



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 4

Halifax Regional Council
February 12, 2008
February 19, 2008

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



ME Donovan, Director Legal Services & Risk Management

DATE: February 5, 2008

SUBJECT: Status of By-law Prosecutions - December 1 - 31, 2007

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND

DISCUSSION

This report identifies only those currently active cases where court appearances occurred between December 1, 2007 and December 31, 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 December 1, 2007 and December 31, 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 8538 Dec 3/2007 HALIFAX PROVINCIAL COURT	LOWER WATER ST HALIFAX	IGOR BOULGAKOV	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	IN ABSENCE CONVICTION - FINE \$124.25
Arraignment 8584 Dec 4/2007 HALIFAX PROVINCIAL COURT	6188 DUNCAN ST HALIFAX	ANDREW DOUCET	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 13/2008@9:30 HALIFAX PROVINCIAL COURT
Arraignment 8585 Dec 4/2007 HALIFAX PROVINCIAL COURT	5789 TOWER TERR HALIFAX	MITCHELL JAMES HARLOW	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 11/2008@1:30 HALIFAX PROVINCIAL COURT
Arraignment 8586 Dec 4/2007 HALIFAX PROVINCIAL COURT	NORTH/BARRINGTON HALIFAX	PAUL DAVID FRASER BOYD	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	WITHDRAWN
Arraignment 8587 Dec 4/2007 HALIFAX PROVINCIAL COURT	NORTH/CREIGHTON HALIFAX	PAUL DAVID FRASER BOYD	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	CHANGE OF PLEA - FINE \$124.25
Arraignment 8363 Dec 4/2007 HALIFAX PROVINCIAL COURT	930-B MCLEAN ST HALIFAX	TRAVIS FRANCIS SAMPSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	STAY ENTERED
Arraignment 8468 Dec 4/2007 HALIFAX PROVINCIAL COURT	1418 LUCASVILLE RD HAMMONDS PLAINS	HEIDI MACINNES	BUILDING CODE ACT S. 8(A), 12(1) - CONSTRUCT A BUILDING WITHOUT FIRST OBTAINING A CONSTRUCTION PERMIT; - FAILED TO COMPLY WITH AN ORDER - 2 COUNTS	Trial: Jan 14/2008@9:30 HALIFAX PROVINCIAL COURT
Arraignment 8552 Dec 4/2007 HALIFAX PROVINCIAL COURT	14 SELLARS LN GLEN HAVEN	SARAH DYACK	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	Trial: May 1/2008@1:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Dec 4/2007 8526 HALIFAX PROVINCIAL COURT	6216 CHEBUCTO RD HALIFAX	AMBER TAPLEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Trial Dec 6/2007 8482 DARTMOUTH PROVINCIAL COURT	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.	Adj. Trial: Jun 26/2008 DARTMOUTH PROVINCIAL COURT
Arraignment Dec 6/2007 8495 HALIFAX PROVINCIAL COURT	6140 LADY HAMMOND RD HALIFAX	2443541 NOVA SCOTIA LIMITED/RONDA SMITH Agent: JOHN FRASER	FIRE SAFETY ACT S. 44(1)(G) - FAIL TO COMPLY WITH AN ORDER	Trial: May 22/2008@9:00 HALIFAX PROVINCIAL COURT
Trial Dec 6/2007 8536 DARTMOUTH PROVINCIAL COURT	138 HERITAGE HILLS DR EASTERN PASSAGE	LUKE MAURICE BEAZLEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment Dec 7/2007 8598 HALIFAX PROVINCIAL COURT	1742 HENRY ST HALIFAX	MICHAEL ROBERT JONES	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 25/2008@9:30 HALIFAX PROVINCIAL COURT
Arraignment Dec 7/2007 8599 HALIFAX PROVINCIAL COURT	6057 COMPTON AVE HALIFAX	LEIGH DAVID HERMAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 1/2008@1:30 HALIFAX PROVINCIAL COURT
Arraignment Dec 7/2007 8600 HALIFAX PROVINCIAL COURT	411-1041 WELLINGTON ST HALIFAX	JONATHAN ANDREW W. BALLARD	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: May 23/2008@1:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Dec 7/2007 8595 HALIFAX PROVINCIAL COURT	WINDSOR/ALMON HALIFAX	CLARENCE EDWARD GIBSON	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Trial: Feb 1/2008@9:30 HALIFAX PROVINCIAL COURT
Arraignment Dec 7/2007 8596 HALIFAX PROVINCIAL COURT	BRUNSWICK/COGSWELL	REZA MOHAJER	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Trial: Feb 1/2008@1:30 HALIFAX PROVINCIAL COURT
Trial Dec 10/2007 8476 DARTMOUTH PROVINCIAL COURT	20 SHEPHERDS LN DARTMOUTH	LARIKA BONER	BY-LAW D-100 RESPECTING DOGS (2 SOT'S) - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL	Adj. Trial: Feb 4/2008 DARTMOUTH PROVINCIAL COURT
Trial Dec 13/2007 8579 DARTMOUTH PROVINCIAL COURT	2722 HWY 7 LAKE ECHO	CAROLYN BROWN	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	CONVICTION - FINE \$122.00
Trial Dec 13/2007 8580 DARTMOUTH PROVINCIAL COURT	2123 HIGHWAY 7 EAST PRESTON	JACOB DIGGS	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY	CONVICTION - FINE \$100.00
Trial Dec 13/2007 8548 DARTMOUTH PROVINCIAL COURT	50 JOHNSON RD NORTH PRESTON	CARL DAVID SMITH	ENVIRONMENT ACT S.99(2) - RELEASING LITTER INTO THE ENVIRONMENT	Adj. Trial: Mar 6/2008 DARTMOUTH PROVINCIAL COURT
Trial Dec 13/2007 8527 DARTMOUTH PROVINCIAL COURT	45 LINDY LANE DARTMOUTH	JOHN DOUGLAS POWER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Dec 13/2007 8528 DARTMOUTH PROVINCIAL COURT	45 LINDY LANE DARTMOUTH	JOHN DOUGLAS POWER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$912.00

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Dec 14/2007 8601 HALIFAX PROVINCIAL COURT	POINT PLEASANT PARK	SABRINA LAURA KANE	BY-LAW D-100 RESPECTING DOGS - PERMITTING DOG TO BE IN MUNICIPAL PUBLIC PARK AREA WHERE PROHIBITED	Adj. Arraignment: Jan 8/2008 HALIFAX PROVINCIAL COURT
Arraignment Dec 14/2007 8602 HALIFAX PROVINCIAL COURT	BARRINGTON/NORTH	BENEDYKT DERA	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Adj. Arraignment: Jan 8/2008 HALIFAX PROVINCIAL COURT
Arraignment Dec 14/2007 8603 HALIFAX PROVINCIAL COURT	HALIFAX COMMONS	LUCAS KYLE DEON	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - OPERATING UNAUTHORIZED VEHICLE IN PARK	Adj. Arraignment: Jan 8/2008 HALIFAX PROVINCIAL COURT
Arraignment Dec 14/2007 8604 HALIFAX PROVINCIAL COURT	6029 JUBILEE RD HALIFAX	DAVID JAMAL PHILBERT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Jan 29/2008 HALIFAX PROVINCIAL COURT
Arraignment Dec 18/2007 8592 DARTMOUTH PROVINCIAL COURT	49 IRVING ST DARTMOUTH	MARY LOUISE HORNE	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	Trial: Jul 3/2008@10:00 DARTMOUTH PROVINCIAL COURT
Trial Dec 19/2007 8504 HALIFAX PROVINCIAL COURT	6190B DUNCAN ST HALIFAX	CRYSTAL JEAN MCCORMICK	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Dec 20/2007 8483 HALIFAX PROVINCIAL COURT	6048 CUNARD ST HALIFAX	JOSHUA DOUGLAS RHODENIZER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Apr 23/2008 HALIFAX PROVINCIAL COURT
Trial Dec 20/2007 8484 HALIFAX PROVINCIAL COURT	6048 CUNARD ST HALIFAX	JOSHUA DOUGLAS RHODENIZER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Apr 23/2008 HALIFAX PROVINCIAL COURT