

Paper Alleys

A resident's guide to paper streets and alleys in Pennsylvania

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A Resident's Guide to "Paper Streets" & Alleys

Understanding Ownership, Maintenance, and Liability

In our community, many residents have property abutting what is known as a "Paper Street." Because these areas often look like vacant lots, wooded strips, or extensions of private yards, there is frequent confusion over who is responsible for their upkeep. This guide explains the legal status of these areas under Pennsylvania law.

What is a "Paper Street"?

A "paper street" (or alley) is a road that appears on a recorded subdivision plan or property deed but was never formally accepted, paved, or maintained by the municipality. It exists "on paper" as a legal right-of-way but does not function as a public municipal road.

Where do they come from?

Most paper streets were created decades ago by developers. Under Pennsylvania Statute (36 P.S. § 1961), if a municipality does not "open" or use a street for 21 years, the municipality's right to claim that land as a public road expires.

At that 21-year mark, the land automatically reverts to the abutting property owners.

Ownership & Maintenance

If you own property next to an unopened paper alley, you likely own the land up to the center line of that alley.

Municipal Responsibility: Because the municipality never formally adopted these streets, the public works department does not pave, plow, or maintain them.

Property Owner Responsibility: Maintenance of the land—including grass cutting, brush removal, and the clearing of fallen trees—is the legal responsibility of the abutting property owners.

Liability: Since the land is privately owned, the municipality is not liable for injuries or hazards occurring within a paper street.

■■ CODE ENFORCEMENT NOTICE:

Even though an alley is "on paper," it must still comply with the International Property Maintenance Code (IPMC) or local nuisance ordinances. Property owners are required to keep their portion of the alley free from tall weeds, debris, and safety hazards.

Rights and Restrictions

While you may own the land to the center line, your ownership is often "encumbered" by the rights of others.

1. Private Easements

Even if the municipality has no rights to the street, your neighbors within the original subdivision may still have a private right of access. You cannot legally block a paper street with a fence, wall, or gate if it prevents a neighbor from accessing their property.

2. Public Utilities

Many paper alleys house vital underground infrastructure, such as water, sewer, or gas lines.

Access: Utility companies and the municipality retain the right to enter these areas to repair and maintain infrastructure.

Structures: You cannot build permanent structures (sheds, garages, or decks) over a paper street that contains utility easements.

How to Clear a "Paper Street" Title

If you wish to formally merge the alley into your deed to clear the title, the process is formal and involves legal and engineering costs:

Utility Check: Verify if any public utilities are located within the street.

Survey: A professional surveyor must plot the center line and identify existing easements.

Petition to Vacate: A formal request must be submitted to the [Board of Commissioners/Council], signed by all affected neighbors.

Legal Action: If approved, a Quit-Claim Deed or Action to Quiet Title must be filed through an attorney to officially relinquish the municipality's "paper" interest in the land.

FAQ

Frequently Asked Questions (FAQ)

Q: If the municipality doesn't own the paper street, why must I maintain it? **A:** Under the International Property Maintenance Code (IPMC), owners must keep their premises in a clean and sanitary condition. Because the land automatically reverts to you (to the center line) after 21 years of non-use by the municipality, it is legally considered part of your private property.

Q: My neighbor blocked the paper alley with a fence or a parked car. Can the municipality make them move it? **A:** No. Because a paper street is private property, the municipality does not have the authority to enforce "right-of-way" access. Enforcing your right to access the alley is a private civil matter between you and your neighbor. The municipality can only intervene if there is a violation of a specific ordinance (such as illegal storage of junk or a building code violation).

Q: Can I put a fence across the alley to stop people from walking through? **A:** Usually, no. Even if the municipality has no rights to the street, other property owners in your original subdivision often have a "private easement" to use that land. Blocking it could result in a private civil lawsuit.

Q: There is a dead tree in the paper alley leaning toward my house. Will the municipality cut it down? **A:** No. Since the municipality does not own the land, they cannot perform work on it. Maintenance or removal of trees is the responsibility of the abutting property owners.

Q: Why is the paper street still on the tax map if the municipality doesn't own it? **A:** Tax maps often show "recorded" plans. Just because a line appears on a map doesn't mean the municipality has accepted it as a public road. It remains a "tax parcel boundary" or a "right-of-way" until a formal legal action is completed to "vacate" it.

Important Legal Disclaimer for the Website

NOTICE: The Code Enforcement Office is responsible for ensuring properties meet safety and maintenance standards. However, the Borough/Township cannot provide legal advice, resolve boundary line disputes, or enforce private access rights (easements) between neighbors on paper streets. These are civil matters that must be resolved through private legal counsel or the court system.