

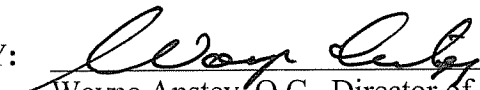


P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

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Halifax Regional Council
January 18th, 2005

TO: Mayor Peter Kelly and Members of Regional Council

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

DATE: January 11, 2005

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 December 1, 2004 and December 31, 2004.

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Dec 2/2004 HALIFAX PROVINCIAL CT.	6680 PROSPECT BAY RD PROSPECT	DANNY JOHN MACNEIL	HRM BY-LAW D-100, DOGS, S. 11(1)(A) RUNS AT LARGE, S. 11(1)(C) FIERCE AND DANGEROUS AND S. 3(1) NOT REGISTERED (2 COUNTS EACH CHARGE)	Adj. Trial: Jun 30/2005 HALIFAX PROVINCIAL CT.
Trial Dec 2/2004 HALIFAX PROVINCIAL CT.	6746 1958 PROSPECT RD HATCHET LAKE	DANNY MACNEIL AND DEBORAH TODD	HRM BY-LAW D-100, DOGS, S. 11(1)(A) RUNS AT LARGE (3 COUNTS) S. 11(1)(B) ATTACKS A PERSON WITHOUT PROVOCATION, S. 11(1)(C) FIERCE AND DANGEROUS AND S. 3(1) NOT REGISTERED (3 COUNTS)	Adj. Trial: Jun 30/2005 HALIFAX PROVINCIAL CT.
Arraignment Dec 3/2004 HALIFAX PROVINCIAL CT.	6838 5309 SOUTH ST HALIFAX	JEFFERY ARNOLD	HRM BY-LAW N-200 NOISE, S. 3(1) UNREASONABLY DISTURB THE NEIGHBOURHOOD	Trial: Mar 4/2005@01:30 HALIFAX PROVINCIAL CT.
Arraignment Dec 3/2004 HALIFAX PROVINCIAL CT.	6850 1724 ROBIE STREET CONN HALIFAX	MICHAEL GLINA	HRM BY-LAW N-200 RESPECTING NOISE, S. 3 (1) UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jan 14/2005@09:30 HALIFAX PROVINCIAL CT.
Arraignment Dec 7/2004 HALIFAX PROVINCIAL CT.	6803 5285 KENT ST HALIFAX	GEORGE TSULUHAS	HRM BY-LAW F-100 FIRE PREVENTION, CLAUSE 2.2.2.1(1)(C) MAINTAIN A CLOSURE IN FIRE SEPARATION TO ENSURE THAT THE CLOSURE CLOSED AND LATCHED PROPERLY; SENTENCE B-2.2.2.1(1) OF APPENDIX B, THE SUITE ENTR DOORS ARE NOT SOLID CORE 1 /3/4 WOOD DOORS WITH AN EQUIVALENT FRAME AND NEITHER ARE THE DOORS PANEL OR HOLLOW CORE DOORS LINED ON THE ROOM SIDE WITH 5/8 THICK PLYWOOD OR 5/8 DRYWALL, PROPERLY SECURED BY MEANS OF SCREWS WITH AN EQUIVALENT FIRE RATED DOOR FRAME AND WITH FIRE RETARDANT PAINT APPLIED TO THE EDGES OF THE DOOR AND FRAME	Trial: Jul 5/2005@01:30 HALIFAX PROVINCIAL CT.

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Dec 7/2004 HALIFAX PROVINCIAL CT.	3807 MONT BLANC TERR HALIFAX	GBRF PROPERTIES LTD. Agent: PETER POLLEY	BUILDING CODE ACT, S. 8(B), OCCUPY A BUILDING WITHOUT A PERMIT	PLEAD GUILTY - FINED \$2,000.00
Trial Dec 8/2004 DARTMOUTH PROVINCIAL CT., C.R.#2	11 GREEN BAY DR COW BAY	NICOLE CASAVECHIA	HRM BY-LAW D-100 RESPECTING DOGS S. 11(1)(D), (8 COUNTS DISTURBS THE QUIET OF THE NEIGHBOURHOOD AND S. 3(1) UNREGISTERED DOG (2 COUNTS)	Adj. Trial: Jan 13/2005 DARTMOUTH PROVINCIAL CT., C.R.#2
Arraignment Dec 11/2004 HALIFAX PROVINCIAL CT.	2003 GOTTINGEN ST HALIFAX	LALONDE JOE BOWLBY	HRM BY-LAW D-100, DOGS, S. 11(1)(B) OWNS A DOG THAT WITHOUT PROVOCATION ATTACKS A PERSON	Trial: Jan 14/2005@09:30 HALIFAX PROVINCIAL CT.
Trial Dec 16/2004 HALIFAX PROVINCIAL CT., C.R.#3	1663 ARGYLE ST HALIFAX	ECONOMY SHOE SHOP	HRM BYLAW F-100 FIRE PREVENTION & S-300 SMOKING	SETTLEMENT CONFERENCE IS JUNE 29/2004 @1:30 P.M. HALIFAX PROVINCIAL CT., C.R.#3 - JULY 6/2004 ACCUSED PLEAD GUILTY TO COUNTS 1 AND 3 - FINED \$200.00 PLUS \$100.00 COSTS EACH COUNT - TOTAL \$600.00 - COUNTS 2 AND 4 DISMISSED
Arraignment Dec 17/2004 HALIFAX PROVINCIAL CT.	305 52 PARKLAND DR HALIFAX	JEREMY WARFORD	HRM BY-LAW N-200, NOISE, S. 3(1) UN-REASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jan 14/2005@09:30 HALIFAX PROVINCIAL CT.
Arraignment Dec 17/2004 HALIFAX PROVINCIAL CT.	6056 SOUTH ST HALIFAX	COURTNEY LAURA PECK	HRM BY-LAW N-200 NOISE, S. 3(1) UN-REASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jan 14/2005@09:30 HALIFAX PROVINCIAL CT.
Arraignment Dec 17/2004 HALIFAX PROVINCIAL CT.	5589 MORRIS ST HALIFAX	KENNETH MILLARD	HRM BY-LAW N-200, NOISE, S. 3(1) UN-REASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jan 14/2005@09:30 HALIFAX PROVINCIAL CT.
Arraignment Dec 21/2004 HALIFAX PROVINCIAL CT.	1188 WELLINGTON ST HALIFAX	PATRICK E. CONEN	MGA, PART XV, S. 344 FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DISCARDED APPLIANCES, DISCARDED FURNITURE, AND OTHER REFUSE AND LITTER ON THE PROPERTY	IN ABSENCE CONVICTION - FINED \$215.00

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Dec 22/2004 HALIFAX PROVINCIAL CT., C.R.#3	1177 BEAUFORT AVE HALIFAX	RICHARD PELSINGER	HRM BYLAW D-100, DOGS, S. 11(1)(B), ATTACKS A PERSON	WITHDRAWN
Trial Dec 23/2004 HALIFAX PROVINCIAL CT., C.R.#2	43 MCQUADE LAKE CRES HALIFAX	J.H. JOHNSTON DEVELOPMENTS LTD.	NOVA SCOTIA BUILDING CODE REGULATIONS, S 2.1.1.5(2) FAIL TO COMPLETE AND SUBMIT A LETTER OF UNDERTAKING; BUILDING CODE ACT S. 8(B); HRM BY-LAW S-300 STREETS S. 34 (C) PERMIT A DRIVEWAY TO SERVE PROPERTY ZONED FOR COMMERCIAL USE WHERE THE DRIVEWAY HAS A WIDTH OF GREATER THAN 33 FEET AT THE POINT WHERE THE DRIVEWAY JOINS THE ROADWAY	PLEAD GUILTY COUNT 1 FINED \$300.00 COUNT 2 FINED \$300.00 TOTAL \$600.00 OFFERED NO EVIDENCE COUNT 3