

Status of By-Law Prosecutions
Council Report

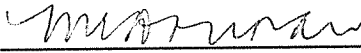
November 7, 2006



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
November 7, 2006

TO: Mayor Kelly and Members of Halifax Regional Council

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

DATE: November 7, 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 August 1, 2006 and August 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
Arrestment Aug 1/2006 HALIFAX PROVINCIAL COURT	1010-1991 BRUNSWICK ST HALIFAX	JUSTIN R.B. OSTERLOO	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 6/2006@1:30 HALIFAX PROVINCIAL COURT
Arrestment Aug 1/2006 HALIFAX PROVINCIAL COURT	3524 JOHN PARR DR HALIFAX	DIANE LEE PINTO	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 6/2006@1:30 HALIFAX PROVINCIAL COURT
Trial Aug 1/2006 DARTMOUTH PROVINCIAL COURT	58 CHAPPELL ST DARTMOUTH	HARRY DEAN MARTIN	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS INCLUDING BUT NOT LIMITED TO A BED FRAME, RED/WHITE CABLING, WOODEN WINDOW FRAME AND BAGGED SOLID WASTE	WITHDRAWN
Trial Aug 3/2006 HALIFAX PROVINCIAL COURT	2104 GOTTINGEN ST HALIFAX	DAVID LANDRY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	ACQUITTED
Trial Aug 3/2006 DARTMOUTH PROVINCIAL COURT	134 GREEN VILLAGE LANE DARTMOUTH	AMY MACARTHUR	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	IN ABSENCE CONVICTION - FINE \$215.00
Arrestment Aug 4/2006 HALIFAX PROVINCIAL COURT	212 PAULS POINT RD HACKETTS COVE	HYEONG DOO LEE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 8/2007@1:30 HALIFAX PROVINCIAL COURT
Trial Aug 10/2006 HALIFAX PROVINCIAL COURT	2085 CREIGHTON ST HALIFAX	HUGH HAROLD WRIGHT	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	WITHDRAWN
Arrestment Aug 11/2006 DARTMOUTH PROVINCIAL COURT	319-10 CHURCHILL DR DARTMOUTH	DASHLYNN MARIE COLLEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 31/2006@1:30 DARTMOUTH PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Aug 11/2006 HALIFAX PROVINCIAL COURT 8274	2616 WINDSOR ST HALIFAX	CARLI DANIELLE POIRIER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Sep 12/2006 HALIFAX PROVINCIAL COURT
Arraignment Aug 15/2006 DARTMOUTH PROVINCIAL COURT 8191	23 REDOUBT WAY EASTERN PASSAGE	ROSANNA K. TRIMPER	EASTERN PASSAGE/COW BAY LAND USE BY-LAW -PERMIT AN ACCESSORY BUILDING THAT IS LOCATED CLOSER THAN FOUR FEET TO A SIDE OR REAR LOT LINE; -PERMIT A BUSINESS TO OPERATE IN A RESIDENTIAL ZONE; PERMIT THE OPERATION OF A BUSINESS IN AN R-1 ZONE THAT IS NOT WHOLLY CONTAINED WITHIN THE DWELLING; - PERMIT THE USE OF AN ACCESSORY BUILDING FOR STORAGE OF MATERIALS, GOODS SUPPLIES OR EQUIPMENT RELATED TO THE OPERATION OF A BUSINESS; -PERMIT THE OPERATION OF A BUSINESS IN AN R-1 ZONE THAT CREATED A NUISANCE BY VIRTUE OF NOISE, VIBRATION, GLARE, ODOUR OR DUST OR WHICH IS OBNOXIOUS;	Adj. Arraignment: Nov 7/2006 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 18/2006 HALIFAX PROVINCIAL COURT 8276	6213 OAKLAND RD HALIFAX	JORDAN DANIEL KOENIG	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 6/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Aug 18/2006 HALIFAX PROVINCIAL COURT 8277	17 HURON DR HAMMONDS PLAINS	TREVOR BROCKLEHURST	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA FINE \$243.75
Trial Aug 21/2006 HALIFAX PROVINCIAL CT., C.R.3 6559	1 STONEWALL ROAD HALIFAX CO.,	JOHN DAVID MORJARTY	HRM BYLAW T-108 TAXI	WITHDREW - ISSUING OFFICER NO LONGER WITH HRP

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Aug 21/2006 HALIFAX PROVINCIAL COURT 8140	6297 ALLAN ST HALIFAX	ZDENA CERNY	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY	Adj. Trial: Dec 5/2006 HALIFAX PROVINCIAL COURT
Arraignment Aug 21/2006 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	GUILTY PLEA TO ALL FOUR CHARGES - FINED \$500.00 PER CHARGE - TOTAL \$2,000.00
Arraignment Aug 21/2006 HALIFAX PROVINCIAL COURT 8205	5239 TOBIN ST HALIFAX	LISA DAWN SCOTT	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	WITHDRAWN
Trial Aug 22/2006 HALIFAX PROVINCIAL COURT 8234	1172 WATERLOO ST HALIFAX	CHELSEA L. GRACE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$165.00
Arraignment Aug 22/2006 DARTMOUTH PROVINCIAL COURT 8152	1492 CALDWELL RD EASTERN PASSAGE	LEO J. BEAZLEY (1966) LIMITED Agent: STEPHEN L. BEAZLEY	EASTERN PASSAGE/COW BAY LAND USE BY-LAW S.3.5(A) AND S.18.1 - ALLOW A SALVAGE YARD TO OPERATE PROPERTY DOES NOT COMPLY	Trial: Dec 14/2006@10:00 DARTMOUTH PROVINCIAL COURT
Trial Aug 23/2006 HALIFAX PROVINCIAL COURT 8139	1233 CHURCH ST HALIFAX	HELEN GREENOUGH	BY-LAW S-600 RESPECTING SOLID WASTE OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH THIS BY-LAW	WITHDRAWN
Trial Aug 23/2006 HALIFAX PROVINCIAL COURT 8137	6298 JENNINGS ST HALIFAX	RICHARD JAMES	BY-LAW S-600 RESPECTING SOLID WASTE OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE THAT COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH THIS BY-LAW	WITHDRAWN
Trial Aug 23/2006 HALIFAX PROVINCIAL COURT 8135	1281 BARRINGTON ST HALIFAX	OPERA INVESTMENTS LIMITED Agent: ADNAN EID	BY-LAW S-600 RESPECTING SOLID WASTE OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH THIS BY-LAW	WITHDRAWN

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Aug 23/2006 HALIFAX PROVINCIAL COURT 8248	21 CENTRAL AVE HALIFAX	DAVID GLENN LLEWELLYN	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	Adj. Trial: Sep 19/2006 HALIFAX PROVINCIAL COURT
Trial Aug 24/2006 DARTMOUTH PROVINCIAL COURT 8192	15 JOSEPH YOUNG ST DARTMOUTH	AHMED TAHA AFIFI	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS AVAILABLE TO ACCOMMODATE SOURCE SEPARATED WASTE	CONVICTION - FINE \$215.00
Trial Aug 24/2006 DARTMOUTH PROVINCIAL COURT 8213	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	CONVICTION - FINE \$1.00
Trial Aug 28/2006 HALIFAX PROVINCIAL COURT 8255	2500 AGRICOLA ST HALIFAX	CHAPMAN AUTO BODY LIMITED Agent: KELVIN T. CAMPBELL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Nov 20/2006 HALIFAX PROVINCIAL COURT
Arraignment Aug 28/2006 HALIFAX PROVINCIAL COURT 8147	100 OAKFIELD PARK RD HALIFAX	MURRAY TATE	BUILDING CODE ACT - FAIL TO COMPLY WITH AN ORDER - OCCUPY A BUILDING WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT	Trial: Apr 30/2007@9:30 HALIFAX PROVINCIAL COURT
Trial Aug 28/2006 HALIFAX PROVINCIAL COURT 8250	5260 SOUTH ST HALIFAX	BRIAN A. MCFADDEN	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS	Adj. Trial: Dec 4/2006 HALIFAX PROVINCIAL COURT
Trial Aug 28/2006 HALIFAX PROVINCIAL COURT 8251	40 OCEANVIEW DR HALIFAX	AYMAN WISHAH	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY (BAGS OF SOLID WASTE, SCRAP WOOD, DISCARDED CONSTRUCTION MATERIAL AND CARDBOARD BOXES	ACCUSED NOT PRESENT - BENCH WARRANT HELD UNTIL DECEMBER 4, 2006

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Aug 28/2006 HALIFAX PROVINCIAL COURT 8252	2408 CREIGHTON ST HALIFAX	RHYNO PROPERTY MANAGEMENT INCORPORATED	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS INCLUDING BUT NOT LIMITED TO A TELEVISION, REFRIGERATOR, LITTER, AMONG OTHER DEBRIS ON PROPERTY	Adj. Trial: Dec 4/2006 HALIFAX PROVINCIAL COURT
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT 8280	1 STAIRS ST DARTMOUTH	MARY DARLENE MOORE	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO A LACK OF LAWN MAINTENANCE	Trial: Dec 14/2006@10:00 HALIFAX PROVINCIAL COURT
Arraignment Aug 29/2006 DARTMOUTH PROVINCIAL COURT 8279	24 DUNDAS ST DARTMOUTH	CANAROSE COMPANY LIMITED Agent: DOUGLAS J. LIVINGSTONE	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	Trial: Dec 14/2006@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 29/2006 DARTMOUTH PROVINCIAL COURT 8278	10 PORTLAND ST DARTMOUTH	KANS HOLDINGS LIMITED	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	Trial: Dec 14/2006@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT 8286	69 MAIN AVE HALIFAX	2434227 NOVA SCOTIA LIMITED Agent: SCOTT DONKIN	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO BAGGED CLOTHING, LUGGAGE, SMALL APPLIANCES, CHAIR AND MATTRESS DISCARDED ON PROPERTY	DISMISSED
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT 8287	1588 GRANVILLE ST HALIFAX	PAUL BOUDREAU	BY-LAW S-203 RESPECTING SMOKE FREE PLACES - PROPRIETOR OF DRINKING ESTABLISHMENT FAILING TO ENSURE THAT NO ASHTRAYS ARE PLACED OR ALLOWED TO REMAIN INSIDE	CHANGE OF PLEA - FINE \$330.00
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT 8288	3400 AGRICOLA ST HALIFAX	CONTRAST HOME HOLDINGS INCORPORATED Agent: GREGORY RHYNO	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO ASSORTED DEBRIS, INCLUDING FUTON, BAGS OF SOLID WASTE AND PAINT CANS	Trial: Oct 13/2006@1:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT	8289 16 BALD EAGLE PL HALIFAX	DIANNE PINTO	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE	Trial: Oct 13/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT	8290 6369 LIVERPOOL ST HALIFAX	LANA DAWN WOOD	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	Trial: Oct 23/2006@1:30 HALIFAX PROVINCIAL COURT
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT	8293 976 BRUSSELS ST HALIFAX	RAYMON GINSBERG	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Adj. Arraignment: Oct 3/2006 HALIFAX PROVINCIAL COURT
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT	8297 3251 AGRICOLA ST HALIFAX	JOSEPH ARAB	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO A LACK OF LAWN MAINTENANCE	Trial: Nov 17/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT	8298 6298 ALLAN ST HALIFAX	SARKAS METLEJ	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	Trial: Dec 8/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT	8300 6965 BAYERS RD HALIFAX	DAVE EDWARDS	FIRE SAFETY ACT SECTION 44(1)(G) - FAILING TO COMPLY WITH ORDER	Trial: Nov 17/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment Aug 29/2006 HALIFAX PROVINCIAL COURT	8299 6184 JUBILEE RD HALIFAX	JOHN SALAH	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO BAGGED SOLID WASTE AND MATTRESSES ON DECK	Trial: Dec 8/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment Aug 29/2006 DARTMOUTH PROVINCIAL COURT	8303 48 TULIP ST DARTMOUTH	ZINA Z. LEBLANC	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO ASSORTED DEBRIS INCLUDING BAGS OF SOLID WASTE AND OTHER DEBRIS	Trial: Dec 21/2006@10:00 DARTMOUTH PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Aug 29/2006 HALIFAX PROVINCIAL COURT	652 HERRING COVE RD HALIFAX	JOSEPH DIBARI	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON - OWNING UNREGISTERED DOG	Trial: Dec 12/2006@9:00 HALIFAX PROVINCIAL COURT
Arrestment Aug 29/2006 HALIFAX PROVINCIAL COURT	2345 HUNTER ST HALIFAX 2347 HUNTER ST HALIFAX	FOURFAX HOLDINGS LIMITED Agent: SCOTT MACLEOD	HALIFAX PENINSULA LAND USE BY-LAW - PERMIT A THIRD DWELLING UNIT	Trial: Nov 3/2006@1:30 HALIFAX PROVINCIAL COURT
Arrestment Aug 29/2006 HALIFAX PROVINCIAL COURT	3639 BRIGHT PL HALIFAX	MICHAEL ELIAS SALAH	NS FIRE SAFETY ACT - FAIL TO COMPLY WITH AN ORDER - FAIL TO POST AT EACH FIRE ALARM MANUAL PULL STATION A SIGN REQUESTING THAT THE FIRE SERVICES BE NOTIFIED BY PHONING 911 UPON ACTIVATION OF THE ALARM SYSTEM - FAIL TO EXTEND THE VENT PIPE FOR EACH FUEL OIL SUPPLY TANK AT LEAST TWO METRES ABOVE THE FINISHED GRADE BELOW THE PIPE - FAIL TO CONNECT EXIT SIGNS TO THE BUILDING'S EMERGENCY POWER SUPPLY - FAIL TO MAINTAIN MEANS OF EGRESS IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS	CONVICTION - FINE \$1,000.00
Trial Aug 29/2006 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 AN ACCUMULATION OF IMPROPERLY STORED BAGS OF SOLID WASTE	WITHDRAWN
Trial Aug 30/2006 HALIFAX PROVINCIAL COURT	5277 HARVEY ST HALIFAX	ZHIZHANG CHEN	BY-LAW S-600 PLACING COLLECTIBLES OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	WITHDRAWN