

CITY OF SURREY

BY-LAW NO. 13523

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 698 of the Municipal Act R.S.B.C. 1996, Chapter 323

.....

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

WHEREAS, 542301 B.C. Ltd. is the registered owner (the "Owner") of the lands and premises located within the City of Surrey at 12182 - 101B Avenue, and more particularly known as:

Parcel Identifier: 016-760-361, Lot 108, Section 30, Block 5 North, Range 2 West, New Westminster District, Plan 86817

(the "Property")

AND WHEREAS a building is being constructed on the Property and the construction thereof is not in compliance with the Surrey Building By-law, 1987, No. [9011](#), as amended (the "Building By-law");

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

AND WHEREAS the Owner of the Property 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 the Building By-law;

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) Completion of the work required by the geotechnical engineer of record to stabilize the slope on the property;
- (b) Complete backfilling of the foundation walls as required; and
- (c) Install fencing to secure the site.

2. The aforesaid work shall be completed by the Owner and the building and the Property be brought up to the applicable standard by the Owner within the period of time specified in Section 3 of this By-law and the Work is hereby authorized.

3. The Work shall be completed by the Owner 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 Owner.

4. If the Work is not completed to the standard required by the Building By-law and the Building Code for the Province of British Columbia incorporated therein within the period of time specified in Section 3 hereof, the General Manager, Planning and Development Department together with workers employed by the City of Surrey, or their agents, are hereby authorized to enter upon the Property to complete the Work to a standard required by the Building By-law and the Building Code for the Province of British Columbia. The Work shall be completed at the expense of the Owners, 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 269 of the Municipal Act, R.S.B.C. 1996, Chapter 323 as amended.

5. Thirty (30) days' notice of the action contemplated by the City of Surrey shall be given to the 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, 1998, No. 13523."

PASSED THREE READINGS on the 28th day of July, 1998.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 1st day of September, 1998.

_____MAYOR

_____CLERK

"SURREY BUILDING STANDARD AND COMPLETION BY-LAW, 1998, No. 13523"

APPENDIX "A"

NOTICE

TO: 542301 B.C. Ltd.
111 Babcock Avenue
Tumbler Ridge, B.C.
V0C 2W0

YOU ARE HEREBY NOTIFIED that on the _____ day of _____ A.D., 1998, by By-law No. _____ (the "By-law"), the Council of the City of Surrey authorized that the following works described in the By-law (the "Work") be completed by you to bring into compliance with City by-laws that parcel of land in the City of Surrey, in the Province of British Columbia, which is more particularly known and described as:

Parcel Identifier: 016-760-361, Lot 108, Section 30, Block 5 North, Range 2 West, New Westminster District, Plan 86817 (the "Property")

within the period of time hereinafter mentioned.

AND THAT IN DEFAULT of completing the Work within such period of time, the said City Council has authorized the General Manager, Planning and Development Department together with workmen employed by the City of Surrey to enter upon the Property and to complete the Work as required by the By-law and the 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 269 of the "Municipal Act", Chapter 323, R.S.B.C., 1996, and amendments thereto.

YOU ARE FURTHER NOTIFIED that the completion of the Work 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 the Work within such period the Work will be carried out by the General Manager, Planning and Development Department, 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 698 of the "Municipal Act", Chapter 323, R.S.B.C., 1996, and amendments thereto.

THIS NOTICE is given by the City of Surrey this ____ day of _____, A.D., 1998.

CLERK

c.c. - Westminster Savings Credit Union

Corporate Centre

108 - 960 Quayside

New Westminster, B.C.

- Langval Holdings Ltd.

Incorporation No. 84525

3720 Riviere Place

North Vancouver, B.C. V7R 4E6