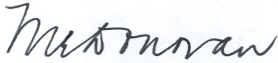




PO Box 1749
Halifax, Nova Scotia
B3J 3A5, Canada

Item No. 9
Halifax Regional Council
March 23, 2010

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
ME Donovan, Director Legal Services & Risk Management

DATE: March 5, 2010

SUBJECT: Status of By-law Prosecutions - December 1, 2009 - December 31, 2009

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND/DISCUSSION

This report identifies only those currently active cases where court appearances occurred between December 1, 2009 and December 31, 2009.

BUDGET IMPLICATIONS

There are no 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, 2009 and December 31, 2009

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

Mar 5/2010

Page 1 of 7

Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment 8896 Dec 1/2009 HALIFAX PROVINCIAL COURT	3161 ST MARGARETS BAY RD TIMBERLEA	ALCAD LOGISTICS & SERVICES LTD.	LAND USE BY-LAW FOR TIMBERLEA/LAKESIDE/ BEECHVILLE - ALLOW OR OPERATE A BUSINESS WITHOUT A PERMIT	Adj. Arrestment: Jan 19/2010 HALIFAX PROVINCIAL COURT
Arrestment 8977 Dec 1/2009 HALIFAX PROVINCIAL COURT	7165 QUINPOOL RD HALIFAX	PETER ROUVALIS/3088962 NOVA SCOTIA LTD. Agent: PAUL GOLDBERG	BUILDING CODE ACT - S. 8(1) - CONSTRUCT THREE DECKS WITHOUT FIRST OBTAINING A BUILDING PERMIT; S. 12 - FAIL TO COMPLY WITH AN ORDER.	Trial: Feb 23/2010@9:30 HALIFAX PROVINCIAL COURT
Arrestment 9058 Dec 1/2009 HALIFAX PROVINCIAL COURT	5977 COLLEGE ST HALIFAX	PETER ROUVALIS / 3088962 NS LIMITED Agent: PAUL W. GOLDBERG	NS BUILDING CODE REGULATIONS S. 2.1.1.11(1) - FAIL TO NOTIFY THE AUTHORITY HAVING JURISDICTION TO INSPECT FOR COMPLIANCE WITH THE NOVA SCOTIA BUILDING CODE	Adj. Arrestment: Jan 21/2010 HALIFAX PROVINCIAL COURT
Arrestment 9054 Dec 1/2009 DARTMOUTH PROVINCIAL COURT	24 ROSLEY RD BEAVERBANK	HANI DAOUD-ABOUTAYE	LAND USE BY-LAW FOR BEAVERBANK, HAMMONDS PLAINS AND UPPER SACKVILLE - ALLOW OR PERMIT AN ACCESSORY BUILDING TO BE USED FOR HUMAN HABITATION WITHIN A MU-1 ZONE; ALLOW OR PERMIT MORE THAN ONE DWELLING ON A LOT.	Adj. Arrestment: Mar 25/2010 DARTMOUTH PROVINCIAL COURT
Arrestment 9132 Dec 4/2009 HALIFAX PROVINCIAL COURT	1664 LARCH ST HALIFAX	JULIA KATHLEEN ZEEMAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 18/2010@1:30 HALIFAX PROVINCIAL COURT
Arrestment 9146 Dec 4/2009 HALIFAX PROVINCIAL COURT	1664 LARCH ST HALIFAX	JORDAN WOOD	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 18/2010@9:30 HALIFAX PROVINCIAL COURT
Arrestment 9147 Dec 4/2009 HALIFAX PROVINCIAL COURT	1664 LARCH ST HALIFAX	ELIJAH MASEK-KELLY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 18/2010@9:30 HALIFAX PROVINCIAL COURT

Mar 5/2010

Page 2 of 7

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Dec 7/2009 9025 HALIFAX PROVINCIAL COURT	12 CLAYTON PARK DR HALIFAX	LUKE PHILIP KELLY	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	WITHDRAWN
Arraignment Dec 8/2009 9094 HALIFAX PROVINCIAL COURT	1022 LUCKNOW ST HALIFAX	NANCY JEAN CAMERON	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	Trial: Feb 22/2010@9:30 HALIFAX PROVINCIAL COURT
Arraignment Dec 8/2009 8883 DARTMOUTH PROVINCIAL COURT	68 SAMI DR LWR. SACKVILLE	DANIEL / LORRIE WALKER	BCA S. 8(A) AND S. 12 - BETWEEN NOVEMBER 3, 2008 AND OCTOBER 29, 2009 - DID CONSTRUCT A BUILDING WITHOUT A BUILDING PERMIT; - DID NOT OBEY AN ORDER TO STOP WORK ON THE BUILDING. HRM CHARTER S. 273 AND S. 369 - BETWEEN MARCH 29, 2009 AND OCTOBER 29, 2009 - ALLOW ACCESSORY BUILDINGS IN BREACH OF THE TERMS OF A DEVELOPMENT AGREEMENT.	Trial: May 27/2010@9:30 DARTMOUTH PROVINCIAL COURT
Trial Dec 8/2009 9026 HALIFAX PROVINCIAL COURT	58 JARVIS LN HALIFAX	DOUGLAS S. HAMILTON	BY-LAW A-300 RESPECTING ANIMALS - OWNING AN UNLICENSED DOG - 2 COUNTS	Adj. Trial: Jan 4/2010 HALIFAX PROVINCIAL COURT
Trial Dec 9/2009 8949 HALIFAX PROVINCIAL COURT	10 RADCLIFFE DR. HALIFAX	CANADIAN TIRE CORPORATION LIMITED Agent: JAMES P. BOUDREAU	HRM CHARTER S. 354 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF DEBRIS	CHANGE OF PLEA - FINE \$222.00
Trial Dec 9/2009 9027 HALIFAX PROVINCIAL COURT	6257 QUINPOOL RD HALIFAX	ASHWANI KUMAR RAI	HRMC S.358(4) - FAILING TO COMPLY WITH AN ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION	Adj. Trial: Apr 26/2010 HALIFAX PROVINCIAL COURT
Trial Dec 10/2009 8981 DARTMOUTH PROVINCIAL COURT	10 CRAWFORD ST DARTMOUTH	LARRY LORIMER HUBLEY	HRM CHARTER S. 354 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF DEBRIS	WITHDRAWN

Mar 5/2010

Page 3 of 7

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Dec 10/2009 8881 HALIFAX PROVINCIAL COURT	233 SLATE DRIVE HAMMONDS PLAINS	KIMBERLEY AMBROSE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	ACQUITTED
Trial Dec 10/2009 DARTMOUTH PROVINCIAL COURT	569 WEST JEDDORE RD WEST JEDDORE	ADAM DAY	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG WHICH RUNS AT LARGE - 6 COUNTS; - OWNING DOG WHICH ATTACKED A PERSON OR ANIMAL; - OWNING UNLICENSED DOG.	Adj. Trial: Apr 1/2010 DARTMOUTH PROVINCIAL COURT
Trial Dec 10/2009 HALIFAX PROVINCIAL COURT	75 HERRING COVE RD HALIFAX	EVANGELINE A. SADLER	BY-LAW C-300 RESPECTING CIVIC ADDRESS - OWNER OF PROPERTY FAILING TO DISPLAY ASSIGNED CIVIC NUMBER IN LOCATION THAT IS NOT OBSTRUCTED FROM VIEW FROM CLOSEST PLACE ON TRAVELED PORTION OF STREET ON WHICH PROPERTY IS SITUATED OR FROM WHICH IT HAS ACCESS	WITHDRAWN
Trial Dec 10/2009 HALIFAX PROVINCIAL COURT	616 ROCKY LAKE DR BEDFORD	KELLY ROGERS	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00
Trial Dec 10/2009 DARTMOUTH PROVINCIAL COURT	30A DAHLIA ST DARTMOUTH	LUCILLE MARIE NIVEN	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	WITHDRAWN
Trial Dec 10/2009 DARTMOUTH PROVINCIAL COURT	38 AUBURN DR DARTMOUTH	SUSAN HEATHER FITZGERALD	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	WITHDRAWN
Trial Dec 10/2009 HALIFAX PROVINCIAL COURT	138A CORONATION AVE HALIFAX	BRIAN STEWART TURNER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$452.00

Mar 5/2010

Page 4 of 7

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Dec 10/2009 DARTMOUTH PROVINCIAL COURT	8983 14 DOYLE DR PORTERS LAKE	MATT PYE	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00
Trial Dec 10/2009 DARTMOUTH PROVINCIAL COURT	8984 1 ANTHONY AVE WELLINGTON	BRUCE P. MACDONALD	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00
Trial Dec 10/2009 DARTMOUTH PROVINCIAL COURT	8985 50 LEAMAN DR DARTMOUTH	MOHAMMED ELFALAH	HRM CHARTER S. 354 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY	ACQUITTED
Trial Dec 10/2009 HALIFAX PROVINCIAL COURT	8849 1569 WALNUT ST HALIFAX	EWAN WILSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Dec 10/2009 DARTMOUTH PROVINCIAL COURT	8674 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	WITHDRAWN
Trial Dec 10/2009 DARTMOUTH PROVINCIAL COURT	8664 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	WITHDRAWN
Arraignment Dec 11/2009 HALIFAX PROVINCIAL COURT	9070 1535 DRESDEN ROW HALIFAX	TEDDY ZOUGHLOUL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Feb 5/2010 HALIFAX PROVINCIAL COURT
Arraignment Dec 11/2009 HALIFAX PROVINCIAL COURT	9071 1535 DRESDEN ROW HALIFAX	TEDDY ZOUGHLOUL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Feb 5/2010 HALIFAX PROVINCIAL COURT

Mar 5/2010

Page 5 of 7

Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Dec 15/2009 9106 DARTMOUTH PROVINCIAL COURT	84 CIRCASSION DR DARTMOUTH	DAVID F. SLIMING	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	Trial: Jun 17/2010@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Dec 15/2009 9107 DARTMOUTH PROVINCIAL COURT	34 COUNTRY LAKE DR LAKE ECHO	GEORGE CARPENTIER	BY-LAW A-300 RESPECTING ANIMALS - OWNING UNLICENSED DOG - 2 COUNTS	Trial: Jun 17/2010@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Dec 15/2009 9105 DARTMOUTH PROVINCIAL COURT	206-115 OCHTERLONEY ST DARTMOUTH	MARGARET R. CARTER	BY-LAW A-300 RESPECTING ANIMALS - BEING OWNER OF A DOG THAT ATTACKS	Trial: Jun 17/2010@9:30 DARTMOUTH PROVINCIAL COURT
Trial Dec 15/2009 8997 HALIFAX PROVINCIAL COURT	2497 BRUNSWICK ST HALIFAX	CITY OF HFX NON PROFIT HOUSING SOCIETY Agent: WALTER BERRYHILL	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE-SEPARATED WASTE	ADJOURNED - JANUARY 7, 2010
Trial Dec 15/2009 8998 HALIFAX PROVINCIAL COURT	2515 BRUNSWICK ST HALIFAX	CITY OF HFX NON-PROFIT HOUSING SOCIETY Agent: WALTER BERRYHILL	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE-SEPARATED WASTE	ADJOURNED - JANUARY 7, 2010
Arrestment Dec 15/2009 9083 DARTMOUTH PROVINCIAL COURT	35 BAKER DR DARTMOUTH 59 BAKER DR DARTMOUTH	3228801 NOVA SCOTIA LIMITED Agent: BRYCE W. MORRISON	HRM CHARTER S. 273 - DID BREACH THE TERMS OF A DEVELOPMENT AGREEMENT	GUILTY PLEA - FINE \$1,000.00
Arrestment Dec 15/2009 9039 HALIFAX PROVINCIAL COURT	6350 COBURG RD HALIFAX	UNIVERSITY OF KING'S COLLEGE Agent: WILLIAM BARKER	FIRE CODE DIVISION B S.2.2.2.1 - FAIL TO ENSURE THAT OPENINGS IN FIRE SEPARATIONS ARE PROTECTED WITH CLOSURES	Adj. Arrestment: Mar 30/2010 HALIFAX PROVINCIAL COURT
Arrestment Dec 15/2009 9086 DARTMOUTH PROVINCIAL COURT	40 AMEDEE DR BEAVER BANK	TRACY ANN COLLINS	BY-LAW A-300 RESPECTING ANIMALS - 2 COUNTS - OWNING A DOG WHICH RUNS AT LARGE; - 1 COUNT - OWNING A DOG THAT ATTACKS A PERSON OR ANIMAL	Trial: Jun 17/2010@9:30 DARTMOUTH PROVINCIAL COURT

Mar 5/2010

Page 6 of 7

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 9104 Dec 15/2009 HALIFAX PROVINCIAL COURT	26 BLUE MOUNTAIN DR HAMMONDS PLAINS	NOHA BADAWI GATTOUS	HRM CHARTER S. 358(4) - FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION	Trial: Mar 23/2010@11:00 HALIFAX PROVINCIAL COURT
Arraignment 9099 Dec 15/2009 HALIFAX PROVINCIAL COURT	6178 CHEBUCTO RD HALIFAX	ABRAHAM SALLOUM	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Trial: Jan 18/2010@1:30 HALIFAX PROVINCIAL COURT
Arraignment 9100 Dec 15/2009 HALIFAX PROVINCIAL COURT	2162 ROBIE ST HALIFAX 2164 ROBIE ST HALIFAX	ABRAHAM SALLOUM	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Trial: Jan 18/2010@1:30 HALIFAX PROVINCIAL COURT
Trial 8338 Dec 16/2009 HALIFAX PROVINCIAL COURT	5654 MORRIS ST HALIFAX	E. COYLE/E. SMITH/N. MCKENZIE	MGA S. 244(1) - FAIL TO OBTAIN A PERMIT FOR ADDITIONAL DWELLING UNITS	Adj. Trial: Apr 12/2010 HALIFAX PROVINCIAL COURT
Trial 8886 Dec 16/2009 HALIFAX PROVINCIAL COURT	145 FERGUSON'S COVE RD FERGUSON'S COVE	ANDREW THOMAS & LISA DAWN WASH	LAND USE BY-LAW FOR PLANNING DISTRICT 5 - ALLOW LIVESTOCK TO BE KEPT ON THE PROPERTY; - ALLOW A BUILDING FOR WHICH A DEVELOPMENT PERMIT HAD NOT BEEN ISSUED.	LISA WASH - DISMISSED ANDREW WASH - CHANGE OF PLEA - FINE \$2,500.00
Arraignment 8885 Dec 17/2009 HALIFAX PROVINCIAL COURT	1009 COBEQUID RD WINDSOR JUNCTION	ID MANAGEMENT LTD Agent: R. JOHN HILL	LAND USE BY-LAW FOR PLANNING DISTRICTS 14 AND 17 - ALLOW THE CREATION OF OFFENSIVE NOISE AND FUMES	Adj. Arraignment: Feb 10/2010 HALIFAX PROVINCIAL COURT
Trial 8882 Dec 17/2009 HALIFAX PROVINCIAL COURT	860 OLD SAMBRO RD HALIFAX	EDWARD DWAYNE HANNA	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS AND LIMOUSINES - TAXI DRIVER CHARGING FARES OTHER THAN AS SET OUT IN SCHEDULE 1	Adj. Trial: Jan 6/2010 HALIFAX PROVINCIAL COURT
Trial 8853 Dec 17/2009 HALIFAX PROVINCIAL COURT	549 REGENCY PARK DR HALIFAX	MIRA VISTA APARTMENTS LTD Agent: J. CRAIG MCCREA Q.C., COX PALMER	BUILDING CODE ACT - S.8(A) DID CONSTRUCT A BUILDING WITHOUT A BUILDING PERMIT; - S.19(1)(B) DID NOT OBEY AN ORDER TO STOP WORK ON THE BUILDING.	Adj. Trial: Feb 22/2010 HALIFAX PROVINCIAL COURT

Mar 5/2010

Page 7 of 7

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Dec 18/2009 9085 HALIFAX PROVINCIAL COURT	HALIFAX COMMON SKATE PARK HALIFAX	MARCEL AYOUB	BY-LAW C-500 RESPECTING COMMERCE AND VENDING ON MUNICIPAL LAND - VENDING AT SITE FOR WHICH VENDOR DOES NOT HOLD LICENCE	CHANGE OF PLEA - FINE \$123.00
Trial Dec 21/2009 8893 HALIFAX PROVINCIAL COURT	27 KINGSMERE CT TIMBERLEA	ALEX MACISAAC	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG WHICH RUNS AT LARGE	CONVICTION - FINE \$222.00
Trial Dec 21/2009 8973 HALIFAX PROVINCIAL COURT	27 BETHANY WAY HALIFAX	THEA LANGILLE	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG WHICH RUNS AT LARGE	CHANGE OF PLEA - FINE \$123.00
Trial Dec 21/2009 8974 HALIFAX PROVINCIAL COURT	2754 DUBLIN ST HALIFAX	LEAH K. SINNOTT	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	WITHDRAWN
Trial Dec 22/2009 8805 HALIFAX PROVINCIAL COURT	HALIFAX	KYRA K. FOSTER	BY-LAW A-300 RESPECTING ANIMALS - BEING OWNER OF A DOG THAT ATTACKS	Adj. Trial: Oct 13/2010 HALIFAX PROVINCIAL COURT
Arraignment Dec 22/2009 9041 HALIFAX PROVINCIAL COURT	1-5639 FENWICK ST HALIFAX	ALEXANDER ALLISON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD.	IN ABSENCE CONVICTION - FINE \$452.00