



PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

## **Item No. 5**

**Halifax Regional Council**  
**February 12, 2008**

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

**SUBMITTED BY:** 

ME Donovan, Director Legal Services & Risk Management

**DATE:** February 5, 2008

**SUBJECT:** Status of By-law Prosecutions - December 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 December 1, 2007 and December 31, 2007.

## **BUDGET IMPLICATIONS**

## **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 December 1, 2007 and December 31, 2007

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> 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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| <b>Court Appearance</b>                                       | <b>Address</b>                        | <b>Owner/Defendant</b> | <b>Violation</b>  | <b>Status</b>   |
|---|---------------------------------------|------------------------|---|---|
| Trial<br>8538<br>Dec 3/2007<br>HALIFAX PROVINCIAL COURT       | LOWER WATER ST<br>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 | IN ABSENCE CONVICTION - FINE \$124.25                   |
| Arraignment<br>8584<br>Dec 4/2007<br>HALIFAX PROVINCIAL COURT | 6188 DUNCAN ST<br>HALIFAX             | ANDREW DOUCET          | BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD   | Trial: Feb 13/2008@9:30<br><br>HALIFAX PROVINCIAL COURT |
| Arraignment<br>8585<br>Dec 4/2007<br>HALIFAX PROVINCIAL COURT | 5789 TOWER TERR<br>HALIFAX            | MITCHELL JAMES HARLOW  | BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD   | Trial: Feb 11/2008@1:30<br><br>HALIFAX PROVINCIAL COURT |
| Arraignment<br>8586<br>Dec 4/2007<br>HALIFAX PROVINCIAL COURT | NORTH/BARRINGTON<br>HALIFAX           | PAUL DAVID FRASER BOYD | 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 | WITHDRAWN   |
| Arraignment<br>8587<br>Dec 4/2007<br>HALIFAX PROVINCIAL COURT | NORTH/CREIGHTON<br>HALIFAX            | PAUL DAVID FRASER BOYD | 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 | CHANGE OF PLEA - FINE \$124.25                          |
| Arraignment<br>8363<br>Dec 4/2007<br>HALIFAX PROVINCIAL COURT | 930-B MCLEAN ST<br>HALIFAX            | TRAVIS FRANCIS SAMPSON | BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD   | STAY ENTERED  |
| Arraignment<br>8468<br>Dec 4/2007<br>HALIFAX PROVINCIAL COURT | 1418 LUCASVILLE RD<br>HAMMONDS PLAINS | HEIDI MACINNES         | BUILDING CODE ACT S. 8(A), 12(1)<br>- CONSTRUCT A BUILDING WITHOUT FIRST OBTAINING A CONSTRUCTION PERMIT;<br>- FAILED TO COMPLY WITH AN ORDER - 2 COUNTS    | Trial: Jan 14/2008@9:30<br><br>HALIFAX PROVINCIAL COURT |
| Arraignment<br>8552<br>Dec 4/2007<br>HALIFAX PROVINCIAL COURT | 14 SELLARS LN<br>GLEN HAVEN           | SARAH DYACK            | BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON   | Trial: May 1/2008@1:30<br><br>HALIFAX PROVINCIAL COURT  |

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| <b>Court Appearance</b>                                       | <b>Address</b>                           | <b>Owner/Defendant</b>   | <b>Violation</b>  | <b>Status</b>  |
|---|--|--|---|--|
| Trial<br>8526<br>Dec 4/2007<br>HALIFAX PROVINCIAL COURT       | 6216 CHEBUCTO RD<br>HALIFAX              | AMBER TAPLEY   | BY-LAW N-200 RESPECTING NOISE - ENGAGING<br>IN ACTIVITY THAT UNREASONABLY DISTURBS<br>THE NEIGHBOURHOOD   | IN ABSENCE CONVICTION -<br>FINE \$452.00                     |
| Trial<br>8482<br>Dec 6/2007<br>DARTMOUTH PROVINCIAL<br>COURT  | 52A JACKSON ROAD<br>DARTMOUTH            | CLARENCE CONRAD/BRISCOLL<br>DEVELOP.<br>Agent: R. DAREN BAXTER   | LAND USE BY-LAW FOR DARTMOUTH<br>- ALLOW THE OPERATION OF A SCRAP METAL<br>BUSINESS;<br>- ALLOW THE OPERATION OF A HOME<br>OCCUPATION THAT WAS NOT CONDUCTED<br>WITHIN THE ENCLOSED LIVING AREAS OF THE<br>DWELLING OR ACCESSORY BUILDING;<br>- ALLOW OUTSIDE STORAGE OF MATERIAL IN<br>ASSOCIATION WITH THE OPERATION OF A HOME<br>OCCUPATION. | Adj. Trial: Jun 26/2008<br><br>DARTMOUTH<br>PROVINCIAL COURT |
| Arraignment<br>8495<br>Dec 6/2007<br>HALIFAX PROVINCIAL COURT | 6140 LADY HAMMOND RD<br>HALIFAX          | 2443541 NOVA SCOTIA<br>LIMITED/RONDA SMITH<br>Agent: JOHN FRASER | FIRE SAFETY ACT S. 44(1)(G) - FAIL TO<br>COMPLY WITH AN ORDER   | Trial: May 22/2008@9:00<br><br>HALIFAX PROVINCIAL<br>COURT   |
| Trial<br>8536<br>Dec 6/2007<br>DARTMOUTH PROVINCIAL<br>COURT  | 138 HERITAGE HILLS DR<br>EASTERN PASSAGE | LUKE MAURICE BEAZLEY   | BY-LAW N-200 RESPECTING NOISE - ENGAGING<br>IN ACTIVITY THAT UNREASONABLY DISTURBS<br>THE NEIGHBOURHOOD   | WITHDRAWN  |
| Arraignment<br>8598<br>Dec 7/2007<br>HALIFAX PROVINCIAL COURT | 1742 HENRY ST<br>HALIFAX                 | MICHAEL ROBERT JONES   | BY-LAW N-200 RESPECTING NOISE - ENGAGING<br>IN ACTIVITY THAT UNREASONABLY DISTURBS<br>THE NEIGHBOURHOOD   | Trial: Apr 25/2008@9:30<br><br>HALIFAX PROVINCIAL<br>COURT   |
| Arraignment<br>8599<br>Dec 7/2007<br>HALIFAX PROVINCIAL COURT | 6057 COMPTON AVE<br>HALIFAX              | LEIGH DAVID HERMAN   | BY-LAW N-200 RESPECTING NOISE - ENGAGING<br>IN ACTIVITY THAT UNREASONABLY DISTURBS<br>THE NEIGHBOURHOOD   | Trial: Feb 1/2008@1:30<br><br>HALIFAX PROVINCIAL<br>COURT    |
| Arraignment<br>8600<br>Dec 7/2007<br>HALIFAX PROVINCIAL COURT | 411-1041 WELLINGTON ST<br>HALIFAX        | JONATHAN ANDREW W. BALLARD                                       | BY-LAW N-200 RESPECTING NOISE - ENGAGING<br>IN ACTIVITY THAT UNREASONABLY DISTURBS<br>THE NEIGHBOURHOOD   | Trial: May 23/2008@1:30<br><br>HALIFAX PROVINCIAL<br>COURT   |

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| <b>Court Appearance</b>                                    | <b>Address</b>                 | <b>Owner/Defendant</b> | <b>Violation</b>  | <b>Status</b>  |
|--|--------------------------------|------------------------|---|--|
| Arraignment 8595<br>Dec 7/2007<br>HALIFAX PROVINCIAL COURT | WINDSOR/ALMON<br>HALIFAX       | CLARENCE EDWARD GIBSON | 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: Feb 1/2008@9:30<br><br>HALIFAX PROVINCIAL COURT   |
| Arraignment 8596<br>Dec 7/2007<br>HALIFAX PROVINCIAL COURT | BRUNSWICK/COGSWELL             | REZA MOHAJER           | 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: Feb 1/2008@1:30<br><br>HALIFAX PROVINCIAL COURT   |
| Trial 8476<br>Dec 10/2007<br>DARTMOUTH PROVINCIAL COURT    | 20 SHEPHERDS LN<br>DARTMOUTH   | LARIKA BONER           | BY-LAW D-100 RESPECTING DOGS (2 SOT'S) - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL   | Adj. Trial: Feb 4/2008<br><br>DARTMOUTH PROVINCIAL COURT |
| Trial 8579<br>Dec 13/2007<br>DARTMOUTH PROVINCIAL COURT    | 2722 HWY 7<br>LAKE ECHO        | CAROLYN BROWN          | BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER                      | CONVICTION - FINE \$122.00                               |
| Trial 8580<br>Dec 13/2007<br>DARTMOUTH PROVINCIAL COURT    | 2123 HIGHWAY 7<br>EAST PRESTON | JACOB DIGGS            | MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY  | CONVICTION - FINE \$100.00                               |
| Trial 8548<br>Dec 13/2007<br>DARTMOUTH PROVINCIAL COURT    | 50 JOHNSON RD<br>NORTH PRESTON | CARL DAVID SMITH       | ENVIRONMENT ACT S.99(2) - RELEASING LITTER INTO THE ENVIRONMENT   | Adj. Trial: Mar 6/2008<br><br>DARTMOUTH PROVINCIAL COURT |
| Trial 8527<br>Dec 13/2007<br>DARTMOUTH PROVINCIAL COURT    | 45 LINDY LANE<br>DARTMOUTH     | JOHN DOUGLAS POWER     | BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD   | WITHDRAWN  |
| Trial 8528<br>Dec 13/2007<br>DARTMOUTH PROVINCIAL COURT    | 45 LINDY LANE<br>DARTMOUTH     | JOHN DOUGLAS POWER     | BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD   | CHANGE OF PLEA - FINE \$912.00                           |

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| <b>Court Appearance</b>  | <b>Address</b>             | <b>Owner/Defendant</b>    | <b>Violation</b>  | <b>Status</b>  |
|--|----------------------------|---------------------------|---|--|
| Arraignment 8601<br>Dec 14/2007<br>HALIFAX PROVINCIAL COURT      | POINT PLEASANT PARK        | SABRINA LAURA KANE        | BY-LAW D-100 RESPECTING DOGS<br>- PERMITTING DOG TO BE IN MUNICIPAL<br>PUBLIC PARK AREA WHERE PROHIBITED  | Adj. Arraignment: Jan 8/2008<br><br>HALIFAX PROVINCIAL<br>COURT  |
| Arraignment 8602<br>Dec 14/2007<br>HALIFAX PROVINCIAL COURT      | BARRINGTON/NORTH           | BENEDYKT DERA             | BY-LAW T-108 RESPECTING THE REGULATION<br>OF TAXIS & LIMOUSINES - OPERATING TAXI<br>WITHOUT SIGN CAPABLE OF BEING<br>ILLUMINATED FROM WITHIN AFFIXED TO ROOF<br>OF TAXI | Adj. Arraignment: Jan 8/2008<br><br>HALIFAX PROVINCIAL<br>COURT  |
| Arraignment 8603<br>Dec 14/2007<br>HALIFAX PROVINCIAL COURT      | HALIFAX COMMONS            | LUCAS KYLE DEON           | BY-LAW P-600 RESPECTING MUNICIPAL PARKS<br>- OPERATING UNAUTHORIZED VEHICLE IN PARK   | Adj. Arraignment: Jan 8/2008<br><br>HALIFAX PROVINCIAL<br>COURT  |
| Arraignment 8604<br>Dec 14/2007<br>HALIFAX PROVINCIAL COURT      | 6029 JUBILEE RD<br>HALIFAX | DAVID JAMAL PHILBERT      | BY-LAW N-200 RESPECTING NOISE - ENGAGING<br>IN ACTIVITY THAT UNREASONABLY DISTURBS<br>THE NEIGHBOURHOOD   | Adj. Arraignment: Jan 29/2008<br><br>HALIFAX PROVINCIAL<br>COURT |
| Arraignment 8592<br>Dec 18/2007<br>DARTMOUTH PROVINCIAL<br>COURT | 49 IRVING ST<br>DARTMOUTH  | MARY LOUISE HORNE         | BY-LAW D-100 RESPECTING DOGS - OWNING<br>DOG THAT WITHOUT PROVOCATION<br>ATTACKS PERSON   | Trial: Jul 3/2008@10:00<br><br>DARTMOUTH<br>PROVINCIAL COURT     |
| Trial 8504<br>Dec 19/2007<br>HALIFAX PROVINCIAL COURT            | 6190B DUNCAN ST<br>HALIFAX | CRYSTAL JEAN MCCORMICK    | BY-LAW N-200 RESPECTING NOISE - ENGAGING<br>IN ACTIVITY THAT UNREASONABLY DISTURBS<br>THE NEIGHBOURHOOD   | WITHDRAWN  |
| Trial 8483<br>Dec 20/2007<br>HALIFAX PROVINCIAL COURT            | 6048 CUNARD ST<br>HALIFAX  | JOSHUA DOUGLAS RHODENIZER | BY-LAW N-200 RESPECTING NOISE - ENGAGING<br>IN ACTIVITY THAT UNREASONABLY DISTURBS<br>THE NEIGHBOURHOOD   | Adj. Trial: Apr 23/2008<br><br>HALIFAX PROVINCIAL<br>COURT       |
| Trial 8484<br>Dec 20/2007<br>HALIFAX PROVINCIAL COURT            | 6048 CUNARD ST<br>HALIFAX  | JOSHUA DOUGLAS RHODENIZER | BY-LAW N-200 RESPECTING NOISE - ENGAGING<br>IN ACTIVITY THAT UNREASONABLY DISTURBS<br>THE NEIGHBOURHOOD   | Adj. Trial: Apr 23/2008<br><br>HALIFAX PROVINCIAL<br>COURT       |