

CITY OF SURREY

BY-LAW NO. 13502

A by-law to authorize the construction, operation and maintenance of a sanitary sewer main and related appurtenances and service connections to service properties on 140 Street north from sanitary manhole located at grid-address 13972-09183 to the intersection of 140 Street and 92 Avenue and thence east on 92 Avenue to the east property line of Lot 29, S. E. 1/4 Section 33, TP 2, NWD LMP 5588; to authorize the acquisition of all appliances, equipment, materials, real property, easements and rights-of-way required to construct, operate and maintain the works; to define the benefiting lands; and to establish that the cost of the works and services shall be borne by the owners of real property within such defined area.

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WHEREAS Council has been petitioned to construct a sewer main on 140 Street north from sanitary manhole located at grid-address 13972-09183 to the intersection of 140 Street and 92 Avenue and thence east on 92 Avenue to the east property line of Lot 29, S. E. 1/4 Section 33, TP 2, NWD LMP 5588, pursuant to Section 623(1)(d) of the *Municipal Act*, R.S.B.C. 1996, c. 323, as amended (*the "Municipal Act"*);

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 proceed with the works;

AND WHEREAS "Surrey Sewer Rates and Extension Regulation By-law, 1964, No. 2240", as amended, provides that the cost of constructing sewer system extensions shall be recovered in part or in whole from each of the existing parcels of land, as well as from future parcels of lands, that will be served by the sewer system extension;

AND WHEREAS three of the existing parcels benefitting from or abutting the proposed sewer main (the "Existing Parcels") may be subdivided in the future to create seven new parcels which will benefit from or abut the proposed sewer main (the "Future Parcels");

NOW THEREFORE, the City Council of the City of Surrey ("the City"), in open meeting assembled, ENACTS AS FOLLOWS:

1. This By-law shall be cited for all purposes as "Local Improvement Sewer Main Construction [4797-901] By-law, 1998, No. 13502".
2. A sanitary sewer main, together with the necessary related appurtenances and service connections ("the Works") shall be constructed on 140 Street north from sanitary manhole located at grid-address 13972-09183 to the intersection of 140 Street and 92 Avenue and thence east on 92 Avenue to the east property line of Lot 29, S. E. $\frac{1}{4}$ Section 33, TP 2, NWD LMP 5588, as a local improvement under Part 19 of the *Municipal Act*.
3. The specific area of the City for the benefit of which the Works are to be established, operated and maintained is defined as the area outlined in the attached Schedule "A", which is appended hereto and forms part of this By-law.
4. The General Manager, Engineering, has compiled the report and estimates of the costs relating to the Works as shown in the attached "Schedule "B", which is appended hereto and forms part of this By-law.
5. The General Manager, Engineering is directed to have the necessary plans and specifications for the Works prepared and to have the Works carried out or to provide the specifications necessary for the preparation of a contract to construct the Works, or any part thereof.
6. The General Manager, Finance & Technology may, subject to the approval of Council, agree with any bank or person for temporary advances of money to meet the cost of the Works pending the completion of the Works.
7. The Mayor and City Clerk are 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 Council to be declared by resolution.

8. The Works shall be carried out under the supervision and according to the directions of the General Manager, Engineering.
9. The General Manager, Finance & Technology upon completion of the execution and financing of the Works shall submit to Council a certified statement setting out the cost of the Works and shall charge the proportion of the owner's individual cost against the Existing Parcels as a special assessment.
10. The City's proportionate capital cost of servicing the Future Parcels is levied on the potential Future Parcels and shall be recovered as a specified charge from the owners of the Future Parcels as follows:
 - (a) When a Future Parcel is created by subdivision, or if the use of an additional connection is required on a Future Parcel prior to the subdivision, a specified charge for the provision of the sewer system and a connection lead to the property, as set out in Schedule "C" which is appended hereto and forms part of this By-law, shall be payable by the owner of the Future Parcel as set out in Schedule "C".
 - (b) The specified charge shall incur an annual financing charge calculated at the compound rate specified within Schedule "C". The annual financing charge shall be added to the specified charge annually until such time as the specified charge, together with the accrued financing charge, is paid in full.
 - (c) The specified charge, together with the accrued financing charge, shall terminate at the end of ten years and when a person makes application to use the works thereafter, the prevailing connection charge in force and effect shall be applicable to the Future Parcel.
11. The General Manager, Engineering shall bring forth an amendment to this By-law with revised Schedules "B" and "C" when the final costs of the Works are determined and apportionment thereof to the benefiting property owners calculated.

12. The special assessment on the Existing Parcels shall be payable by fifteen (15) annual installments and shall be levied pursuant to the provisions of Section 5(b) of "Local Improvements Cost Sharing By-law, 1970, No. 3250," as amended.
13. The City Clerk is hereby directed to prepare a frontage tax assessment roll for each Existing Parcel.
14. Each Existing Parcel shall be deemed to have the same specified taxable charge.
15. Any person whose parcel of land is specially assessed under this By-law may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost assessed upon such lot, without interest, forthwith after the special assessment roll has been confirmed and authenticated by a Court of Revision.

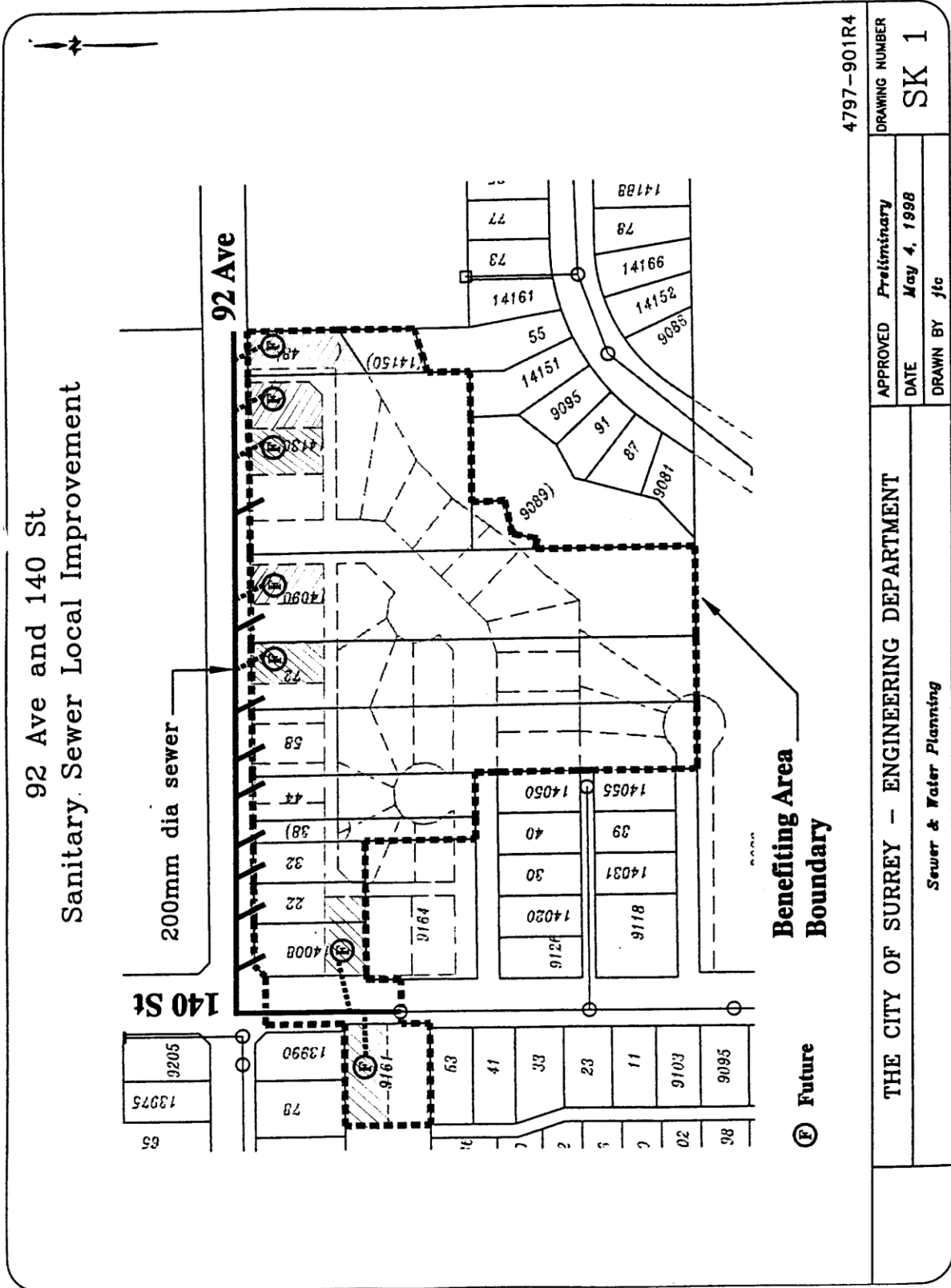
PASSED THREE READINGS by Council on the 20th day of July, 1998.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 28th day of July, 1998.

_____ MAYOR

_____ CLERK

**SCHEDULE "A"
BYLAW 13502**



**SCHEDULE "B"
BYLAW 13502**



Engineer's Report

[Extracted from Corporate Report R 1580, July 13 1998]

**LOCAL IMPROVEMENT - SANITARY SEWER SERVICE
by Formal Petition**

Pursuant to Section 635(1) of the Municipal Act, I wish to advise in regard to the following works resolved to be undertaken as a Local Improvement.

SANITARY SEWER SERVICE

Location: 92 Avenue: East Property line of # 14150 to 140 Street and
140 Street: 92 Avenue to a point approximately 80 m south.

Total Estimated Cost of the Works	\$ 249,600	*	(A)
Number of Existing [9] & Future [7] Parcels	16		(B)
Cost per Lot (A/B)	\$ 15,600	*	(C)

Cost Distribution

Local Improvement Portion: Existing 9 Parcels:

Cost apportioned to existing 9 Parcels	\$ 140,400	*	(D) = Cx9
City's contribution (55%)	\$ 77,220	*	(E)
Owners' Portion of the costs	\$ 63,180	*	(D-E)
Individual Owner's Share	\$ 7,020	*	(D-E)/9
Per Annum Individual Owner's Share (amortized over 15 years at 7 ¹ / ₂ % per annum)	\$ 800	*	

Non-Local Improvement Portion: 7 Future Parcels

Cost per parcel [financing cost not incl. - see Schedule "C"]	\$ 15,600	*	(C)
Total Cost front-ended by the City but chargeable to Future Parcels	\$ 109,200		(Cx7)

Life of the Works 40 Years

*** All costs are estimates only. "Actual" costs will be determined upon completion of the works.**

SCHEDULE "C"
BYLAW 13502

SANITARY SEWER CONSTRUCTION PROJECT 4797-901

92 Ave: East Property line of # 14150 to 140 St. and
140 Street: 92 Ave to a point approx. 80 m south

SCHEDULE OF SPECIFIED CHARGES APPLICABLE TO FUTURE PARCELS

***Future Parcels from the Following "Parent" Parcels:**

Parcel Description	(Current Civic and Legal Address of the "Parent" Parcel)
1 New parcel from:	09161 140 ST - LT 3 BK 24 SW SEC 33 T2 PL 10906
1 New parcel from:	14008 92 AVE - LT A N1/2 17 SE SEC 33 T2 PL 13756 (EX E120')
1 New parcel from:	14072 92 AVE - LT 2 BK 18 SE SEC 33 T2 PL 9745
1 New parcel from:	14090 92 AVE - E132'18 SE SEC 33 T2 PL 5488
2 New parcel from:	14130 92 AVE - BK A SE SEC 33 T2 PL 15668 2AC
1 New parcel from :	14148 92 AVE - LT 29 SE SC 33 T2 PLLMP558

Base Specified Charge applicable in 1999 (See Schedule "B")

\$15,600.00

Including the cost of providing a service connection and incurring annual financing charge at 7.5%
For details, see Table 1 below.

Table 1		per equivalent service connection (P.E.S.C.)	
Payment Year	Multiplier Factor	Financing Charge	Specified Charge
1999	1.000	Nil	\$15,600.00
2000	1.075	\$1,170.00	\$16,770.00
2001	1.156	\$2,427.75	\$18,027.75
2002	1.242	\$3,779.83	\$19,379.83
2003	1.335	\$5,233.32	\$20,833.32
2004	1.436	\$6,795.82	\$22,395.82
2005	1.543	\$8,475.50	\$24,075.50
2006	1.659	\$10,281.17	\$25,881.17
2007	1.783	\$12,222.25	\$27,822.25
2008	1.917	\$14,308.92	\$29,908.92
After Year 2008, only the prevailing connection charge will be applicable.			

* Future Parcels are identified as "F" and are hatched on Schedule "A"