

CITY OF SURREY

BY-LAW NO. 13011

A by-law to authorize the repair of a hazardous condition that the Council of the City of Surrey has determined to be in a hazardous condition and in contravention of Surrey Building By-law, 1987, No. [9011](#); pursuant to Section 735 of the Municipal Act, R.S.B.C. 1979, Chapter 290.

.....

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

WHEREAS, Stephen Lau is the owner of the lands and premises located within the City of Surrey at 12182 - 101B Avenue, and more particularly known as:

Lot 108, Section 30, Block 5 North, Range 2 West,

New Westminster District, Plan 86817

AND WHEREAS a building is being constructed on the aforesaid lands and premises and the construction thereof is not in compliance with the standard required for residential construction pursuant to Surrey Building By-law, 1987, No. [9011](#);

AND WHEREAS the building and lands have been left in a hazardous condition;

AND WHEREAS the owner of the aforesaid lands has failed to comply with the directions of the Building Division of the City of Surrey to correct this hazardous condition and bring the construction and the property into compliance with Surrey Building By-law, 1987, No. [9011](#);

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

1. Work has not been completed to stabilize the slope on the property to the satisfaction of the geotechnical engineer of record. The framing on the building has been left in an unfinished state. The present condition of the building and the slope on the property has been deemed to be hazardous and a nuisance to the neighbouring community requiring the following measures:

- a) Removal of the framing to the top of the foundation walls;
- b) Completion of the work required by the geotechnical engineer of record to stabilize the slope on the property;
- c) Complete backfilling of the foundation walls as required; and

d) Install fencing to secure the site.

2. The aforesaid work shall be completed by the owner and the building and property be brought up to the required standard by the owner within the period of time specified in Section 3 of this by-law and such work to bring the building and property up to standard is hereby authorized.

3. That the works described in this by-law be completed by the owner and the property 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 completion of the said works is not brought up to a standard required by Surrey Building By-law, 1987, No. [9011](#), and the Building Code for the Province of British Columbia incorporated therein within the period of time specified in Section 3 hereof, the Manager, Building Division, together with workmen employed by the City of Surrey, or their agents, are hereby authorized to enter upon the aforesaid lands and premises to complete the required works to a standard required by Surrey Building By-law, 1987, No. [9011](#), and the Building Code for the Province of British Columbia incorporated therein. The completion of the works to the standard required shall be done at the expense of the registered owner, and the City of Surrey shall recover the expenses thereof with interest and costs in the same manner as municipal taxes as provided in Section 299 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 owner 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 Standard and Completion By-law, 1997, No. 13011."

PASSED THREE READINGS on the 3rd day of February, 1997.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 24th day of February, 1997.

_____MAYOR

_____CLERK

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**"SURREY BUILDING STANDARD AND COMPLETION
BY-LAW, 1997, NO. 13011"**

APPENDIX "A"

NOTICE

TO: Stephen Lau
7358 - 138 Street
Surrey, B.C. V3W 5H2

YOU ARE HEREBY NOTIFIED that on the _____ day of _____, A.D., 199_, by By-law No. _____, the Council of the City of Surrey authorized and ordered the filling in with non-organic material which can be properly compacted so as to restore the site to its original condition, the excavation located at 12182 - 101B Avenue, in the City of Surrey, in the Province of British Columbia, and more particularly known and described as

Lot 108, Section 30, Block 5 North, Range 2 West; New Westminster District, Plan 86817

within the period of time hereinafter mentioned.

AND THAT IN DEFAULT of completing such works as described in this notice within such period of time, the said City Council has authorized the Manager, Building Division together with workmen employed by the City of Surrey to enter upon the hereinbefore described parcel of land and to complete said work as required by Surrey Building Standards and Completion By-law, 1997, No. [13011](#); 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 municipal taxes pursuant to Section 299 of the "Municipal Act", Chapter 290, R.S.B.C., 1979, and amendments thereto.

YOU ARE FURTHER NOTIFIED that the completion of said works and the bringing up to a standard 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 complete such works within such period the work will be carried out by the Manager, Building Division, his servants and agents at any time after the expiry of thirty (30) days from the service of this notice upon you.

YOU ARE FURTHER NOTIFIED that AN APPEAL against this action may be made by you to a Judge of the 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 City of Surrey this day of A.D., 199_.

CLERK

c.c. Hong Kong Bank of Canada
885 West Georgia

Vancouver, B.C.

V6C 3G1

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