

CITY OF SURREY

BY-LAW NO. 14070

A by-law to authorize the removal of a Building on the Property that the Council of the City of Surrey has determined to be in contravention of Surrey Building By-law, 1987, No. 9011, pursuant to Section 698 of the *Local Government Act*, R.S.B.C. 1996, c. 323

.....

WHEREAS Lena Mary Plett and Brenda Helen Tally of 11375 - 142 Street in the City of Surrey, Province of British Columbia, are the registered owners (the "Owners") of the lands and premises located within the City of Surrey at 11375 - 142 Street and more particularly known as:

Parcel Identifier: 017-711-924

Lot 1 Block 95 New Westminster District Plan LMP 3487

(the "Property")

AND WHEREAS the construction of the building (the "Building") on the Property is not in compliance with Surrey Building By-law, 1987, No. 9011, (the "Building By-law");

AND WHEREAS the Owners of the Property have failed to comply with the requirements of the Building Division of the City of Surrey to have the building inspected in compliance with the Building By-law;

AND WHEREAS much of the work on the Building has been completed and it will not be possible to conduct the standard inspections required by the City Building By-law because the work has been covered before it could be inspected;

AND WHEREAS the Owners have not complied with the Stop Work Notices posted on the Property on September 20, 1999, and December 14, 1999, continuing work on the Building without obtaining the required inspections;

AND WHEREAS the existence of the Building on the Property is contrary to the Building By-law;

AND WHEREAS removal of the Building would bring the Property into compliance with the applicable requirements set out in the Building By-law;

AND WHEREAS the Building on the Property may be in an unsafe condition;

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

1. In order to bring the Property into compliance with the Building By-law;
 - (a) the Building, including foundation, must be removed from the Property, or demolished;
 - (b) the accessory structure, trailers and debris must be removed from the property; and

(c) the excavation must be filled in and the lot grading of the Property must be restored to the satisfaction of the Building Inspector.

2. The removal or demolition of the Building, including foundation, removal of the accessory structure, trailers and debris, the filling in of the excavation, and completion of lot grading to the satisfaction of the Building Inspector must be completed by the Owners and the Property must be brought up to the applicable standard by the Owners (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 Owners 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 Owners.

4. If the Work is not completed to the standard required by this By-law and the Building By-law within the period of time specified in Section 3, the Manager Building Division, 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 this By-law and the Building By-law. The Work will be done at the expense of the Owners, 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 Owners 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 Unauthorized Construction By-law, 2000, No. 14070."

PASSED THREE READINGS on the 17th day of July, 2000.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 24th day of July, 2000.

_____MAYOR

_____CLERK

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"SURREY UNAUTHORIZED CONSTRUCTION
BY-LAW, 2000, NO. 14070"

APPENDIX "A"

NOTICE

TO: Lena Mary Plett
Brenda Helen Tally

11375 - 142 Street

Surrey, B.C.

V3R 3L2

YOU ARE NOTIFIED that on the _____ day of _____, 2000, by Surrey Unauthorized Construction By-law, 2000, No. 14070 (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 Building 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: 017-711-924

Lot 1 Block 95 New Westminster District Plan LMP 3487

(the "Property")

within 30 days.

AND IF YOU FAIL to complete the Work within 30 days, the City Council has authorized the Manager Building Division, 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.

YOU ARE FURTHER NOTIFIED that the Work is to be carried out and completed by you within 30 days from the service of this notice on you and that if you fail to complete the Work within 30 days, the Work will be carried out by the Manager Building Division, his servants and agents, at any time after the expiry of 30 days from the service of this notice on you.

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 _____, 2000.

CITY CLERK

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