

THE CORPORATION OF THE DISTRICT OF SURREY

BY-LAW NO. 11490

A by-law to authorize the installation of
storm sewers and curbs on 89A Avenue:
126 Street to Lindsay Place.

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WHEREAS pursuant to Section 651 of the "Municipal Act", RSBC, 1979, the Municipal Council may proceed to undertake a work as a local improvement, without petition, on the initiative of the Municipal Council;

AND WHEREAS the Municipal Council of The Corporation of the District of Surrey has decided to undertake the works more particularly hereinafter set forth on such initiative plan;

AND WHEREAS the Council pursuant to such intention did publish and serve upon the owners of the parcels of land liable to be specially assessed a notice of such intention;

AND WHEREAS a majority of the owners of such parcels of land representing at least one-half of the value of the parcels of land liable to be so specially assessed did not petition the Council not to proceed with such works;

AND WHEREAS the Council has accordingly decided to proceed with the said works and to undertake the same as a local improvement;

NOW THEREFORE, the Municipal Council of The Corporation of the District of Surrey, in open meeting assembled, enacts as follows:

1. Pursuant to the provisions of Division (1) of Part 16 of the "Municipal Act", the following works are to be undertaken as a Local Improvement:
 - (a) That storm sewers be installed on both sides of 89A Avenue: 126 Street to Lindsay Place.
 - (b) That curbs be installed on both sides of 89A Avenue: 126 Street to Lindsay Place.
2. The Municipal Engineer is hereby directed to prepare the necessary plans and specifications for the works herein authorized and to carry out the works or to provide the specifications necessary for the preparation of a contract to construct the works, or any part thereof.
3. The Municipal Engineer has compiled the following report and estimate in regard to this Local Improvement Project:

The Corporation of the District of Surrey

ENGINEER'S REPORT

LOCAL IMPROVEMENT - PUBLIC WORKS

Storm Sewer Installation by Initiation

Pursuant to Section 662(1) of the Municipal Act, I report in regard to the following work proposed to be undertaken as a local improvement.

LOCATION: 89A Avenue: 126 Street to Lindsay Place

- (a) The estimated frontage and flankage 177m
- (b) The estimated taxable frontage and flankage 165m
- (c) The estimated taxable frontage for storm 76m
sewer purposes
- (d) Estimated cost of the work(s) \$23,510
- (e) Owner's cost per metre of taxable frontage \$91.45
set by By-law [3250](#)
- (f) Annual owner's cost per taxable metre, if \$15.50
amortized over 10 years @ 11%
- (g) Estimated owner's share of the total cost \$6,995
- (h) Estimated Municipal share of the total cost \$16,515
- (i) Estimated lifetime of the work 20 years

C. S. Wright, P. Eng.
Deputy Municipal Engineer

The Corporation of the District of Surrey

ENGINEER'S REPORT

LOCAL IMPROVEMENT - PUBLIC WORKS

Curbing Installation by Initiation

Pursuant to Section 662(1) of the Municipal Act, I report in regard to the following work proposed to be undertaken as a local improvement.

LOCATION: 89A Avenue: 126 Street to Lindsay Place

- (a) The estimated frontage and flankage 177m
- (b) The estimated taxable frontage and flankage 165m
- (c) The estimated taxable frontage for 165m
curbing purposes
- (d) Estimated cost of the work(s) \$19,642
- (e) Owner's cost per metre of taxable frontage \$73.75
set by By-law [3250](#)
- (f) Annual owner's cost per taxable metre, if \$12.50
amortized over 10 years @ 11%
- (g) Estimated owner's share of the total cost \$12,164
- (h) Estimated Municipal share of the total cost \$7,478
- (i) Estimated lifetime of the work 20 years

C. S. Wright, P. Eng.

Deputy Municipal Engineer

4. The works shall be carried out under the superintendence and according to the directions of the Municipal Engineer.

5. The Mayor and Municipal Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution.

6. The Treasurer may, subject to the approval of this Council, agree with any Bank or person for temporary advances of money to meet the cost of the work pending the completion of it.
7. The special assessment shall be paid by ten (10) annual instalments and shall be levied in pursuance of the provisions of Section Two (2) of "Local Improvement Cost Sharing By-law, 1970, No. [3250](#)," as amended from time to time.
8. The Debentures to be issued for the loan to be effected to pay for the cost of the work when completed shall bear interest and be made payable within ten (10) years on the instalment plan.
9. The Municipal Clerk is hereby directed to prepare a frontage tax assessment roll for each of the hereinbefore mentioned works.
10. For the purpose of the preparation of such frontage tax assessment roll, the Municipal Clerk shall be governed by the following regulations:
 - (a) A regularly shaped parcel of land shall be a parcel of land not abutting on more than one street and being rectangular in shape.
 - (b) Where similar works are provided by local improvement by-law on both sides of a parcel, 35% of the taxable metre flankage shall be deemed to be the taxable metre flankage.
 - (c) Where a similar work is not provided by local improvement by-law on the frontage, 65% of the taxable metre flankage shall be deemed to be the taxable metre flankage.
 - (d) Where works on a flanking street are provided by local improvement by-law at a taxable metre flankage levy at 65%, the taxable metre frontage shall be adjusted later so as to reflect the charges under (a) above.
 - (e) For a triangular or irregularly shaped parcel of land; a parcel of land wholly or in part unfit for building purposes; or a parcel of land which does not abut on the work or highway, but is nevertheless deemed to abut on the work, the taxable frontage shall be the distance fixed by the Municipal Clerk, who, in fixing the distance, shall have due regard to the condition, situation, value and superficial area of the parcel compared with other parcels of land, or to the benefit derived from the work or service, to bring the frontage tax, when imposed, to a fair and equitable basis.
11. Any person whose parcel of land is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without interest, forthwith after the special assessment roll has been confirmed and authenticated by a Court of Revision.
12. This By-law may be cited for all purposes as "Local Improvement Construction By-law (5003-806), 1992, No. 11490."

PASSED THREE READINGS by the Municipal Council on the 28th day of September, 1992.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 5th day of October, 1992.

_____MAYOR

_____CLERK