

CITY OF SURREY

BY-LAW NO. 14783

A by-law to authorize the construction, operation and maintenance of a sanitary sewer main and related appurtenances and service connections to service parcels of lands on 159A Street: 93A Avenue to civic address 9422-159A Street; 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 27 Avenue to service the parcels of lands on 159A Street: 93A Avenue to civic address 9422-159A Street, pursuant to Section 623(1)(d) of the *Local Government Act*, R.S.B.C. 2002, c. 323, as amended (*the "Local Government Act"*);

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

AND WHEREAS it is deemed expedient to grant the request 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 **one** of the existing parcels benefiting from or abutting the proposed sewer main (the "Existing Parcels") may be subdivided in the future to create **two** 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 [4702-902] By-law, 2002, No 14783."
2. A sanitary sewer main, together with the necessary related appurtenances and service connections ("the Works") shall be constructed on 159A Street: 93A Avenue to civic address 9422-159A Street, as a local improvement under Part 19 of the *Local Government 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) At the end of ten years, the financing charge shall remain capped and when a person makes application to use the works after the tenth year, the specified charge applicable at the tenth year shall be payable by the developer of the Future Parcels.
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. Upon Council's approval of the revised Schedules "B" and "C" with finalized costs, the City Clerk is authorized to append them to this By-law and they shall then form part of this By-law, superseding the original Schedules "B" and "C" with estimated costs.
13. 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.

14. The City Clerk is hereby directed to prepare a frontage tax assessment roll for each Existing Parcel.
15. Each Existing Parcel shall be deemed to have the same specified taxable charge.
16. 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 3rd day of September, 2002.

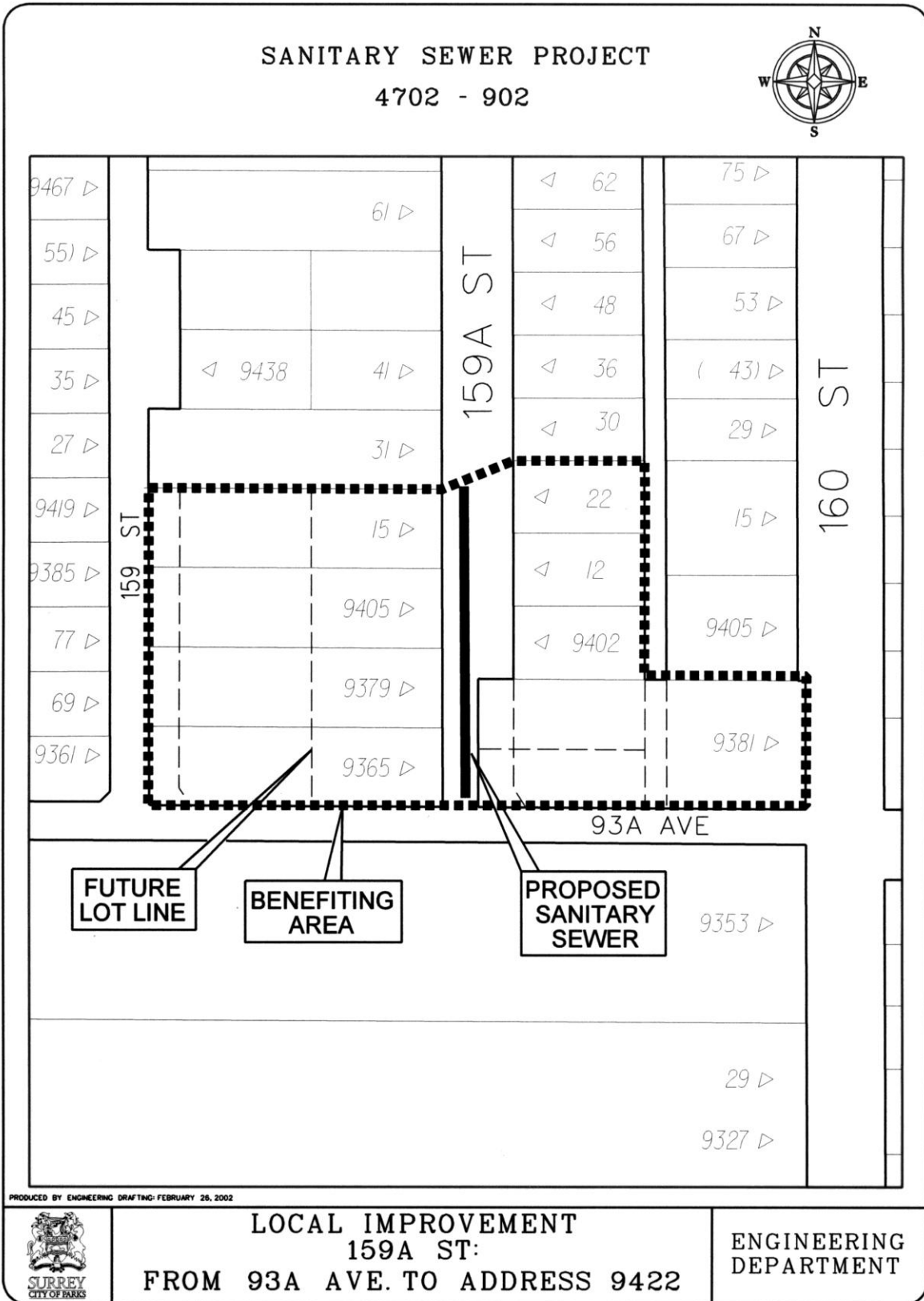
RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 9th day of September, 2002.

_____ MAYOR

_____ CLERK

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SANITARY SEWER PROJECT
4702 - 902



PRODUCED BY ENGINEERING DRAFTING FEBRUARY 26, 2002



LOCAL IMPROVEMENT
159A ST:
FROM 93A AVE. TO ADDRESS 9422

ENGINEERING
DEPARTMENT

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Engineer's Report

LOCAL IMPROVEMENT - SANITARY SEWER SYSTEM EXPANSION by FORMAL PETITION

SANITARY SEWER SYSTEM EXTENSION

Location: 159A Street: 93A Avenue to Civic Address 9422 - 159A Street.

Total Estimated Cost of the Works	\$ 72,900	*	(A)
Number of Existing [7] & Future [2] Lots	9		(B)
Cost per Lot (A/B)	\$ 8,100	*	(C)

Cost Distribution

Existing 7 Lots: Local Improvement Portion

Individual Owner's Share	\$ 8,100	*	C
Per Annum Individual Owner's Share (- amortized over 15 years at 7 % p.a.)	\$ 890	*	

Future 2 Lots:

Cost front-ended by the City but chargeable to future lots [financing cost not incl.]	\$ 16,200	*	(C)x2
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Life of the Works	40 Years
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*** All costs are estimates only. "Actual" costs will be determined upon completion of the works.**

SCHEDULE "C"

SANITARY SEWER CONSTRUCTION PROJECT 4702-902

159A Street: 93A Avenue to Civic Address 9422 - 159A Street

SCHEDULE OF SPECIFIED CHARGES APPLICABLE TO FUTURE LOTS*

Future Lots from the Following "Parent" Lots.

Lot Description (Current Civic and Legal Address)

2 New parcels from: 9381 – 160 Street
 - Rem. S 153' Section 35, Tp. 2, NWD Plan 8554

Base Specified Charge applicable in 2001

\$8,100.00 Including the cost of providing a service connection and incurring annual financing charge at 7.0%.
 For details, see Table 1 below.

Table 1		per equivalent service connection (P.E.S.C.)	
Payment Year	Inflation Factor	Financing Charge	Specified Charge
2003	1	Nil	\$8,100.00
2004	1.07	567.00	\$8,667.00
2005	1.1449	1,173.69	\$9,273.69
2006	1.22504	1,822.85	\$9,922.85
2007	1.3108	2,517.45	\$10,617.45
2008	1.40255	3,260.67	\$11,360.67
2009	1.50073	4,055.92	\$12,155.92
2010	1.60578	4,906.83	\$13,006.83
2011	1.71819	5,817.31	\$13,917.31
2012	1.83846	6,791.52	\$14,891.52
After Year 2010, Specified charge of \$ 14,891.52 will be applicable.			



Certificate of Sufficiency
of a formal petition for local improvement work

Pursuant to Section 632 of the Local Government Act, R.S.B.C. 1996, c. 323, as amended, I, *Marg Jones*, the Acting City Clerk for City of Surrey, British Columbia certify that a formal petition for undertaking the following work as a Local Improvement has been received and is determined to be sufficient.

General Description of the Work: *SANITARY SEWER SERVICING*
Project #4702-902
159A Street:
From address 9422 to 93A Avenue

The Council may, by bylaw, undertake the work described above as a local improvement.

A handwritten signature in black ink, appearing to read "Marg Jones".

Marg Jones, Acting City Clerk

Date: May 7, 2002