

CITY OF SURREY

BY-LAW NO. 13625

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, Griffiths Pile Driving Ltd. is the registered owner (the "Owner") of the lands and premises located within the City of Surrey at 12121 - 101B Avenue, and more particularly known as:

Parcel Identifier: 016-760-298, Lot 101, 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. The present condition of the retaining wall excavation slope on the property has been deemed to be hazardous and a nuisance to the neighbouring community requiring the following measures:

- (a) The design and construction of the retaining walls to be completed in conformity with the requirements of the Provincial Building Code and in accordance with good engineering practices.
- (b) The stabilization of the slopes and structures on the property in conformity with the requirements of the Provincial Building Code and in accordance with good engineering practices.
- (c) Without limiting the generality of the foregoing, the completion of the backfilling of the structures in conformity with the requirements of the Provincial Building Code and in accordance with good engineering practices.

all of which is referred to herein as the "Works."

2. The aforesaid Works shall be completed by the Owner, and the building and the Property shall be brought up to the applicable standard by the Owner, within the period of time specified in Section 3 of this By-law.
3. The Works 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 Works are not completed to the standard required by the Building By-law, the Building Code for the Province of British Columbia and in keeping with good engineering practices, 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 Works to a standard required by the Building By-law and the Building Code for the Province of British Columbia. The Works 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. 13625."

PASSED THREE READINGS on the 14th day of December, 1998.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 4th day of January, 1999.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

**"SURREY BUILDING STANDARD AND COMPLETION  
BY-LAW, 1998, NO. 13625"**

**APPENDIX "A"**

**NOTICE**

**TO:** Griffiths Pile Driving Ltd.

9076 River Road

Delta, B.C.

V4G 1B5

YOU ARE HEREBY NOTIFIED that on the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1999, 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: 016-760-298, Lot 101, 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., 1999.

\_\_\_\_\_ CLERK