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Halifax Regional Council  
September 14, 2004

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

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

**DATE:** September 7, 2004

**SUBJECT:** Status of By-law Prosecutions

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**INFORMATION REPORT**

**ORIGIN:**  
Legal Services - Municipal Prosecution

**DISCUSSION:**  
This report identifies only those currently active cases where court appearances occurred between August 1, 2004 to August 31, 2004.

COURT APPEARANCE	PROPERTY/LOCATION	OWNER/DEFENDANT	VIOLATION	STATUS
Arraignment Aug. 3/2004 Halifax Provincial	5 Westlea Drive Lower Sackville	Jason Call	HRM By-law D-100, Dogs, s. 11(1)(a) owning a dog which runs at large (7 counts) and s. 3(1) owning an unregistered dog	Defendant did not appear for arraignment - warrant not issued by the court
Trial Aug. 5, 2004 Halifax Provincial Ct., C.R.#3	5263 Tobin Street Halifax	Graham Young Halifax	HRM By-law N-200 Noise, s. 3(1) engage in an activity that unreasonably disturbs the neighbourhood	Plead Guilty Fined \$243.75
Trial Aug. 10/2004 Halifax Provincial Ct., C.R.#3	Dingle Road Halifax	Lisa Welch	HRM By-law D-100, Dogs, s. 11(1)(a) owning a dog which runs at large	Dismissed - Officer on vacation - Court did not grant adjournment
Trial Aug. 10/2004 Halifax Provincial Ct., C.R.#3	1117 Wellington Street Halifax	Devin Doucette	HRM By-law N-200, Noise s. 3(1) (activity that disturbs neighbourhood)	<b>In absence conviction Fined \$243.75</b>
Trial Aug. 17/2004 Halifax Provincial Ct. C.R. #3	26 Sampson Drive Lower Sackville	Robert MacKinnon	HRM By-law N-200, Noise s. 3(1) activity that disturbs neighbourhood	<b>No evidence offered as civilian witness not present</b>
Trial Aug. 19/2004 @ 1:30 p.m. Halifax Provincial Ct., C.R.#2	2313 Gottingen Street Halifax	Randall Moore	HRM By-law N-200, Noise s. 3(1) engaging in an activity that disturbs the neighbourhood	<b>No Crown witnesses - Crown offered no evidence</b>

<p>Trial Aug. 30/2004 Halifax Provincial Ct., C.R.#</p>	<p>2116 Harvard St. Halifax</p>	<p>Peter Howes</p>	<p>HRM By-law N-200 Noise, s. 3(1) engaging in an activity that disturbs the neighbourhood</p>	<p>Trial Continuance Oct. 15/2004 @ 9:30 a.m. Halifax Provincial Ct., C.R.#2</p>
<p>Arraignment Aug. 31/2004 Halifax Provincial Ct., C.R.#3</p>	<p>6452 Vienna Street Halifax, Nova Scotia</p>	<p>Anthony Woodman April Woodman</p>	<p>Failed to comply with an order to comply with Nova Scotia Building Code Regulations, s. 12(1) of the Building Code Act, in contravention of section 19(2) of the Building Code Act (2 counts)</p>	<p>Withdrawn on advice of informant due to compliance</p>
<p>Arraignment Aug. 31/2004 Halifax Provincial Ct., C.R.#3</p>	<p>41 Whitehead Road Harrietsfield</p>	<p>Carman Grant MacBain</p>	<p>Land Use By-law Planning District 5, (Chebucto Peninsula) s. 4.1(a) permit a development, to wit: a mobile home without obtaining a development permit</p>	<p>Trial Jan. 14/2005 @ 1:30 p.m. Halifax Provincial Ct., C.R.#4</p>