

CITY OF SURREY

BY-LAW NO. 12104

A by-law to authorize the removal of an illegally constructed and sited shed that the City of Surrey has determined to be in contravention of Surrey Building By-law, 1987, No. [9011](#)

.....

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

WHEREAS, Stuart John Brown and Huguette Jeanne Baril Brown of 1959 - 148A Street, in the City of Surrey, Province of British Columbia is the owner of the lands and premises located within the City of Surrey at 1959 - 148A Street and more specifically known as:

Lot 163, Section 15, Township 1, New Westminster District, Plan 59379

AND WHEREAS, the illegally constructed and sited shed of the aforesaid lands and premises and the presence thereof is not in compliance with the Building By-law and to a Land Use Contract #371-8 pursuant to Surrey Building By-law, 1987, No. [9011](#).

AND WHEREAS, the presence of the aforementioned shed is a nuisance and a hazard to the community.

AND WHEREAS, the owners of the aforesaid lands have failed to comply with the directions of the Legal Services Division of the City of Surrey to correct this contrary condition and bring the construction into compliance with Surrey By-law, 1987, No. [9011](#).

NOW THEREFORE, the Council of the City of Surrey ENACTS AS FOLLOWS:

1. The owners of the property at 1959 - 148A Street, located in the R-F (Family Residential) Zone, have illegally constructed a shed without a building permit contrary to Section II(1) of Surrey Building By-law, 1987, No. 9011; and have illegally sited the shed within the side yard setback, contrary to Surrey Zoning By-law, 1993, No. 12000 and furthermore, the construction is in breach of Land Use Contract No. 371-8. The presence of the shed is deemed to be hazardous and a nuisance to the community, requiring the following remedial measures:

(a) Removal of subject shed from the aforesaid lands.

2. The aforesaid removal shall be completed by the owner within the period of time specified in Section 3 of this by-law and such repair and bringing the retaining wall up to standard is hereby authorized.

3. That the removal described in this by-law be completed by the owner and be brought to a standard described in this by-law within a period of thirty (30) days from the time the Notice, which is Appendix "A" and forms part of this by-law, is served upon the registered owners.

4. If the subject shed is not removed from 1959 - 148A Street as required by Surrey Building Removal By-law, 1993, No. [12104](#) within the period of time specified in Section 3 hereof, the Acting Manager of By-law Enforcement, together with workmen employed by the City of Surrey, are hereby authorized to enter upon the aforesaid lands and premises to complete the required removal to a standard required by Surrey Building Removal By-law, 1993, No. [12104](#). The works necessary to remove the shed to the standard required shall be done at the expense of the registered owners, and the City of Surrey shall recover the expenses thereof with interest and costs in the same manner as city taxes as provided in Section 311 of the Municipal Act, R.S.B.C. 1979, Chapter 290 as amended.

5. Thirty (30) days' notice of the action contemplated by the City of Surrey shall be given to the registered owners by serving a Notice in the form set out in Appendix "A" to this by-law.

6. This By-law shall be cited for all purposes as "Surrey Building Removal By-law, 1993, No. 12104."

PASSED THREE READINGS BY the Council of the City of Surrey on the 13th day of December, 1993.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 28th day of February, 1994.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

"SURREY BUILDING REMOVAL BY-LAW, 1993, No. 12104"

APPENDIX "A"

NOTICE

TO:

STUART JOHN BROWN  
HUGUETTE JEANNE BARIL BROWN  
1959 - 148A Street  
Surrey, B.C. V4A 6R6

YOU ARE HEREBY NOTIFIED that on the      day of      A.D., 199 , by By-law No.      ," the City Council of The City of Surrey authorized that the following works be completed by you to bring into compliance with the City by-laws, on that parcel of land in the City of Surrey, in the Province of British Columbia, and more particularly known and described as

Lot 163, Section 15, Township 1,  
New Westminster District Plan 59379

within the period of time hereinafter mentioned.

AND THAT IN DEFAULT of such removal, the said City Council has authorized the Acting Manager of By-law Enforcement and Licensing Section, together with workmen employed by The City of Surrey or contractors at any time after the expiry of thirty (30) days from the service of this notice upon you, to enter upon the hereinbefore described parcel or tract of land and to remove the illegally constructed and sited shed as required by Surrey Building Removal By-law, 1993, No. 12104; and such work shall be done at your expense and the City of Surrey shall recover the expense thereof with interest and costs in the same manner as City taxes pursuant to Section 311 of the "Municipal Act", Chapter 290, R.S.B.C., 1979, and amendments thereto.

YOU ARE FURTHER NOTIFIED that the removal of the illegally constructed and sited shed is to be carried out and completed by you within the period of thirty (30) days from the service of this notice upon you and that in default by you to carry out said removal within such period the work will be carried out by the Acting Manager of By-law Enforcement and Licensing, his servants and agents at any time after the expiry of thirty (30) days from the service of this notice upon you.

AN APPEAL against this action may be made by you to a Judge of the British Columbia Supreme Court having jurisdiction, but such appeal shall be made and notice of it given pursuant to Section 735 of the "Municipal Act", Chapter 290, R.S.B.C., 1979, and amendments thereto.

THIS NOTICE is given by The Corporation of the District of Surrey this      day of      , A.D., 199 .

\_\_\_\_\_CITY CLERK