

CITY OF SURREY

BY LAW NO. 15408

A by-law to authorize the construction of a sanitary pump station, gravity main and force main as a local area service in East Newton – 6500 block and 72 Avenue, 15000 block and 154 Street; to establish a local service area; and to impose charges on properties within the local service area.

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WHEREAS the City of Surrey has proposed to construct, operate and maintain a sanitary sewerage system that will benefit real properties in the area of East Newton – 6500 block and 72 Avenue, 15000 block and 154 Street within the City;

AND WHEREAS the City of Surrey wishes to facilitate industrial development within the City;

AND WHEREAS pursuant to Division 5 of Part 7 of the *Community Charter*, S.B.C. 2003, c. 26, as amended, the City may establish a local area service with the cost of such service being recoverable from the owners of real property within the local service area;

AND WHEREAS "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 City's sewerage system, such costs shall be recoverable in part or whole from each of the owners of the real properties to benefit from the expansion;

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

1. Description of the Local Area Service

1.1 The following works, together with the necessary related appurtenances and service connections ("the Works"), shall be constructed as a local area service:

- East Newton sanitary pump station;
- force main on 68 Avenue from pump station to 152 Street; and
- gravity main from 6919 – 152 Street to 6856 – 152 Street, 153 Street from 6856 to 68 Avenue, and 68 Avenue from 153 Street to pump station.

2. Description of the Local Service Area

2.1 The local service area is defined as comprising those legal parcels within the corporate boundaries outlined in Schedule "1" which is attached to and forms part of this By law.

3. Allocation of Costs Within the Local Service Area

3.1 For the purpose of allocating costs, the local service area is divided into Blocks A, B, C and D as outlined in Schedule "2" which is attached to and forms part of this By law.

3.2 The costs for the sanitary pump station and the force main are apportioned to all properties within the local service area based on the zoning of the properties as shown in Schedule "3" which is attached to and forms part of this By-law.

4. Charges for Local Area Service

4.1 A charge for the local area service is imposed on the owners of properties listed and in the amounts shown in Schedule "4" which is attached to and forms part of this By law.

4.2 The amount of the charge for the local area service, including the accrued financing charges, shall be payable in full by the owner of a property within the local service area at the time the owner makes a formal application to the City for one of the following:

- connection to the sanitary sewer system;
- subdivision of the property;
- rezoning of the property; or
- a building permit for the property;

and the City will not approve the connection, subdivision, rezoning or building permit until such time as the applicable charge for the local area service is paid.

4.3 Any charges for the local area service unpaid after 2005 shall incur an annual financing charge calculated at the rate of six (6%) percent per annum compounded annually for the first 10 years, after which time no additional annual interest charges shall be incurred.

5. Other Charges Payable

5.1 The imposition of the charge for the local area service under this By-law does not relieve the properties within the local service area of any other charges that would legally apply. All existing latecomer charges and development cost charges, and the conditions thereof, remain in full force and effect.

5.2 Once a property within the local service area connects to municipal services, all applicable water, sewerage and drainage utility user charges become payable.

6. General Provisions

6.1 The General Manager, Engineering shall prepare a revised Schedule "4" setting out the final cost of the Works and apportionment thereof to the properties within the local service area and shall bring forth to Council the revised Schedule "4" as an amendment to this By-law.

6.2 Upon Council's approval of the revised Schedule "4" 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 "4" with estimated costs.

6.3 Notwithstanding 4.1 above, the revised charges for the local area service as amended under 6.2 above and shown in the revised Schedule "4" shall be the charges applicable and to be levied.

6.4 This By-law shall be cited for all purposes as "Local Area Service [East Newton Pump Station, Gravity Main and Force Main - Project # 4700500] By-law, 2004, No. 15408".

PASSED THREE READINGS by Council on the 21st day of June, 2004.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 5th day of July, 2004.

_____MAYOR

_____CLERK

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