EMERGENCY RESOLUTION NO. 2026-001
RESOLUTION DECLARING PARTIAL FIRE RESTRICTION AND BAN ON THE USE OF FIREWORKS

WHEREAS, a potentially severe to extreme fire situation exists throughout Albany County, created by a heavy fuel load and dry conditions that could create situations that over-extend the firefighting capability of local government. Additionally, high fire danger may be aggravated by open burning and the use of incendiary devices.

WHEREAS, Wyo. Stat. § 35-9-301 through § 35-9-304 provides that upon the recommendation of the County Fire Warden the Board of Albany County Commissioners may close the area to any form of use by the public or limit such use which shall include the prohibition of any type of open fire for such periods of time as the Board may deem necessary and proper.

WHEREAS, the County Fire Warden, Chad Dinges has recommended that open burning restrictions be imposed on all non-federal land after a reasonable time for notice;

WHEREAS Wyo. Stat. § 35-10-201 through 35-10-208 allow for the regulation of fireworks;

WHEREAS, any violation of this resolution may be in violation of Wyo. Stat. § 35-9-304 punishable by up to thirty (30) days in jail and up to a one hundred dollars ($100.00) fine or both together with restitution for the cost of fire suppression and damages to others caused by the violation of this resolution;

WHEREAS, this open fire restriction and ban on the use of fireworks shall begin March 25, 2026 and end no later than November 1, 2026 unless temporarily lifted or re-imposed by the County Fire Warden.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING HEREBY RESOLVE:

1. That all outdoor fires, any discharge of any Explosives, Division 1.4 (common fireworks), or Division 1.3 (Display Fireworks) and the discharge of a firearm using incendiary or tracer ammunition are prohibited except as set forth below, in the unincorporated area of Albany County, Wyoming beginning on March 25, 2026 and ending no later than November 1, 2026 unless temporarily lifted or re-imposed by the County Fire Warden during that term;

2. That the prohibition is subject to the following exceptions:

   (a) Trash or refuse fires between the hours of 8:00 p.m. and 6:00 a.m., inside containers provided with a spark arrester screen and located within a cleared area ten (10) feet in radius and fire suppression means are present at the site and comply with all other laws and requirements.

(b) Attended campfires contained within an established fire ring, no larger than three (3) feet in radius, in an established campground and located within a cleared area ten (10) feet in radius or an outdoor residential free standing fire pit with spark arrestor screen within a cleared area ten (10) feet in radius and fire suppression means are present at the site.

(c) Charcoal, pellet or propane fires within enclosed grills located within a cleared area ten (10) feet in radius and fire suppression means are present at the site.

(d) Use of acetylene cutting torches or electric arc welders in cleared areas ten (10) feet in radius, and fire suppression means are present at the site.

(e) Propane or open branding activities, in cleared areas ten (10) feet in radius, and fire suppression means are present at the site.

(f) Internal or external combustion engines including ATV's and motorcycles shall have approved spark arrestors.

(g) Use of a chainsaw is permitted, if it has an approved spark arrestor, and fire suppression means are present at the site.

(h) Discharge of fireworks are prohibited except as authorized by a permit granted by the County Fire Warden for public display.

3. That all other outdoor fires are prohibited except as authorized by a permit granted by the County Fire Warden. If the County Fire Warden denies the permit the matter may be appealed to the Board of County Commissioners at their next regular monthly meeting by contacting the County Clerk. The County Fire Warden shall have the authority to determine the terms and conditions of the permit including requirements for proof of liability insurance.

4. That the ban does not include the listed exceptions set forth in Wyo. Stat. § 35-10-204, the areas within the incorporated cities and towns within Albany County, or federal lands managed by the Forest Service and BLM. These entities may impose more or less restrictive regulations.

5. That the County Fire Warden shall immediately provide a copy of this Resolution to the County Sheriff, State Land Commissioners, Bureau of Land Management, U.S. Forest Service and State Forester and other state and federal agencies.

6. That the County Fire Warden shall immediately post these restrictions on the County Web Site www.albanycountywy.gov and any other method that would be economical to notify the public.

7. That a violation of this resolution may be in violation of Wyo. Stat. § 35-9-304 punishable by up to thirty (30) days in jail and up to a one hundred dollars ($100.00) fine or both together with restitution for the cost of fire suppression and damages to others caused by the violation of this resolution;

8. The County Fire Warden has the authority to temporarily lift and or re-impose this Fire Restriction and shall provide notice as set forth in Paragraph 6 herein.

9. The purpose of this emergency resolution is to protect the health, safety, and general welfare of the people within the County and due to the serious immediate concern of our community the County Commissioners adopt this emergency resolution.

PASSED, APPROVED AND ADOPTED this 7th day of April 2026.

THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING

_____

Terri Jones, Chairperson

ATTEST:

_____

Kayla White, County Clerk