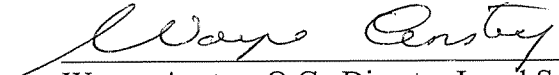


Halifax Regional Council  
June 15, 2004

**TO:** Mayor Peter Kelly and Members of Regional Council

**SUBMITTED BY:**

  
Wayne Anstey, Q.C., Director Legal Services

**DATE:** May 31, 2004

**SUBJECT:** Status of Bylaw Prosecutions

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### INFORMATION REPORT

**ORIGIN:**  
Legal Services - Municipal Prosecution

**DISCUSSION:**  
This report identifies only those active cases where court appearances occurred between April 1, 2004 to April 30, 2004.

COURT APPEARANCE	PROPERTY	OWNER/DEFENDANT	VIOLATION	STATUS
Trial April 2, 2004 Dartmouth Provincial Ct., C.R.#2	955 McLean Street Halifax	Kevin Logan	HRM By-law N-200 Respecting Noise, s. 3(1) engages in an activity which disturbs the neighbourhood	Fined \$245.75
Arraignment April 6/2004 Halifax Provincial Ct., C.R.2	5133 Morris Street Halifax	Victor Syperck	Building Code Act, s. 8(a) unlawfully build a structure to wit: a roof top deck without building permit; Municipal Government Act, s. 244(1), build structure, to wit: a rooftop deck, without development permit; Heritage Property Act, s. 17(1), alter exterior appearance of Municipal Heritage Property	Warrant Issued and held until April 20 <sup>th</sup> , 2004 @ 1:30 p.m. Halifax Provincial Ct., C.R.#2
Date To Set A Trial Date April 6/2004 Halifax Provincial Ct., C.R.#2	1663 Argyle Street Halifax	Argyle Cobblers Ltd.	HRM By-law S-203, Smoking, s. 3(2) permit smoking in a drinking establishment (3 counts), s. 3(3) fail to remove ashtrays (3 counts)	Settlement Conference June 29/2004 @ 1:30 p.m. Halifax Provincial Ct., C.R.#2 Trial July 26/2004 @ 1:30 p.m. Halifax Provincial Ct., C.R.#2
Trial April 7/2004 Dartmouth Provincial Ct., C.R.#2	200 Wyse Road Dartmouth	Roadmaster 2000 Transport Ltd.	HRM By-law N-200 Respecting Noise, s. 3(1) engages in an activity which disturbs the neighbourhood	Adjourned Trial July 23, 2004 @ 9:30 a.m. Dartmouth Provincial Ct., C.R.#2

Trial April 7/2004 Dartmouth Provincial Ct., C.R.#2	200 Wyse Rd. Dartmouth	Wayne Speight	HRM By-law N-200 Respecting Noise, s. 3(1) engages in an activity which disturbs the neighbourhood	Adjourned Trial July 23, 2004 @ 9:30 a.m. Dartmouth Provincial Ct., C.R.2
Trial April 8/2004 Halifax Provincial Ct., C.R.#3	121 Jarvis Lane Halifax	Jim Huntley	HRM Bylaw D-100, Dogs s. 11(1)(d), persistently disturbs the neighbourhood	No evidence offered
Arraignment April 14/2004 Halifax Provincial Ct., C.R.#2	1030 Terence Bay Road Terence Bay	Coastal Communities Economic Development Cooperative Limited	HRM By-law B-201, the Building By-law, s. 7(3) permit a building to be occupied after a change in use without first obtaining an occupancy permit	Trial July 27/2004 @ 1:30 p.m. Halifax Provincial Ct., C.R.#3
Disposition Hearing April 15/2004 Halifax Provincial Ct., C.R.#1	1958 Prospect Road Prospect	Danny MacNeil Deborah Todd	HRM By-law D-100, Dogs s. 11(1)(a), running at large, (3 counts), 11(1)(b) attacks a person without provocation; s. 11(1)(c) fierce and dangerous and s. 3(1) an unregistered dog ( 3 counts)	Trial June 24/2004 @ 1:30 p.m. Halifax Provincial Ct., C.R.#1

<p>Trial April 19/2004 @ 7:00 p.m. Dartmouth Provincial Ct., C.R.#2</p>	<p>46 Chalamont Drive Halifax</p>	<p>Richard Trenchard</p>	<p><b>HRM By-law N-200, Noise s. 3(1) - engaging in activity that unreasonably disturbs the neighbourhood</b></p>	<p>Trial June 16/2004 @ 9:30 a.m. Dartmouth Provincial Ct., C.R.#2</p>
<p>Warrant Released April 20/2004 Halifax Provincial Ct.,</p>	<p>5133 Morris Street Halifax</p>	<p>Victor Syperek</p>	<p>Building Code Act, s. 8(a) unlawfully build a structure to wit: a roof top deck without building permit; Municipal Government Act, s. 244(1), build structure, to wit: a rooftop deck, without development permit; Heritage Property Act, s. 17(1), alter exterior appearance of Municipal Heritage Property</p>	<p>Count #1 \$1,000 Count #2 withdrawn Count #3 \$500.00</p>
<p>Trial April 22, 2003 Halifax Provincial Ct., C.R.#3</p>	<p>6489 Edinburgh St. Halifax</p>	<p>Bill Hughes</p>	<p>HRM By-law P-600 Parks, s. 13(3) being in park between 10 p.m. and 5 a.m. without written permission</p>	<p>Fined \$215.00</p>
<p>Warrant April 27/2004 Halifax Provincial Ct., C.R.#1</p>	<p>54 Rosedale Avenue Halifax</p>	<p>Petrina MacKinnon</p>	<p>HRM By-law N-200 Noise, s. 3(1) unreasonably disturbs the neighbourhood</p>	<p>withdrawn</p>
<p>Arraignment April 28/2004 Dartmouth Provincial Ct., C.R.#4</p>	<p>2 Monique Road Dartmouth</p>	<p>Asplundh Tree Service</p>	<p>HRM By-law O-103 Burning, s. 4(a) allow a fire to be started in the open air without first having obtained a permit &amp; s. 12(f) permit was issued but expired and left unattended</p>	<p>Fined \$230.00</p>