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Halifax, Nova Scotia
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Item No. 4

**Halifax Regional Council
June 23, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council

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

DATE: June 17, 2009

SUBJECT: Status of By-law Prosecutions - November 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 November 1, 2008 and November 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 November 1, 2008 and November 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 8812 Nov 4/2008 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.	IN ABSENCE CONVICTION - FINE \$222.00
Arrestment 8819 Nov 7/2008 HALIFAX PROVINCIAL COURT	6110 ROXTON ROAD HALIFAX	AMY EILEEN HAYES	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Trial 8519 Nov 12/2008 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: Feb 27/2009 DARTMOUTH PROVINCIAL COURT
Arrestment 8821 Nov 14/2008 HALIFAX PROVINCIAL COURT	6239 WATT ST HALIFAX	ANDREW JOHN DENHAMER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Arrestment 8810 Nov 18/2008 HALIFAX PROVINCIAL COURT	162 CONNOR LN HALIFAX	FABIAN TROY ELLIS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Arrestment 8811 Nov 18/2008 HALIFAX PROVINCIAL COURT	5775 CHARLES ST HALIFAX	STEVEN WISWELL	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	Trial: May 7/2009@9:30 HALIFAX PROVINCIAL COURT
Arrestment 8739 Nov 18/2008 HALIFAX PROVINCIAL COURT	2790 WINDSOR ST HALIFAX	ROCKSTONE INVESTMENTS/MARITIME LAWN	LAND USE BY-LAW FOR HALIFAX PENINSULA - ALLOW SHIPPING CONTAINERS TO BE USED AS ACCESSORY BUILDINGS ON A PROPERTY THAT ABUTS A RESIDENTIAL ZONE	Trial: May 13/2009@9:00 HALIFAX PROVINCIAL COURT
Arrestment 8807 Nov 18/2008 HALIFAX PROVINCIAL COURT	COGSWELL ST/ROBIE ST HALIFAX	KELLY C. WATTERWORTH	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	Trial: Jun 8/2009@1:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment 8674 Nov 18/2008 DARTMOUTH PROVINCIAL COURT	148 LOCKVIEW RD FALL RIVER	SLC DEVELOPER INCORPORATED Agent: BARRY WARD	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF INSTITUTIONAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE-SEPARATED WASTE	Trial: May 7/2009@10:00 DARTMOUTH PROVINCIAL COURT
Arrestment 8664 Nov 18/2008 DARTMOUTH PROVINCIAL COURT	1225 OLD SACKVILLE RD SACKVILLE	SLC DEVELOPER INCORPORATED Agent: BARRY WARD	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF INSTITUTIONAL PREMISES FAILING TO ENSURE COMMERCIAL CONTAINERS ACCOMMODATE SOURCE-SEPARATED WASTE	Trial: May 7/2009@10:00 DARTMOUTH PROVINCIAL COURT
Arrestment 8704 Nov 20/2008 HALIFAX PROVINCIAL COURT	6313 WILLOW ST HALIFAX	MICHAEL ANTHONY MCDONALD	BY-LAW T-600 RESPECTING TREES - ALTERING OR REMOVING PUBLIC TREE WITHOUT PERMIT OR WRITTEN CONSENT OF DIRECTOR	WITHDRAWN
Trial 8564 Nov 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	MARINUS VERHAGEN ENTERPRISES LIMITED - CHANGE OF PLEA - FINE \$4600.00 3139476 NOVA SCOTIA LTD., ARISAG HOLDINGS LTD., ELB HOLDINGS LTD., GRALUC HOLDINGS LTD., NOVA NEW ENGLAND LIMITED AND SND HOLDINGS LTD. - ACQUITTED
Arrestment 8844 Nov 21/2008 HALIFAX PROVINCIAL COURT	114B-64 FAIRFAX DR HALIFAX	RYAN NEIL HEARNS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$245.00
Arrestment 8845 Nov 21/2008 HALIFAX PROVINCIAL COURT	114A-64 FAIRFAX DR. HALIFAX	MATTHEW BUCKLE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$245.00
Arrestment 8846 Nov 21/2008 HALIFAX PROVINCIAL COURT	810-6967 BAYERS RD HALIFAX	PAUL CHARIFE ALLEN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 10/2009@1:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Nov 25/2008 DARTMOUTH PROVINCIAL COURT	8842 45 ELMWOOD AVE DARTMOUTH	WISE MAN INVESTMENTS LIMITED	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF PREMISES FAILING TO ENSURE THAT COMMERCIAL CONTAINER IS EMPTIED AT LEAST ONCE EVERY 7 DAYS; - OWNER OF PREMISES FAILING TO ENSURE COMMERCIAL CONTAINER IS NORMALLY COVERED WHILE CONTAINING WASTE; - OWNER OF PREMISES FAILING TO KEEP AREA SURROUNDING COMMERCIAL CONTAINER FREE FROM LITTER AND WASTE.	Trial: Jun 25/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 DARTMOUTH PROVINCIAL COURT	8837 18 JOFFRE ST DARTMOUTH	DAVID ZERAVIV	BY-LAW A-300 RESPECTING ANIMALS - OWN A DOG THAT ATTACKS	Trial: Jul 23/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 DARTMOUTH PROVINCIAL COURT	8957 HALIFAX AIRPORT ENFIELD	HABIB HABIB	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 DARTMOUTH PROVINCIAL COURT	8953 HALIFAX AIRPORT ENFIELD	ASRAR AHMAD	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 DARTMOUTH PROVINCIAL COURT	8959 HALIFAX AIRPORT ENFIELD	ISMAIL KADIR	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 DARTMOUTH PROVINCIAL COURT	8960 HALIFAX AIRPORT ENFIELD	WAYNE CHESLEY LACEY	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment 8841 Nov 25/2008 HALIFAX PROVINCIAL COURT	1740 ARGYLE ST HALIFAX	ANDRZEJ RAFALSKI	BY-LAW C-500 RESPECTING COMMERCE AND VENDING ON MUNICIPAL LANDS - LEAVING MOBILE CANTEEN OR STAND UNATTENDED; - STORING, PARKING, LEAVING OR HAVING STAND OR MOBILE CANTEEN ON MUNICIPAL LANDS BETWEEN 4:30 A.M. AND 8:30 A.M.	Trial: Jul 22/2009@1:30 HALIFAX PROVINCIAL COURT
Arrestment 8838 Nov 25/2008 HALIFAX PROVINCIAL COURT	142 MAIN AVE HALIFAX	NATALIE PERRY	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG - THREE COUNTS	WITHDRAWN
Arrestment 8820 Nov 25/2008 HALIFAX PROVINCIAL COURT	1737 CHESTNUT ST HALIFAX	ASHLEY MORRIS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$352.00
Arrestment 8839 Nov 25/2008 HALIFAX PROVINCIAL COURT	5241 TOBIN ST HALIFAX	GBRF PROPERTIES LIMITED	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Trial: Jun 1/2009@1:30 HALIFAX PROVINCIAL COURT
Arrestment 8840 Nov 25/2008 HALIFAX PROVINCIAL COURT	5241 TOBIN ST HALIFAX	GBRF PROPERTIES LIMITED	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF MIXED GARBAGE, WASTE AND DEBRIS	Trial: Jun 1/2009@1:30 HALIFAX PROVINCIAL COURT
Arrestment 8843 Nov 25/2008 HALIFAX PROVINCIAL COURT	32 STONE HILL PL BEECHVILLE	CARRIE MCGLONE	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG	Trial: Aug 24/2009@9:30 HALIFAX PROVINCIAL COURT
Arrestment 8955 Nov 25/2008 DARTMOUTH PROVINCIAL COURT	HALIFAX AIRPORT ENFIELD	NORMAN ERNEST FENN, JR	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Nov 25/2008 8956 DARTMOUTH PROVINCIAL COURT	HALIFAX AIRPORT ENFIELD	STEPHEN JOSEPH GUIMOND	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 8854 DARTMOUTH PROVINCIAL COURT	269 PLEASANT ST DARTMOUTH	SEAN RICHARDSON	MGA S. 348(4) - FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION	GUILTY PLEA - FINE \$222.00
Arrestment Nov 25/2008 8836 HALIFAX PROVINCIAL COURT	26 CASTLE HILL DR HALIFAX	BRADLEY MICHAEL GRAY	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	Adj. Arrestment: Jul 15/2009 HALIFAX PROVINCIAL COURT
Arrestment Nov 25/2008 8961 DARTMOUTH PROVINCIAL COURT	HALIFAX AIRPORT ENFIELD	JOSEPH B. MARTIN	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 8962 DARTMOUTH PROVINCIAL COURT	HALIFAX AIRPORT ENFIELD	EDWARD K. RICHARDSON	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 8963 DARTMOUTH PROVINCIAL COURT	HALIFAX AIRPORT ENFIELD	JOSEPH ROBICHAUD	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 8964 DARTMOUTH PROVINCIAL COURT	HALIFAX AIRPORT ENFIELD	LOUIS TOULANY	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Nov 25/2008 DARTMOUTH PROVINCIAL COURT	8965 HALIFAX AIRPORT ENFIELD	PHIEN-N TRAN	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. Arrestment: Jan 6/2009 DARTMOUTH PROVINCIAL COURT
Arrestment Nov 25/2008 HALIFAX PROVINCIAL COURT	8852 2-1136 WELLINGTON ST HALIFAX	MICHAEL J. FANNING	BY-LAW S-600 RESPECTING SOLID WASTE - OCCUPIER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE REMAINS BEHIND OR BESIDE MAIN BUILDING ON OTHER THAN COLLECTION DAY	CONVICTION - FINE \$222.00
Arrestment Nov 28/2008 HALIFAX PROVINCIAL COURT	8849 1569 WALNUT ST HALIFAX	EWAN WILSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Dec 10/2009@9:30 HALIFAX PROVINCIAL COURT