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Item No. 2

Halifax Regional Council
September 9, 2008

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 

ME Donovan, Director Legal Services & Risk Management

DATE: August 8, 2008

SUBJECT: Status of By-law Prosecutions - March 1 - 31, 2008

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND

DISCUSSION

This report identifies only those currently active cases where court appearances occurred between March 1, 2008 and March 31, 2008.

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 March 1, 2008 and March 31, 2008

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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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 3/2008 8437 HALIFAX PROVINCIAL COURT	115 WIMBLEDON RD BEDFORD	SALEEM M. & SHABANA N. MALIK/ W. DOIG	BEDFORD LAND USE BY-LAW - ALLOW THE USE OF MORE THAN ONE DWELLING UNIT.	SALEEM MALIK - CHARGES WITHDRAWN W. DOIG - CHARGES WITHDRAWN SHABANA MALIK - CHANGE OF PLEA - FINE \$3,000.00
Arraignment Mar 4/2008 8588 HALIFAX PROVINCIAL COURT	1405 EDWARD ST HALIFAX	MATTHEW, CHRISTOPHER & THOMAS MOORE	LAND USE BY-LAW FOR HALIFAX PENINSULA - PERMIT THE LAND TO BE USED IN A WAY NOT PERMITTED WITHIN AN R-2 ZONE - A BUILDING CONTAINING MORE THAN FOUR APARTMENTS	Trial: Oct 16/2008@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 4/2008 8609 DARTMOUTH PROVINCIAL COURT	253 PLEASANT ST DARTMOUTH	STEWART HEALY	BY-LAW M-100 RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - FAIL TO COMPLY WITH AN ORDER; - FAIL TO ENSURE THAT EVERY SLEEPING ROOM HAS A SELF CLOSING DEVICE; - FAIL TO DISPLAY A COPY OF THE FIRE SAFETY PLAN ON EACH FLOOR; - OPERATE A ROOMING, BOARDING AND LODGING HOUSE WITHOUT A LICENSE; - FAIL TO HAVE THE FIRE ALARM SYSTEM VERIFIED AS OPERATIONAL.	DEFENDANT NOT PRESENT - ENDORSED WARRANT ISSUED
Trial Mar 4/2008 8641 HALIFAX PROVINCIAL COURT	287 LACEWOOD DR HALIFAX	ROSS A. HARRINGTON / WINE KITZ	NOVA SCOTIA LIQUOR CONTROL ACT - S.78(1) OFFER TO SELL LIQUOR; - S.78(2) MANUFACTURE AND KEEP LIQUOR; - S.98 PERMIT THE USE OF ANY BUILDING OR PREMISES FOR THE STORAGE OF LIQUOR.	Adj. Trial: Dec 9/2008 HALIFAX PROVINCIAL COURT
Arraignment Mar 4/2008 8642 HALIFAX PROVINCIAL COURT	BARRINGTON/ARTZ ST HALIFAX	FIRAS ABOU NADI	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: Jun 11/2008@9:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 4/2008 8572 HALIFAX PROVINCIAL COURT	2728 DEACON ST HALIFAX	TREVOR HAYWARD	BUILDING CODE ACT S.12(1), S. 19(1)(B) - 2 COUNTS - FAILED TO COMPLY WITH AN ORDER	Trial: Jul 30/2008@1:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial 8626 Mar 4/2008 HALIFAX PROVINCIAL COURT	HEINISH AVE HALIFAX	BURNLEY JONES	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Adj. Trial: Apr 3/2008 HALIFAX PROVINCIAL COURT
Arraignment 8627 Mar 4/2008 HALIFAX PROVINCIAL COURT	7051 BAYERS RD HALIFAX	BURNLEY JONES	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: Apr 3/2008@9:30 HALIFAX PROVINCIAL COURT
Trial 8628 Mar 4/2008 HALIFAX PROVINCIAL COURT	MUMFORD RD HALIFAX	BURNLEY JONES	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Adj. Trial: Apr 3/2008 HALIFAX PROVINCIAL COURT
Arraignment 8629 Mar 4/2008 HALIFAX PROVINCIAL COURT	2 SHADY LANE HALIFAX	BURNLEY JONES	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE; - OWNING DOG WITHOUT IDENTIFICATION SYSTEM IN PLACE.	Trial: Apr 3/2008@9:30 HALIFAX PROVINCIAL COURT
Trial 8548 Mar 6/2008 DARTMOUTH PROVINCIAL COURT	50 JOHNSON RD NORTH PRESTON	CARL DAVID SMITH	ENVIRONMENT ACT S.99(2) - RELEASING LITTER INTO THE ENVIRONMENT	WITHDRAWN
Trial 8365 Mar 7/2008 HALIFAX PROVINCIAL COURT	6209 COBURG RD HALIFAX	FRASER MACKINNON MOIR	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	ACQUITTED
Trial 8472 Mar 10/2008 HALIFAX PROVINCIAL COURT	18 SYLVIA AVE HALIFAX	STEVEN E. FOREWELL	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	CONVICTION - FINE \$215.00
Arraignment 8639 Mar 11/2008 HALIFAX PROVINCIAL COURT	1247 CHURCH ST HALIFAX	CHRISTOPHER D.C. LIPSIT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 22/2008@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Mar 11/2008 8640 HALIFAX PROVINCIAL COURT	1247 CHURCH ST HALIFAX	CHRISTOPHER D.C. LIPSIT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 22/2008@9:30 HALIFAX PROVINCIAL COURT
Arrestment Mar 11/2008 8643 HALIFAX PROVINCIAL COURT	1908-1333 SOUTH PARK ST HALIFAX	MICHAEL DIRK LOMBARD	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$912.50
Trial Mar 13/2008 8191 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;	CHANGE OF PLEA - CONSENT ORDER - NOT OPERATE AN AUTOMOBILE REPAIR BUSINESS - FINE \$500.00
Trial Mar 14/2008 8624 DARTMOUTH PROVINCIAL COURT	2123 107 HWY HRM	JACOB NOBLE DIGGS	MGA S.348(4) - PERMITTING, CAUSING OR CONTINUING TO PERMIT OR CAUSE DANGEROUS OR UNSIGHTLY CONDITIONS AFTER ORDER TO REMEDY SERVED	Adj. Trial: Oct 29/2008 DARTMOUTH PROVINCIAL COURT
Arrestment Mar 18/2008 8608 HALIFAX PROVINCIAL COURT	397 HAMMONDS PLAINS RD HAMMONDS PLAINS	GLENDA & KENNETH MALONE	LAND USE BY-LAW FOR BEDFORD - ALLOW A BUSINESS IDENTIFICATION SIGN GREATER THAN TWO SQUARE FEET; - ALLOW A SIGN TO BE ILLUMINATED WITH STRING LIGHTS.	Adj. Arrestment: Apr 8/2008 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment 8589 Mar 18/2008 HALIFAX PROVINCIAL COURT	1403 HENRY ST HALIFAX 1407 HENRY ST HALIFAX	MARIA ROCKWELL	LAND USE BY-LAW FOR HALIFAX PENINSULA - ALLOW THE LAND TO BE USED IN A WAY NOT PERMITTED WITHIN AN R-2 ZONE - BUILDING CONTAINING MORE THAN FOUR APARTMENTS; MGA S. 244(1) - ALLOW ALTERATION TO A BUILDING WITHOUT FIRST OBTAINING A DEVELOPMENT PERMIT.	Trial: Jul 29/2008@9:30 HALIFAX PROVINCIAL COURT
Arrestment 8648 Mar 18/2008 HALIFAX PROVINCIAL COURT	1577 VERNON ST HALIFAX	KATHERINE HINAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 15/2008@9:30 HALIFAX PROVINCIAL COURT
Trial 8530 Mar 20/2008 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	WITHDRAWN
Trial 8531 Mar 20/2008 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)	Adj. Trial: Apr 29/2008 DARTMOUTH PROVINCIAL COURT
Arrestment 8652 Mar 25/2008 HALIFAX PROVINCIAL COURT	10 GRANITE COVE DR HUBLEY	KEVIN HURLBURT	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	CHANGE OF PLEA - FINE \$452.00
Arrestment 8625 Mar 25/2008 DARTMOUTH PROVINCIAL COURT	16 DIGBY CRES DARTMOUTH	RICHARD HUGH DOOKS	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	Trial: Oct 9/2008@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment 8657 Mar 25/2008 HALIFAX PROVINCIAL COURT	120 BRENTWOOD AVE HALIFAX	AMANDA JOHNSON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	Trial: Sep 24/2008@9:30 HALIFAX PROVINCIAL COURT
Arrestment 8660 Mar 25/2008 HALIFAX PROVINCIAL COURT	3204 RALSTON AVE HALIFAX	ELIZABETH A. LAMBERT	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	Trial: Sep 29/2008@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Mar 25/2008 8661 HALIFAX PROVINCIAL COURT	2408 CREIGHTON ST HALIFAX	RHYNO PROPERTY MANAGEMENT INCORPORATED	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	Trial: Oct 6/2008@1:30 HALIFAX PROVINCIAL COURT
Arrestment Mar 25/2008 8669 DARTMOUTH PROVINCIAL COURT	456 WEST LAWRENCETOWN RD LAWRENCETOWN	LYNN WANDA SELLARS	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: Dec 18/2008@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Mar 25/2008 8670 DARTMOUTH PROVINCIAL COURT	DONEGAL DR DARTMOUTH	MIKE GREEN	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: Dec 18/2008@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Mar 25/2008 8663 DARTMOUTH PROVINCIAL COURT	32 CAMPBELL AVE DARTMOUTH	WILLIAM BROOKS	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	Trial: Oct 9/2008@10:00 DARTMOUTH PROVINCIAL COURT
Arrestment Mar 25/2008 8689 HALIFAX PROVINCIAL COURT	956 HERRING COVE RD HALIFAX	NAJAT CHEDIAC	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: Oct 14/2008@1:30 HALIFAX PROVINCIAL COURT
Arrestment Mar 25/2008 8667 HALIFAX PROVINCIAL COURT	30 MATTHEW DR HAMMONDS PLAINS	SYLKE TEPFER	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	Trial: Oct 29/2008@1:30 HALIFAX PROVINCIAL COURT
Arrestment Mar 25/2008 8668 DARTMOUTH PROVINCIAL COURT	273 BROOKS DR. EAST PRESTON	TROY THOMPSON-WILLIAMS	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	Trial: Dec 18/2008@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Mar 25/2008 8673 DARTMOUTH PROVINCIAL COURT	46 OLD FAIRBANKS RD PORTERS LAKE	LISA FLEMING	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	CHANGE OF PLEA - FINE \$115.00

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Mar 25/2008 8651 HALIFAX PROVINCIAL COURT	870 PURCELLS COVE RD FERGUSONS COVE	MARIE ROBINSON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: Sep 22/2008@9:30 HALIFAX PROVINCIAL COURT
Arrestment Mar 25/2008 8630 DARTMOUTH PROVINCIAL COURT	46 JOHNSON RD EAST PRESTON	CARL SMITH	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF DERELICT VEHICLES	Adj. Arrestment: Apr 29/2008 DARTMOUTH PROVINCIAL COURT
Arrestment Mar 25/2008 8606 DARTMOUTH PROVINCIAL COURT	20 SHEPHERDS LN LAWRENCETOWN	LJERKA/STEPHEN BONAR	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL - 2 COUNTS; - OWNING DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS.	Trial: Oct 9/2008@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Mar 25/2008 8650 HALIFAX PROVINCIAL COURT	5397 A VICTORIA RD HALIFAX	RENOVEST REALTY INCORPORATED	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	CHANGE OF PLEA - FINE \$222.00
Arrestment Mar 25/2008 8674 DARTMOUTH PROVINCIAL COURT	148 LOCKVIEW RD FALL RIVER	SLC DEVELOPER INCORPORATED Agent: BARRY WARD	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF INSTITUTIONAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE-SEPARATED WASTE	Trial: Oct 9/2008@10:00 DARTMOUTH PROVINCIAL COURT
Arrestment Mar 25/2008 8664 DARTMOUTH PROVINCIAL COURT	1225 OLD SACKVILLE RD SACKVILLE	SLC DEVELOPER INCORPORATED Agent: BARRY WARD	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF INSTITUTIONAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE-SEPARATED WASTE	Trial: Oct 9/2008@10:00 DARTMOUTH PROVINCIAL COURT
Arrestment Mar 25/2008 8647 HALIFAX PROVINCIAL COURT	52 PARKHILL RD HALIFAX	BARBARA PORANEK	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE - 2 COUNTS	ONE COUNT WITHDRAWN ONE COUNT - CHANGE OF PLEA - FINE \$222.00
Arrestment Mar 25/2008 8671 DARTMOUTH PROVINCIAL COURT	49 TARANAKI DR DARTMOUTH	SUSAN GLASGOW	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: Dec 18/2008@9:30 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Mar 25/2008 DARTMOUTH PROVINCIAL COURT	8672 16 PARKVIEW DR DARTMOUTH	MICHELLE MCNEIL	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	Trial: Dec 18/2008@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Mar 26/2008 HALIFAX PROVINCIAL COURT	8593 5588 MORRIS ST HALIFAX	CHRISTOPHER L. CROWELL	BY-LAW M-100 RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - 10 COUNTS	Trial: Jul 31/2008@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 26/2008 HALIFAX PROVINCIAL COURT	8594 5578 MORRIS ST HALIFAX	CHRISTOPHER L. CROWELL	BY-LAW M-100 RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - 10 COUNTS	Trial: Jul 31/2008@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 27/2008 DARTMOUTH PROVINCIAL COURT	8662 128 DICKEY DR SACKVILLE	CHRISTOPHER L. CAREY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 9/2008@1:30 DARTMOUTH PROVINCIAL COURT
Trial Mar 31/2008 HALIFAX PROVINCIAL COURT	8611 1980 ROBIE ST HALIFAX	RONALD JAMES CHAPMAN	FIRE SAFETY ACT S.44(1)(A) - TAMPERING WITH DEVICE INTENDED TO ENABLE ESCAPE DURING FIRE	CHANGE OF PLEA - FINE \$1.00
Trial Mar 31/2008 HALIFAX PROVINCIAL COURT	8615 407-10 CAXTON CL HALIFAX	KALA LYNN COTTON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00