

CITY OF SURREY

BY-LAW NO. 13293

A by-law to authorize the construction, operation and maintenance of a water main and related appurtenances and service connections on 176 Street from 32 Avenue to 40 Avenue; to authorize the acquisition of all appliances, equipment, materials, real property, easements and rights-of-way required to construct, operate and maintain the Works; to define the benefiting lands; and, to establish that the entire Cost of the Works and services shall be borne by the owners of real property within such defined area.

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WHEREAS Council has been petitioned to construct a water main on 176 Street from 32 Avenue to 40 Avenue, pursuant to Section 623(1)(d) of the *Municipal Act*, R.S.B.C. 1996, c. 323, as amended (*the "Municipal Act"*);

AND WHEREAS the City Clerk has certified that the petition is sufficient;

AND WHEREAS it is deemed expedient to grant the prayers of the petitioners in the manner hereinafter provided and proceed with the Works;

AND WHEREAS "Surrey Water Main Extension Regulation By-law, 1992, No. [11345](#)", as amended, provides that the costs of constructing water main extensions shall be recovered in part or whole from each of the existing parcels of land that will be served by the water main extension.

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

1. This By-law shall be cited for all purposes as "Local Improvement Water Main Construction (Agricultural Lands) By-law, 1997, No. 13293".
2. A water main, together with the necessary related appurtenances and service connections, shall be constructed on 176 Street from 32 Avenue to 40 Avenue as a local improvement (the "Works") pursuant to Part 19 of the *Municipal Act*.
3. The area of the City for the benefit of which the Works are to be established, operated and maintained is defined as the area outlined in the attached Schedule A, which is appended hereto and forms part of this By-law.
4. The General Manager, Engineering is hereby directed to prepare the necessary plans and specifications for the Works 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.
5. The Works shall be carried out under the supervision and according to the directions of the General Manager, Engineering.
6. The Mayor and City Clerk are authorized to cause a contract for the construction of the Works to be made and entered into with some person or persons, firm or corporation, subject to the approval of Council to be declared by

resolution.

7. The General Manager, Finance & Technology may, subject to the approval of Council, agree with any bank or person for temporary advances of money to meet the Cost of the Works pending the completion of the Works.
8. The life time of the Works is estimated to be 40 years.
9. The Cost of the Works is estimated to be \$343,000 (the "Cost").
10. The proportion of the Cost that will be specially charged against each of the 36 benefiting parcels is \$9,528.
11. The special assessment shall be payable by fifteen (15) annual installments and shall be levied pursuant to the provisions of Section 5(a) of "Local Improvements Cost Sharing By-law, 1970, No. [3250](#)," as amended.
12. The Debentures to be issued for the loan to be affected to pay for the Cost of the Works when completed shall bear interest and be made payable within fifteen (15) years on the installment plan.
13. The City Clerk is hereby directed to prepare a frontage tax assessment roll for the Works.
14. Each existing parcel benefiting from or abutting the Works shall be deemed to have the same special taxable charge.
15. Any person whose parcel of land is specially assessed under this By-law may commute for a payment in cash the special rates imposed thereon, by paying the portion of the Cost assessed upon such lot, without interest, forthwith after the special assessment roll has been confirmed and authenticated by a Court of Revision.

PASSED THREE READINGS by Council on the 1st day of December, 1997.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 15th day of December, 1997.

_____MAYOR

_____CLERK