

CITY OF SURREY

BY-LAW NO. 15506

A by-law to authorize the construction, operation and maintenance of a water main and related appurtenances and service connections to service parcels on 40 Avenue from 148 Street to 152 Street, and 152 Street from 40 Avenue to Address 3817 as a local area service; to authorize the acquisition of all appliances, equipment, materials, real property, easements and rights-of-way required to construct, operate and maintain the local area service; to define the local service area; and to impose local service taxes.

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WHEREAS Council has been petitioned to construct a water main to service parcels on 40 Avenue from 148 Street to 152 Street, and 152 Street from 40 Avenue to Address 3817, pursuant to Section 631 (2) of the *Local Government Act*, R.S.B.C. 1996, c. 323, as amended (*the "Local Government Act"*);

AND WHEREAS Section 19 of the *Community Charter Transitional Provisions, Consequential Amendments and Other Amendments Act, 2003*, provides that a specified area under the Local Government Act is deemed to be a local service area under Division 5 of Part 7 of the *Community Charter*, S.B.C. 2003, c.26 (the "Community Charter")

AND WHEREAS the City Clerk has certified that the petition received for the works does constitute a sufficient petition signed by majority of the owners, representing at least half of the value of the parcels that are liable to be specially charged;

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 Water Main Extension Regulation By-law, 1992, No. 11345", as amended, provides that the cost of constructing water system extensions shall be recovered in part or in whole from each of the existing parcels of land that will be served by the water system extension;

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 Area Service Water Main Construction [Agricultural Lands - Project # 1204-901] By-law, 2004, No. 15506".
2. A water main, together with the necessary related appurtenances and service connections ("the Works") shall be constructed to service parcels on 40 Avenue from 148 Street to 152 Street, and 152 Street from 40 Avenue to Address 3817, as a local area service under Division 5 of Part 7 of the Community Charter.
3. The local service 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 and Human Resources 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 and Human Resources upon completion of the Works shall prepare a certified statement setting out the final cost of the Works and submit the statement to Council.
10. The General Manager, Engineering shall prepare revised Schedule "B" setting out the final cost of the Works and apportionment thereof to the owners of properties within the

local service area and bring forth to Council the revised schedule as an amendment insertion to this By-law.

11. Upon Council's adoption of the revised Schedule "B", the General Manager, Finance, Technology and Human Resources shall impose a local service tax on the owners of properties within the local service area as shown in Schedule "B".
12. Upon Council's approval of the revised Schedule "B" 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 "B" with estimated costs.
13. The Collector is hereby directed to prepare an assessment roll for each property within the local service area.
14. Each parcel of land shall be deemed to have the same taxable frontage. The local service tax to be imposed upon each existing parcel of land shall be a single amount for each parcel.
15. The local service tax on each parcel of land shall be payable by fifteen (15) annual installments and shall be levied pursuant to the provisions of Section 5(a) of "Local Improvements Cost Sharing By-law, 1970, No. 3250," as amended.
16. Any person whose parcel of land is subject to a local service tax under this By-law may commute for a payment in cash the local service tax 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.

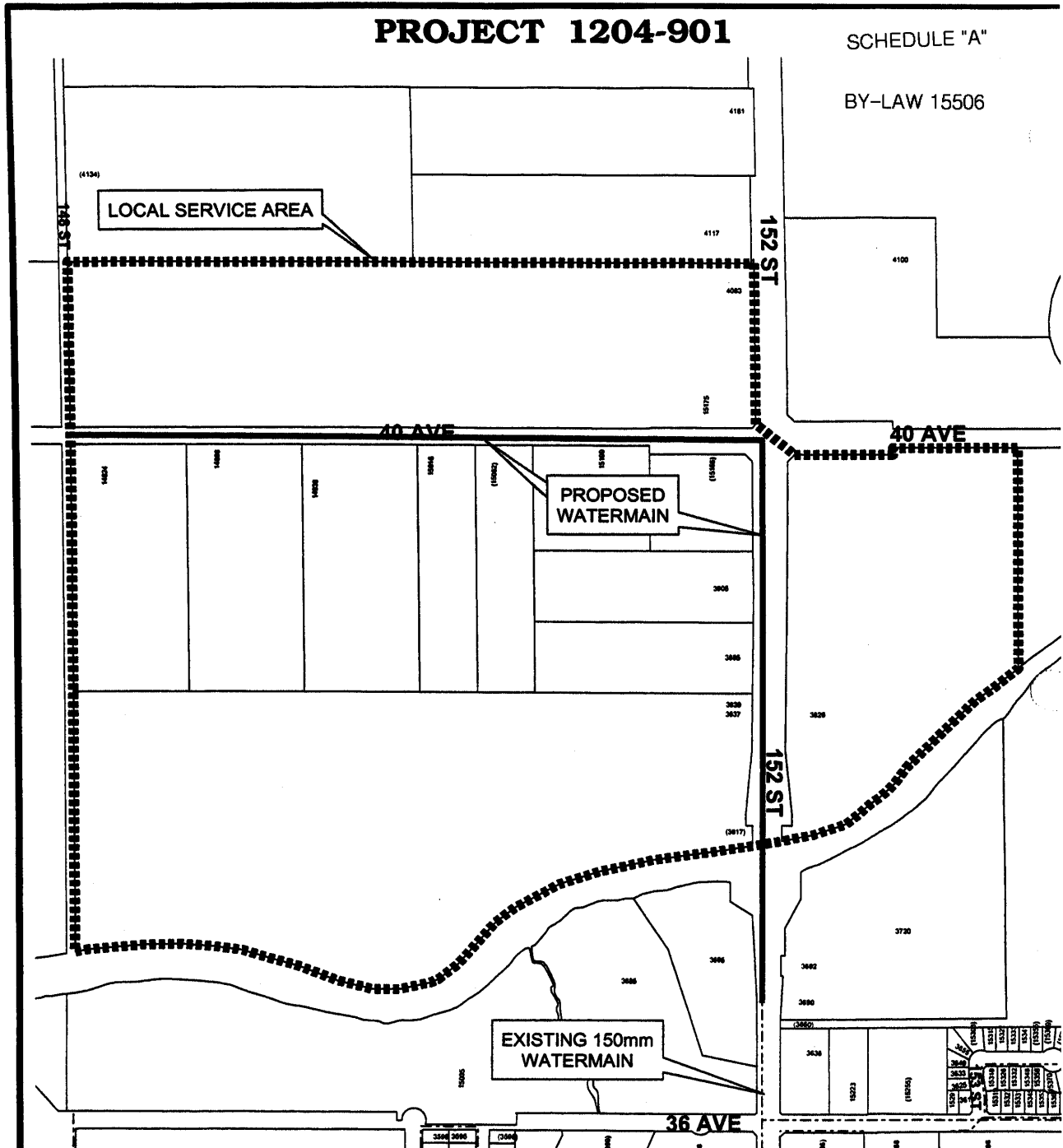
PASSED THREE READINGS by Council on the 27th day of September, 2004.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 4th day of October, 2004.

_____MAYOR

_____CLERK

**SCHEDULE "A"
BY-LAW 15506**



PRODUCED BY ENGINEERING, GIS SECTION: AUGUST 30, 2004, KGS



**WATER LOCAL AREA SERVICE PROJECT
40 AVENUE: 148 ST TO 152 ST
152 STREET: 40 AVE TO ADDRESS 3817**

**ENGINEERING
DEPARTMENT**

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey.
This information is provided for information and convenience purposes only.
Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office. G:\MAPPING\GIS\MAPS\CORPORATE REPORTS\ENG-UTILITIES\152&40-SM.mxd

CITY OF SURREY

ENGINEER'S REPORT (*)

LOCAL AREA SERVICE - WATER MAIN EXTENSION
By FORMAL PETITION

Pursuant to Division 5 of Part 7 of the Community Charter, I wish to advise in regard to the following work resolved to be undertaken as a Local Area Service.

Location: Water Main Extension on 40 Avenue from 148 Street to 152 Street and 152 Street from 40 Avenue to Address 3817.

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|-------------------------|------------|-----|-----|
| Total Estimated Cost | \$ 316,000 | (*) | (A) |
| Number of Legal parcels | 12 | | (B) |

Cost Distribution

| | | | |
|-----------------------------------------------------------------------|-----------|-----|------|
| Cost per Legal parcel (A/B) | \$ 26,333 | (*) | (C) |
| Individual Owner's Share (E) Amortized over 15 years at 7.00% p.a. | \$ 2,891 | (*) | p.a. |

| | |
|--------------|----------|
| Life of work | 40 years |
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(*) All costs are estimates only. A revised Engineer's Report with actual cost and the appropriate interest rate for amortization will be prepared upon completion of the work.