



THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 3198

A BY-LAW RESPECTING SEWERS



WHEREAS The Corporation of the District of Burnaby has constructed or acquired certain public sewers in the Municipality of Burnaby and may from time to time construct or acquire sewers to be known and described as "common sewers".

AND WHEREAS the Corporation has powers under Sub-section 233 of Section 58 of the Municipal Act, being Chapter 232, R.S.B.C. 1948 and Amending Acts for charging against and collecting from every owner, or occupier of land and real property, a reasonable rent for the use or the opportunity of user of the common sewer.

AND WHEREAS the Corporation has powers under Sections 209 and 265 of the said Municipal Act to levy and collect such sewer rental in the same manner as taxes as provided for under Sections 270 to 278, 284 and 289 to 307 of the said Municipal Act.

The Municipal Council of The Corporation of the District of Burnaby THEREFORE ENACTS AS FOLLOWS:

1. In this By-law "common sewer" means a sewer acquired or constructed by the Corporation as distinguished from a sewer constructed under the "Local Improvement Act" or as a "District Improvement."
2. The sewer in District Lot 186 was acquired by the Corporation through arbitration and all such parts or portions of the said sewer hereafter reconstructed or replaced from time to time shall be deemed to be a "common sewer" within the meaning of this By-law; provided nevertheless that the said sewer or any portion or part thereof which has not been re-constructed or replaced shall not be deemed to be a "common sewer" within the meaning of this By-law.
3. Every owner or occupier of land and real property whether vacant or otherwise, which is capable of being drained into a "common sewer" shall pay a rent for the use of said

"common sewer" at the rate of .30¢ per lineal foot per annum from the completion or installation of said "common sewer".

4. The payment of the rent hereby reserved shall entitle the owner or occupier to the installation of one connection to the said "common sewer" for each fifty feet of frontage subject to the payment of the costs of such installation and for each additional connection to the said "common sewer" every owner or occupier shall pay a like rental subject to the costs as aforesaid.

5. The rent for the said "common sewer" as provided in paragraph 3 hereof shall be paid for a period of twenty years and shall become due and payable on the first day of January of each and every year during the said period.

6. Every owner or occupier of land and real property already being charged sewer rental charges under By-law 1864 shall, upon the enactment of this By-law, be charged the rental herein set out from and after the 1st day of January 1953, annually for a period not to exceed twenty years from the date of the first rental payment in respect of the said land and real property.

7. The said rent as set forth in paragraph 3 hereof is hereby declared to be especially charged upon the said land or real property whereof the owners or occupiers are made chargeable.

8. The Municipal Engineer shall fix the frontage in the case of triangular or irregularly shaped lots and lots situated at the junction or intersection of streets and in the case of lots which not only front on a sewer but are also traversed by a sewer making an addition or a reduction as the case may be in the special assessment which otherwise would be chargeable thereon, sufficient having regard to the situation, value and superficial area of such lots as compared with the other lots or having regard to the benefit derived from the work to adjust the assessment on a fair and equitable basis.

9. The Municipal Engineer shall prepare an assessment roll giving legal descriptions of all land and real property liable for rental hereunder, the foot frontage in regard to each parcel and the amount to be charged to each parcel, immediately upon the completion of the construction of any "common sewer", and return same to the Municipal Collector forthwith who shall charge the rentals against the land and real property pursuant to this By-law.

10. By-law No. 1864 shall be and the same is hereby repealed.

11. This By-law shall take effect upon the day and date of registration thereof.

12. This By-law may be cited as "BURNABY SEWER RENTAL BY-LAW 1952".

DONE AND PASSED IN OPEN COUNCIL this Twenty-first (21st) day of April, 1952.

RECONSIDERED AND FINALLY PASSED this Second (2nd) day of June, 1952.



W. F. Beames

REEVE

Charles B. Brown

CLERK

I, Charles B. Brown, Clerk of The Corporation of the District of Burnaby do hereby certify the foregoing to be a true copy of a By-law passed by the Council for The Corporation of the District of Burnaby on the Second (2nd) day of June, A.D. 1952.

Charles B. Brown

CLERK

THE CORPORATION OF THE DISTRICT OF
BURNABY

1689-3198.

BY-LAW NO. 3198

"BURNABY SEWER RENTAL BY-LAW 1952"

DATED: APRIL 25, 1952.