

Status of By-Law Prosecutions  
Council Report

April 25, 2006



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Halifax Regional Council  
April 25, 2006

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

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

**DATE:** April 12, 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 March 1, 2006 and March 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

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Trial Mar 2/2006 DARTMOUTH PROVINCIAL COURT 8104	412-25 LEAMAN DR DARTMOUTH	GREG METTIVIER	BY-LAW D-100 WITH RESPECT TO DOGS - OWNING A DOG THAT WITHOUT PROVOCATION ATTACKS A PERSON; OWNING A DOG THAT WITHOUT PROVOCATION ATTACKS ANIMALS	NOT GUILTY - CREDIBLE EVIDENCE THAT ACCUSED'S DOG WAS PROVOKED
Trial Mar 2/2006 DARTMOUTH PROVINCIAL COURT 8125	50 A JACKSON RD DARTMOUTH	MICHAEL M. WILLIAMS	MUNICIPAL GOVERNMENT ACT S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO LACK OF EXTERIOR MAINTENANCE RESULTING IN STEPS AND LANDINGS IN A STATE OF DISREPAIR	NOT GUILTY PROPERTY OWNER FOUND TO BE DILIGENT AND REASONABLE IN CIRCUMSTANCES - COULD NOT CONTROL BEHAVIOUR OF TENANTS
Trial Mar 3/2006 HALIFAX PROVINCIAL COURT 8133	1-5486 CLYDE ST HALIFAX	DANIELLE WHITNEY STOECKLIN	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$272.50
Arraignment Mar 7/2006 HALIFAX PROVINCIAL COURT 8092	6213 OAKLAND RD HALIFAX	ALLISON C. FEAR	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION FINE \$243.75 APPLICATION TO SET CONVICTION ASIDE MARCH 7, 2006 TRIAL DATE MAY 2, 2006
Arraignment Mar 7/2006 HALIFAX PROVINCIAL COURT 8173	6297 ALLAN ST HALIFAX	ZDENA CERNY	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE EVENING OF THE DAY PRIOR TO THE COLLECTION DAY APPLICABLE IN THAT AREA OF THE MUNICIPALITY	Trial: Apr 27/2006@1:30 HALIFAX PROVINCIAL COURT
Trial Mar 9/2006 DARTMOUTH PROVINCIAL COURT 8079	51 ROSSING DRIVE SACKVILLE	FRASER ANGUS & NICOLE GLAZEBROOK	BY-LAW D-100 WITH RESPECT TO DOGS - OWN A DOG THAT WAS RUNNING AT LARGE; OWN A DOG THAT WITHOUT PROVOCATION ATTACKED OR INJURED AN ANIMAL; BEING THE OWNER OF A FIERCE OR DANGEROUS DOG ALLOWED TO BE ON STREET OR PUBLIC PLACE.	FINE - \$215 X 2 = \$430.00 DOG DESTROYED RESTITUTION OWING \$203.36
Arraignment Mar 10/2006 HALIFAX PROVINCIAL COURT 8175	6-6573 BAYERS RD HALIFAX	JENNIFER MARY KENNEDY	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jun 13/2006@1:30 HALIFAX PROVINCIAL COURT

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Mar 10/2006 HALIFAX PROVINCIAL COURT 8176	2-5472 INGLIS ST HALIFAX	ELLIOT F. COTTRELL	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jun 13/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 17/2006 HALIFAX PROVINCIAL COURT 8177	1129 WELLINGTON ST HALIFAX	GIUSEPPE D'ALESSIO	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	GUILTY PLEA - FINE \$245.00
Trial Mar 17/2006 HALIFAX PROVINCIAL COURT 8096	6287 JENNINGS ST. HALIFAX	JADE ANNE URQUHART	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	DISMISSED - NO EVIDENCE - COMPLAINANT HAD BEEN SUBPOENAED BUT HAD MOVED OUT OF PROVINCE
Trial Mar 17/2006 HALIFAX PROVINCIAL COURT 8111	6924 MUMFORD RD HALIFAX	JUSTIN MERLE HOLLOWAY	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	ACQUITTED - JUDGE NOT SATISFIED NOISE UNREASONABLY DISTURBS "NEIGHBOURHOOD"
Trial Mar 17/2006 HALIFAX PROVINCIAL COURT 8112	14-92 EVANS AVE HALIFAX	MICHELLE TALBOT	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION REMISSION OF PENALTY - FINE \$123.75
Trial Mar 17/2006 HALIFAX PROVINCIAL COURT 8113	5767 ATLANTIC ST HALIFAX	BENJAMIN H. MORRISON	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$243.75
Trial Mar 17/2006 HALIFAX PROVINCIAL COURT 8122	5801 INGLIS ST HALIFAX	HALIFAX CONDOMINIUM CORPORATION #193	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	PAID FINE PRIOR TO TRIAL - \$215.00
Trial Mar 17/2006 HALIFAX PROVINCIAL COURT 8118	3345 FEDERAL AVE HALIFAX	HALDON R. RITCH	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - REMISSION OF PENALTY - FINE \$150.00

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Mar 21/2006 HALIFAX PROVINCIAL COURT 8144	1172 QUEEN ST HALIFAX	MAROUN A. DIAB	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	ADJOURNED FOR PLEA APRIL 11, 2006
Trial Mar 23/2006 HALIFAX PROVINCIAL COURT 8023		LOUIS CARETTE	21 SOTS BY-LAW F-100 FIRE PREVENTION; 3- 1 DOUGLAS AVENUE; 4- 6010 CEDAR ST.; 2- 1740 ROBIE ST.; 3- 2713 NORTHWOOD TER 1- 5341 WAVERLEY TER.; 1- 5389 WAVERLEY TER.; 3- 975 MITCHELL; 1- 969 MITCHELL ST.; 3- 1135 SOUTH PARK 6 SOTS - BY-LAW M-100 MINIMUM STANDARDS RESIDENTIAL OCCUPANCY; 3- 975 MITCHELL ST.; 1- 969 MITCHELL ST. 2- 1135 SOUTH PARK ST.	IN ABSENCE CONVICTION FINE - 27 X \$215.00 = \$5,805.00
Trial Mar 24/2006 HALIFAX PROVINCIAL COURT 8123	2485 ARMCRESCENT EAST HALIFAX	HUGH SIMMS	BY-LAW D-100 WITH RESPECT TO DOGS - OWNING DOG THAT RUNS AT LARGE	GUILTY FINE - \$215.00
Arraignment Mar 24/2006 HALIFAX PROVINCIAL COURT 8181	1590 WALNUT ST HALIFAX	MEREDITH HOWARD	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 21/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 24/2006 HALIFAX PROVINCIAL COURT 8180	1254 QUEEN ST HALIFAX	PATRICK JAMES BRENNIAN	BY-LAW N-200 WITH RESPECT TO NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 1/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 28/2006 HALIFAX PROVINCIAL COURT 8136	18 COLPITT LAKE RD HALIFAX	NANCY MELNICK	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE WHERE REASONABLY POSSIBLE, THAT COLLECTIBLE WASTE REMAINS BEHIND OR BESIDE THE MAIN BUILDING OF THE ELIGIBLE PREMISES EXCEPT ON COLLECTION DAY	Trial: Oct 12/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 28/2006 HALIFAX PROVINCIAL COURT 8182	215 FARNHAM GATE RD HALIFAX	RAMAN KUMAR SETH	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 PM THE DAY PRIOR TO COLLECTION DAY	Trial: Sep 11/2006@1:30 HALIFAX PROVINCIAL COURT

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Mar 28/2006 8183 HALIFAX PROVINCIAL COURT	1059 WELLINGTON ST HALIFAX	JOHN SCOTT CARROLL	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO BAGS OF SOLID WASTE, TORN OPEN BAGS OF SOLID WASTE, CARDBOARD, SCRAP WOOD AND LITTER	Trial: Oct 2/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 28/2006 8184 HALIFAX PROVINCIAL COURT	1059 WELLINGTON ST HALIFAX	JOHN SCOTT CARROLL	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 PM THE DAY PRIOR TO COLLECTION DAY	Trial: Oct 2/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 28/2006 8185 HALIFAX PROVINCIAL COURT	5657 FENWICK ST HALIFAX	KAREN MARIE GILLIS	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - OWNER OR OCCUPIER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	Trial: Sep 12/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 28/2006 8186 HALIFAX PROVINCIAL COURT	16 FLINT ST HALIFAX	BILLY WILLIAM MACLEAN	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 PM THE DAY PRIOR TO COLLECTION DAY	Trial: Sep 12/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 28/2006 8188 HALIFAX PROVINCIAL COURT	1572 WALNUT ST HALIFAX	MARGARET WHITE	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - OWNER OR OCCUPIER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	Trial: Sep 25/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 28/2006 8189 HALIFAX PROVINCIAL COURT	1578 WALNUT ST HALIFAX	MAGDALENA ANNA FOLWARCZNA	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 PM THE DAY PRIOR TO COLLECTION DAY	Trial: May 26/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 28/2006 8190 HALIFAX PROVINCIAL COURT	1122 TOWER RD HALIFAX	MORRIS STRUG	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	Trial: Apr 19/2006@9:30 HALIFAX PROVINCIAL COURT