

CITY OF SURREY

BY-LAW NO. 12627

A By-law to impose a specified charge on the owners of real properties within a benefitting area abutting 64 Avenue from 121A Street to 122 Street for use of the City sanitary sewer system.

. . . . .

WHEREAS the City of Surrey (hereinafter referred to as the City) has proposed to construct, operate and maintain a sanitary sewer distribution system which will benefit residents in the area of 64 Avenue from 121A Street to 122 Street within the City;

AND WHEREAS pursuant to Division (4), Part 13 of the Municipal Act being Chapter 290, R.S.B.C., and "Surrey Rates & Extension Regulation By-law, 1965, No. 2240", as amended, provides that where the City has incurred capital costs in the expansion of the sewer system, such costs shall be recoverable in part or whole from each of the owners of the Benefitting Lands.

THEREFORE, the City Council of the City of Surrey, in open meeting assembled, enacts as follows:

1. Benefitting Lands

The area of the City for the special benefit of which the sanitary sewer system is to be installed, operated and maintained is defined as comprising those legal parcels within the corporate boundaries as outlined in the attached Schedule "B" which is appended hereto as part of this By-law.

## 2. Application Process

- (a) Each application for a service connection to a property within the benefitting area, identified on Schedule "B" attached to and forming part of this By-law shall be made to the General Manager, Engineering by the owner or his authorized agent in the form prescribed by Schedule "A" attached to and forming part of this By-law. Such owner shall, on making application, pay to the City a specified charge set out hereunder.
  
- (b) Where possible the service connection will be located at the location requested by the applicant. In the event the applicant's preferred location is not practicable due to the existence of installed surface improvements or is in conflict with installed underground utilities, the General Manager, Engineering shall designate the location of each service connection to each parcel of land or premises.

## 3. 'Specified Charge'

- (a) A 'specified charge' in the sum of Three Thousand Two Hundred Dollars (\$3,200) for the provision of the sanitary sewer system is hereby levied on the benefitting parcels of land, existing as well as future. The said sum, together with the accrued financing charge described in Section 3(b) shall be payable by the owners of properties listed in Schedule "C" appended hereto as a part of this By-law, when the use of the sanitary sewer system is required by the owner.

- (b) The said 'specified charge' shall incur an annual financing charge calculated at the compound rate of Eleven (11) percent per annum added on annually until the total sum due, as shown in the Table in Schedule "C", is paid in full or for a period of ten years, whichever occurs first.
- (c) At the time the property owner makes a formal application for the sewer connection to his lot, the owner shall be required to pay the 'specified charge', including the accrued financing charges.
- (d) The said 'specified charge' shall terminate at the end of ten years and the prevailing connection charge in force and effect shall be applicable thereafter, when a person or a property within the Benefitting Lands makes application to use the sewer system.

#### 4. Payment of Specified Charge by Installment

- (a) (i) Notwithstanding the provision of Section 3 hereof, an owner may, at the time of application, elect to pay the charge amortized at Eight (8) percent per annum to be payable in five (5) equal annual installments, with the first installment becoming payable upon the property being connected to the sewer system. For the purpose of this sub-section, an annual installment shall be Twenty-Three and Two-Tenths (23.2) percent of the charge set out in Section 3.(a) of this By-law.
- (ii) In all cases where the charge becomes payable by installments pursuant to the provisions of this clause, the Engineer shall file with the Collector a certificate signed by the General

Manager, Engineering or his designate, setting forth the property and particulars of the charge payable and the annual installments thereof.

- (iii) Upon receipt of such certificate from the General Manager, Engineering the Collector shall enter the said installments on the Tax Roll of the City in accordance with the said certificate and this By-law.
  - (iv) All installments of the charge placed on the Tax Roll pursuant to this clause and remaining unpaid after the 31st day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land served by the sanitary sewer service connections and shall be recoverable by the City as such.
  - (v) Payment by installments shall not be allowed if application for a connection is made relating to the construction of a building or other structure on vacant land when, in such case, payment of the charges shall be made in full at the time of application for a building permit.
- (b) Notwithstanding any of the provisions of sub-section (a), any person who has elected to pay the specified charge, together with the accrued financing charge by installments as provided in Section 4(a)(i) may commute the said charges any time by making the payment in cash in the sum of the outstanding aggregate principal amount without further interest and without any penalty.
- (c) Nothing contained in this Section shall be deemed or held to exempt any owner or occupier of any land or premises from liability for payment of rates and

charges imposed and levied for the repayment of the costs or constructing trunk mains, and pumping plants and equipment and the maintenance and operation thereof, or from liability for payment of the said rates and charges.

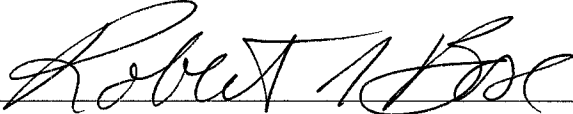
5. General Provisions

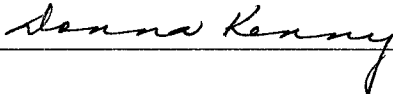
In all other respect the provisions of "Surrey Sewer Rates & Extension Regulation By-law, 1965, No. 2240" as amended, will apply.

6. This By-law shall be cited for all purposes as "Surrey Sanitary Sewer Specified Charge Supplementary By-law, 1995, No. 12627".

PASSED THREE READINGS by the City Council on the 15th day of May, 1995.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 29th day of May, 1995.

  
\_\_\_\_\_ MAYOR

  
\_\_\_\_\_ CLERK

blw3025

SCHEDULE "A"

BY-LAW 12627

APPLICATION FOR CONVENTIONAL SANITARY SEWER CONNECTION

I. To be filled out by Engineering Staff:

- A. Connection Type:
  - First 100mm Service (for S.F. d.u. a fixed fee)
  - Second, Third... etc. ) at cost
  - 100mm Service ) + 10%
  - Service over 100mm. ) (min \$1500.)
- B. Is there a connection existing at the property line?
  - Yes
  - No
- C. Accompanied by B.P.?
  - Yes
  - No
- D. Existing S.F. Dwelling:
  - Yes
  - No
  - If "YES" the owner has the option of paying the connection fee in 5 annual installments
- E. Connection Fee
  - Please check the current fee
  - Rec. # \_\_\_\_\_ S/A 573128
- F. Latecomer Connection Charge
  - Rec. # \_\_\_\_\_ S/A \_\_\_\_\_ (\$ \_\_\_\_\_)

II. To be filled out by applicant:

Date: \_\_\_\_\_

- A. Parcel Address \_\_\_\_\_
  - Lot \_\_\_\_\_ Plan \_\_\_\_\_
- B. Size Required \_\_\_\_\_ Depth Required \_\_\_\_\_
- C. Location desired: \_\_\_\_\_
  - (e.g., on 72 Avenue 1-metre east of west property line)
  - Please mark the desired spot on site with a wooden stake.
- D. Sketch:

E. Applicant's Name and Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

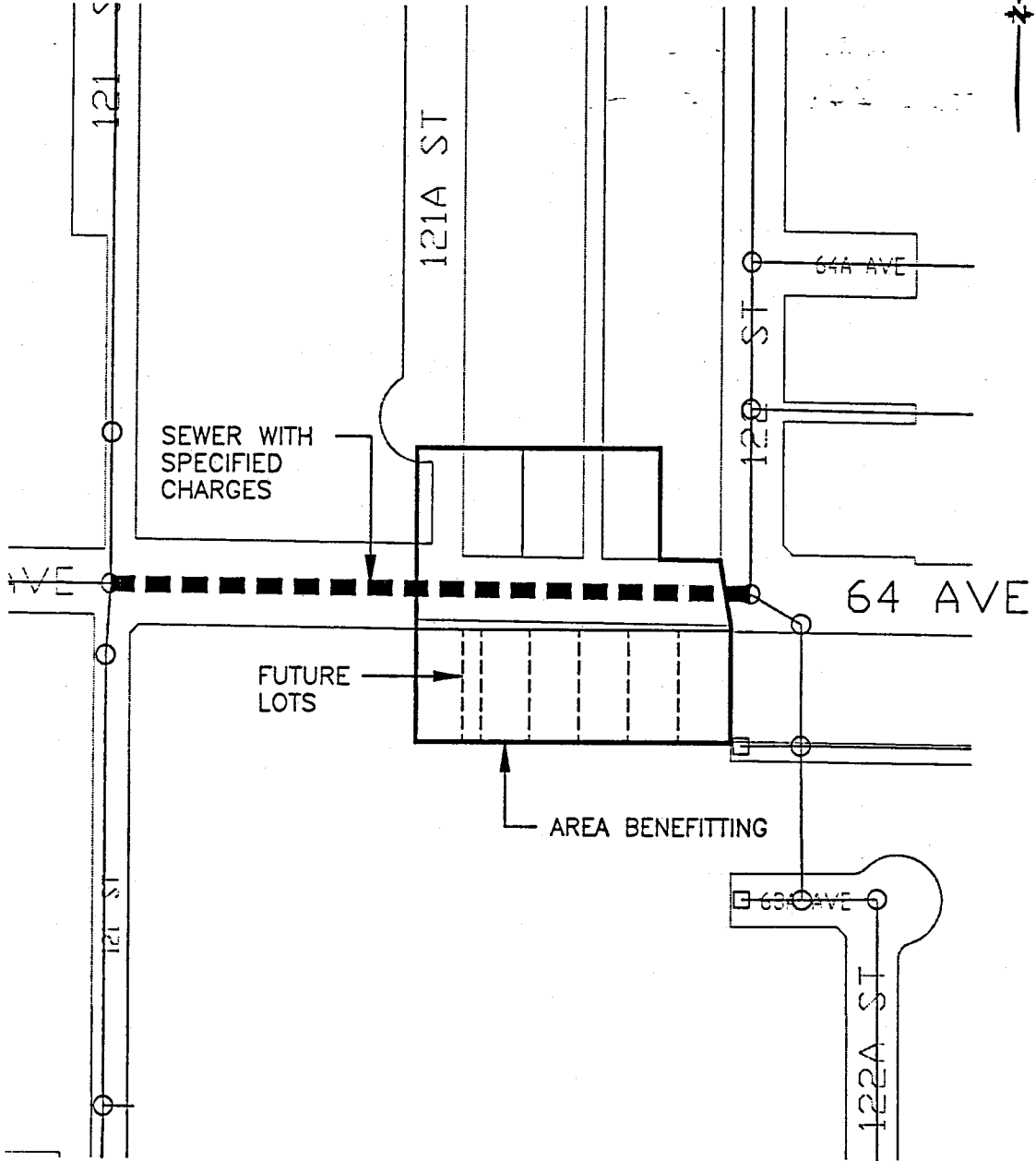
III. Applicant's Statement:

I, \_\_\_\_\_, Owner, or Agent for the Owner of the parcel to be serviced, acknowledge that by installing this sanitary service, the District of Surrey has not given approval for subdivision. I further acknowledge that it is the Owner's responsibility to verify the service depth in the field, prior to on site construction.

Signed: \_\_\_\_\_

# SCHEDULE "B"

BY-LAW 12627



THE CITY OF SURREY

APPROVED

DATE March 1995

DRAWN BY ENGINEERING UTILITIES

DRAWING NUMBER

STDGEN

**SCHEDULE "C"**  
**BY-LAW 12627**

**SANITARY SEWER CONSTRUCTION PROJECT 4795-0604**  
**64 Avenue from 121A - 122 Street**

**CONNECTIONS FOR EXISITING LOTS**

**Lot Description** (Current Civic and Legal Address )

- 1 Existing - 12185 64 Ave - LOT 19 31 S1/2 S1/2 SEC 18 T2 PL 19014
- 1 Existing - 12171 64 Ave - LOT 2 BK 31 S1/2 S1/2 SEC 18 T2 PL 19014
- 1 Existing - 12163 64 Ave - LOT 1 BK 31 S1/2 SEC 18 T2 PL 19014
- 5 Future - 12194 64 Ave - PCL B BK 5 NW SEC 7 T2 EXP 16478
- 1 Future - 12176 64 Ave - LT A NW SC 7 T2 PLLMP19751

**Specified Charge**

*per equivalent service connection (P.E.S.C.)*

**\$3,200.00** Inclusive of Connection Charge of \$ 1,500.00  
and incurring annual financing charge at  
11 % interest. For details, see Table 1 below.

Table 1		per equivalent service connection (P.E.S.C.)		Only for Exist SFdu By 5 Annual Installments
Payment Year	Financing Charge Factor	Financing Charge	Specified Charge	
1995	1.000	Nil	\$3,200.00	\$1,177.16
1996	1.110	\$352.00	\$3,552.00	\$1,265.32
1997	1.232	\$742.72	\$3,942.72	\$1,363.18
1998	1.368	\$1,176.42	\$4,376.42	\$1,471.81
1999	1.518	\$1,657.83	\$4,857.83	\$1,592.38
2000	1.685	\$2,192.19	\$5,392.19	\$1,726.22
2001	1.870	\$2,785.33	\$5,985.33	\$1,874.77
2002	2.076	\$3,443.71	\$6,643.71	\$2,039.67
2003	2.305	\$4,174.52	\$7,374.52	\$2,222.71
2004	2.558	\$4,985.72	\$8,185.72	\$2,425.88
After Year 2002, only the prevailing connection charge will be applicable.				