



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 9

**Halifax Regional Council
December 9, 2008**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in dark ink, appearing to read "ME Donovan", written over a light blue circular stamp.

ME Donovan, Director Legal Services & Risk Management

DATE: December 2, 2008

SUBJECT: Status of By-law Prosecutions - July 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 July 1, 2008 and July 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 July 1, 2008 and July 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

Dec 3/2008

Page 1 of 5

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jul 3/2008 DARTMOUTH PROVINCIAL COURT	8592 49 IRVING ST DARTMOUTH	MARY LOUISE HORNE	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	Adj. Trial: Dec 18/2008 DARTMOUTH PROVINCIAL COURT
Trial Jul 3/2008 DARTMOUTH PROVINCIAL COURT	8673 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
Arraignment Jul 8/2008 DARTMOUTH PROVINCIAL COURT	8645 1 ODELL DR WESTPHAL 4 B ODELL DR WESTPHAL	DONALD BATES	BY-LAW D-100 RESPECTING DOGS - OWN DOG THAT RUNS AT LARGE - 2 COUNTS - FAIL TO IMMEDIATELY REMOVE DOG DEFECATION	Trial: Jan 8/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Jul 8/2008 HALIFAX PROVINCIAL COURT	8707 2-6023 BLISS ST HALIFAX	AMBER MORGAN GREEN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$200.00
Arraignment Jul 8/2008 HALIFAX PROVINCIAL COURT	8708 1-5134 BISHOP ST HALIFAX	HAILEY MUMBY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Arraignment Jul 8/2008 HALIFAX PROVINCIAL COURT	8709 3 TREELINE CT HALIFAX	TERINA MARIE OAKLEY	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE - 2 COUNTS	Trial: Oct 14/2008@1:30 HALIFAX PROVINCIAL COURT
Trial Jul 9/2008 HALIFAX PROVINCIAL COURT	8643 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 Jul 15/2008 DARTMOUTH PROVINCIAL COURT	8398 200 B WAVERLEY RD DARTMOUTH	BOSCH TOULANY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Feb 3/2009 DARTMOUTH PROVINCIAL COURT

Dec 3/2008

Page 2 of 5

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial 8503 Jul 15/2008 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: Feb 3/2009 DARTMOUTH PROVINCIAL COURT
Trial 8517 Jul 17/2008 DARTMOUTH PROVINCIAL COURT	200-5687 WEST ST HALIFAX	UNIVERSITY FIRST CLASS PAINTERS	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - SEVEN LOCATIONS IN DARTMOUTH - SIGN WITHIN AN HRM PUBLIC RIGHT-OF-WAY	HEARING TO SET TRIAL DATE AUGUST 7, 2008
Trial 8634 Jul 17/2008 DARTMOUTH PROVINCIAL COURT	900/920 COLE HARBOUR RD DARTMOUTH	MILLER WASTE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Dec 18/2008 DARTMOUTH PROVINCIAL COURT
Trial 8529 Jul 17/2008 DARTMOUTH PROVINCIAL COURT	71 KEDDY RD COOKS BROOK	KENNETH JOHN DONCASTER	LAND USE BY-LAW FOR MUSQUODOBOIT VALLEY & DUTCH SETTLEMENT - ALLOW AN ACCESSORY BUILDING TO BE LOCATED CLOSER THAN EIGHT FEET TO A LOT LINE; - FAIL TO OBTAIN A PERMIT.	CONVICTION - FINE \$200.00 ORDER TO COMPLY
Trial 8705 Jul 17/2008 DARTMOUTH PROVINCIAL COURT	318-3 BROOKDALE CT DARTMOUTH	CORBEN MACDONALD	BY-LAW #8 RESPECTING MISCHIEF AND NUISANCES - KEEPING AN AIR GUN	WITHDRAWN
Arraignment 8717 Jul 22/2008 DARTMOUTH PROVINCIAL COURT	2090 SACKVILLE DR SACKVILLE	SYLVIA MCLELLAN-BROOKS	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: Dec 18/2008@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8723 Jul 29/2008 HALIFAX PROVINCIAL COURT	1598 LARCH ST HALIFAX	JOHN EDWARD O'BRIEN	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	WITHDRAWN
Arraignment 8725 Jul 29/2008 HALIFAX PROVINCIAL COURT	8 SHERADON PL HALIFAX	ELAINE MACDONALD	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	Trial: Jan 6/2009@9:30 HALIFAX PROVINCIAL COURT

Dec 3/2008

Page 3 of 5

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 8726 Jul 29/2008 HALIFAX PROVINCIAL COURT	1 GLENORA AVE HALIFAX	AKD REALTY INCORPORATED	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF MIXED GARBAGE, WASTE, DEBRIS AND DISCARDED ITEMS	Trial: Jan 13/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment 8722 Jul 29/2008 HALIFAX PROVINCIAL COURT	1673 LARCH ST HALIFAX	MATHEW JOSEPH MURPHY	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Trial: Jan 6/2009@1:30 HALIFAX PROVINCIAL COURT
Arraignment 8814 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	111 WATERWHEEL CRES SACKVILLE	KATHY ANN MCGEE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE; - OWNER OF A DOG THAT ATTACKS; - FAILING TO LICENSE DOG.	Trial: Mar 12/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8815 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	SHUBIE PARK DARTMOUTH	RANDY MANSFIELD	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 12/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8816 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	SHUBIE PARK DARTMOUTH	DONNA BEATTIE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 12/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8817 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	OLDHAM ROAD LOT C-2 OLDHAM	MOHAMMED S. ELFALAH	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY - AN ACCUMULATION OF DERELICT VEHICLES; MGA S. 348(4) - FAILING TO COMPLY WITH AN ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION.	Trial: Mar 12/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8818 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	25 JANICE ANN DR EASTERN PASSAGE	CHRISTINA KEDDY	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 12/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8830 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	64 COBEQUID RD SACKVILLE	ULTA ENTERPRISE LIMITED Agent: PHILIPPE HADDAD	BY-LAW S-600 RESPECTING SOLID WASTE - FAILING TO ENSURE LID ON COMMERCIAL CONTAINER FOR TEMPORARY STORAGE OF WASTE NOT BEING LOADED OR UNLOADED IS KEPT CLOSED - 2 COUNTS	Trial: Mar 19/2009@9:30 DARTMOUTH PROVINCIAL COURT

Dec 3/2008

Page 4 of 5

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 8831 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	8 WILSON AVE DARTMOUTH	RUSTY'S RENOVATIONS Agent: JAMES BROWN	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - SIGNS WITHIN AN HRM PUBLIC RIGHT-OF-WAY - 6 COUNTS	Trial: Apr 2/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8764 Jul 29/2008 HALIFAX PROVINCIAL COURT	83 SHELDRAKE CRES HUBLEY	JOHN CRAWFORD	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Aug 17/2009@9:30 HALIFAX PROVINCIAL COURT
Trial 8589 Jul 29/2008 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.	Adj. Trial: Jan 12/2009 HALIFAX PROVINCIAL COURT
Arraignment 8813 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	WILLIAM NELSON DR BEAVER BANK	DOUGLAS R. RICHARD	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 12/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8825 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	23 ROSLYN DR DARTMOUTH	GWENDOLYN COLBOURNE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 12/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8826 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	45 CAPRI DR DARTMOUTH	CATHIE PIERCE	BY-LAW A-300 RESPECTING ANIMALS -RUNNING AT LARGE	Trial: Mar 12/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8716 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	32 CANDLEWOOD DR PORTERS LAKE	CINDY TOMBLIN	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE; - FAILING TO IMMEDIATELY REMOVE DEFECATION.	Trial: Apr 2/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8763 Jul 29/2008 DARTMOUTH PROVINCIAL COURT	200-5687 WEST ST HALIFAX	UNIVERSITY CONTRACTING CORP. LTD.	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - SIGN POSTED WITHIN A PUBLIC RIGHT-OF-WAY	WITHDRAWN

Dec 3/2008

Page 5 of 5

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Arraignment 8719 Jul 29/2008 HALIFAX PROVINCIAL COURT	1357 BIRMINGHAM ST HALIFAX	BIRMINGHAM INVESTMENTS LIMITED Agent: ANDREW MURPHY	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Adj. Arraignment: Oct 28/2008 HALIFAX PROVINCIAL COURT
Arraignment 8721 Jul 29/2008 HALIFAX PROVINCIAL COURT	MCLENNAN AVE HALIFAX	RUSTY'S RENOVATIONS Agent: JAMES BROWN	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - SIGN WITHIN AN HRM PUBLIC RIGHT-OF- WAY	Trial: Dec 11/2008@9:30 HALIFAX PROVINCIAL COURT
Trial 8572 Jul 30/2008 HALIFAX PROVINCIAL COURT	2728 DEACON ST HALIFAX	TREVOR HAYWARD	BUILDING CODE ACT S.12(1), S. 19(1)(B) - FAILED TO COMPLY WITH AN ORDER - 2 COUNTS	Adj. Trial: Oct 29/2008 HALIFAX PROVINCIAL COURT
Trial 8593 Jul 31/2008 HALIFAX PROVINCIAL COURT	5588 MORRIS ST HALIFAX	CHRISTOPHER L. CROWELL	BY-LAW M-100 RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - 10 COUNTS	CHANGE OF PLEA TO COUNT 1 - FINE \$2,000.00
Trial 8594 Jul 31/2008 HALIFAX PROVINCIAL COURT	5578 MORRIS ST HALIFAX	CHRISTOPHER L. CROWELL	BY-LAW M-100 RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - 10 COUNTS	CHANGE OF PLEA TO COUNT 1 - FINE \$2,000.00