



PO Box 1749
Halifax, Nova Scotia
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Item No. 6

Halifax Regional Council
November 13, 2007

TO:
of Halifax Regional Council

Mayor Kelly and Members

A handwritten signature in cursive script that reads "ME Donovan".

SUBMITTED BY: _____

ME Donovan, Director Legal Services & Risk Management

DATE: November 6, 2007

SUBJECT: Status of By-law Prosecutions - September 1 - 30, 2007

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND

DISCUSSION

This report identifies only those currently active cases where court appearances occurred between September 1, 2007 and September 30, 2007.

BUDGET IMPLICATIONS

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

Status of By-law Prosecutions between September 1, 2007 and September 30, 2007

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

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 4/2007 8480 HALIFAX PROVINCIAL COURT	23 BLUEWATER RD BEDFORD	K. BERGMAN / W. BISHOP	BUILDING CODE ACT BERGMAN - ALTER A BUILDING WITHOUT FIRST OBTAINING A PERMIT; - ALLOW OCCUPANCY OF A BUILDING WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT; - FAILED TO COMPLY WITH AN ORDER; - FAILED TO COMPLY WITH AN ORDER. BISHOP - OCCUPY A BUILDING WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT; - FAILED TO COMPLY WITH AN ORDER; - FAILED TO COMPLY WITH AN ORDER; - REMOVE WITHOUT AUTHORIZATION FROM THE BUILDING OFFICIAL A COPY OF AN ORDER.	BERGMAN - COUNTS 1, 2 AND 3 WITHDRAWN COUNT 4 - CHANGE OF PLEA - FINE \$1,500.00 BISHOP - COUNTS 1 AND 2 WITHDRAWN COUNT 3 - CHANGE OF PLEA - FINE \$1,500.00 COUNT 4 - CHANGE OF PLEA - FINE \$500.00
Trial Sep 6/2007 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	IN ABSENCE CONVICTION - FINE \$215.00
Trial Sep 6/2007 8492 DARTMOUTH PROVINCIAL COURT	333 WINDMILL RD DARTMOUTH	PATRICK JABBOUR	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
Trial Sep 6/2007 8471 HALIFAX PROVINCIAL COURT	6296 JENNINGS ST HALIFAX	JOANNA CAPLAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment Sep 7/2007 8510 HALIFAX PROVINCIAL COURT	BARRINGTON ST HALIFAX	KYLE ALEXANDER MACDERMID	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD (EXPLOSIVE FIREWORKS)	Trial: Apr 11/2008@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 11/2007 8477 HALIFAX PROVINCIAL COURT	6296 JENNINGS ST HALIFAX	CHRISTOPHER MICHAEL KEENE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 4/2008@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 12/2007 8481 HALIFAX PROVINCIAL COURT	NELSONS LANDING BLVD BEDFORD	MICHELLE POWELL	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	IN ABSENCE CONVICTION - FINE \$215.00
Trial Sep 12/2007 8473 HALIFAX PROVINCIAL COURT	1707-2309 BRUNSWICK ST HALIFAX	ROGER BRUCE CONRAD	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Sep 12/2007 8474 HALIFAX PROVINCIAL COURT	1707-2309 BRUNSWICK ST HALIFAX	RAYMOND JOSEPH DECOSTE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arrestment Sep 13/2007 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	DEFENDANT DID NOT APPEAR - ADJOURNED TO NOVEMBER 20, 2007
Trial Sep 14/2007 8479 HALIFAX PROVINCIAL COURT	106 BRIGHTON AVE STILLWATER LAKE	TREVOR SMEDLEY/JANE PARKER	LAND USE BY-LAW FOR BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE - ALLOW THE USE OF AN ACCESSORY BUILDING FOR THE KEEPING OF LIVESTOCK; - DID KEEP LIVESTOCK.	Adj. Trial: Jan 18/2008 HALIFAX PROVINCIAL COURT
Arrestment Sep 14/2007 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	WITHDRAWN
Trial Sep 14/2007 8502 HALIFAX PROVINCIAL COURT	5 BELLEVISTA DR DARTMOUTH	ERIC ST VINCENT	BY-LAW P-600 RESPECTING PARKS - POINT PLEASANT - OPERATING UNAUTHORIZED VEHICLE IN PARK	CONVICTION - FINE \$172.00

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Sep 18/2007 DARTMOUTH PROVINCIAL COURT	8482 52A JACKSON ROAD DARTMOUTH	CLARENCE CONRAD/BRISCOLL DEVELOP. Agent: R. DAREN BAXTER	LAND USE BY-LAW FOR DARTMOUTH - ALLOW THE OPERATION OF A SCRAP METAL BUSINESS; - ALLOW THE OPERATION OF A HOME OCCUPATION THAT WAS NOT CONDUCTED WITHIN THE ENCLOSED LIVING AREAS OF THE DWELLING OR ACCESSORY BUILDING; ALLOW OUTSIDE STORAGE OF MATERIAL IN ASSOCIATION WITH THE OPERATION OF A HOME OCCUPATION.	Trial: Dec 6/2007@10:00 DARTMOUTH PROVINCIAL COURT
Trial Sep 20/2007 HALIFAX PROVINCIAL COURT	8470 211-56 CHADWICK PL HALIFAX	ANTHONY TREMBLETT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	ACQUITTED
Arraignment Sep 20/2007 DARTMOUTH PROVINCIAL COURT	8536 138 HERITAGE HILLS DR EASTERN PASSAGE	LUKE MAURICE BEAZLEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Dec 6/2007@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 21/2007 HALIFAX PROVINCIAL COURT	8514 309-6028 LADY HAMMOND RD HALIFAX	JAMES A. BURNS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Oct 9/2007 HALIFAX PROVINCIAL COURT
Arraignment Sep 21/2007 HALIFAX PROVINCIAL COURT	8520 2784 AGRICOLA ST HALIFAX	JEFFREY S. WILSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 28/2008@9:00 HALIFAX PROVINCIAL COURT
Arraignment Sep 21/2007 HALIFAX PROVINCIAL COURT	8526 6216 CHEBUCTO RD HALIFAX	AMBER TAPLEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Dec 4/2007@9:00 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Sep 25/2007 8494 HALIFAX PROVINCIAL COURT	333 MAIN AVE HALIFAX	W.M . FARES GROUP / BYBLOS DEVELOPMENT	BUILDING CODE ACT - CONSTRUCT A BUILDING FOR WHICH A BUILDING PERMIT WAS NOT IN FORCE; - W.M. FARES, BYBLOS AND ANDREW METLEGE; - FAIL TO COMPLY WITH AN ORDER - BYBLOS 3 COUNTS, BASSAM NAHAS 3 COUNTS AND ANDREW METLEGE ONE COUNT.	Adj. Arraignment: Oct 30/2007 HALIFAX PROVINCIAL COURT
Arraignment Sep 25/2007 8515 HALIFAX PROVINCIAL COURT	200-5687 WEST ST HALIFAX	UNIVERSITY FIRST CLASS PAINTERS	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - SEVEN LOCATIONS IN HALIFAX - SIGN WITHIN A HRM PUBLIC RIGHT-OF-WAY	Trial: Apr 1/2008@1:30 HALIFAX PROVINCIAL COURT
Trial Sep 25/2007 8493 DARTMOUTH PROVINCIAL COURT	97 CHASWOOD DR DARTMOUTH	THOMAS ROBERTS	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE; - OWNING DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS; - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL.	Adj. Trial: Nov 6/2007 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 25/2007 8517 DARTMOUTH PROVINCIAL COURT	200-5687 WEST ST HALIFAX	UNIVERSITY FIRST CLASS PAINTERS	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - SEVEN LOCATIONS IN DARTMOUTH - SIGN WITHIN A HRM PUBLIC RIGHT-OF-WAY	Trial: Jan 3/2008@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 25/2007 8518 DARTMOUTH PROVINCIAL COURT	4-124 PINECREST DR DARTMOUTH	LEE COREY ELLIOTT	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE; - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON.	Trial: Jan 3/2008@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 25/2007 8519 DARTMOUTH PROVINCIAL COURT	526 SPRINGFIELD LAKE RD SACKVILLE	DAVID ALAN VOGT	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: Jan 24/2008@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 25/2007 8521 HALIFAX PROVINCIAL COURT	1167 TOWER RD HALIFAX	EMMA POINT	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL	Trial: Apr 4/2008@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Sep 25/2007 8522 HALIFAX PROVINCIAL COURT	20 WOODCREST AVE HALIFAX	BONNIE CAMERON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	Trial: Apr 11/2008@9:30 HALIFAX PROVINCIAL COURT
Arrestment Sep 25/2007 8509 HALIFAX PROVINCIAL COURT	2343 MORAN ST HALIFAX	CINDY LITTLEFAIR	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL	GUILTY PLEA - FINE \$200.00
Arrestment Sep 25/2007 8552 HALIFAX PROVINCIAL COURT	14 SELLARS LN GLEN HAVEN	SARAH DYACK	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	Adj. Arrestment: Nov 5/2007 HALIFAX PROVINCIAL COURT
Arrestment Sep 28/2007 8179 HALIFAX PROVINCIAL COURT	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. Arrestment: Jan 10/2008 HALIFAX PROVINCIAL COURT