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Halifax Regional Council
February 27, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: *M. Donovan*
Mary Ellen Donovan, Director of Legal Services

DATE: February 20, 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 November 1, 2006 and November 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 Nov 3/2006 HALIFAX PROVINCIAL COURT	930B MCLEAN ST HALIFAX	MAEGAN CARMEN MCLAUGHLIN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 5/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 3/2006 HALIFAX PROVINCIAL COURT	1620-1333 SOUTH PARK ST HALIFAX	VANESSA KATHERINE GREEN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 3/2007@1:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 3/2006 HALIFAX PROVINCIAL COURT	1170 DAVIS ST HALIFAX	RUSSELL J GOZIAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 3/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 3/2006 HALIFAX PROVINCIAL COURT	1170 DAVIS ST HALIFAX	ZACHARY A GOUZOPULOS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 3/2007@9:30 HALIFAX PROVINCIAL COURT
Trial Nov 3/2006 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	CHANGE OF PLEA - FINE \$850.00
Arraignment Nov 7/2006 HALIFAX PROVINCIAL COURT	184 CORONATION AVE HALIFAX	TODD ELLIS	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	ACQUITTED
Arraignment Nov 7/2006 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 FINE - \$2,500. PER CHARGE TOTAL FINE - \$5,000.

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Nov 7/2006 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: May 1/2007 DARTMOUTH PROVINCIAL COURT
Trial Nov 8/2006 HALIFAX PROVINCIAL COURT 8282	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
Arraignment Nov 8/2006 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 Nov 9/2006 DARTMOUTH PROVINCIAL COURT 8269	WESTBROOK AVE DARTMOUTH	RACHEL WILLISTON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL	CHANGE OF PLEA - FINE \$200.00
Trial Nov 9/2006 DARTMOUTH PROVINCIAL COURT 8270	7 BYRON CRES DARTMOUTH	NUMAC INVESTMENTS LIMITED Agent: ARMINDO NUNES	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY TO AS NOT TO BE DANGEROUS OR UNSAFELY (DERELICT GREY FORD MUSTANG, BAGS OF SOLID WASTE, SCRAP WOOD, SCRAP METAL, TIRES AND CARDBOARD BOXES	CONVICTION - FINE \$50.00

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Nov 9/2006 DARTMOUTH PROVINCIAL COURT	8315 6 23 JAMIESON ST DARTMOUTH	BRYAN PEARCE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Nov 9/2006 DARTMOUTH PROVINCIAL COURT	6854 WEST LAWRENCETOWN RD LAWRENCETOWN	MANE-TAIL LAND DEVELOPMENTS LTD. Agent: DAVID S. GREEN	LAWRENCETOWN LAND USE BY-LAW ARTICLE 6.1. NO DEVELOPMENT PERMIT SHALL BE ISSUED IN ANY RR-1 ZONE TO WIT: A RACE TRACK -AND ARTICLE 6.13 - NO MATERIALS OR EQUIPMENT SHALL BE USED WHICH CREATES A NUISANCE BY VIRTUE OF NOISE, VIBRATION, SMELL OR GLARE OR WHICH IS OBNOXIOUS	NOVEMBER 9, 2006 - APPEAL - SUPREME COURT ADJOURNED TO MARCH 21, 2007
Trial Nov 9/2006 DARTMOUTH PROVINCIAL COURT	8195 22 DUNDAS ST DARTMOUTH	CANAROSE COMPANY LIMITED Agent: DOUGLAS J. LIVINGSTONE	BUILDING CODE ACT - FAILURE TO COMPLY WITH ORDER; - FAILURE TO COMPLY WITH THE SPATIAL SEPARATION REQUIREMENTS OF THE PROVINCIAL BUILDING CODE.	WITHDRAWN
Trial Nov 13/2006 HALIFAX PROVINCIAL COURT	8216 5285 KENT ST HALIFAX	GEORGE TSULUHAS	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 Nov 13/2006 HALIFAX PROVINCIAL COURT	8217 1245 CHURCH ST HALIFAX	AKF PROPERTY MANAGEMENT LIMITED	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 Nov 13/2006 HALIFAX PROVINCIAL COURT	8218 1061 WELLINGTON ST HALIFAX	CYGNET PROPERTIES LIMITED	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF A PROPERTY NOT DEFINED UNDER THE BY-LAW AS ELIGIBLE PREMISES PLACING WASTE MATERIALS AT THE CURBSIDE OF SAID PROPERTY FOR MUNICIPAL COLLECTION	WITHDRAWN
Trial Nov 13/2006 HALIFAX PROVINCIAL COURT	8219 930 YOUNG AVE HALIFAX	GEORGE S. ARMOYAN	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	Adj. Trial: Mar 6/2007 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Nov 14/2006 HALIFAX PROVINCIAL COURT	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
Trial Nov 14/2006 HALIFAX PROVINCIAL COURT	HIGHWAY 3 LOT C-5 HUBBARDS	HARVEY DAUPHINEE	BY-LAW O-103 RESPECTING OPEN AIR BURNING - CONDUCT BURNING OUTSIDE THE NO BURN ZONE LESS THAN 38.1 METERS (125 FEET) FROM THE NEAREST ADJACENT DWELLING; - AS A CONTRACTOR, BURN BRUSH ON CLEARED LAND OUTSIDE THE NO BURN ZONE WITHOUT A PERMIT.	Adj. Trial: Jun 7/2007 HALIFAX PROVINCIAL COURT
Arraignment Nov 14/2006 HALIFAX PROVINCIAL COURT	5175 SOUTH ST HALIFAX	MEERA JAGGI	BY-LAW D-100 RESPECTING DOGS - 3 SOTS - OWNING A DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	Trial: Feb 8/2007@1:30 HALIFAX PROVINCIAL COURT
Trial Nov 16/2006 HALIFAX PROVINCIAL COURT	2858 GOTTINGEN ST HALIFAX	CLAUDIA & TONY DIB	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS INCLUDING CARDBOARD, CARPET AND OTHER DEBRIS	CHANGE OF PLEA - FINE \$25.00
Trial Nov 16/2006 HALIFAX PROVINCIAL COURT	764 TOWER RD HALIFAX	JAGJIT SINGH GOOMAR	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	STAY OF PROCEEDINGS
Trial Nov 16/2006 HALIFAX PROVINCIAL COURT	3757 DUTCH VILLAGE RD HALIFAX	MOUNA METLEGE	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 Nov 16/2006 HALIFAX PROVINCIAL COURT	3400 AGRICOLA ST HALIFAX	CONTRAST HOME HOLDINGS INCORPORATED Agent: GREGORY RHYNO	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	WITHDRAWN

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Nov 17/2006 HALIFAX PROVINCIAL COURT 8300	6965 BAYERS RD HALIFAX	DAVE EDWARDS	FIRE SAFETY ACT SECTION 44(1)(G) - FAILING TO COMPLY WITH ORDER	DEFENDANT REQUESTED ADJOURNMENT - HEARING TO SET TRIAL DATE DECEMBER 7, 2006
Arraignment Nov 17/2006 HALIFAX PROVINCIAL COURT 8339	6289 JENNINGS ST HALIFAX	ISAAC A QUINN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$445.
Arraignment Nov 17/2006 HALIFAX PROVINCIAL COURT 8379	1648 HENRY ST HALIFAX	ANGELINA CHAPIN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 4/2008@9:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 17/2006 HALIFAX PROVINCIAL COURT 8380	1648 ROBIE ST HALIFAX	HUGH DENTON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jun 28/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 17/2006 HALIFAX PROVINCIAL COURT 8381	1681 EDWARD ST HALIFAX	CASANDRA BERARD	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$345.00
Trial Nov 20/2006 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	WITHDRAWN
Arraignment Nov 21/2006 HALIFAX PROVINCIAL COURT 8314	212 PAUL'S POINT ROAD HACKETT'S COVE	PAUL'S POINT FISHERIES LIMITED Agent: J. BRIAN CHURCH	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: May 15/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 21/2006 HALIFAX PROVINCIAL COURT 8240	3660 COMMISSION ST HALIFAX	HARCLU INVESTMENTS Agent: ERIC THOMSON	BUILDING CODE ACT - OCCUPY A BUILDING WITHOUT FIRST HAVING OBTAINED AN OCCUPANCY PERMIT; - FAIL TO COMPLY WITH AN ORDER.	LLOYD MACLELLAN CONSTRUCTION SERVICES LTD. - FIRST CHARGE WITHDRAWN - PLEAD GUILTY TO SECOND CHARGE - FINE \$1,000.00 HARCLU INVESTMENTS - GUILTY PLEA TO BOTH CHARGES - FIRST CHARGE FINE \$1,000. - SECOND CHARGE FINE \$2,000.

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Nov 21/2006 DARTMOUTH PROVINCIAL COURT	945 NORTH PRESTON RD DARTMOUTH	MARK SMITH	BUILDING CODE ACT - CONSTRUCT A BUILDING FOR WHICH A BUILDING PERMIT WAS NOT IN FORCE; - FAIL TO COMPLY WITH AN ORDER.	Trial: Mar 8/2007@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Nov 24/2006 HALIFAX PROVINCIAL COURT	6250 NORTH ST HALIFAX	DYLAN ROGERS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 16/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 24/2006 HALIFAX PROVINCIAL COURT	6250 NORTH ST HALIFAX	DYLAN ROGERS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 16/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 24/2006 HALIFAX PROVINCIAL COURT	2-5274 HARVEY ST HALIFAX	PAULA MORRISON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 16/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 24/2006 HALIFAX PROVINCIAL PARK	DINGLE PARK HALIFAX	JARRET DANIEL SHAW	BY-LAW P-600 RESPECTING PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	Trial: Jun 28/2007@9:30 HALIFAX PROVINCIAL PARK
Arraignment Nov 28/2006 HALIFAX PROVINCIAL COURT	5397 B VICTORIA RD HALIFAX	RENOVEST REALTY INCORPORATED Agent: PAUL W. GOLDBERG	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	WITHDRAWN
Arraignment Nov 28/2006 HALIFAX PROVINCIAL COURT	8384 PEGGY'S COVE RD HALIFAX	PHILIP JOHNSON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	GUILTY PLEA - FINE \$560.00
Arraignment Nov 28/2006 HALIFAX PROVINCIAL COURT	2000 BARRINGTON ST HALIFAX	CROMBIE DEVELOPMENTS LIMITED Agent: JOHN MORROW	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNUSUALLY DISTURBS THE NEIGHBOURHOOD	Trial: May 11/2007@1:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Nov 28/2006 DARTMOUTH PROVINCIAL COURT 8359	22 BROCK ST DARTMOUTH	JEAN BRENDA SPILLER	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSAFELY (IMPROPERLY STORED BAGS OF SOLID WASTE	Trial: Mar 22/2007@9:00 DARTMOUTH PROVINCIAL COURT
Arraignment Nov 28/2006 HALIFAX PROVINCIAL COURT 8397	18 RANDALL AVE HALIFAX	JOSEPH NJEIM	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSAFELY DUE TO A DERELICT BLUE/GREEN MAZDA B2200 TRUCK, TIRE, BATTERY AND DEBRIS	Trial: Jun 6/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Nov 28/2006 DARTMOUTH PROVINCIAL COURT 8387	44 JOAN ELIZABETH WAY DARTMOUTH	JAMES LATTER	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE	Trial: Mar 1/2007@10:00 DARTMOUTH PROVINCIAL COURT