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Halifax Regional Council
January 9, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Mary Ellen Donovan, Director of Legal Services

DATE: January 3, 2007

SUBJECT: Status of By-law Prosecutions

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecution

BACKGROUND

N/A

DISCUSSION

This report identifies only those currently active cases where court appearances occurred between September 1, 2006 and September 30, 2006.

BUDGET IMPLICATIONS

N/A

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

N/A

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Lynda Gaglardi, Legal Assistant 490-4227



Report Approved by: Mary Ellen Donovan, Director of Legal Services 490-4219

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Sep 1/2006 HALIFAX PROVINCIAL COURT	3-1289 SOUTH PARK ST HALIFAX	LAURA CHRISTINE TOOLE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$445.00
Trial Sep 1/2006 HALIFAX PROVINCIAL COURT	967 MITCHELL ST HALIFAX	LOUIS CARETTE	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO IMPROPERLY STORED SOLID WASTE AND ASSOCIATED LITTER ON THE PROPERTY	WITHDRAWN
Trial Sep 1/2006 HALIFAX PROVINCIAL COURT	1254 QUEEN ST HALIFAX	PATRICK JAMES BRENNIAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN - COMPLAINANT MEDICALLY UNABLE TO TESTIFY
Arraignment Sep 5/2006 HALIFAX PROVINCIAL COURT	270 WILLETT ST HALIFAX 20 WESTRIDGE DR HALIFAX	POINTER PROPERTY MANAGEMENT LIMITED Agent: HELEN DAVIES	BY-LAW S-600 RESPECTING SOLID WASTE - FAIL TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE-SEPARATED WASTE	SEPTEMBER 12, 2006 - BENCH WARRANT HELD SEPTEMBER 19, 2006 - PLEADED GUILTY NOVEMBER 7, 2006 - SENTENCING
Arraignment Sep 5/2006 HALIFAX PROVINCIAL COURT	16 CAXTON CL HALIFAX	STRATOS KAROUNTZOS	FIRE SAFETY ACT SECTION 25(1) - FAIL TO COMPLY WITH AN ORDER NATIONAL FIRE CODE OF CANADA SECTION 2.1.3.1(1) - FAIL TO HAVE THE BUILDING FIRE ALARM SYSTEM MONITORED BY A QUALIFIED COMPANY	Trial: Feb 9/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 5/2006 DARTMOUTH PROVINCIAL COURT	31 JACKSON RD DARTMOUTH	GARRETT & CHERYL SAUNDERS	DARTMOUTH LAND USE BY-LAW - PERMIT AN 18 UNIT APARTMENT BUILDING IN A SINGLE FAMILY (MODIFIED) RESIDENTIAL ZONE (R1-M)	WITHDRAWN
Arraignment Sep 5/2006 HALIFAX PROVINCIAL COURT	2555 WOOD AVE HALIFAX	MACDONALD IGHODARO	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	HEARING TO SET NEW TRIAL DATE OCTOBER 19, 2006

Court Appearance	Address	Owner /Defendant	Violation	Status
Arraignment Sep 7/2006 DARTMOUTH PROVINCIAL COURT 8374	BELL LAKE PARK DARTMOUTH	JENNIFER CLEVELAND	BY-LAW P-600 RESPECTING PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	WITHDRAWN
Arraignment Sep 7/2006 DARTMOUTH PROVINCIAL COURT 8373	BELL LAKE PARK DARTMOUTH	ERIN CRAMM	BY-LAW P-600 RESPECTING PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	WITHDRAWN
Arraignment Sep 7/2006 DARTMOUTH PROVINCIAL COURT 8372	BELL LAKE PARK DARTMOUTH	KIRK LILLINGTON	BY-LAW P-600 RESPECTING PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	WITHDRAWN
Arraignment Sep 7/2006 DARTMOUTH PROVINCIAL COURT 8371	BELL LAKE PARK DARTMOUTH	BRIAN MEAGHER	BY-LAW P-600 RESPECTING PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	WITHDRAWN
Trial Sep 11/2006 HALIFAX PROVINCIAL COURT 8182	215 FARNHAM GATE RD HALIFAX	RAMAN KUMAR SETH	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 PM THE DAY PRIOR TO COLLECTION DAY	WITHDRAWN
Arraignment Sep 12/2006 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	Trial: Feb 5/2007@9:30 HALIFAX PROVINCIAL COURT
Trial Sep 12/2006 HALIFAX PROVINCIAL COURT 8185	5657 FENWICK ST HALIFAX	KAREN MARIE GILLIS	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OR OCCUPIER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	WITHDRAWN
Trial Sep 12/2006 HALIFAX PROVINCIAL COURT 8186	16 FLINT ST HALIFAX	BILLY WILLIAM MACLEAN	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 PM THE DAY PRIOR TO COLLECTION DAY	WITHDRAWN

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 12/2006 HALIFAX PROVINCIAL COURT 8239	6-1746 HENRY ST HALIFAX	DAVID H. CLAIR	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$450.00 SEPTEMBER 29, 2006 - REQUEST TO HAVE CONVICTION OVERTURNED DENIED Adj. Trial: Sep 19/2006 HALIFAX PROVINCIAL COURT
Trial Sep 19/2006 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 GARGABE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	WITHDRAWN
Trial Sep 20/2006 HALIFAX PROVINCIAL COURT 8062	1395 EDWARD ST HALIFAX	LARRY PODOLSKY	BY-LAW S-600 RESPECTING 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	
Arraignment Sep 21/2006 DARTMOUTH PROVINCIAL COURT 8292	26 MARILYN DR DARTMOUTH	TAMMY MARTIN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 15/2007@10:00 DARTMOUTH PROVINCIAL COURT
Trial Sep 21/2006 HALIFAX PROVINCIAL COURT 8114	3218 HEMLOCK ST HALIFAX	VANCE FRASER JOUDREY	VIOLATION OF SECTION 19(1)(B) BUILDING CODE ACT FAILING TO COMPLY WITH AN ORDER GIVEN IN ACCORDANCE WITH SEC.2.5.1.2(1)(A), OF THE NOVA SCOTIA BUILDING CODE REGULATIONS	Adj. Trial: Jan 3/2007 HALIFAX PROVINCIAL COURT
Arraignment Sep 22/2006 HALIFAX PROVINCIAL COURT 8296	1742 HENRY ST HALIFAX	CHRISTOPHER LEE ASCHE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$445.00
Arraignment Sep 22/2006 HALIFAX PROVINCIAL COURT 8322	948 MCLEAN ST HALIFAX	MATTHEW AARON PARKER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 6/2007@1:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 25/2006 HALIFAX PROVINCIAL COURT 8188	1572 WALNUT ST HALIFAX	MARGARET WHITE	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OR OCCUPIER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	WITHDRAWN
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT 8291	6199 COBURG RD HALIFAX	JOSE ABRAHAM	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 7/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 DARTMOUTH PROVINCIAL COURT 8247	435 PORTLAND HILLS DR DARTMOUTH	KIEL DEVELOPMENTS LIMITED Agent: W. MARK PENFOUND	BUILDING CODE ACT - OCCUPY A BUILDING WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT; - FAIL TO COMPLY WITH AN ORDER; - FAIL TO COMPLY WITH AN ORDER.	GUILTY PLEA TO ONE COUNT OF OCCUPYING WITHOUT A PERMIT AND ONE COUNT OF FAILING TO COMPLY WITH A BUILDING CODE ORDER - FINE \$2,000.00
Arraignment Sep 26/2006 DARTMOUTH PROVINCIAL COURT 8304	983 SOTH RD BROOKVALE	MALVIN RUGGLES	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	Trial: Feb 1/2007@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 26/2006 DARTMOUTH PROVINCIAL COURT 8323	179 GREEN VILLAGE LN DARTMOUTH	PETER DOUCET	BY-LAW D-100 RESPECTING DOGS - OWNING AN UNREGISTERED DOG	Trial: Feb 1/2007@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT 8324	7 MABOU AVE HALIFAX	MICHAEL J AL-MOLKY	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO LACK OF LAWN MAINTENANCE INCLUDING BUT NOT LIMITED TO TALL GRASS	Trial: Mar 7/2007@1:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT 8330	5175 SOUTH ST HALIFAX	SAM JAGGI	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE	Trial: Feb 8/2007@1:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT	8331 18 RANDALL AVE HALIFAX 5 BERKLEY BRAE DARTMOUTH	JOSEPH NJEIM	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO BAGS OF SOLID WASTE, SHINGLES, SCRAP WOOD, BROKEN GLASS AND SCATTERED DEBRIS	Trial: May 1/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT	8332 18 RANDALL AVE HALIFAX	JOSEPH NJEIM	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO OVER GROWN GRASS AND AN ACCUMULATION OF DEBRIS INCLUDING BUT NOT LIMITED TO BAGS OF SOLID WASTE	Trial: May 1/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT	8333 18 RANDALL AVE HALIFAX	JOSEPH NJEIM	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF DEBRIS INCLUDING BUT NOT LIMITED TO A MATTRESS AND ENTERTAINMENT CABINET	Trial: May 1/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT	8334 29 GEBHARDT ST HALIFAX	JOSEPH NJEIM	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF DEBRIS INCLUDING BUT NOT LIMITED TO TIRES, BATTERIES AND BAGGED SOLID WASTE	Trial: May 1/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT	8335 29 GEBHARDT ST HALIFAX	JOSEPH NJEIM	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO OVERGROWN GRASS	Trial: May 1/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT	8353 2075 OXFORD ST HALIFAX	JOHN J GHOSH	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO A LACK OF MAINTENANCE TO THE LANDSCAPE	Trial: Mar 7/2007@1:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 HALIFAX PROVINCIAL COURT	8356 6280 NORTH ST HALIFAX	RONALD FRANCIS LOVETT	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO IMPROPERLY STORED SOLID WASTE AND DEBRIS INCLUDING DISCARDED TABLE, CARDBOARD AND EXERCISE EQUIPMENT	Trial: May 1/2007@1:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Sep 26/2006 8355 HALIFAX PROVINCIAL COURT	6216 PEPPERELL ST HALIFAX	NORA LANDRY	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO A LACK OF MAINTENANCE TO THE LANDSCAPE	Trial: Mar 7/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 8357 HALIFAX PROVINCIAL COURT	6212 PEPPERELL ST HALIFAX	NORA LANDRY	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO LACK OF MAINTENANCE TO THE LANDSCAPE	Trial: Mar 7/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 26/2006 8376 DARTMOUTH PROVINCIAL COURT	79 IRVING ST DARTMOUTH	MARY HORNE	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON; - OWNING UNREGISTERED DOG.	Trial: Apr 5/2007@10:00 DARTMOUTH PROVINCIAL COURT
Trial Sep 26/2006 8214 DARTMOUTH PROVINCIAL COURT	7A BYRON CRES DARTMOUTH	MARK B. HERSEY	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	IN ABSENCE CONVICTION - FINE \$215.00
Trial Sep 27/2006 6821 HALIFAX PROVINCIAL COURT	5668 OGILVIE ST HALIFAX	MICHAEL JOHN LUND	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	TRIAL CONTINUATION JANUARY 11, 2007
Trial Sep 27/2006 8093 HALIFAX PROVINCIAL COURT	5668 OGILVIE ST HALIFAX	MICHAEL JOHN LUND	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	TRIAL CONTINUATION JANUARY 11, 2007
Trial Sep 28/2006 8102 HALIFAX PROVINCIAL COURT	1766 ROBIE ST HALIFAX	JONATHAN H. PEZIM	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Jan 30/2007 HALIFAX PROVINCIAL COURT
Trial Sep 28/2006 8170 DARTMOUTH PROVINCIAL COURT	198 WAVERLEY RD DARTMOUTH	PERRY RAND TRANSPORTATION	BY-LAW N-200 RESPECTING NOISE - SOT 3741155 - OFFENCE DATE OCT. 3, 2005 - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 28/2006 DARTMOUTH PROVINCIAL COURT	198 WAVERLEY RD DARTMOUTH	PERRY RAND TRANSPORTATION	BY-LAW N-200 RESPECTING NOISE - SOT 3741156 - OFFENCE DATE OCT. 4, 2005 - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment Sep 29/2006 HALIFAX PROVINCIAL COURT	24 GREBE AVE HALIFAX	KATHY CHAISSON	BY-LAW D-100 RESPECTING DOGS - - OWNING A DOG THAT RUNS AT LARGE - OWNING A DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	GUILTY PLEA - SENTENCING SEPTEMBER 29/06 FIRST CHARGE - FINE \$100.00 SECOND CHARGE - FINE \$500.00