



# **Corporate** NO: R221

# **Report** COUNCIL DATE: November 25, 2002

## **REGULAR**

**TO: Mayor & Council**    **DATE: October 29, 2002**

**FROM: City Solicitor**    **FILE: 5400-80-12300**

**SUBJECT: Condition of Property at 11294 - 123 Street (the "Property")**

## **RECOMMENDATION**

1. That Council instruct staff to prepare for consideration at an upcoming Regular Council meeting a corporate report and by-law pursuant to Section 698 of the *Local Government Act*, R.S.B.C. 1996, c.323 (the "Act") to address the issues set out in this report.
2. That the registered owners of the Property (the "Owners") be notified of the proposed by-law and be requested to attend Council in order to speak to the proposed by-law.
3. That a copy of this report be forwarded to the Owners of the Property, and to the registered owners of charges against the Property.

## **INTENT**

It is the intent of this report to advise Council of the condition of the Property, which staff believe is unsightly and in violation of the Surrey Community Standards and Unsightly Property By-law, 1997, No. 13150 (the "Unsightly By-law").

## **DISCUSSION**

The City first received a complaint that the Property had become unsightly on July 5, 1994. Since that time the By-law Enforcement & Licensing Section has dealt with the Property Owners to attempt to gain voluntary compliance and a clean up of the Property. During that time additional complaints have been made to the City.

In September of 2001, the Owners of the Property were given another notice that the Property was unsightly and estimating the cost of the City entering on the Property and conducting a clean up would be \$5,400.

To date, the Owners have taken very little action to address the unsightliness of the Property and it is now appropriate for Council to consider exercising its powers under Section 698 of the *Act* to requiring the Owners to remove the unsightly accumulations of rubbish and garbage from the Property.

If Council passes the recommendations set out above, the Section 698 corporate report and draft by-law will be prepared for Council's consideration at an upcoming meeting.

CRAIG MACFARLANE

City Solicitor

cc Kelly Rayter, Assistant City Solicitor

John Sherstone, Manager, By-laws & Licensing Services

Ed Van Dooyeweert, By-law Enforcement Officer

KER/fm

u:\legalsrv\legal\corp\_rep\082702 0944 - fkm.doc

MLG 11/25/02 11:49 AM