

THE CORPORATION OF THE DISTRICT OF SURREY

BY-LAW NO. 10509

A By-law to impose a specified charge on the owners of real properties within a benefitting area at the [13100](#) block of 88 Avenue for use of Municipal sanitary sewer system.

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WHEREAS The Corporation of the District of Surrey (hereinafter referred to as The Corporation) has proposed to construct, operate and maintain a system of sanitary sewers for the benefit of residents in the area of the 13100 block of 88 Avenue within the Municipality;

AND WHEREAS pursuant to Division (4), Part 13 of the Municipal Act being Chapter 290, R.S.B.C., "Surrey Sewer Rates and Extension Regulation By-law, 1964, No. [2240](#)," as amended, provides that where sewer system expansion towards which the Corporation bears any portion of the cost thereof, such costs shall be recoverable in part or whole from each of the existing parcels of land that will be served by the sewer system expansion.

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

1. Benefitting Area

The area of the Municipality for the special benefit of which the sewer system is to be initially established, operated and maintained is defined as comprising those legal parcels within the corporate boundaries as outlined in the attached Schedule "B" which is appended hereto as part of this By-law.

2. Application Process

(a) Each application for a service connection to a property within the benefitting area, identified on Schedule "B" attached to and forming part of this By-law shall be made to the Engineer by the owner or his authorized agent in the form prescribed by Schedule "A" attached to and forming part of this By-law. Such owner shall, on making application, pay to the Corporation a specified charge set out hereunder.

(b) Where possible the service connection will be located at the location requested by the applicant. In the event the applicant's preferred location is not practicable due to the existence of installed surface improvements or is in conflict with installed underground utilities, the Engineer shall designate the location of each service connection to each parcel of land or premises.

3. 'Specified Charge'

(a) A 'specified charge' in the sum of Six Thousand Six Hundred Sixty Seven Dollars (\$6,667.00) which is comprised of \$5,467 for the provision of the sewer system and the current connection charge of \$1,200, shall be payable by the owners of properties listed in Schedule "C" appended hereto as a part of this By-law.

(b) The said 'specified charge' shall incur an annual financing charge of Eleven (11) percent per annum calculated on the balance owing and added on annually until it is paid in full or for a period of ten years, whichever occurs first.

(c) The said 'specified charge' of \$6,667 shall be reduced by the amount of the then prevailing connection charge where the property owner requires and pays the actual cost of an additional connection or a connection larger than 100mm diameter for other than a single family dwelling unit.

(d) The said 'specified charge' shall terminate at the end of ten years and the prevailing connection charge in force and effect shall be applicable thereafter, when a person or a property makes application to use the sewer system.

4. Payment of Specified Charge by Installment

(a) (i) Notwithstanding the provision of Section 2 hereof, an owner may, at the time of application, elect to pay the charge amortized at 8 percent per annum to be payable in 5 equal annual installments, with the first installment becoming payable upon the property being connected to the sewer. For the purpose of this sub-section, an annual installment shall be 23.2% of the charge set out in 3.(a) above.

(ii) In all cases where the charge becomes payable by installments pursuant to the provisions of this clause, the Engineer shall file with the Collector a certificate signed by the Engineer or his deputy, setting forth the property and particulars of the charge payable and the annual installments thereof.

(iii) Upon receipt of such certificate from the Engineer the Collector shall enter the said installments on the Tax Roll of the Corporation in accordance with the said certificate and this By-law.

(iv) All installments of the charge placed on the Tax Roll pursuant to this clause and remaining unpaid after the 31st day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land served by the sewer service connections and shall be recoverable by the Corporation as such.

(b) Notwithstanding any of the provisions of sub-section (a), any person whose lot is specifically charged pursuant to the provisions of this Section may commute for a payment in cash the charge imposed thereon, with interest at the rate of eight per centum (8%) per annum calculated annually from the date on which the charge became payable.

(c) Nothing contained in this Section shall be deemed or held to exempt any owner or occupier of any land or premises from liability for payment of rates and charges imposed and levied for the repayment of the costs of constructing trunk sewers, treatment and pumping plants and equipment and the maintenance and operation thereof, or from liability for payment of the said rates and charges.

5. General Provisions

In all other respect the provisions of "Surrey Sewer Rates and Extension Regulations By-law, 1969, No. [2240](#)," as amended, will apply.

6. This By-law may be cited for all purposes as "Surrey Sanitary Sewer Specified Charge Supplementary By-law, 1990, No. 10509".

PASSED THREE READINGS by the Municipal Council on the 24th day of June, A.D., 1991.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 8th day of July, A.D., 1991.

_____ Mayor

_____ Clerk