



PO Box 1749
Halifax, Nova Scotia
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Item No. 4

**Halifax Regional Council
February 3, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in blue ink that reads "ME Donovan".

ME Donovan, Director Legal Services & Risk Management

DATE: January 27, 2009

SUBJECT: Status of By-law Prosecutions - August 1 - 31, 2008

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND/DISCUSSION

This report identifies only those currently active cases where court appearances occurred between August 1, 2008 and August 31, 2008.

BUDGET IMPLICATIONS

None

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 August 1, 2008 and August 31, 2008

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
Arrestment Aug 5/2008 8723 HALIFAX PROVINCIAL COURT	1598 LARCH ST HALIFAX	JOHN EDWARD O'BRIEN	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	WITHDRAWN
Trial Aug 7/2008 8636 DARTMOUTH PROVINCIAL COURT	1055 EAST PETPESWICK RD EAST PETPESWICK	VLADIMIR BRIDAN	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS	CHANGE OF PLEA - FINE \$222.00
Trial Aug 7/2008 8637 DARTMOUTH PROVINCIAL COURT	273 BROOKS DR DARTMOUTH	TROY THOMPSON-WILLIAMS	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS	ACQUITTED
Arrestment Aug 7/2008 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 AN HRM PUBLIC RIGHT-OF-WAY	CHANGE OF PLEA - FINE \$700.00
Trial Aug 8/2008 8658 HALIFAX PROVINCIAL COURT	6967 516 BAYERS RD HALIFAX	ANDREW JOHN BURGESS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$230.00
Trial Aug 8/2008 8659 HALIFAX PROVINCIAL COURT	613-2406 GOTTINGEN ST HALIFAX	SUSAN EILENN LUCAS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$230.00
Trial Aug 8/2008 8653 HALIFAX PROVINCIAL COURT	603-1263 QUEEN ST HALIFAX	EMILY MARIE LINEHAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$230.00
Trial Aug 12/2008 8529 DARTMOUTH PROVINCIAL COURT	71 KEDDY RD COOKS BROOK	KENNETH JOHN DONCASTER	LAND USE BY-LAW FOR MUSQUODOBOIT VALLEY & DUTCH SETTLEMENT - ALLOW AN ACCESSORY BUILDING TO BE LOCATED CLOSER THAN EIGHT FEET TO A LOT LINE; - FAIL TO OBTAIN A PERMIT.	CONVICTION - FINE \$200.00 ORDER TO COMPLY

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 8729 Aug 12/2008 DARTMOUTH PROVINCIAL COURT	473 WINDMILL RD DARTMOUTH	T.K.'S CARPET FACTORY OUTLET Agent: ROBERT MACKEIGAN	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - DID PLACE, ERRECT OR DISPLAY A SIGN THAT DOES NOT HAVE A VALID LICENSE	Trial: Jan 8/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 8685 Aug 19/2008 HALIFAX PROVINCIAL COURT	3155 JOSEPH HOWE DR HALIFAX	NEIL G. MUIR	LAND USE BY-LAW FOR HALIFAX PENINSULA - ALLOW A BUILDING CONTAINING FOUR APARTMENTS ON AN UNDERSIZED LOT; - ALLOW AN ACCESSORY BUILDING TO BE USED FOR HUMAN HABITATION.	COUNT #1 - CHANGE OF PLEA - FINE \$1250.00 COUNT #2 - WITHDRAWN
Arraignment 8706 Aug 19/2008 HALIFAX PROVINCIAL COURT	771 BEDFORD HWY HALIFAX	UNITED GULF DEVELOPMENT LTD. Agent: NAVID SABERI	LAND USE BY-LAW FOR BEDFORD - ALLOW A SIGN TO BE LOCATED ON A LOT THAT DID NOT CONTAIN THE BUSINESS THAT WAS BEING ADVERTISED	Trial: Jan 14/2009@1:30 HALIFAX PROVINCIAL COURT
Trial 8564 Aug 21/2008 DARTMOUTH PROVINCIAL COURT	ELMSDALE	MARINUS VERHAGEN ENTERPRISES LIMITED Agent: MARINUS VERHAGEN	BY-LAW S-600 RESPECTING SOLID WASTE - REMOVE SOLID WASTE MATERIALS GENERATED WITHIN THE MUNICIPALITY OUTSIDE THE BOUNDARIES OF THE MUNICIPALITY	Adj. Trial: Sep 10/2008 DARTMOUTH PROVINCIAL COURT
Trial 8476 Aug 21/2008 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	ONE COUNT - CONVICTION - FINE \$407.00 ONE COUNT - ACQUITTED
Arraignment 8710 Aug 21/2008 DARTMOUTH PROVINCIAL COURT	1089 COLE HARBOUR RD DARTMOUTH	PUDGEY TIRE LTD.	BY-LAW S-800 RESPECTING SIGNS - DID DISPLAY A SIGN ON THE ROOF OF A BUILDING	Trial: Apr 30/2009@9:30 DARTMOUTH PROVINCIAL COURT
Trial 8677 Aug 22/2008 HALIFAX PROVINCIAL COURT	65 ROSALIE AVE PROSPECT BAY	GLENN CARL OSMOND	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	CONVICTION - FINE \$222.00
Trial 8678 Aug 22/2008 HALIFAX PROVINCIAL COURT	3695 DUTCH VILLAGE RD HALIFAX	JAMES MITCHELL	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE - TWO COUNTS	WITHDRAWN

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Aug 22/2008 8679 HALIFAX PROVINCIAL COURT	3695 DUTCH VILLAGE RD HALIFAX	JAMES MITCHELL	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE - 2 COUNTS	WITHDRAWN
Arraignment Aug 22/2008 8741 HALIFAX PROVINCIAL COURT	POINT PLEASANT PARK HALIFAX	JEFFREY B. MCKENNA	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - OPERATING UNAUTHORIZED VEHICLE IN PARK	IN ABSENCE CONVICTION - FINE \$222.00
Arraignment Aug 25/2008 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	3 COUNTS WITHDRAWN 4 COUNTS CHANGE OF PLEA - FINE TOTAL \$400.00
Trial Aug 25/2008 8708 HALIFAX PROVINCIAL COURT	1-5134 BISHOP ST HALIFAX	HAILEY MUMBY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Arraignment Aug 26/2008 8740 HALIFAX PROVINCIAL COURT	1062 WAVERLEY RD DARTMOUTH	FRANCOIS CHAREST	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00
Arraignment Aug 26/2008 8748 HALIFAX PROVINCIAL COURT	29 LAYTON RD HALIFAX	PATSHEL HOLDINGS INCORPORATED Agent: JOSEPH ROZA	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	IN ABSENCE CONVICTION - FINE \$222.00
Arraignment Aug 26/2008 8747 HALIFAX PROVINCIAL COURT	18 PENNY AVE HALIFAX	PATSHEL HOLDINGS INCORPORATED Agent: JOSEPH ROZA	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	IN ABSENCE CONVICTION - FINE \$222.00
Arraignment Aug 26/2008 8752 HALIFAX PROVINCIAL COURT	748 BEDFORD HWY HALIFAX	CLAYTIME POTTERY PAINTING STUDIO INC.	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - DID PLACE, ERECT OR DISPLAY A SIGN THAT DOES NOT HAVE A VALID LICENSE	IN ABSENCE CONVICTION - FINE \$222.00

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Aug 26/2008 8753 HALIFAX PROVINCIAL COURT	EAST SIDE RD KETCH HARBOUR	BONNIE HEATHER CRANSTON	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG - 2 COUNTS	CHANGE OF PLEA - FINE \$108 EACH COUNT
Arrestment Aug 26/2008 8786 HALIFAX PROVINCIAL COURT	48 EMERALD CRES HALIFAX	GERALD YOUNG	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	CHANGE OF PLEA - FINE \$123.00
Arrestment Aug 26/2008 8742 HALIFAX PROVINCIAL COURT	8 RICHARD STREET TIMBERLEA	BEVERLEY WHITTY	BY-LAW A-300 RESPECTING ANIMALS - ALLOWING ANY ANIMAL TO MAKE NOISE EXCESSIVELY	WITHDRAWN
Arrestment Aug 26/2008 8718 DARTMOUTH PROVINCIAL COURT	46 JOHNSON RD EAST PRESTON	CARL D. SMITH	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY (AN ACCUMULATION OF DEBRIS, VEHICLE PARTS, TIRES, ENGINE PARTS AND SCRAP METAL)	Trial: Mar 19/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Aug 26/2008 8832 DARTMOUTH PROVINCIAL COURT	97 HAVELOCK CRES DARTMOUTH	DANNY CASTILLO	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 5/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Aug 26/2008 8833 DARTMOUTH PROVINCIAL COURT	118 CHANDLER DR LOWER SACKVILLE	LORI D. DAVIS	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 5/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Aug 26/2008 8749 HALIFAX PROVINCIAL COURT	19 GEORGE SAMUEL DR HAMMONDS PLAINS	JANICE MARIE WELLS	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Dec 5/2008@1:30 HALIFAX PROVINCIAL COURT
Arrestment Aug 26/2008 8785 HALIFAX PROVINCIAL COURT	48 EMERALD CRES HALIFAX	GERALD YOUNG	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	WITHDRAWN

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Aug 26/2008 8812 DARTMOUTH PROVINCIAL COURT	473 WINDMILL RD DARTMOUTH	T.K'S CARPET	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - DID PLACE, ERECT OR DISPLAY A SIGN THAT DOES NOT HAVE A VALID LICENSE.	Trial: May 7/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Aug 26/2008 8750 HALIFAX PROVINCIAL COURT	960 WINWICK RD HALIFAX	UMESH JHA	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$452.00
Arrestment Aug 26/2008 8751 HALIFAX PROVINCIAL COURT	16 TITUS ST HALIFAX	THE TAX MAN	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - DID PLACE, ERECT OR DISPLAY A SIGN THAT DOES NOT HAVE A VALID LICENSE	Trial: Dec 10/2008@9:30 HALIFAX PROVINCIAL COURT
Arrestment Aug 26/2008 8847 DARTMOUTH PROVINCIAL COURT	58 BELMONT AVE DARTMOUTH	JANET HORNE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 12/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Aug 26/2008 8743 HALIFAX PROVINCIAL COURT	712 PROSPECT BAY RD PROSPECT	VANGIE TSITOURAS	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE; BY-LAW A-300 RESPECTING ANIMALS - ALLOWING ANY ANIMAL TO MAKE NOISE EXCESSIVELY.	WITHDRAWN
Arrestment Aug 26/2008 8744 HALIFAX PROVINCIAL COURT	6B WILDWOOD AVE HALIFAX	BLAIR DOUGLAS WEEKS	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG	IN ABSENCE CONVICTION - FINE \$222.00
Arrestment Aug 26/2008 8875 DARTMOUTH PROVINCIAL COURT	PETAUN STATION RD WEST CHEZZETCOOK	HUBERT SKINNER	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 19/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Aug 26/2008 8834 DARTMOUTH PROVINCIAL COURT	21 ELM ST DARTMOUTH	NELSON LEONARD BRISON	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO IMMEDIATELY REMOVE DEFECATION; - RUNNING AT LARGE.	Trial: Mar 5/2009@9:30 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Aug 26/2008 HALIFAX PROVINCIAL COURT 8754	86 HUBLEY MILL LAKE RD UPPER TANTALLON	LORRAINE E. LICHTY	BY-LAW A-300 RESPECTING ANIMALS - ALLOWING ANY ANIMAL TO MAKE NOISE EXCESSIVELY	CHANGE OF PLEA - FINE \$108.00
Arraignment Aug 26/2008 DARTMOUTH PROVINCIAL COURT	37 PATRICK LN DARTMOUTH	JAMES TROY MACPHERSON	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY	Trial: Mar 19/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 26/2008 DARTMOUTH PROVINCIAL COURT	14 BURKE ST DARTMOUTH	GORDON MILNE	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG	Trial: Mar 19/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 26/2008 DARTMOUTH PROVINCIAL COURT	BIRCHILL DR EASTERN PASSAGE	PATSY MORSE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Mar 19/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 26/2008 DARTMOUTH PROVINCIAL COURT	13 HASTINGS DR DARTMOUTH	ERNEST HAROLD MACCULLOCH	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF COMMERCIAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE SEPARATED WASTE	Trial: Mar 19/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 26/2008 DARTMOUTH PROVINCIAL COURT	19 RODNEY RD DARTMOUTH	ELIZABETH D. LUCAS	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF DEBRIS	Trial: Mar 19/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 26/2008 HALIFAX PROVINCIAL COURT	8 CONVOY AVE HALIFAX	GREG D. SHEPHARD	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	CHANGE OF PLEA - FINE \$123.00
Arraignment Aug 26/2008 HALIFAX PROVINCIAL COURT	10 SHEPPARDS RUN BEECHVILLE	MICHELLE SCHROEDER	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG	CHANGE OF PLEA - FINE \$222.00

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Aug 27/2008 8680 HALIFAX PROVINCIAL COURT	5821 INGLIS ST HALIFAX	HALIFAX COUNTY CONDOMINIUM CORP. NO. 175 Agent: DON C. BUCK	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN THE CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	WITHDRAWN
Trial Aug 27/2008 8632 HALIFAX PROVINCIAL COURT	SPRING GARDEN/SOUTH PARK HALIFAX	BERHANYKUN G. GHEBREAMLAK	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
Trial Aug 27/2008 8681 HALIFAX PROVINCIAL COURT	5811 INGLIS STREET HALIFAX	HALIFAX COUNTY CONDO. CORP. NO. 177 Agent: DON C. BUCK	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN THE CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	WITHDRAWN
Trial Aug 28/2008 8682 HALIFAX PROVINCIAL COURT	1275 SOUTH PARK ST HALIFAX	PENINSULA-SOUTHGATE LIMITED Agent: GREGORY ARAB	BY-LAW S-600 RESPECTING SOLID WASTE - FAILING TO ENSURE LID ON COMMERCIAL CONTAINER FOR TEMPORARY STORAGE OF WASTE NOT BEING LOADED OR UNLOADED IS KEPT CLOSED	WITHDRAWN
Trial Aug 28/2008 8683 HALIFAX PROVINCIAL COURT	1275 SOUTH PARK ST HALIFAX	PENINSULA-SOUTHGATE LIMITED Agent: GREGORY ARAB	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF PREMISES FAILING TO KEEP AREA SURROUNDING COMMERCIAL CONTAINER FREE FROM LITTER AND WASTE	WITHDRAWN
Arraignment Aug 29/2008 8757 HALIFAX PROVINCIAL COURT	1029 BLAND ST HALIFAX	DESMOND JERMAINE MILLER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 26/2009@9:30 HALIFAX PROVINCIAL COURT