floor at each exit;
- vi. No Smoking signs posted inside the structure;
- vii. No Smoking within fifty feet (50') signs posted outside the structure on all sides;
- viii. All trash and debris shall be removed from the premises and weeds/grass shall be cut to a height not to exceed two inches within seventy-five feet (75') of the structure;
- ix. Applicant must submit a copy of their liability insurance in a sum not less than one million dollars (\$1,000,000.00) and showing the Town listed as additional insured.

(f) Temporary Stands: Temporary stands are structures with no foundation and can be moved from one location to another.

- i. Must provide a copy of lease or written permission of landowner;
- ii. Location of temporary stand must comply with Town's existing setback regulations and other regulations for the zoning district where the proposed Temporary Stand is to be located. Structure must comply with the current adopted edition of the International Electrical Code, International Fire Code and International Building Code.
- iii. Structure must be aesthetically pleasing to a reasonable person;
- iv. A minimum of two (2) exits , one on each end of the stand;
- v. Fire extinguishers, with current inspection tags, must be visible and secured at no less than two (2) locations in the stand;
- vi. No Smoking signs posted inside the structure;
- vii. No Smoking within fifty feet (50') signs posted outside the structure on all sides;
- viii. All trash and debris shall be removed from the premises and weeds/grass shall be cut to a height not to exceed two inches within seventy-five feet (75') of the structure;
- ix. Applicant must submit a copy of their liability insurance in a sum not less than one million dollars (\$1,000,000.00) and showing the Town listed as additional insured.

(g) REGULATIONS AND REQUIREMENTS

- i. Minimum Age: No permit shall be issued to any person under eighteen (18) years of age. No person under eighteen (18) years of age shall be permitted to sell any pyrotechnic device unless supervised by another person over the age of eighteen (18) years;
- ii. No person shall sell pyrotechnic devices to any person under the age of eighteen (18) years unless the buyer is accompanied by a person over the age of eighteen (18) years;
- iii. Storage Areas: It shall be unlawful to store or use a pyrotechnic device within one hundred feet (100') of any gasoline distribution point, bulk station or storage area, or any building or fuel source in which gasoline or volatile liquids or gasses are dispensed;
- iv. Dry or Hazardous Conditions: The Governing Body, or the Mayor shall have the right to determine whether or not conditions are too dry or hazardous for selling or using pyrotechnical devices. Upon an issuance of an order by the Governing Body, or by the Mayor, all sales or use of pyrotechnical devices shall cease until such order is rescinded.

(h) PENALTIES

Violation of this section constitutes a misdemeanor and, upon conviction, shall be punishable by the imposition of a fine of no more than seven hundred fifty dollars (\$750.00) per incident, or in the case of continuous daily violations, seven hundred fifty dollars (\$750.00) per day.

NOW, THEREFORE, BE IT ORDAINED this ordinance shall take effect from and after its passage and publication as required by law and the ordinances of the Town of Alpine, Wyoming.

This Ordinance Passed and Approved on the Following Dates:

**Passed First Reading** this 17<sup>th</sup> day of May 2022

VOTE:   5   YES,   0   NO,   0   ABSTAIN,   0   ABSENT

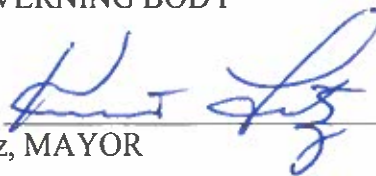
**Passed Second Reading** this 21<sup>st</sup> day of June 2022

VOTE:   5   YES,   0   NO,   0   ABSTAIN,   0   ABSENT

**Passed on Third and Final Reading** this 19<sup>th</sup> day of July 2022

VOTE:   5   YES,   0   NO,   0   ABSTAIN,   0   ABSENT

FOR THE GOVERNING BODY



W. Kennis Lutz, MAYOR



ATTEST:

  
Sharon L. Backus, Clerk / Treasurer

**ATTESTATION OF THE TOWN CLERK**

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

I hereby certify that the forgoing 295 Ordinance No. 2022-13 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 was duly recorded in the BOOK OF ORDINANCES VI, TOWN OF ALPINE, LINCOLN COUNTY, WYOMING.



ATTEST:

  
Sharon L. Backus, CLERK/TREASURER