

1992 January 22

TO: MUNICIPAL MANAGER
FROM: DIRECTOR PLANNING
AND BUILDING

SUBJECT: 8405 THIRTEENTH AVENUE, BURNABY, B.C.
LOT 1, BLOCK 1, DISTRICT LOT 25, PLAN 1465

PURPOSE: TO CLARIFY THE STATUS OF THE DILAPIDATED SUMP AT THE ABOVE
PREMISES AND INDICATE STAFF'S INTENTION TO WORK TOWARD ITS REPAIR

RECOMMENDATION

1. THAT a copy of this report be provided to the registered owners of the property:

Tung-Kin Louie &
Sheung-Chu Louie
10379 - 133A Street
Surrey, B.C.
V3T 4A1

SUMMARY

Engineering and Building Department staff re-inspected 8405 Thirteenth Avenue on 1992 January 10 and confirmed that the hole in the side yard is the result of a wooden cover of a storm sump rotting away. The pipe inside the sump feeds storm water to the combined building sewer and is not a municipal pipe. As long as the sump remains uncovered, it presents a hazard to the community. The owners have been in default of the Council order to repair the sump since 1991 December 18. Unless otherwise directed by Council, staff will proceed with the work order already initiated to restore the sump to a safe working condition.

BACKGROUND

At the regular Council meeting of 1991 November 25, Council declared a dilapidated sump at 8405 Thirteenth Avenue to be a nuisance and ordered it be cleaned out, repaired and re-covered by the owners within 14 days after service of the order. Accordingly, the Municipal Clerk notified the owners, Tung-Kin Louie and Sheung-Chu Louie, of Council's order by double registered mail on 1991 November 28. The order was received by the owner on 1991 December 03.

On 1991 December 18, staff re-inspected the premises and found that no repairs had been carried out. The Engineering Department was notified that the property owners were in default of the Council order against their property and instructed to prepare the appropriate work order. On 1991 December 20, work order #51-91-733 was initiated and forwarded, along with the purchase requisition, to the Purchasing Department. In light of Mr. Louie's pending delegation to Council, the Purchasing Department was directed to suspend action on the work order until further notice.

At the 1992 January 06 regular Council Meeting, Mr. Tung Louie, co-owner of 8405 Thirteenth Avenue, appeared to protest the Council order to repair the sump. Mr. Louie claimed that the hole in the side yard is not a sump, but only a small hole with a municipal pipe inside which he felt was the Corporation's responsibility and not his.

At the same meeting, Mr. Louie raised two other issues concerning a neighbouring garage overhanging his property and the alleged bribery of a municipal official during the construction of the garage. After hearing Mr. Louie's presentation, Council passed the following motion:

1. "THAT municipal staff prepare a report in response to the delegation's concerns regarding the dilapidated sump and the construction of a garage which encroaches into the side yard of 8405 - 13th Avenue and further, that the report provide a chronology of events surrounding approval of the garage construction."

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This report will clarify the nature and responsibility of the sump. A companion report will address the neighbour's garage and events surrounding its approval.

REPORT

As directed by Council, a re-inspection of 8405 Thirteenth Avenue was conducted to clarify the nature and dimensions of the sump. On 1992 January 10, members of the Engineering and Building Departments confirmed that the hole in the side yard is definitely a sump with a rotted cover. An Engineering crew situated the sump at approximately 7 feet from the side property line and 50 feet from the front property line, clearly on private property.

The opening to the sump was measured as 6 inches across. The underground cavity is essentially a concrete box 3 feet deep, 2 feet wide and 2 feet long. The sump contains a pipe which drains accumulated storm water into the combined building sewer and thereafter to the municipal sewer pipe that runs underneath Thirteenth Avenue. The sump and the pipe that leads from it are on private property and the responsibility of the property owner.

Photographs are available with the Municipal Clerk.

Unless otherwise directed by Council, staff will continue to pursue efforts to have the sump cleaned out, repaired and restored to a safe condition.

This is for the information of Council.


A.L.P.A.:lm


A.L. PARR, DIRECTOR
PLANNING AND BUILDING

cc: Chief Building Inspector
Municipal Solicitor