

PO Box 1749 Halifax, Nova Scotia B3J 3A5 Canada

Item No. 6

Halifax Regional Council January 8, 2008

TO:	Mayor Kelly and Members of Halifax Regional Council
SUBMITTED BY:	maxmoran
	ME Donovan, Director Legal Services & Risk Management
DATE:	December 28, 2007
SUBJECT:	Status of By-law Prosecutions - October 1 - 31, 2007

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND/DISCUSSION

This report identifies only those currently active cases where court appearances occurred between October 1, 2007 and October 31, 2007.

BUDGET IMPLICATIONS

None - this report relates to the status of prosecutions.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

Status of By-law Prosecutions between October 1, 2007 and October 31, 2007

A copy of this report can be obtained online at <u>http://www.halifax.ca/council/agendasc/cagenda.html</u> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Lynda Gaglardi, Legal Assistant 490-4227

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Court Appearance		Address	Owner/Defendant	Violation	Status
Trial 83 Oct 4/2007 HALIFAX PROVINCIAL COURT	392	1579 VERNON ST HALIFAX	RUSSELL ARKSEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$445.00
Trial 84 Oct 4/2007 HALIFAX PROVINCIAL COURT	486	1667 ARGYLE ST HALIFAX	MAURICE ALLISON	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS AND LIMOUSINES - OPERATING A TAXI WITHOUT VALID TAXI OWNER'S LICENSE DISPLAYED AS REQUIRED	IN ABSENCE CONVICTION - FINE \$117.25
Arraignment 85 Oct 4/2007 DARTMOUTH PROVINCIAL COURT	548	50 JOHNSON RD NORTH PRESTON	CARL DAVID SMITH	ENVIRONMENT ACT S.99(2) - RELEASING LITTER INTO THE ENVIRONMENT	Trial: Dec 13/2007@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment 85 Oct 4/2007 DARTMOUTH PROVINCIAL COURT	527	45 LINDY LANE DARTMOUTH	JOHN DOUGLAS POWER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment 85 Oct 4/2007 DARTMOUTH PROVINCIAL COURT	528	45 LINDY LANE DARTMOUTH	JOHN DOUGLAS POWER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$912.00
Arraignment 85 Oct 4/2007 DARTMOUTH PROVINCIAL COURT	525	91 SACKVILLE DR SACKVILLE	MAUREEN WATERS	HALIFAX COUNTY BY-LAW 08 RESPECTING MISCHIEFS & NUISANCES - PAWN BROKER FAILING TO KEEP WRITTEN RECORD OF THE NAME AND ADDRESS OF EVERY PERSON FROM WHOM SECOND HAND GOODS WERE PURCHASED; - PAWN BROKER FAILING TO KEEP WRITTEN RECORD OF DATE OF PURCHASE AND DESCRIPTION OF SECOND HAND GOODS PURCHASED.	Trial: Jan 24/2008@10:00 DARTMOUTH PROVINCIAL COURT
Trial 82 Oct 5/2007 HALIFAX PROVINCIAL COURT	485	5676 COLUMBUS ST HALIFAX	CHERYL ROSE FASO	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	CHANGE OF PLEA - FINE \$115.00

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 8524 Oct 5/2007 HALIFAX PROVINCIAL COURT	22 MCINTOSH RD HALIFAX	TOBI TANYA ISAAC	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON; - OWNING DOG THAT RUNS AT LARGE.	FIRST CHARGE - CHANGE OF PLEA - FINE - \$222.00 MUZZLE ORDER ISSUED; SECOND CHARGE - WITHDRAWN
Arraignment 8514 Oct 9/2007 HALIFAX PROVINCIAL COURT	309-6028 LADY HAMMOND RD HALIFAX	JAMES A. BURNS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 15/2008@9:00 HALIFAX PROVINCIAL COURT
Arraignment 8520 Oct 9/2007 HALIFAX PROVINCIAL COURT	2784 AGRICOLA ST HALIFAX	JEFFREY S. WILSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 28/2008@9:00 HALIFAX PROVINCIAL COURT
Trial 8393 Oct 11/2007 HALIFAX PROVINCIAL COURT	1955 VERNON ST HALIFAX	NICHOLAS ALLAN BOLTON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$445.00 REMITTED TO \$345.00
Trial 8389 Oct 11/2007 HALIFAX PROVINCIAL COURT	2-5267 TOBIN ST HALIFAX	STACEY PAYNTER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment 8569 Oct 12/2007 HALIFAX PROVINCIAL COURT	20 BALSUM CIRCLE LWR SACKVILLE	LESIANU ZEWDIE HWELD	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Trial: Apr 8/2008@1:30 HALIFAX PROVINCIAL COURT
Trial 8298 Oct 15/2007 HALIFAX PROVINCIAL COURT	6298 ALLAN ST HALIFAX	SARKAS METLEJ	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	CHANGE OF PLEA - FINE \$115.00
Arraignment 8566 Oct 16/2007 HALIFAX PROVINCIAL COURT	PARKLAND DR HALIFAX	CATHY PIKE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 3/2008@9:00 HALIFAX PROVINCIAL COURT

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Arraignment 8567 Oct 16/2007 HALIFAX PROVINCIAL COURT	26 SARATOGA DR. LR. SACKVILLE	WALTER P. GODSOE	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Trial: Apr 3/2008@9:00 HALIFAX PROVINCIAL COURT
Arraignment 8568 Oct 16/2007 HALIFAX PROVINCIAL COURT	2-1044 TOWER RD HALIFAX	SARAH WHEELER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 3/2008@9:00 HALIFAX PROVINCIAL COURT
Arraignment 8415 Oct 16/2007 HALIFAX PROVINCIAL COURT	8 ST MARGARETS BAY RD HALIFAX	3088962 NOVA SCOTIA LIMITED Agent: PAUL W. GOLDBERG	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	DEFENDANT DID NOT APPEAR - ADJOURNED TO NOVEMBER 20, 2007
Trial 8443 Oct 16/2007 HALIFAX PROVINCIAL COURT	101-3805 MONT BLANC TERR HALIFAX	ANDY K HEWLETT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Apr 7/2008 HALIFAX PROVINCIAL COURT
Arraignment 8535 Oct 19/2007 HALIFAX PROVINCIAL COURT	1741 BRUNSWICK ST HALIFAX	FAROOQ IBRAHIM	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Adj. Arraignment: Nov 6/2007 HALIFAX PROVINCIAL COURT
Arraignment 8532 Oct 19/2007 HALIFAX PROVINCIAL PARK	26 TERRANCE BAY RD WHITES LAKE	DANNY BRUCE BARNHILL	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - FAILING TO OBSERVE AND OBEY POSTED SIGNS IN PARK - POINT PLEASANT PARK	DISMISSED
Arraignment 8533 Oct 19/2007 HALIFAX PROVINCIAL COURT	476 WINDSOR JCT RD WINDSOR JCT	IAN STUART MACDONALD	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - FAILING TO OBSERVE AND OBEY POSTED SIGNS IN PARK - POINT PLEASANT PARK	ACQUITTED
Arraignment 8446 Oct 23/2007 DARTMOUTH PROVINCIAL COURT	25 BLINK BONNIE TERR DARTMOUTH	PAUL D. MCLEOD	BY-LAW P-600 RESPECTING PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION - SULLIVAN'S POND	Trial: Jan 24/2008@10:00 DARTMOUTH PROVINCIAL COURT

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Arraignment 8570 Oct 23/2007 HALIFAX PROVINCIAL COURT	214-179 LACEWOOD DR HALIFAX	NICK SCOTT SYPHER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 8/2008@1:30 HALIFAX PROVINCIAL COURT
Trial 8191 Oct 25/2007 DARTMOUTH PROVINCIAL COURT	23 REDOUBT WAY EASTERN PASSAGE	ROSANNA K. TRIMPER	EASTERN PASSAGE/COW BAY LAND USE BY-LAW -PERMIT AN ACCESSORY BUILDING THAT IS LOCATED CLOSER THAN FOUR FEET TO A SIDE OR REAR LOT LINE; -PERMIT A BUSINESS TO OPERATE IN A RESIDENTIAL ZONE; - PERMIT THE OPERATION OF A BUSINESS IN AN R-1 ZONE THAT IS NOT WHOLLY CONTAINED WITHIN THE DWELLING; - PERMIT THE USE OF AN ACCESSORY BUILDING FOR STORAGE OF MATERIALS, GOODS SUPPLIES OR EQUIPMENT RELATED TO THE OPERATION OF A BUSINESS; -PERMIT THE OPERATION OF A BUSINESS IN AN R-1 ZONE THAT CREATED A NUISANCE BY VIRTUE OF NOISE, VIBRATION, GLARE, ODOUR OR DUST OR WHICH IS OBNOXIOUS;	PRETRIAL CONFERENCE FEBRUARY 19, 2008
Trial 8398 Oct 25/2007 DARTMOUTH PROVINCIAL COURT	200 B WAVERLEY RD DARTMOUTH	BOSCH TOULANY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: May 8/2008 DARTMOUTH PROVINCIAL COURT
Trial 8503 Oct 25/2007 DARTMOUTH PROVINCIAL COURT	200 B WAVERLEY RD DARTMOUTH	BOSCH TOULANY	BY-LAW N-200 RESPECTING NOISE - OPERATING A COMMERCIAL CAR WASH BETWEEN 11:00 PM AND 7:00 AM	Adj. Trial: May 8/2008 DARTMOUTH PROVINCIAL COURT
Trial 8363 Oct 26/2007 HALIFAX PROVINCIAL COURT	930-B MCLEAN ST HALIFAX	TRAVIS FRANCIS SAMPSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	STAY ENTERED

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Arraignment 8605 Oct 26/2007 HALIFAX PROVINCIAL COURT	307-3661 WINDSOR ST HALIFAX	IBSA E. LIGDI	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Adj. Arraignment: Nov 6/2007 HALIFAX PROVINCIAL COURT
Arraignment 8556 Oct 26/2007 HALIFAX PROVINCIAL COURT	506-59 MAIN AVE HALIFAX	ALI REZA CHARLANY SOLTANY	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Adj. Arraignment: Nov 6/2007 HALIFAX PROVINCIAL COURT
Arraignment 8538 Oct 26/2007 HALIFAX PROVINCIAL COURT	LOWER WATER ST HALIFAX	IGOR BOULGAKOV	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Adj. Arraignment: Nov 6/2007 HALIFAX PROVINCIAL COURT
Arraignment 8539 Oct 26/2007 HALIFAX PROVINCIAL COURT	6188 A ALLAN ST HALIFAX	GEORDI OUGHTERLONY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Nov 6/2007 HALIFAX PROVINCIAL COURT
Arraignment 8540 Oct 26/2007 HALIFAX PROVINCIAL COURT	6009 WILLOW ST HALIFAX	PAUL ALAN KELLY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Nov 6/2007 HALIFAX PROVINCIAL COURT
Trial 8487 Oct 29/2007 HALIFAX PROVINCIAL COURT	5468 UNIACKE ST HALIFAX	JAMES GOLDSWORTHY	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS AND LIMOUSINES - OPERATING A TAXI WITHOUT VALID TAXI OWNER'S LICENSE DISPLAYED AS REQUIRED	IN ABSENCE CONVICTION - FINE \$124.25
Arraignment 8494 Oct 30/2007 HALIFAX PROVINCIAL COURT	333 MAIN AVE HALIFAX	W.M . FARES GROUP / BYBLOS DEVELOPMENT	BUILDING CODE ACT - CONSTRUCT A BUILDING FOR WHICH A BUILDING PERMIT WAS NOT IN FORCE; - W.M. FARES, BYBLOS AND ANDREW METLEGE; - FAIL TO COMPLY WITH AN ORDER - BYBLOS 3 COUNTS, BASSAM NAHAS 3 COUNTS AND ANDREW METLEGE ONE COUNT.	- W.M. FARES - WITHDRAW - BYBLOS - GUILTY PLEA - FINE \$8,000.00 - METLEGE - GUILTY PLEA - FINE \$1,000.00 - NAHAS - GUILTY PLEA - FINE \$1,000.00

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Trial 83: Oct 30/2007 HALIFAX PROVINCIAL COURT	314	212 PAUL'S POINT ROAD HACKETT'S COVE	PAUL'S POINT FISHERIES LIMITED Agent: J. BRIAN CHURCH	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA SENTENCING HEARING FINE \$3,300.00
Arraignment 854 Oct 30/2007 HALIFAX PROVINCIAL COURT	547	453 HERRING COVE RD HALIFAX	ERIC WILSON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: May 12/2008@1:30 HALIFAX PROVINCIAL COURT
Arraignment 854 Oct 30/2007 DARTMOUTH PROVINCIAL COURT	549	1873 HIGHWAY #7 EAST PRESTON	ALANDA LINDA GLASGOW	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	Trial: Jan 24/2008@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 85 Oct 30/2007 DARTMOUTH PROVINCIAL COURT	550	495 MAIN ST DARTMOUTH	Mohammed ayadı	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: Jan 24/2008@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 85 Oct 30/2007 DARTMOUTH PROVINCIAL COURT	551	23 PIPER ST DARTMOUTH	KARL WHITE	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON; - OWNING UNREGISTERED DOG.	Trial: Apr 3/2008@1:30 DARTMOUTH PROVINCIAL COURT
rraignment 854 Oct 30/2007 NARTMOUTH PROVINCIAL YOURT	541	53 OLIVE DR DARTMOUTH	CATHERINE L. BARTEAUX	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	GUILTY PLEA - FINE \$222.00
rraignment 854 Oct 30/2007 NARTMOUTH PROVINCIAL OURT	542	18 DELMAC CT DARTMOUTH	HEATHER ROWE	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	GUILTY PLEA - FINE \$222.00
vraignment 854 Oct 30/2007 HALIFAX PROVINCIAL COURT	543	2000 BARRINGTON ST HALIFAX	CROMBIE DEVELOPMENTS LIMITED Agent: DAVID FORNAN	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	Adj. Arraignment: Nov 20/2007 HALIFAX PROVINCIAL COURT

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Arraignment 8544 Oct 30/2007 HALIFAX PROVINCIAL COURT	3439 JOSEPH HOWE DR HALIFAX	CYNTHIA ROSE STRUTHERS-KERR	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	GUILTY PLEA - FINE \$222.00
Arraignment 8546 Oct 30/2007 HALIFAX PROVINCIAL COURT	453 HERRING COVE RD HALIFAX	ERIC WILSON	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	Trial: May 12/2008@1:30 HALIFAX PROVINCIAL COURT
Arraignment 8530 Oct 30/2007 DARTMOUTH PROVINCIAL COURT	46 JOHNSON RD DARTMOUTH	CARL D. SMITH	MGA S.348(4) - PERMITTING, CAUSING OR CONTINUING TO PERMIT OR CAUSE DANGEROUS OR UNSIGHTLY CONDITION AFTER ORDER TO REMEDY SERVED	Trial: Mar 20/2008@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment 8531 Oct 30/2007 DARTMOUTH PROVINCIAL COURT	46 JOHNSON RD DARTMOUTH	CARL D. SMITH	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY (AN ACCUMULATION OF DERELICT VEHICLES)	Trial: Mar 20/2008@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment 8526 Oct 30/2007 HALIFAX PROVINCIAL COURT	6216 CHEBUCTO RD HALIFAX	AMBER TAPLEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Arraignment 8495 Oct 31/2007 HALIFAX PROVINCIAL COURT	6140 LADY HAMMOND RD HALIFAX	2443541 NOVA SCOTIA LIMITED/RONDA SMITH Agent: JOHN FRASER	FIRE SAFETY ACT S. 44(1)(G) - FAIL TO COMPLY WITH AN ORDER	Trial: May 22/2008@9:00 HALIFAX PROVINCIAL COURT
Arraignment 8395 Oct 31/2007 HALIFAX PROVINCIAL COURT	1597 OXFORD ST HALIFAX	PAUL PITTSON	LAND USE BY-LAW FOR HALIFAX PENINSULA - PERMIT A BUILDING IN AN R-2 ZONE THAT IS SITUATED ON MORE THAN ONE LOT; - PERMIT A BUILDING IN AN R-2 ZONE IN VIOLATION OF THE MINIMUM LOT FRONTAGE REQUIREMENTS; - PERMIT A BUILDING IN AN R-2 ZONE IN VIOLATION OF THE MINIMUM SIDE YARD REQUIREMENTS; - PERMIT A BUILDING IN AN R-2 ZONE THAT EXCEEDS THE MAXIMUM LOT COVERAGE REQUIREMENTS.	FIRST CHARGE - GUILTY PLEA - FINE \$4,000.00 REMAINING CHARGES - STAYED - COMPLIANCE ORDER - APRIL 30, 2008