



PO Box 1749
Halifax, Nova Scotia
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Item No. 3

**Halifax Regional Council
April 28, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in dark ink, appearing to read "ME Donovan".

ME Donovan, Director Legal Services & Risk Management

DATE: April 22, 2009

SUBJECT: Status of By-law Prosecutions - September 1 - 30, 2008

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND

DISCUSSION

This report identifies only those currently active cases where court appearances occurred between September 1, 2008 and September 30, 2008.

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, 2008 and September 30, 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 8718 Sep 2/2008 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)	CHANGE OF PLEA - FINE \$100.00
Arrestment 8688 Sep 2/2008 HALIFAX PROVINCIAL COURT	5687 CHARLES ST HALIFAX	S. MESHAL/ARCHNET HOME LTD/ R. MALAY Agent: GLEN MALAY	BUILDING CODE ACT S.8(B) - OCCUPY A BUILDING WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT	Trial: Jun 15/2009@9:30 HALIFAX PROVINCIAL COURT
Arrestment 8678 Sep 5/2008 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3695 DUTCH VILLAGE RD HALIFAX	JAMES MITCHELL	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE - TWO COUNTS	WITHDRAWN
Arrestment 8679 Sep 5/2008 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3695 DUTCH VILLAGE RD HALIFAX	JAMES MITCHELL	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE - 2 COUNTS	WITHDRAWN
Arrestment 8756 Sep 5/2008 HALIFAX PROVINCIAL COURT	5184 SACKVILLE ST HALIFAX	ANGUS LEONARD JARVIS	BY-LAW T-108 RESPECTING TAXIS AND LIMOUSINES -TRANSPORTING OR BEING IN CONTROL OF MOTOR VEHICLE FOR PURPOSE OF TRANSPORTING PASSENGERS FOR HIRE WITHOUT VALID TAXI DRIVERS LICENSE CONSPICUOUSLY DISPLAYED; - OPERATING TAXI WITHOUT 1 SINGLE TARIFF TAXI METER; - OPERATING OR PERMITTING TO BE OPERATED A VEHICLE FOR HIRE WITHOUT LICENSE AS REQUIRED; -OPERATING OR PERMITTING TO BE OPERATED A TAXI WITHOUT CURRENT TAXI BUMPER STICKER IN RESPECT OF THAT VEHICLE AFFIXED AS REQUIRED AND CLEARLY VISIBLE.	WITHDRAWN

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 8343 Sep 7/2008 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	PRETRIAL CONFERENCE FEBRUARY 26, 2009
Arraignment 8741 Sep 9/2008 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 8786 Sep 9/2008 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
Arraignment 8785 Sep 9/2008 HALIFAX PROVINCIAL COURT	48 EMERALD CRES HALIFAX	GERALD YOUNG	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	WITHDRAWN
Arraignment 8757 Sep 9/2008 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
Arraignment 8848 Sep 9/2008 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	CHANGE OF PLEA - FINE \$50.00
Trial 8723 Sep 10/2008 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 8564 Sep 10/2008 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: Dec 2/2008 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 10/2008 DARTMOUTH PROVINCIAL COURT	8609 253 PLEASANT ST DARTMOUTH	STEWART HEALY	BY-LAW M-100 RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - FAIL TO COMPLY WITH AN ORDER; - FAIL TO ENSURE THAT EVERY SLEEPING ROOM HAS A SELF CLOSING DEVICE; - FAIL TO DISPLAY A COPY OF THE FIRE SAFETY PLAN ON EACH FLOOR; - OPERATE A ROOMING, BOARDING AND LODGING HOUSE WITHOUT A LICENSE; - FAIL TO HAVE THE FIRE ALARM SYSTEM VERIFIED AS OPERATIONAL.	CHANGE OF PLEA - FINE \$5,000.00
Trial Sep 10/2008 HALIFAX PROVINCIAL COURT	8644 72 CENTRAL AVE HALIFAX	JESSICA WEIDENFELD	BY-LAW D-100 RESPECTING DOGS - 2 COUNTS OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	ACQUITTED
Arraignment Sep 10/2008 DARTMOUTH PROVINCIAL COURT	8788 60 HELENE AVE DARTMOUTH	JUDY M. GARRISON	BY-LAW C-300 RESPECTING CIVIC ADDRESSING - OWNER OF PROPERTY FAILING TO KEEP ASSIGNED CIVIC NUMBER POSTED ON PROPERTY	WITHDRAWN
Arraignment Sep 11/2008 DARTMOUTH PROVINCIAL COURT	8906 2-89 FAIRBANKS DARTMOUTH	NANCY A. MACDONALD	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: May 7/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 11/2008 DARTMOUTH PROVINCIAL COURT	8910 133 LUMBERMAN DR SACKVILLE	MARVIN UPSHAW	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Sep 12/2008 HALIFAX PROVINCIAL COURT	8740 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 Sep 12/2008 HALIFAX PROVINCIAL COURT	8759 1029 BLAND ST HALIFAX	DILLON SAGAR	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jun 29/2009@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 15/2008 8648 HALIFAX PROVINCIAL COURT	1577 VERNON ST HALIFAX	KATHERINE HINAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$200.00
Trial Sep 17/2008 8707 HALIFAX PROVINCIAL COURT	2-6023 BLISS ST HALIFAX	AMBER MORGAN GREEN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$200.00
Trial Sep 22/2008 8651 HALIFAX PROVINCIAL COURT	870 PURCELLS COVE RD FERGUSONS COVE	MARIE ROBINSON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	WITHDRAWN
Arraignment Sep 23/2008 8764 HALIFAX PROVINCIAL COURT	83 SHELDRAKE CRES HUBLEY	JOHN CRAWFORD	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Aug 17/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 23/2008 8763 DARTMOUTH PROVINCIAL COURT	200-5687 WEST ST HALIFAX	UNIVERSITY CONTRACTING CORP. LTD.	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - SIGN POSTED WITHIN A PUBLIC RIGHT-OF-WAY	WITHDRAWN
Trial Sep 24/2008 8657 HALIFAX PROVINCIAL COURT	120 BRENTWOOD AVE HALIFAX	AMANDA JOHNSON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	WITHDRAWN
Arraignment Sep 25/2008 8909 DARTMOUTH PROVINCIAL COURT	3-62 JACKSON RD DARTMOUTH	SHERRY LORETTA LEVY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 23/2009@9:30 DARTMOUTH PROVINCIAL COURT
Trial Sep 29/2008 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

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 29/2008 8660 HALIFAX PROVINCIAL COURT	3204 RALSTON AVE HALIFAX	ELIZABETH A. LAMBERT	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBOURHOOD BY BARKING, HOWLING OR IN ANY OTHER MANNER	ACQUITTED
Trial Sep 29/2008 8519 DARTMOUTH PROVINCIAL COURT	526 SPRINGFIELD LAKE RD SACKVILLE	DAVID ALAN VOGT	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Adj. Trial: Nov 10/2008 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 30/2008 8762 HALIFAX PROVINCIAL COURT	A-5224 HARVEY ST HALIFAX	CAILEAN J. CATTANI	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment Sep 30/2008 8791 DARTMOUTH PROVINCIAL COURT	68 JACKSON RD DARTMOUTH 126 PINECREST DR DARTMOUTH	HIGH GLOSS MAINTENANCE Agent: THOMAS BOYNE	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO A LACK OF EXTERIOR MAINTENANCE; MGA S. 348(4) - FAILING TO COMPLY WITH AN ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION - 2 COUNTS.	WITHDRAWN
Arraignment Sep 30/2008 8758 DARTMOUTH PROVINCIAL COURT	2 SQUIRES LANE EASTERN PASSAGE	IONE SIMPSON	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE; - FAILING TO IMMEDIATELY REMOVE DEFECATION.	Trial: Apr 23/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 30/2008 8771 DARTMOUTH PROVINCIAL COURT	129 PINECREST DR DARTMOUTH	ATLANTIC COAST PROPERTIES LTD	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Trial: Apr 2/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 30/2008 8774 HALIFAX PROVINCIAL COURT	6175 LAWRENCE ST DARTMOUTH	DEBRA REYNOLDS-BANTING	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Oct 13/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 30/2008 8776 HALIFAX PROVINCIAL COURT	72 ARDWELL AVE HALIFAX	CRYSTAL GAIL MCPHEE	BY-LAW A-300 RESPECTING ANIMALS - ALLOWING ANY ANIMAL TO MAKE NOISE EXCESSIVELY	Trial: Oct 13/2009@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Sep 30/2008 8777 HALIFAX PROVINCIAL COURT	37 VIRGINIA DR HAMMONDS PLAINS	KEVIN C. KELLOWAY	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Oct 13/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 30/2008 8778 HALIFAX PROVINCIAL COURT	23 ARMSHORE DR HALIFAX	NICOLE KEEFE	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG	Trial: Oct 13/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 30/2008 8779 HALIFAX PROVINCIAL COURT	264 POWER RD WHITES LAKE	PATRICIA FORGERON	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Oct 13/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 30/2008 8781 HALIFAX PROVINCIAL COURT	1656 ROBIE ST HALIFAX	JANICE BURGOYNE	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG - 2 COUNTS	Trial: Oct 13/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 30/2008 8784 HALIFAX PROVINCIAL COURT	HAMMONDS PLAINS RD HALIFAX	BODY AND SOLE SPA Agent: SHERRI MACPHAIL	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - PLACE, ERECT OR DISPLAY A THIRD PARTY SIGN - THREE COUNTS	Trial: Oct 13/2009@2:00 HALIFAX PROVINCIAL COURT
Arraignment Sep 30/2008 8768 DARTMOUTH PROVINCIAL COURT	142 AMARANTH CRES DARTMOUTH	APRIL LEE GAETZ	MGA S 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DOG FECES, RIPPED DISCARDED TARPS, PLASTIC BOTTLES AND SCATTERED DEBRIS	Trial: Apr 23/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 30/2008 8775 HALIFAX PROVINCIAL COURT	3 TREELINE CRT HARRIETSFIELD	TERINA OAKLEY	BY-LAW A-300 RESPECTING ANIMALS - ALLOWING ANY ANIMAL TO MAKE NOISE EXCESSIVELY	WITHDRAWN
Arraignment Sep 30/2008 8770 DARTMOUTH PROVINCIAL COURT	16 MEMORIAL DR DARTMOUTH	DONALD BATES	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG - 4 COUNTS	Trial: Apr 2/2009@9:30 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Sep 30/2008 8780 HALIFAX PROVINCIAL COURT	6057 NORTH ST HALIFAX	3024336 NOVA SCOTIA LIMITED	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO A LACK OF EXTERIOR MAINTENANCE TO THE MAIN DWELLING AND ACCESSORY BUILDING	Trial: Aug 20/2009@1:30 HALIFAX PROVINCIAL COURT
Arrestment Sep 30/2008 8773 HALIFAX PROVINCIAL COURT	82 BRENTWOOD AVE HALIFAX	BARBARA A. SOBKOWICH	MGA S. 348(4) - FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION - 2 COUNTS	Trial: Oct 13/2009@2:00 HALIFAX PROVINCIAL COURT
Arrestment Sep 30/2008 8755 HALIFAX PROVINCIAL COURT	107 SANDY COVE RD TERENCE BAY	MARLENE FRAME	BY-LAW A-300 RESPECTING ANIMALS - OWNER OF A DOG THAT ATTACKS	GUILTY PLEA - FINE \$222.00 AND MUZZLE ORDER
Arrestment Sep 30/2008 8769 DARTMOUTH PROVINCIAL COURT	292 MOORE RD MOLFORD STATION	LARRY BROWN	BY-LAW C-300 RESPECTING CIVIC ADDRESSING -OWNER OF PROPERTY FAILING TO KEEP ASSIGNED CIVIC NUMBER POSTED ON PROPERTY	Trial: Apr 2/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Sep 30/2008 8772 DARTMOUTH PROVINCIAL COURT	20 SHEPHERDS LN LAWRENCETOWN	LJERKA BONAR	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE; - FAILING TO LICENSE DOG - 2 COUNTS	Trial: Apr 2/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Sep 30/2008 8782 DARTMOUTH PROVINCIAL COURT	59 LAKEVIEW RD LAKEVIEW	MIKE ROSS	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO KEEP IDENTIFICATION SYSTEM IN PLACE	Trial: Apr 23/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Sep 30/2008 8783 DARTMOUTH PROVINCIAL COURT	59 LAKEVIEW RD LAKEVIEW	MICHAEL B. ROSS	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	Trial: Apr 23/2009@9:30 DARTMOUTH PROVINCIAL COURT