

CITY OF SURREY

BY-LAW NO. 12763

A by-law to authorize the installation of a sanitary sewer main and related appurtenances and service connections on 25 Avenue - 200m W. of 136 Street & on 26 Avenue - 200m W. of 136 Street and to authorize the operation and maintenance of such system; to authorize the acquisition of all appliances, equipment, materials, real property, easements and rights-of-way required, therefore, in and for the benefit of the area of the Municipality; to define the benefitting lands; and to determine that a portion of the cost of the said works and service shall be borne by the owners of real property within such defined area.

.....

WHEREAS the City Council has been petitioned to construct a sewer main on 25 Avenue, 200m W. of 136 Street and on 26 Avenue, 200m W. of 136 Street under Section 658 of the "Municipal Act" being Chapter 290, R.S.B.C., 1979, and any amendments thereto;

AND WHEREAS the City Clerk has certified that the petition is sufficient;

AND WHEREAS it is deemed expedient to grant the prayers of the petitioners in the manner hereinafter provided, and to proceed with the Works;

AND WHEREAS pursuant to the Municipal Act, "Surrey Sewer Rates and Extension Regulation By-law, 1964, No. [2240](#)," as amended, provides that where sewer system expansion towards which the City bears any portion of the cost thereof, such costs shall be recoverable in part or whole from each of the existing parcels of land that will be served by the sewer system expansion.

NOW THEREFORE, the City Council of the City of Surrey (hereinafter referred to as "The City"), in open meeting assembled, ENACTS AS FOLLOWS:

1. That a sanitary sewer main, together with the necessary related appurtenances and service connections hereinafter defined as "the Works", be constructed on 25 Avenue, 200m W. of 136 Street and on 26 Avenue, 200m W. of 136 Street, as a Local Improvement under Part 16 of the "Municipal Act" being Chapter 290, R.S.B.C., 1979, and any amendments thereto.

The area of the City for the benefit of which the Works are to be established, operated and maintained, is defined as comprising those lands within the Corporate boundaries as outlined in the attached Schedule A which is appended hereto as part of this By-law.

2. In regard to this Local Improvement Project specified area and by-law herein, the General Manager, Engineering has compiled the report and estimate as shown in the attached "Schedule B" which is appended hereto as part of this By-law.
3. That the General Manager, Engineering is hereby directed to prepare the necessary plans and specifications for the works herein authorized and to carry out the Works or to provide the specifications necessary for the preparation of a contract to construct the Works, or any part thereof.
4. The General Manager, Finance may, subject to the approval of the City Council, agree with any Bank or person for temporary advances of money to meet the cost of the Works pending the completion of it.
5. The Debentures to be issued for the loan to be effected to pay for the cost of the works when completed shall bear interest and be made payable within fifteen (15) years of the installment plan.
6. The Mayor and City Clerk are hereby authorized to cause a contract for the construction of the Works to be made and entered into with some person or persons, firm or corporation, subject to the approval of the City Council to be declared by resolution.
7. The Works shall be carried out under the superintendence and according to the directions of the General Manager, Engineering.
8. That the General Manager, Finance is hereby directed that upon completion of the execution and financing of the Works, to submit to the Council a certified statement setting out the cost of the Works and to charge the proportion of the owner's individual cost against the parcels benefitting from or abutting the Works as special assessment.
9. The special assessment shall be paid by fifteen (15) annual installments and shall be levied pursuant to the provisions of Section Five (5)(b) of "Local Improvement Cost Sharing By-law, 1970, No. [3250](#)," as amended from time to time.
10. The City Clerk is hereby directed to prepare a frontage tax assessment roll for each of the hereinbefore mentioned works.
11. For the proposed Works, each existing parcel benefitting from or abutting the Works shall be deemed to have the same specified taxable frontage.
12. Any person whose parcel of land is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without interest, forthwith after the special assessment roll has been confirmed and authenticated by a Court of Revision.

13. This By-law may be cited for all purposes as "Local Improvement Sewer Main Construction By-law, 1996, No. 12763."

PASSED THREE READINGS by the City Council on the 29th day of January, 1996.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 5th day of February, 1996.

_____MAYOR

_____CLERK