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Halifax, Nova Scotia
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Halifax Regional Council
May 29, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

ME Donovan

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

DATE: May 22, 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 March 1, 2007 and March 31, 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

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 1/2007 8273 DARTMOUTH PROVINCIAL COURT	1002 BEAVERBANK RD SACKVILLE	CATHERINE KELSIE	BY-LAW D-100 RESPECTING DOGS - OWNING AN UNREGISTERED DOG	IN ABSENCE CONVICTION - FINE \$215.00
Arraignment Mar 1/2007 8298 HALIFAX PROVINCIAL COURT	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: Oct 15/2007@9:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 1/2007 8398 DARTMOUTH PROVINCIAL COURT	200 B WAVERLEY RD DARTMOUTH	BOSCH TOULANY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 25/2007@9:30 DARTMOUTH PROVINCIAL COURT
Trial Mar 1/2007 8387 DARTMOUTH PROVINCIAL COURT	44 JOAN ELIZABETH WAY DARTMOUTH	JAMES LATTER	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE	CONVICTION - FINE \$115.00
Trial Mar 1/2007 8385 DARTMOUTH PROVINCIAL COURT	39 A TRINITY AVE DARTMOUTH	DALE BURTON PROVO	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE - OWNING A DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	WITHDRAWN
Trial Mar 1/2007 8386 DARTMOUTH PROVINCIAL COURT	194 WYSE RD DARTMOUTH	HARBOUR CITIES VETERINARY HOSPITAL Agent: DR. RON ABRAHAMS	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	ACQUITTED
Arraignment Mar 2/2007 8417 HALIFAX PROVINCIAL COURT	6131 DUNCAN ST HALIFAX	DANIEL O'GRADY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$445.00
Trial Mar 5/2007 8399 HALIFAX PROVINCIAL COURT	1083 BEAUFORT AVE HALIFAX	MICHAEL J. CONFORTI	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Apr 16/2007 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 6/2007 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	WITHDRAWN
Arraignment Mar 6/2007 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
Arraignment Mar 6/2007 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	IN ABSENCE CONVICTION - FINE \$215.00
Trial Mar 6/2007 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	WITHDRAWN
Trial Mar 7/2007 HALIFAX PROVINCIAL COURT 8291	6199 COBURG RD HALIFAX	JOSE ABRAHAM	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Mar 7/2007 HALIFAX PROVINCIAL COURT 8324	7 MABOU AVE HALIFAX	MICHAEL J AL-MOLKY	MGA SECTION 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	CHANGE OF PLEA - FINE \$115.00
Trial Mar 7/2007 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	WITHDRAWN
Trial Mar 7/2007 HALIFAX PROVINCIAL COURT 8355	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	WITHDRAWN

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 7/2007 HALIFAX PROVINCIAL COURT 8357	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	WITHDRAWN
Trial Mar 8/2007 DARTMOUTH PROVINCIAL COURT 8236	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.	- CHANGE OF PLEA TO #1 AND #2 - FINE \$4,200. REMITTED TO \$2,100. - ORDERED NOT TO OCCUPY UNTIL OCCUPANCY PERMIT ISSUED - ORDERED TO OBTAIN BUILDING PERMIT
Arraignment Mar 9/2007 HALIFAX PROVINCIAL COURT 8424	1-6200 SHIRLEY ST HALIFAX	MARGO ELLEN CASSIDY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: May 4/2007@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 13/2007 DARTMOUTH PROVINCIAL COURT 8349	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.	- CHANGE OF PLEA TO COUNTS 2 & 3 - FINE \$500.00; - WITHDREW COUNTS 1 & 4 - MUZZLE ORDER ISSUED.
Arraignment Mar 13/2007 DARTMOUTH PROVINCIAL COURT 8394	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 Mar 13/2007 HALIFAX PROVINCIAL COURT 8427	2180 HAMMONDS PLAINS RD HAMMONDS PLAINS	MAUREEN FRANCES SYLBOY	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 Mar 13/2007 HALIFAX PROVINCIAL COURT 8428	3B WALLACE HILL RD HAMMONDS PLAINS	MAUREEN FRANCES SYLBOY	BY-LAW D-100 RESPECTING DOGS - OWNING A DOG THAT RUNS AT LARGE	Trial: May 25/2007@9:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Mar 13/2007 DARTMOUTH PROVINCIAL COURT	8429 16 A BEAVER CRES COLE HARBOUR	SHAJINNA STEVENSON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL	Trial: Jun 14/2007@10:00 DARTMOUTH PROVINCIAL COURT
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT	8351 6250 NORTH ST HALIFAX	DYLAN ROGERS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT	8352 2-5274 HARVEY ST HALIFAX	PAULA MORRISON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - REMISSION OF FINE \$145.00
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT	8358 6213 OAKLAND RD HALIFAX	HALE S. BRANNYN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: May 18/2007 HALIFAX PROVINCIAL COURT
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT	8362 1762 HENRY ST HALIFAX	RYAN JACKS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT	8364 6213 OAKLAND RD HALIFAX	ANDREW R. MCKAY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: May 18/2007 HALIFAX PROVINCIAL COURT
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT	8365 6209 COBURG RD HALIFAX	FRASER MACKINNON MOIR	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: May 18/2007 HALIFAX PROVINCIAL COURT
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT	8368 531-580 BEDFORD HWY HALIFAX	S. NICHOLAS BURKE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT 8369	1762 HENRY ST HALIFAX	BLAKE PAULSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT 8350	6250 NORTH ST HALIFAX	DYLAN ROGERS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$445.00
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT 8367	6065 SOUTH ST HALIFAX	CALEB MACDONALD	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - REMISSION OF FINE \$345.00
Trial Mar 16/2007 HALIFAX PROVINCIAL COURT 8366	1762 HENRY ST HALIFAX	BRENT BEAUMONT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$445.00
Trial Mar 21/2007 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; - AWAITING DECISION.
Trial Mar 22/2007 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 UNSIGHTLY (IMPROPERLY STORED BAGS OF SOLID WASTE	WITHDRAWN
Trial Mar 22/2007 DARTMOUTH PROVINCIAL COURT 8388	87 CHURCH ST DARTMOUTH	ANNA M CARR	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON; - OWNING DOG THAT IS FIERCE AND DANGEROUS TO PERSON OR ANIMAL.	IN ABSENCE CONVICTION FIRST CHARGE - FINE \$400.00 SECOND CHARGE - FINE \$215.00

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Mar 23/2007 HALIFAX PROVINCIAL COURT 8433	2-6200 SHIRLEY ST HALIFAX	ASHLEY MARIE WITTENBERG	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: May 14/2007@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 23/2007 HALIFAX PROVINCIAL COURT 8432	16-5240 KENT ST HALIFAX	MARK W. BALLANTYNE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$300.00
Trial Mar 23/2007 HALIFAX PROVINCIAL COURT 8308	55 REMINGTON CT HALIFAX	JUSTIN MURPHY	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON; - OWNING DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS.	- COUNT 1 AMENDED TO - OWNING DOG THAT RUINS AT LARGE - CONVICTION - FINE \$215.00; - COUNT 2 - WITHDRAWN.
Arraignment Mar 27/2007 HALIFAX PROVINCIAL COURT 8179	6430 OAK ST HALIFAX	JANET WILMA CHERNIN	HALIFAX PENINSULA LAND USE BY-LAW - PERMIT AN ANIMAL CARE BUSINESS TO OPERATE IN A R-2 ZONE -PERMIT A HOME OCCUPATION THAT IS NOT CONDUCTED ENTIRELY WITHIN THE DWELLING UNIT	Adj. Arraignment: Jun 4/2007 HALIFAX PROVINCIAL COURT
Arraignment Mar 27/2007 DARTMOUTH PROVINCIAL COURT 8434	48 CARMEL CRES FALL RIVER	RONALD GILBY	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL; - OWNING DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS.	Trial: Apr 26/2007@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Mar 27/2007 HALIFAX PROVINCIAL COURT 8436	5650 SOUTH ST HALIFAX	GASTON CHAGNON PROPERTY LIMITED Agent: GASTON CHAGNON	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	CHANGE OF PLEA - FINE \$215.00
Arraignment Mar 27/2007 DARTMOUTH PROVINCIAL COURT 8435	49 MADELINE AVE. LOWER SACKVILLE	FRANK RENE PRUDHOMME	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON; - OWNING DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS.	Trial: May 24/2007@10:00 DARTMOUTH PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 30/2007 HALIFAX PROVINCIAL COURT	6965 BAYERS RD HALIFAX	DAVE EDWARDS	FIRE SAFETY ACT SECTION 44(1)(G) - FAILING TO COMPLY WITH ORDER	WITHDRAWN