

MUNICIPAL CODE  
OF  
DARLINGTON, WISCONSIN  
1996

A Recodification of the  
General Ordinance of  
the City of Darlington,  
Lafayette County, Wisconsin,  
published by the direction of the  
Common Council in accordance with  
Section 66.035 of the Wisconsin Statutes.

The Recodification includes all ordinances adopted  
through July 27, 2023.

## TABLE OF CONTENTS

### CHAPTER 1 THE COMMON COUNCIL

- 1.01 Meeting Time and Date
- 1.02 Order of Business
- 1.03 Presiding Officer
- 1.04 Committees
- 1.05 Ordinances and Resolutions
- 1.06 General Rules
- 1.07 Suspension and Amendment of Rules
- 1.08 Nepotism Policy

### CHAPTER 2 GENERAL GOVERNMENT

- 2.01 Form of Government
- 2.02 Officers Enumerated
- 2.03 Elected Officials
- 2.04 Appointed Officials
- 2.05 Boards and Commissions
- 2.06 Polling Places
- 2.07 Wards
- 2.075 Aldermanic Districts
- 2.08 Public Records
- 2.09 Fair and Open Housing
- 2.10 Confidentiality of Income and Expense Information Requested  
By Assessor

### CHAPTER 3 FINANCE

- 3.01 Preparation of Tax Roll and Tax Receipts
- 3.02 Duplicate Clerk-Treasurer's Bond Eliminated
- 3.03 Claims Against City
- 3.04 Preparation and Adoption of Annual Budget
- 3.05 Delinquent Personal Property Taxes
- 3.06 Room Tax

### CHAPTER 4 POLICE DEPARTMENT

- 4.01 Police Department
- 4.02 Chief of Police, Duties, and Powers
- 4.03 Police Officers
- 4.04 Special Peace Officers
- 4.05 Assistance by Civilians
- 4.06 Assisting Escape of Prisoner Prohibited
- 4.07 Penalty

### CHAPTER 5 FIRE DEPARTMENT

- 5.01 Fire Department Recognized
- 5.02 Authority of Department at Fires
- 5.03 Fire Prevention
- 5.04 False Alarms
- 5.05 Use of Adjacent Property
- 5.06 Destruction of Property to Check Progress of Fire
- 5.07 Apparatus To and From Fires
- 5.08 Traffic Laws Apply to Volunteers
- 5.09 Safety Regulations

CHAPTER 5 FIRE DEPARTMENT (CONTINUED)

- 5.10 Duty to Bystanders
- 5.11 Damage to Equipment and Interference
- 5.12 Driving Over Fire Hose
- 5.13 Combustible Materials
- 5.14 Careless Smoking Prohibited
- 5.15 Gasoline, Benzine, Naptha, Etc.
- 5.16 Gunpowder
- 5.17 Dynamite
- 5.175 Fire Service Charges and Fees
- 5.18 Penalty

CHAPTER 6 ADMINISTRATIVE REVIEW PROCEDURE

- 6.01 Purpose
- 6.02 Review of Initial Determination
- 6.03 Determinations Reviewable
- 6.04 Determinations Not Subject to Review
- 6.05 Administrative Review Appeals Board
- 6.06 Conflicting Code Provisions

CHAPTER 7 TRAFFIC CODE

- 7.01 State Traffic Laws Adopted
- 7.02 Official Traffic Map and Control Devices; Prohibited Signs, Signals, and Markers
- 7.03 Speed Limits
- 7.04 Through Highways
- 7.05 Parking Regulations
- 7.06 Closing Streets
- 7.07 One-Way Streets and Alleys
- 7.08 Vehicular Weight Limitations
- 7.09 Abandoned Vehicles
- 7.10 Accident Reports
- 7.11 Display of Power Prohibited
- 7.12 Parking During Snowstorm Emergency
- 7.13 Snowmobiles
- 7.14 Designated All-Terrain Vehicle and Utility Terrain Vehicle Routes
- 7.145 Neighborhood Electric Vehicles Permitted
- 7.15 Penalties
- 7.16 Enforcement
- 7.17 References to Wisconsin Statutes

CHAPTER 8 STREETS AND SIDEWALKS

- 8.01 Official Map
- 8.02 Street and Sidewalk Grades
- 8.03 Special Assessments for Street Improvements
- 8.04 Driveways
- 8.05 Street and Sidewalk Excavations and Openings
- 8.06 Obstructions and Encroachments
- 8.07 Snow and Ice Removal
- 8.08 Tree Planting and Care
- 8.09 Penalty

CHAPTER 9 ZONING CODE

- 9.01 Authority
- 9.02 Short Title
- 9.03 Purpose
- 9.04 Intent
- 9.05 Abrogation and Greater Restrictions
- 9.06 Interpretation
- 9.07 Severability
- 9.08 Repeal
- 9.09 Effective Date
- 9.10 General Provisions
- 9.11 Definitions
- 9.12 Community Living Arrangements; Family Day Care Homes
- 9.13 Zoning Districts Designated
- 9.14 District Boundaries
- 9.15 District Uses and Requirements
- 9.16 Conditional Uses
- 9.17 Satellite Dishes
- 9.18 Traffic, Parking, and Access
- 9.19 Signs
- 9.20 Nonconforming Uses, Structures, and Lots
- 9.21 Modifications
- 9.215 Fences
- 9.22 Performance Standards, Compliance
- 9.23 Board of Zoning Appeals
- 9.24 Changes and Amendments
- 9.25 Violations
- 9.26 Penalties

CHAPTER 10 BUILDING REGULATIONS

SUBCHAPTER I:

- 10.01 Authority
- 10.02 Purpose
- 10.03 Scope
- 10.04 Wisconsin Uniform Dwelling Code Adopted
- 10.05 Building Inspector
- 10.06 Building Permit Required
- 10.07 Building Permit Fee
- 10.08 Penalties

SUBCHAPTER II:

- 10.10 Purpose and scope
- 10.11 Inspections
- 10.12 Notice of violation; hearings; emergency orders
- 10.13 Basic equipment and facilities
- 10.14 Light, heating, and ventilating
- 10.15 Maintenance and sanitation
- 10.16 Minimum space, use, and location requirements
- 10.17 Water-heating facilities; electrical outlets; screening
- 10.18 Property maintenance
- 10.19 Responsibilities of owners and occupants
- 10.20 Unfit dwellings; condemnation procedure
- 10.21 Violations and penalties
- 10.22 Adoption of standards
- 10.23 Certified Municipality

## CHAPTER 11 LICENSES AND PERMITS

- 11.01 General Provisions
- 11.02 Intoxicating Liquor and Fermented Malt Beverages
- 11.03 Cigarette Retailer License
- 11.04 Direct Sellers, Transient Merchants, and Solicitors
- 11.05 Mobile Homes and Mobile Home Parks
- 11.06 Regulation and Licensing of Dogs
- 11.065 Removal of Animal Defecation
- 11.07 Keeping of Vicious Dogs Regulated
- 11.08 Fund Drives
- 11.09 Junk Dealers
- 11.10 Penalty

## CHAPTER 12 ORDERLY CONDUCT

- 12.01 Offenses Against State Laws Subject to Forfeiture
- 12.015 Residency and Loitering Restrictions for Sex Offenders
- 12.02 Use of Firearms
- 12.03 Possession of Firearms
- 12.04 Throwing or Shooting of Arrows, Stones and Other Missiles Prohibited
- 12.05 Marijuana, Possession, and Use Prohibited
- 12.06 Trespass
- 12.07 Offenses Upon School Property
- 12.075 Habitual Truancy, School Dropout and Contributing to Truance Prohibited
- 12.08 Burning of Grass and Trash Restricted
- 12.09 Deposit of Non-City Garbage Restricted
- 12.10 Sale and Use of Fireworks Regulated
- 12.11 Disorderly Conduct Prohibited
- 12.12 Obstructing Streets and Sidewalks Prohibited
- 12.13 Loud and Unnecessary Noise Prohibited
- 12.14 Loitering or Prowling Prohibited
- 12.15 Littering Prohibited
- 12.16 Storage of Junk, etc., Regulated
- 12.17 Animals and Poultry Not to Run at Large
- 12.18 Open Cisterns, Wells, Basements or Other Dangerous Excavations Prohib.
- 12.19 Abandoned or Unattended Ice Boxes, etc., Prohibited
- 12.20 Destruction of Property Prohibited
- 12.21 Uniform Citation Method Adopted
- 12.22 Use of False Identification
- 12.25 Penalties

## CHAPTER 13 PUBLIC NUISANCES

- 13.01 Public Nuisances Prohibited
- 13.02 Public Nuisance Defined
- 13.03 Public Nuisances Affecting Health
- 13.035 Public Nuisances Relating to Weed and Grass Control
- 13.04 Public Nuisances Offending Morals and Decency
- 13.05 Public Nuisances Affecting Peace and Safety
- 13.06 Dutch Elm Disease
- 13.07 Cottonwood and Box Elder Trees Prohibited
- 13.08 Junk, Certain Vehicles, Recreational Equipment and Firewood
- 13.09 Abatement of Public Nuisances
- 13.095 Property Maintenance Ordinance
- 13.10 Cost of Abatement
- 13.11 Smoking Prohibited In Certain Areas
- 13.15 Penalty

## CHAPTER 14 PUBLIC HEALTH AND WELFARE

- 14.01 Board of Health
- 14.02 Health Officer
- 14.03 Rules and Regulations
- 14.04 Health Nuisances, Abatement
- 14.05 Communicable Diseases
- 14.06 Regulation of Nuisance-type Businesses
- 14.07 Garbage and Refuse Collection
- 14.08 Solid Waste Recycling and Disposal
- 14.09 Illegal Dumping Prohibited
- 14.10 Penalty

## CHAPTER 15 SUBDIVISION AND PLATTING

- 15.01 Policy
- 15.02 Purpose
- 15.03 Jurisdiction
- 15.04 Compliance
- 15.05 Definitions
- 15.06 General Provisions
- 15.07 Plat Approval Procedure
- 15.08 Design Standards
- 15.09 Required Improvements
- 15.10 Interpretation
- 15.11 Variances
- 15.12 Penalties and Remedies

## CHAPTER 16 CABLE COMMUNICATIONS FRANCHISE

- Statement of Intent and Purpose Findings
- 16.01 Short Title
- 16.02 Definitions
- 16.03 Grant of Authority and General Provisions
- 16.04 Construction Standards
- 16.05 Design, Public Access, and Operations Provisions
- 16.06 Services Provisions
- 16.07 Franchise Fees and Insurance Provisions
- 16.08 Sale, Abandonment, Transfer, and Revocation of Franchise
- 16.09 Protection of Individual Rights
- 16.10 Unauthorized Connections and Modifications
- 16.11 Miscellaneous Provisions
- 16.12 Publication Effective Date; Acceptance and Exhibits

## CHAPTER 17 FLOODPLAIN ZONING CODE

- 17.01 Statutory Authorization, Finding of Fact, Statement of Purpose and Title
- 17.02 General Provisions
- 17.03 General Standards Applicable to All Floodplain Districts
- 17.04 Floodway District (FW)
- 17.05 Flood Fringe District (FF)
- 17.06 General Floodplain District (GFP)
- 17.07 Nonconforming Uses
- 17.08 Administration

CHAPTER 17 FLOODPLAIN ZONING CODE (CONTINUED)

- 17.09 Floodproofing
- 17.10 Public Information
- 17.11 Amendments
- 17.12 Enforcement and Penalties
- 17.13 Definitions

CHAPTER 18 MUNICIPAL UTILITIES

SUBCHAPTER I: GENERAL PROVISIONS

- 18.01 Management
- 18.02 Budgets
- 18.03 Audit
- 18.04 Joint Liability For Utility Bills
- 18.05 Collection of Utility Bills in Arrears
- 18.06 Outside Water and Sewer Service
- 18.07 Sewer and Water Main Extension
- 18.08 Sewer and Water Connections
- 18.09 (RESERVED)

SUBCHAPTER II: DARLINGTON WATER UTILITY

- 18.10 Rules and Regulations
- 18.11 Water Service Charges
- 18.12 Water Lateral Installation Charge
- 18.13 Cross-Connections
- 18.14 Well Abandonment and Well Operation Permit
- 18.15 Fluoridation of Water Supply
- 18.16 Customers' Deposits
- 18.17 Disconnection and Refusal of Service
- 18.18 Surreptitious Use of Water
- 18.19 Vacation of Premises
- 18.20 Repairs to Mains
- 18.21 Duty of Utility with Respect to Safety of the Public
- 18.22 Handling Water Mains and Service Pipes in Excavation  
Trenches
- 18.23 Protective Devices
- 18.24 Penalty

SUBCHAPTER III: DARLINGTON SEWER UTILITY

- 18.25 Operating Rules
- 18.26 Application For Service
- 18.27 Definitions
- 18.28 Sewer Service Charges
- 18.29 Use of The Public Sewers
- 18.30 Control of Industrial Wastes Directed to Public Sewers
- 18.31 Classes of Service
- 18.32 Right of Entry, Identification, and Safety
- 18.33 Sewer Construction
- 18.34 Credit For Water Not Discharged to Sewer
- 18.40 Violations and Penalties

SUBCHAPTER IV: WELL HEAD PROTECTION (WHP)

- 18.50 Purpose, Authority, and Application
- 18.51 Definitions
- 18.52 Groundwater Protection Overlay District

SUBCHAPTER IV: WELL HEAD PROTECTION (WHP) (CONTINUED)

- 18.53 Review of Permit Application
- 18.54 Requirements for Existing Facilities and Land Uses
- 18.55 Enforcement and Penalties
- 18.56 Severability Clause
- 18.57 Repealed & Amended

CHAPTER 19 PARKS AND TREES

- 19.01 Park Management
- 19.02 Park, Definition
- 19.03 Picnic Area, Definition
- 19.04 Unlawful Conduct Prohibited
- 19.05 Hours
- 19.06 Unauthorized Motorized Vehicles Prohibited in Parks
- 19.07 Snowmobiles Prohibited
- 19.08 Off-The-Road Vehicles Prohibited
- 19.09 Park Rules Adopted by Reference
- 19.10 Trees and Shrubs
- 19.15 Penalty

CHAPTER 20 HISTORIC PRESERVATION

SUBCHAPTER I: GENERAL PROVISIONS

- 20.01 Purpose and Intent
- 20.02 Definitions
- 20.03 Historic Preservation Commission Composition
- 20.04 Historic Structure, Historic Site, and Historic District Designation Criteria
- 20.05 Commission Powers and Duties
- 20.06 Procedures
- 20.07 Interim Control
- 20.08
- 20.09 (RESERVED)

SUBCHAPTER II: FLOOD PROOFING HISTORICAL STRUCTURES

- 20.10 Definitions
- 20.11 Statement of Purpose
- 20.12 General Standards Applicable to Historic Structures
- 20.13 Variances and Exceptions
- 20.14
- 20.15 (RESERVED)

ENFORCEMENT

- 20.16 Penalties for Violations

CHAPTER 21 (RESERVED)

CHAPTER 22 (RESERVED)

CHAPTER 23 (RESERVED)

CHAPTER 24 (RESERVED)

CHAPTER 25 GENERAL PROVISIONS

- 25.01 Rules of Construction
- 25.02 Conflict and Separability
- 25.03 Clerk-Treasurer to File Documents Incorporated by Reference



- 25.04 Penalty Provisions
- 25.05 Repeal of General Ordinances
- 25.06 Effect of Repeals
- 25.07 Title:      Effective Date: Citation
- 25.08 Keeping Code Current; Revisor's Amendments

INDEX