



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
August 1, 2006

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: *M. E. Donovan*
M. E. Donovan, Director of Legal Services

DATE: June 30, 2006

SUBJECT: Status of By-Law Prosecutions

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecution

DISCUSSION

This report identifies only those currently active cases where court appearances occurred between May 1, 2006 and May 31, 2006.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Lynda Gaglardi / Legal Assistant

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial May 2/2006 HALIFAX PROVINCIAL COURT 8092	6213 OAKLAND RD HALIFAX	ALLISON C. FEAR	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGED PLEA TO GUILTY - FINE \$243.75
Arraignment May 2/2006 HALIFAX PROVINCIAL COURT 8134	48 WILLOW RD SAMBRO HEAD	AMOS & ANDY FISHERIES Agent: ANDREW HENNEBERRY	LAND USE BY-LAW FOR PLANNING DISTRICT #5 EXISTING FISHERY OPERATION HAS EXPANDED IN OPERATION TO A POINT BEYOND WHAT IS PERMITTED UNDER THE DEFINITION OF "FISHERY SUPPORT USE"	Trial: Oct 12/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 2/2006 HALIFAX PROVINCIAL COURT 8160	HIGHWAY 3 LOT C-5 HUBBARDS	HARVEY DAUPHINEE	BY-LAW O-103 RESPECTING OPEN AIR BURNING	Trial: Nov 14/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 2/2006 HALIFAX PROVINCIAL COURT 8178	2321 ST MARGARET'S BAY RD LAKESIDE	GAYLENE'S HAIR AND TANNING BOUTIQUE INC. Agent: GAYLENE STRICKLAND	TIMBERLEA/LAKESIDE/BEECHVILLE LAND USE BY-LAW - HAIR/TANNING SALON OPERATING WITHOUT A PERMIT - DOES NOT MEET THE REQUIREMENTS OF A HOME BUSINESS UNDER S. 6.3 OF THE LAND USE BY-LAW	PLEAD GUILTY TO ALL FOUR CHARGES SENTENCING AUGUST 21, 2006
Arraignment May 9/2006 HALIFAX PROVINCIAL COURT 8194	12-3 GLENORA AVE HALIFAX	CASSY LEE SAUNDERS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 31/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 9/2006 HALIFAX PROVINCIAL COURT 8203	1013-1991 BRUNSWICK ST HALIFAX	JOHN MICHAEL BRAY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 12/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment May 12/2006 HALIFAX PROVINCIAL COURT 8206	1679 LARCH ST HALIFAX	TREVOR DUNCAN EMPY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGED PLEA TO GUILTY - FINE \$300.00

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment May 16/2006 HALIFAX PROVINCIAL COURT	247 REGENCY PARK DR HALIFAX	MOUNT OLYMPUS REALTY LIMITED Agent: DOUGLAS J. MATHEWS	CONSTRUCTION OF A BUILDING WITHOUT A BUILDING PERMIT WHICH IS CONTRARY TO SECTION 8 OF THE BUILDING CODE ACT OF NOVA SCOTIA CONSTRUCTION OF A BUILDING WITHOUT A DEVELOPMENT PERMIT CONTRARY TO SECTION 1(2) OF THE HALIFAX MAINLAND LAND USE BY-LAW	GUILTY PLEA - FINE \$2,000.00
Arraignment May 16/2006 HALIFAX PROVINCIAL COURT	76 BRIDGET AVE HALIFAX	WINSTON SLAWTER / BRENDA GIBSON	OWNING AN UNREGISTERED DOG CONTRARY TO THE D-100 BY-LAW SECTION 3(1) OWNING A DOG THAT HAS WITHOUT PROVOCATION ATTACKED OR INJURED ANY PERSON OR ANIMAL OR DAMAGED ANY PROPERTY, CONTRARY TO THE D-100 BY-LAW SECTION (11)(1)(B). OWNING A DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS CONTRARY TO THE D-100 BY-LAW SECTION 11(1)(C)	APRIL 4, 2006 - WARRANT ISSUED FOR W. SLAWTER MAY 16, 2006 - WARRANT ISSUED FOR B. GIBSON
Arraignment May 16/2006 HALIFAX PROVINCIAL COURT	5374 INGLIS ST HALIFAX	JOHN H. PRINCE	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	Trial: Oct 24/2006@9:30 HALIFAX PROVINCIAL COURT
Trial May 17/2006 HALIFAX PROVINCIAL COURT	1579 VERNON ST. HALIFAX	BRENT VON HAGEN	BY-LAW N-200 RESPECTING NOISE ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION FINE \$295.00
Arraignment May 19/2006 HALIFAX PROVINCIAL COURT	36 DRUMDONALD RD HALIFAX	SHELLEY JEAN WESTLAKE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Dec 1/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 19/2006 HALIFAX PROVINCIAL COURT	1569 WALNUT ST HALIFAX	NEVILLE HICKS & 5 CO-ACCUSED	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	TWO CASES DISMISSED - FOUR CASES SENTENCED - FINED \$300.00 EACH TOTAL FINE \$1200.00

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial May 23/2006 DARTMOUTH PROVINCIAL COURT 8170	198 WAVERLEY RD DARTMOUTH	PERRY RAND TRANSPORTATION	BY-LAW N-200 RESPECTING NOISE - SOT 3741155 - OFFENCE DATE OCT. 3, 2005 - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Sep 28/2006 DARTMOUTH PROVINCIAL COURT
Trial May 23/2006 DARTMOUTH PROVINCIAL COURT 8171	198 WAVERLEY RD DARTMOUTH	PERRY RAND TRANSPORTATION	BY-LAW N-200 RESPECTING TO NOISE - SOT 3741156 - OFFENCE DATE OCT. 4, 2005 - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Sep 28/2006 DARTMOUTH PROVINCIAL COURT
Trial May 23/2006 HALIFAX PROVINCIAL COURT 8181	1590 WALNUT ST HALIFAX	MEREDITH HOWARD	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	SENTENCING - MAY 16, 2006 SENTENCING RESCHEDULED - MAY 23, 2006 COURT REDUCED FINE - \$200.00
Arraignment May 23/2006 DARTMOUTH PROVINCIAL COURT 8208	129 PINECREST DR DARTMOUTH	ATLANTIC COAST PROPERTIES LTD. Agent: MIKE CASEY	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY. BY-LAW S-300 WITH RESPECT TO STREETS - FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS.	Trial: Oct 12/2006@10:00 DARTMOUTH PROVINCIAL COURT
Trial May 26/2006 HALIFAX PROVINCIAL COURT 8189	1578 WALNUT ST HALIFAX	MAGDALENA ANNA FOLWARCZNA	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 PM THE DAY PRIOR TO COLLECTION DAY	DISMISSED - NO EVIDENCE OFFERED
Arraignment May 30/2006 HALIFAX PROVINCIAL COURT 8204	2415 BRUNSWICK ST HALIFAX 2429 BRUNSWICK ST HALIFAX	HARBOUR CITY HOMES Agent: GREG BOUDREAU	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	WITHDRAWN - WORDING OF CHARGE VERY GENERAL - NO CONFIRMATION OF LEGAL STATUS OF ACCUSED
Arraignment May 30/2006 DARTMOUTH PROVINCIAL COURT 8214	7A BYRON CRES DARTMOUTH	MARK B. HERSEY	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	Trial: Sep 26/2006@1:30 DARTMOUTH PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment May 30/2006 8213 DARTMOUTH PROVINCIAL COURT	55 KINSAC RD DARTMOUTH	JOAN TURNER	MGA 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS INCLUDING AUTO PARTS, CONSTRUCTION MATERIALS, SIDING, TARPS, DISCARDED POOL AND DERELICT VEHICLES	Trial: Aug 24/2006@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment May 30/2006 8215 HALIFAX PROVINCIAL COURT	6144 CHEBUCTO RD HALIFAX	ROBERT MORISON GALE	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	Trial: Dec 4/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8216 HALIFAX PROVINCIAL COURT	5285 KENT ST HALIFAX	GEORGE TSULUHAS	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	Trial: Nov 13/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8217 HALIFAX PROVINCIAL COURT	1245 CHURCH ST HALIFAX	AKF PROPERTY MANAGEMENT LIMITED	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	Trial: Nov 13/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8218 HALIFAX PROVINCIAL COURT	1061 WELLINGTON ST HALIFAX	CYGNET PROPERTIES LIMITED	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF A PROPERTY NOT DEFINED UNDER THE BY-LAW AS ELIGIBLE PREMISES PLACING WASTE MATERIALS AT THE CURBSIDE OF SAID PROPERTY FOR MUNICIPAL COLLECTION	Trial: Nov 13/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8219 HALIFAX PROVINCIAL COURT	930 YOUNG AVE HALIFAX	GEORGE S. ARMOYAN	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	Trial: Nov 13/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8220 HALIFAX PROVINCIAL COURT	2858 GOTTINGEN ST HALIFAX	CLAUDIA & TONY DIB	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS INCLUDING CARDBOARD, CARPET AND OTHER DEBRIS	Trial: Nov 16/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8221 HALIFAX PROVINCIAL COURT	764 TOWER RD HALIFAX	JAGJIT SINGH GOOMAR	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	Trial: Nov 16/2006@9:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment May 30/2006 8222 HALIFAX PROVINCIAL COURT	3757 DUTCH VILLAGE RD HALIFAX	MOUNA METLEGE	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	Trial: Nov 16/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8223 HALIFAX PROVINCIAL COURT	6204 DUNCAN ST HALIFAX	STEVEN J. METLEGE	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE UNSIGHTLY OR DANGEROUS DUE TO DEBRIS INCLUDING PRINTER, DOORS, MICROWAVE AND OTHER DEBRIS	Trial: Dec 5/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8225 HALIFAX PROVINCIAL COURT	7 MAIN AVE HALIFAX	STEVEN J. METLEGE	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	Trial: Dec 5/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8226 HALIFAX PROVINCIAL COURT	7 MAIN AVE HALIFAX	STEVEN J. METLEGE	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO STORE COLLECTIBLE WASTE OUTSIDE MAIN BUILDING IN SECURED REGULATION CONTAINERS MADE INACCESSIBLE TO PESTS OR ANIMALS	Trial: Dec 5/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8227 HALIFAX PROVINCIAL COURT	6204 DUNCAN ST HALIFAX	STEVEN J. METLEGE	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS INCLUDING BAGS OF SOLID WASTE AND FURNITURE	Trial: Dec 5/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8228 HALIFAX PROVINCIAL COURT	7 MAIN AVE HALIFAX	STEVEN METLEGE	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO STORE COLLECTIBLE WASTE OUTSIDE MAIN BUILDING IN SECURED REGULATION CONTAINERS MADE INACCESSIBLE TO PESTS OR ANIMALS	Trial: Dec 5/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment May 30/2006 8229 HALIFAX PROVINCIAL COURT	5226 SMITH ST HALIFAX	LUCY TRAVES	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	Trial: Dec 5/2006@1:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment: May 30/2006 HALIFAX PROVINCIAL COURT	3400 AGRICOLA ST HALIFAX	CONTRAST HOME HOLDINGS INCORPORATED Agent: GREGORY RHYNO	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	Trial: Nov 16/2006@1:30 HALIFAX PROVINCIAL COURT