

ORDINANCE NO. 539

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF ALDAN,
CHAPTER 181 PROPERTY MAINTENANCE SUBSECTION 7 TO ENUMERATE THE
RESPONSIBILITIES OF OWNERS AND OCCUPANTS**

WHEREAS, The Borough Council of Aldan Borough is duly empowered by the Borough code to enact regulations relating to the public health, safety, and welfare of residents of Aldan Borough; and

WHEREAS, the Borough has identified a need to clarify, modernize, and expand the provisions of §181-7 to ensure better compliance, enforcement, and understanding by the public; and

WHEREAS, the Borough Council further seeks to address community concerns regarding the placement and regulation of both portable and non-portable recreational equipment, by providing clearer definitions, examples, and location requirements; and

WHEREAS, §181-7 of the Code currently addresses these responsibilities but contains outdated language, lacks clarity in certain provisions, and does not adequately address modern concerns regarding outdoor equipment and seasonal living conditions; and

WHEREAS, The Borough Council of Aldan has determined that certain amendments to the Aldan Code, as amended, are required.

**NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED, by the Aldan
Borough Council that the Borough Code is amended as attached hereto in Exhibit A.**

ORDAINED AND ENACTED by the Council of Aldan Borough, Delaware County, Pennsylvania, this 21 day of May, 2025.

COUNCIL OF ALDAN BOROUGH

BY:

Dan Procopio 5/21/25
Dan Procopio, President

ATTEST:

John White

Exhibit A

Chapter 181. Property Maintenance

181-7. Responsibilities of owners and occupants.

A. Every owner of a dwelling containing two or more dwelling units shall maintain the common, shared, or public areas of the dwelling and premises thereof in a clean and sanitary condition.

B. Every occupant of a dwelling or dwelling unit shall maintain, in a clean and sanitary condition, that part or those parts of the dwelling, dwelling unit, and premises that they occupy and control.

C. Every occupant of a dwelling or a dwelling unit shall store and dispose of all their rubbish in a clean, sanitary, and safe manner. (See Chap 206 SOLID WASTE, ART 111, ASHES, RUBBISH, AND GARBAGE)

D. Every occupant of a dwelling or dwelling unit shall store and dispose of all their garbage and any other organic waste which might provide food for insects, rodents, and/ or other pests in a clean, sanitary, and safe manner and if a container is used for storage pending collection, it shall be rodent proof, insect proof, and watertight.

E. Every owner of a dwelling containing three (3) or more dwelling units shall supply facilities and containers for the sanitary and safe storage and/or disposal of rubbish and garbage. In the case of single-family or two- family dwellings, it shall be the responsibility of the occupant to furnish such facilities or containers.

F. The owner of a dwelling unit shall be responsible for providing and hanging all screens and double or storm doors and windows whenever the same are required under the provisions of this chapter or any rule or regulation adopted pursuant thereto, except where there is a written agreement between the owner and the occupant. In the absence of such an agreement, maintenance or replacement of screens, storm doors and windows, once installed in any one season become the responsibility of the occupant.

G. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of insects and/or rodents on the premises; and every occupant of a dwelling unit containing more than one dwelling unit shall be responsible for such extermination whenever that unit is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever the infestation is caused by the failure of the owner to maintain a dwelling in a rodent proof or insect proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in a dwelling or in the shared or public parts of any dwelling containing two or more of dwelling units, extermination thereof shall be the responsibility of the owner. The tenant or tenants shall be granted the opportunity to inspect said dwelling units after the extermination has been completed.

- H. Every occupant of a dwelling unit shall keep all plumbing fixtures in a clean, sanitary, and operable condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.
- I. From October 15 until April 15, in every dwelling unit and/or rooming unit where the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least 65°F. shall be maintained in all habitable rooms and bathrooms at a distance of 18 inches above the floor level.
- J. All property owners, occupants, or managers are responsible for storing portable recreational equipment behind the front property line (a line drawn across the front face of the building) after 8:00pm during daylight savings time or 7:00pm during Eastern Standard Time. The phrase “portable recreational equipment” includes, but is not limited to, the following items:
 - Toys;
 - Skateboards, skateboard ramps, bikes (manual or electric), scooters (foot, electric, and gas-powered dirt bikes;
 - Portable equipment including but not limited to basketball items, backboards, hockey goals or nets, soccer goals or nets

[Added 11-10-2004 by Ordinance # 487}
- K. Non-portable recreational equipment – trampolines, swing sets, pools capable of reaching 24” in height, pools of 24” or more in fixed height, playhouses, badminton or tennis nets, spas or hot tubs, and pet enclosures must be in the property’s rear or side yard and meet all required property line setbacks.