

Halifax Regional Council
October 21, 2003

TO: Mayor Peter Kelly and Members of Regional Council

SUBMITTED BY: *Wayne Anstey*
Wayne Anstey, Q.C., Director of Legal Services

DATE: October 06, 2003

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 August 1, 2003 to August 31, 2003.

COURT APPEARANCE	PROPERTY/LOCATION	OWNER/DEFENDANT	VIOLATION	STATUS
Hearing to Set a Trial Date Aug. 5/2003 Halifax Provincial Ct., C.R.#4	Kemprt Rd/Windsor St. Halifax	Mark McCluskey	HRM By-law S-300 Streets s. 44 (Posting Sign on Street Without Permit)	Hearing to Set a Trial Date Aug. 26/2003 @ 1:30 p.m. Halifax Provincial Ct., C.R.#4
Arraignment Aug. 11/2003 Halifax Provincial Ct., C.R.#2	6136 University Avenue Halifax	Jerry Reddick Peter Marshall	City of Halifax Ordinance No. 180, the Streets Ordinance s. 53(1)(i) (items placed anywhere other than in, on or under the stand or mobile canteen) (8 counts); s. 53(1)(j)(setting up of table, or any other device to increase selling or display capacity of vendor's stand or mobile canteen where such items are not described in vendor's application) (8 counts)	Adjourned Arraignment Aug. 18/2003 @ 9:00 a.m. Halifax Provincial Ct., C.R.#2
Trial Aug. 13/2003 Halifax Provincial Ct., C.R.#2	6076 South Street Halifax	Allan Chettiar	HRM By-law N-200, Noise s. 3(1) (activity that disturbs neighbourhood)	Fined \$243.75
Trial Aug. 13/2003 Halifax Provincial Ct., C.R.#2	6118 South Street Halifax	Erin Daniele Carr	HRM By-law N-200, Noise s. 3(1) (activity that disturbs neighbourhood)	Plead Guilty Fined \$243.75

COURT APPEARANCE	PROPERTY/LOCATION	OWNER/DEFENDANT	VIOLATION	STATUS
<p>Adjourned Arraignment Aug. 18/2003 @ 9:00 a.m. Halifax Provincial Ct., C.R.#2</p>	<p>6136 University Avenue Halifax</p>	<p>Jerry Reddick Peter Marshall</p>	<p>City of Halifax Ordinance No. 180, the Streets Ordinance s. 53(1)(i) items placed anywhere other than in, on or under the vendor's stand or mobile canteen (8 counts); s. 53(1)(j) setting up of table, or any other device to increase selling or display capacity of vendor's stand or mobile canteen where such items are not described in vendor's application (8 counts)</p>	<p>Trial March 4/2004 @ 1:30 p.m. Halifax Provincial Ct., C.R. C.R.#2</p>
<p>Trial Aug. 25/2003 Dartmouth Provincial Ct., C.R.#2</p>	<p>Halifax International Airport, Halifax</p>	<p>Thariq Ali Donald Smith</p>	<p>HRM By-law T-108 Taxis, s.9(ii) (no taxi bumper sticker)(4 counts)</p>	<p>Count #1 - withdrawn - no witness present Count #2 - Fined \$117.25 Count #3 - Fined \$128.75 Count #4 - Fined \$157.50 Total \$403.50 - both defendants jointly liable for 3 counts</p>
<p>Hearing to Set a Trial Date Aug. 26/2003 Halifax Provincial Ct., C.R.#4</p>	<p>Kempt Rd./Windsor St. Halifax</p>	<p>Mark McCluskey</p>	<p>HRM By-law S-300 Streets s. 44 (Posting Sign on Street Without Permit)</p>	<p>Trial June 18/2004@ 1:30 p.m. Halifax Provincial Ct., C.R.#2</p>