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**Halifax Regional Council**  
**April 24, 2007**

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

**SUBMITTED BY:** *ME Donovan*  
ME Donovan, Director of Legal Services & Risk Management

**DATE:** April 18, 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 February 1, 2007 and February 28, 2007.

**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: ME Donovan, Director of Legal Services & Risk Management 490-4219

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Trial Feb 1/2007 DARTMOUTH PROVINCIAL COURT 8231	120 PINECREST DR DARTMOUTH	GREEN JAIN WEDLAKE INCORPORATED	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS, LITTER, IMPROPERLY STORED SOLID WASTE, DISCARDED CONSTRUCTION WOOD AND OTHER REFUSE ON THE PROPERTY	WITHDRAWN
Arraignment Feb 1/2007 DARTMOUTH PROVINCIAL COURT 8284	5-254 VICTORIA RD DARTMOUTH	BRADFORD LANCE GOUTHRO	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: May 10/2007@10:00 DARTMOUTH PROVINCIAL COURT
Trial Feb 1/2007 DARTMOUTH PROVINCIAL COURT 8323	179 GREEN VILLAGE LN DARTMOUTH	PETER DOUCET	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	IN ABSENCE CONVICTION - FINE \$215.00 APRIL 3/07 APPLICATION DISMISSED - 30 DAYS TO PAY FINE
Trial Feb 1/2007 DARTMOUTH PROVINCIAL COURT 8304	983 SOTH RD BROOKVALE	MALVIN RUGGLES	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	Adj. Trial: May 10/2007 DARTMOUTH PROVINCIAL COURT
Trial Feb 2/2007 HALIFAX PROVINCIAL COURT 8316	184 CORONATION AVE HALIFAX	TODD ELLIS	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	ACQUITTED
Arraignment Feb 2/2007 HALIFAX PROVINCIAL COURT 8406	1156 TOWER RD HALIFAX	KYLE DAVID CHISHOLM	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	ACQUITTED
Trial Feb 5/2007 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	WITHDRAWN
Arraignment Feb 5/2007 HALIFAX PROVINCIAL COURT 8221	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

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Feb 6/2007 HALIFAX PROVINCIAL COURT	1083 BEAUFORT AVE HALIFAX	MICHAEL J. CONFORTI	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 5/2007@9:00 HALIFAX PROVINCIAL COURT
Trial Feb 8/2007 HALIFAX PROVINCIAL COURT	5175 SOUTH ST HALIFAX	SAM JAGGI	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE	WITHDRAWN
Trial Feb 8/2007 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	- ONE CHARGE CHANGE OF PLEA - FINE \$400.00 - TWO CHARGES WITHDRAWN
Trial Feb 9/2007 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.	- FIRST CHARGE WITHDRAWN - SECOND CHARGE - CHANGE OF PLEA - FINE \$500.
Arraignment Feb 9/2007 HALIFAX PROVINCIAL COURT	1002-5214 GERRISH ST HALIFAX	KAYLA MARIE LEROY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 19/2007@9:00 HALIFAX PROVINCIAL COURT
Arraignment Feb 13/2007 DARTMOUTH PROVINCIAL COURT	35 ROTHWELL ST SACKVILLE	WANDA JULIAN / DAVIS / JULIAN DAVIS	LAND USE BY-LAW FOR BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE - PERMIT THE OPEN STORAGE OR OUTDOOR DISPLAY OF ITEMS ASSOCIATED WITH A HOME BUSINESS; - KEEP MORE THAN ONE COMMERCIAL VEHICLE ON A LOT IN A R-1 ZONE; - KEEP A COMMERCIAL VEHICLE WITH A VEHICLE WEIGHT GREATER THAN FIVE TONS ON A LOT IN A R-1 ZONE; - PERMIT A COMMERCIAL ENTERPRISE TO OPERATE IN A R-1 ZONE.	UNABLE TO SUMMONS ACCUSED FIRST INSTANCE WARRANT ISSUED

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Feb 13/2007 HALIFAX PROVINCIAL COURT 8401	43 FELDSPAR CRES HALIFAX	ELIZABETH ACKERMANN	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS	GUILTY PLEA TO A LESSER CHARGE - FINE \$215. CONSENT ORDER THAT DOG BE MUZZLED WHEN OFF LEASH
Trial Feb 15/2007 DARTMOUTH PROVINCIAL COURT 8292	26 MARILYN DR DARTMOUTH	TAMMY MARTIN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Apr 26/2007 DARTMOUTH PROVINCIAL COURT
Trial Feb 15/2007 DARTMOUTH PROVINCIAL COURT 8328	75 RENFREW ST DARTMOUTH	JULIE L BROOKS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$445.00
Trial Feb 15/2007 DARTMOUTH PROVINCIAL COURT 8377	25 INGLEWOOD CRES DARTMOUTH	ROSS COOLEY	BY-LAW P-800 RESPECTING PESTICIDES - CARRYING OUT PESTICIDE APPLICATION WITHIN MUNICIPALITY	CHANGE OF PLEA - FINE \$75.00
Arraignment Feb 15/2007 DARTMOUTH PROVINCIAL COURT 8408	73 MOUNT EDWARD RD DARTMOUTH	JOEL S. HOYT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 12/2007@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Feb 16/2007 HALIFAX PROVINCIAL COURT 8409	5804A MAY ST HALIFAX	TAYLOR WILLIAM MCAUSLAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$295.00

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Trial Feb 19/2007 DARTMOUTH PROVINCIAL COURT 8087	70 WINDMILL RD DARTMOUTH	MANSHIP HOLDINGS LIMITED	DOWNTOWN DARTMOUTH LAND USE BY-LAW FAILING TO COMPLY WITH REQUIREMENTS FOR HOME BUSINESSES; BY HAVING IN THEIR EMPLOY MORE THAN ONE EMPLOYEE WHO WAS NOT LIVING IN THE DWELLING; BY HAVING MORE THAN 25% GROSS FLOOR AREA OF THE DWELLING FOR BUSINESS USE; BY UNLAWFULLY HAVING MORE THAN ONE SIGN ADVERTISING A HOME BUSINESS; BY UNLAWFULLY HAVING A SIGN ADVERTISING A HOME BUSINESS THAT EXCEEDED 2 SQ. FT. IN AREA.	ACQUITTED - APPEALED TO SUPREME COURT OF NS APRIL 12, 2007 - ADJOURNED TO APRIL 26, 2007
Arraignment Feb 20/2007 HALIFAX PROVINCIAL COURT 8265	212 PAULS POINT RD HACKETTS COVE	HYEONG DOO LEE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: May 15/2007@1:30 HALIFAX PROVINCIAL COURT
Trial Feb 20/2007 HALIFAX PROVINCIAL COURT 8325	5 FOXBERRY HILL GLEN HAVEN	DEBORAH LAWRENCE	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE	Adj. Trial: Feb 20/2007 HALIFAX PROVINCIAL COURT
Arraignment Feb 20/2007 HALIFAX PROVINCIAL COURT 8347	GERRISH ST HALIFAX	THERESA GRANT	BY-LAW D-100 RESPECTING DOGS - OWN A DOG THAT WAS RUNNING AT LARGE; - OWN A DOG THAT WAS RUNNING AT LARGE; - OWN AN UNREGISTERED DOG; - OWN AN UNREGISTERED DOG; - OWN A DOG THAT WITHOUT PROVOCATION ATTACKED OR INJURED AN ANIMAL; - OWN A DOG THAT WITHOUT PROVOCATION ATTACKED OR INJURED AN ANIMAL.	Trial: May 3/2007@1:30 HALIFAX PROVINCIAL COURT
Arraignment Feb 20/2007 DARTMOUTH PROVINCIAL COURT 8348	7A BYRON CRES DARTMOUTH	MARK HERSEY	BY-LAW D-100 RESPECTING DOGS - OWN DOGS THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	Trial: Jul 5/2007@10:00 DARTMOUTH PROVINCIAL COURT

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Feb 20/2007 DARTMOUTH PROVINCIAL COURT	CHURCHLAKE DR LAKE ECHO	DAVID ROWELL	BY-LAW D-100 RESPECTING DOGS - OWN A DOG THAT WAS RUNNING AT LARGE; - OWN AN UNREGISTERED DOG; - OWN A DOG THAT WITHOUT PROVOCATION ATTACKED OR INJURED AN ANIMAL; - OWN A DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS.	Adj. Arraignment: Mar 13/2007 DARTMOUTH PROVINCIAL COURT
Arraignment Feb 20/2007 HALIFAX PROVINCIAL COURT	1430 BIRCHDALE AVE HALIFAX	VIVIAN SARAH MORRISON	LAND USE BY-LAW FOR HALIFAX PENINSULA - ALLOW THE LANDS TO BE USED IN A WAY NOT PERMITTED IN AN R-2 ZONE, TO WIT, ALLOWED AN ACCESSORY BUILDING THAT WAS GREATER THAN 14 FEET IN HEIGHT	PRE-TRIAL CONFERENCE APRIL 3, 2007
Arraignment Feb 27/2007 HALIFAX PROVINCIAL COURT	18 CAPER CRT HAMMONDS PLAINS	MICHAEL & CATHERINE PARKER	LAND USE BY-LAW FOR BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE - ALLOW THE OPERATION OF AN AUTOMOTIVE REPAIR SHOP	CATHERINE PARKER - CHARGES WITHDRAWN MICHAEL PARKER - GUILTY PLEA - FINE \$1,000.
Arraignment Feb 27/2007 DARTMOUTH PROVINCIAL COURT	22 BROOK POINT RD GAETZ BROOK	TANYA PENNEY	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUINS AT LARGE; - FAILING TO IMMEDIATELY REMOVE DOG DEFECACTION.	Trial: Apr 26/2007@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Feb 27/2007 DARTMOUTH PROVINCIAL COURT	2705 HWY #7 LAKE ECHO	EAST COAST AUTO SALES Agent: ROY C. BONIN	LAND USE BY-LAW FOR PLANNING DISTRICTS 8 AND 9 - ALLOW THE UNSIGHTLY STORAGE OF GOODS, WARES, MERCHANDISE OR SALVAGE; - ALLOW OPEN STORAGE OR OUTDOOR DISPLAY OF GOODS.	Trial: Jun 14/2007@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Feb 27/2007 HALIFAX PROVINCIAL COURT	SELIGS POND HALIFAX	DALE THOMAS COATES	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL	Trial: May 22/2007@9:00 HALIFAX PROVINCIAL COURT
Arraignment Feb 27/2007 HALIFAX PROVINCIAL COURT	6246 YUKON ST HALIFAX	GARTH THOMAS	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL	Trial: May 17/2007@1:30 HALIFAX PROVINCIAL COURT

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Feb 27/2007 8415 HALIFAX PROVINCIAL COURT	8 ST MARGARETS BAY RD HALIFAX	3088962 NOVA SCOTIA LIMITED Agent: PAUL W. GOLDBERG	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	Trial: May 17/2007@9:00 HALIFAX PROVINCIAL COURT
Arraignment Feb 27/2007 8302 DARTMOUTH PROVINCIAL COURT	4 ROSEDALE DR DARTMOUTH	MICHAEL WILLIAMS	BY-LAW M-100 RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - FAIL TO PROVIDE A REPORT FROM A QUALIFIED SERVICE TECHNICIAN IN REGARDS TO THE CONDITION OF THE FIRE CHAMBER OF THE FURNACE; - FAIL TO PROVIDE A REPORT FROM A QUALIFIED ELECTRICIAN IN REGARDS TO THE CONDITION OF THE ELECTRICAL WIRING.	Trial: Apr 26/2007@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Feb 27/2007 8427 HALIFAX PROVINCIAL COURT	2180 HAMMONDS PLAINS RD HAMMONDS PLAINS	MAUREEN FRANCES SYLIBOY	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE; - OWNING A DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS	Trial: May 25/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Feb 27/2007 8428 HALIFAX PROVINCIAL COURT	3B WALLACE HILL RD HAMMONDS PLAINS	MAUREEN FRANCES SYLIBOY	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE	Trial: May 25/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Feb 27/2007 8429 DARTMOUTH PROVINCIAL COURT	16 A BEAVER CRES COLE HARBOUR	SHAUNNA STEVENSON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL	Trial: Jun 14/2007@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Feb 27/2007 8416 HALIFAX PROVINCIAL COURT	5969 COLLEGE ST HALIFAX	ARGYRIS ROUVALIS	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	Trial: May 17/2007@9:00 HALIFAX PROVINCIAL COURT



<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Feb 27/2007 HALIFAX PROVINCIAL COURT	1597 OXFORD ST HALIFAX	PAUL PITTSO	LAND USE BY-LAW FOR HALIFAX PENINSULA - PERMIT A BUILDING IN AN R-2 ZONE THAT IS SITUATED ON MORE THAN ONE LOT; - PERMIT A BUILDING IN AN R-2 ZONE IN VIOLATION OF THE MINIMUM LOT FRONTAGE REQUIREMENTS; - PERMIT A BUILDING IN AN R-2 ZONE IN VIOLATION OF THE MINIMUM SIDE YARD REQUIREMENTS; - PERMIT A BUILDING IN AN R-2 ZONE THAT EXCEEDS THE MAXIMUM LOT COVERAGE REQUIREMENTS.	Adj. Arraignment: Apr 17/2007 HALIFAX PROVINCIAL COURT
Arraignment Feb 27/2007 DARTMOUTH PROVINCIAL COURT	86 JACKSON RD DARTMOUTH	BARRY EDWARD WARNELL	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE-SEPARATED WASTE	Trial: May 10/2007@1:30 DARTMOUTH PROVINCIAL COURT