

CITY OF SURREY

BY-LAW NO. 13758

A by-law to authorize the filling in of an unsightly open excavation that the Council of the City of Surrey has determined to be in contravention of Surrey Community Improvement and Unsightly Property By-law, 1997, No. 13150, pursuant to Section 698 of the *Municipal Act*, R.S.B.C. 1996, c. 323

.....

WHEREAS Humphrey Milton Sale of 15296 - 85 Avenue in the City of Surrey, Province of British Columbia, is the registered owner (the "Owner") of the lands and premises located within the City of Surrey at 15296 - 85 Avenue and more particularly known as:

Parcel Identifier: 003-529-541

Lot 324 Section 26 Township 2 New Westminster District Plan 64973

(the "Property");

AND WHEREAS the open excavation in the backyard of the Property is in contravention of Surrey Community Improvement and Unsightly Property By-law, 1997, No. 13150 (the "Unsightly By-law");

AND WHEREAS the Owner of the Property has failed to comply with the directions of the By-law Enforcement & Licensing Section of the City of Surrey to eliminate the unsightly open excavation from the Property in compliance with the Unsightly By-law;

AND WHEREAS the filling in of the open excavation would bring the Property into compliance with the Unsightly By-law;

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

1. The filling in of the open excavation in the backyard of the Property is required to bring the Property into compliance with the Unsightly By-law.
2. The filling in of the open excavation must be completed by the Owner and the Property must be brought up to the applicable standard by the Owner (the "Work") within the period of time specified in Section 3 of this By-law and the Work is authorized.
3. The Work must be completed by the Owner within a period of 30 days from the time the notice, which is Appendix "A" and forms part of this By-law, is served on the Owner.
4. If the Work is not completed to the standard required by the Unsightly By-law within the period of time specified in Section 3, the Manager of By-law Enforcement, together with workers employed by the City of Surrey, or their agents, are authorized to enter on the Property to complete the Work to the standard required by the Unsightly By-law. The Work will be done at the expense of the Owner, and the City of Surrey will recover the expense of the work, together 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, c. 323.

5. Thirty days notice of the action contemplated by the City of Surrey must 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 Unsightly Excavation By-law, 1999, No. 13758."

PASSED THREE READINGS on the 14th day of June, 1999.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 28th day of June, 1999.

_____MAYOR

_____CLERK

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"SURREY UNSIGHTLY EXCAVATION
BY-LAW, 1999, NO. 13758"

APPENDIX "A"

NOTICE

TO: Herbert Milton Sale
15296 - 85 Avenue
Surrey, B.C. V3S 6J1

YOU ARE NOTIFIED that on the _____ day of _____, 1999, by Surrey Unsightly Excavation By-law, 1999, No. 13758 (the "By-law"), the City Council of the City of Surrey authorized that the work described in the By-law (the "Work") be completed by you to bring into compliance with City by-laws the unsightly open excavation located on 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: 003-529-541

Lot 324 Section 26 Township 2 New Westminster District Plan 64973

(the "Property")

within 30 days.

AND IF YOU FAIL to complete the Work within 30 days, the City Council has authorized the Manager of By-law Enforcement, together with workers employed by the City of Surrey, to enter on the Property and to complete the Work as required by the By-law. The Work will be done at your expense and the City of Surrey will recover the expense of the Work, together 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, c. 323.

AN APPEAL against this action may be made by you to a Judge of the Supreme Court, but your appeal must be made and notice of it given pursuant to Section 698 of the *Municipal Act*, R.S.B.C. 1996, c. 323.

THIS NOTICE is given by the City of Surrey this ____ day of _____, 1999.

CITY CLERK

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