

CITY OF SURREY

BY-LAW NO. 14893

A By-law to impose a specified charge on the owners of parcels of land benefiting from the installation of sanitary and storm sewerage systems in the area of 61 Avenue between 164 Street and 166 Street.

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WHEREAS the City of Surrey (hereinafter referred to as "the City") has proposed to construct, operate and maintain sanitary and storm sewerage systems, which will benefit residents in the area of 61 Avenue between 164 Street and 166 Street within the City;

AND WHEREAS pursuant to Local Government Act R.S.B.C. 1996, c. 323, as amended (the "Local Government Act"), "Surrey Sewer Rates and Extension Regulation By-law, 1964, No. 2240" as amended, provides that where the City has incurred capital costs in the expansion of the Sewerage System, such costs shall be recoverable in part or whole from each of the owners of the Benefiting Lands.

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

**1. Benefiting Lands**

The area of the City for the special benefit of which the sewerage systems are to be installed, operated and maintained is defined as comprising the legal parcel within the corporate boundaries as outlined in the attached Schedule "A" which is appended hereto as part of this By-law.

**2. Application Process**

2.1 Each application for a service connection to a property within the benefiting area, identified on Schedule "A" 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 "B" 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.

**3. 'Specified Charge'**

3.1 A 'specified charge' in the estimated sum of Six Thousand Six Hundred Sixty Seven Dollars (\$6,667) for the provision of the sanitary and storm sewerage systems inclusive of the City's Service Connection Charge of \$ 1,500 is hereby levied on the benefiting parcels of land. The said sum, together with accrued financing charge described in 3.2 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 sewerage systems are required by the owner.

3.2 The said 'specified charge' shall incur an annual financing charge calculated at the compound rate of Six and One-half (6 1/2) 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.

3.3 At the time the property owner makes a formal application for the sanitary and/or storm sewer connection to his lot, the owner shall be required to pay the 'specified charge', including the accrued financing charges and

the connection charge prevailing on the date of the application.

3.4 The said 'specified charge' shall be capped at the end of ten years and that amount shall be applicable thereafter, when a person or a property within the Benefiting Lands makes application to use the sanitary and/or storm sewer system.

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

4.1.1 Notwithstanding the provision of Section 3 hereof, an owner may, at the time of application, elect to pay the charge amortized at 8 percent per annum to be payable in five equal annual installments, with the first installment becoming payable upon the property being connected to the sanitary and/or storm sewer system. For the purpose of this sub-section, an annual installment shall be 23.2% of the charge set out in 3.1 above.

4.1.2 In all cases where the charge becomes payable by installments pursuant to the provisions of this clause, the General Manager, Engineering 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.

4.1.3 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.

4.1.4 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 sewer service connections and shall be recoverable by the City as such.

4.2 Notwithstanding any of the provisions of sub-section (1), any person who has elected to pay the specified charge, together with the accrued financing charge by installments as provided in 4.1.1, may commute the said charges anytime by making the payment in cash in the sum of the outstanding aggregate principal amount without further interest of amortization and without any penalty.

4.3 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 of 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**

5.1 In all other respect the provisions of "Surrey Sewer Rates and Extension Regulation By-law, 1964, No. 2240" as amended, will apply.

5.2 The General Manager, Engineering shall prepare revised Schedule "C" setting out the final cost of the Works and apportionment thereof to the benefiting property owners and bring forth to Council the revised Schedule "C" as an amendment insertion to this By-law.

5.3 Upon Council's approval of the revised Schedule "C" with final costs, the City Clerk is authorized to append it to this By-law and it shall then form part of this By-law, superseding the original Schedule "C" with estimated costs.

5.4 Notwithstanding 3.1 and 3.2 above, the revised specified charge as amended under 5.2 above and shown in the revised Schedule "C" shall be the charge applicable and to be levied.

6. This By-law may be cited for all purposes as "Surrey Sanitary and Storm Sewer Main Specified Charge Supplementary By-law, 2003, No. 14893".

PASSED THREE READINGS by Council on the 13th day of January, 2003.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 20<sup>th</sup> day of January, 2003.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

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**SCHEDULE "B"**  
**BY-LAW 14893**

**APPLICATION FOR SEWER CONNECTION**

**TO :** The General Manager, Engineering Department

CITY OF SURREY

**DATE:**

I/We \_\_\_\_\_, being the owners of the certain property described as:

Lot    Block    Qtr. Sec.    TP    Range    Plan

in City of Surrey, apply for a sewer connection to the said property.

I/We agree

1. to duly pay all the charges and taxes prescribed by the By-law or By-laws of the City, pertaining to the above sewer system,
2. to protect and save harmless City of Surrey from all claims and damages caused by stoppages of any pipes for sewer service under this application
3. that domestic waste only\* will be discharged to the sewerage system. Down-pipes, tile-drains or any water collecting conduit will not be connected to sanitary sewers.

I/We hereby agree to the above and this agreement shall be binding upon my/our heir, executors and assigns.

*Signature:*

**FOR OFFICIAL USE ONLY.**

Civic Address:                      Service Category:                      Connection Size:

Connection Charge: \$                      .....                      Receipt No.

Other Charges :                      .....                      Receipt No.

Plumbing Permit No.

Date of Final Inspection

Date of Notification to Taxes:

\* For discharge of "Non-domestic wastes," the applicant shall apply for and is required to obtain a Waste Discharge Permit.

**SCHEDULE "C"**  
**BY-LAW 14893**



# ***Engineer's Report***

## **CITY INITIATIVE - SANITARY & STORM SEWER SERVICE**

### **SANITARY & STORM SEWER SERVICE**

**Location:    61 Avenue between 164 & 166 Street**

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Total Estimated Cost of the Works    \$ 20,000    \*    (A)

Number of Parcels    3    (B)

Cost per Lot (A/B)    \$ 6,667    \*    (C)

**Specified Charge = \$ 6,667** [Including the cost of providing a service connection and incurring annual financing charge at 6.5%. For details, see Table 1 below.]

**to be levied on the following lands**

**and payable at the first use of the connection:**

1. 16513 - 60 Avenue [Lot 3, Plan # 6427 NWD]

Table 1

Payment No	Payment Year	Inflation Factor	Interest	Specified Charge
	2002	Nil	Nil	\$6,667.00
1	2003	1.00	Nil	\$6,667.00
2	2004	1.07	\$433.36	\$7,100.36
3	2005	1.13	\$461.52	\$7,561.88
4	2006	1.21	\$491.52	\$8,053.40
5	2007	1.29	\$523.47	\$8,576.87
6	2008	1.37	\$557.50	\$9,134.37
7	2009	1.46	\$593.73	\$9,728.10
8	2010	1.55	\$632.33	\$10,360.43
9	2011	1.65	\$673.43	\$11,033.86
10	2012	1.76	\$717.20	\$11,751.06

After Year 2012, specified charge will be capped at \$11,751.06

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