



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 10

**Halifax Regional Council
July 7, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in dark ink, appearing to read "ME Donovan", written over a light blue rectangular background.

ME Donovan, Director Legal Services & Risk Management

DATE: June 25, 2009

SUBJECT: Status of By-law Prosecutions - March 1 - 31, 2009

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND

DISCUSSION

This report identifies only those currently active cases where court appearances occurred between March 1, 2009 and March 31, 2009.

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 March 1, 2009 and March 31, 2009

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

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 4/2009 HALIFAX PROVINCIAL COURT	19 GEORGE SAMUEL DR HAMMONDS PLAINS	JANICE MARIE WELLS	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	CONVICTION - FINE \$100.00
Trial Mar 4/2009 HALIFAX PROVINCIAL COURT	35 SILVER BIRCH DRIVE HUBLEY	ANDREA MUNROE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	WITHDRAWN
Trial Mar 5/2009 DARTMOUTH PROVINCIAL COURT	45 JOHN SAVAGE AVE DARTMOUTH	3105646 NS LTD/ROOFING CONNECTION Agent: CHERYL LYNN O'BRIEN	BUILDING CODE ACT - S.8(B) - OCCUPY A BUILDING WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT; - S.12(1) - FAIL TO COMPLY WITH AN ORDER	CONVICTION - FINE \$11,500.00
Trial Mar 5/2009 DARTMOUTH PROVINCIAL COURT	97 HAVELOCK CRES DARTMOUTH	DANNY CASTILLO	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	ACQUITTED
Trial Mar 5/2009 DARTMOUTH PROVINCIAL COURT	118 CHANDLER DR LOWER SACKVILLE	LORI D. DAVIS	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	CHANGE OF PLEA - FINE \$100.00
Trial Mar 5/2009 DARTMOUTH PROVINCIAL COURT	21 ELM ST DARTMOUTH	NELSON LEONARD BRISON	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO IMMEDIATELY REMOVE DEFECATION; - RUNNING AT LARGE.	WITHDRAWN
Trial Mar 5/2009 DARTMOUTH PROVINCIAL COURT	2840 SACKVILLE DR SACKVILLE	WAYNE BOTTOMLEY	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS ANIMAL	CHANGE OF PLEA - FINE \$207.00
Trial Mar 5/2009 DARTMOUTH PROVINCIAL COURT	17 A MAPLE DR DARTMOUTH	GLEN DARRYL CARVERY	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

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Mar 6/2009 HALIFAX PROVINCIAL COURT	1661 HENRY ST HALIFAX	IAN ROBERT CAMERON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jul 14/2009@11:00 HALIFAX PROVINCIAL COURT
Trial Mar 10/2009 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	CONVICTION - FINE \$407.00
Arraignment Mar 10/2009 HALIFAX PROVINCIAL COURT	90 SUNNYBRAE AVE HALIFAX	ATLANTIS LEA STEVENSON	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG	WITHDRAWN
Arraignment Mar 10/2009 HALIFAX PROVINCIAL COURT	5553 DUFFUS ST HALIFAX	AMJAD IBRAHIM AL-TAWIL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jun 18/2009@9:00 HALIFAX PROVINCIAL COURT
Arraignment Mar 10/2009 HALIFAX PROVINCIAL COURT	5553 DUFFUS ST HALIFAX	AMJAD IBRAHIM AL-TAWIL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jun 18/2009@9:00 HALIFAX PROVINCIAL COURT
Arraignment Mar 12/2009 DARTMOUTH PROVINCIAL COURT	3-31 TRIBUNE CT HALIFAX	KATHLEEN ANNE THOMPSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Jul 16/2009 HALIFAX PROVINCIAL COURT
Trial Mar 12/2009 DARTMOUTH PROVINCIAL COURT	111 WATERWHEEL CRES SACKVILLE	KATHY ANN MCGEE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE; - OWNER OF A DOG THAT ATTACKS; - FAILING TO LICENSE DOG.	COUNTS 1 & 2 - CHANGE OF PLEA - FINE \$444.00 COUNT 3 - WITHDRAWN
Trial Mar 12/2009 DARTMOUTH PROVINCIAL COURT	SHUBIE PARK DARTMOUTH	RANDY MANSFIELD	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	CHANGE OF PLEA - FINE \$50.00

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 12/2009 DARTMOUTH PROVINCIAL COURT	8816 SHUBIE PARK DARTMOUTH	DONNA BEATTIE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	CHANGE OF PLEA - FINE \$50.00
Trial Mar 12/2009 DARTMOUTH PROVINCIAL COURT	8817 OLDHAM ROAD LOT C-2 OLDHAM	MOHAMMED S. ELFALAH	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY - AN ACCUMULATION OF DERELICT VEHICLES; MGA S. 348(4) - FAILING TO COMPLY WITH AN ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION.	IN ABSENCE CONVICTION - FINE \$222.00 FOR EACH CHARGE
Trial Mar 12/2009 DARTMOUTH PROVINCIAL COURT	8818 25 JANICE ANN DR EASTERN PASSAGE	CHRISTINA KEDDY	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00
Trial Mar 12/2009 DARTMOUTH PROVINCIAL COURT	8813 WILLIAM NELSON DR BEAVER BANK	DOUGLAS R. RICHARD	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	WITHDRAWN
Trial Mar 12/2009 DARTMOUTH PROVINCIAL COURT	8825 23 ROSLYN DR DARTMOUTH	GWENDOLYN COLBOURNE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	CHANGE OF PLEA - FINE \$25.00
Trial Mar 12/2009 DARTMOUTH PROVINCIAL COURT	8826 45 CAPRI DR DARTMOUTH	CATHIE PIERCE	BY-LAW A-300 RESPECTING ANIMALS -RUNNING AT LARGE	Adj. Trial: Jun 25/2009 DARTMOUTH PROVINCIAL COURT
Trial Mar 12/2009 DARTMOUTH PROVINCIAL COURT	8847 58 BELMONT AVE DARTMOUTH	JANET HORNE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	WITHDRAWN
Trial Mar 17/2009 HALIFAX PROVINCIAL COURT	8844 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

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Mar 17/2009 HALIFAX PROVINCIAL COURT	5429 DUFFUS ST HALIFAX	ALEC FRITH	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Mar 18/2009 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
Trial Mar 18/2009 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
Trial Mar 18/2009 HALIFAX PROVINCIAL COURT	49 DONALDSON AVE HALIFAX	GEORGE M. CUNNINGHAM	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	WITHDRAWN
Trial Mar 19/2009 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
Trial Mar 19/2009 DARTMOUTH PROVINCIAL COURT	64 COBEQUID RD SACKVILLE	ULTA ENTERPRISE LIMITED Agent: PHILIPPE HADDAD	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 - 2 COUNTS	ONE COUNT - CHANGE OF PLEA - FINE \$1.00 ONE COUNT - WITHDRAWN
Trial Mar 19/2009 HALIFAX PROVINCIAL COURT	804-5565 CORNWALLIS ST HALIFAX	WAYNE DEVLIN	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 Mar 19/2009 DARTMOUTH PROVINCIAL COURT	PETAINE STATION RD WEST CHEZZETCOOK	HUBERT SKINNER	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00

Court Appearance	Address	Owner / Defendant	Violation	Status
Trial Mar 19/2009 DARTMOUTH PROVINCIAL COURT	8695 6 FOREST HILLS PKY COLE HARBOUR	I BUY HOUSES	BY-LAW S-800 RESPECTING TEMPORARY SIGNS - SIGN WITHIN A HRM PUBLIC RIGHT-OF-WAY	CHANGE OF PLEA - FINE \$100.00
Trial Mar 19/2009 DARTMOUTH PROVINCIAL COURT	8848 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 Mar 19/2009 DARTMOUTH PROVINCIAL COURT	8792 14 BURKE ST DARTMOUTH	GORDON B. MILNE	BY-LAW A-300 RESPECTING ANIMALS - DAMAGE PUBLIC OR PRIVATE PROPERTY; - FAILING TO LICENSE DOG.	Adj. Trial: Apr 30/2009 DARTMOUTH PROVINCIAL COURT
Trial Mar 19/2009 DARTMOUTH PROVINCIAL COURT	8850 14 BURKE ST DARTMOUTH	GORDON MILNE	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG	Adj. Trial: Apr 30/2009 DARTMOUTH PROVINCIAL COURT
Trial Mar 19/2009 DARTMOUTH PROVINCIAL COURT	8872 BIRCHILL DR EASTERN PASSAGE	PATSY MORSE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	CHANGE OF PLEA - FINE \$15.00
Trial Mar 19/2009 DARTMOUTH PROVINCIAL COURT	8873 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	CHANGE OF PLEA - FINE \$108.00
Trial Mar 19/2009 DARTMOUTH PROVINCIAL COURT	8874 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	WITHDRAWN
Trial Mar 20/2009 HALIFAX PROVINCIAL COURT	8591 5236 SOUTH ST HALIFAX	STANISLAW/ODILE LEWANDOWSKI	LAND USE BY-LAW FOR HALIFAX PENINSULA - ALLOW THE OPERATION OF A LODGING HOUSE WITHIN AN R-2A ZONE	Adj. Trial: Jan 12/2010 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 23/2009 HALIFAX PROVINCIAL COURT	5250 DUFFUS ST HALIFAX	FRANK BRUCE	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT WITHOUT PROVOCATION ATTACKS PERSON	CHANGE OF PLEA - FINE \$222.00
Arraignment Mar 24/2009 HALIFAX PROVINCIAL COURT	40 LOON TERR BEDFORD	PHILLIP ANDREW HARRIS	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	Trial: Jul 27/2009@11:00 HALIFAX PROVINCIAL COURT
Arraignment Mar 24/2009 DARTMOUTH PROVINCIAL COURT	57 BEAVER BANK RD SACKVILLE	SOBEYS LAND HOLDINGS LIMITED	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	Trial: Nov 26/2009@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Mar 24/2009 DARTMOUTH PROVINCIAL COURT	57 BEAVER BANK RD SACKVILLE	SOBEYS LAND HOLDINGS 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 BUILDING	Trial: Nov 26/2009@1:30 DARTMOUTH PROVINCIAL COURT
Trial Mar 26/2009 HALIFAX PROVINCIAL COURT	366 HALFWAY LAKE DR HAMMONDS PLAINS	ALAN KAY	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	DISMISSED
Trial Mar 26/2009 HALIFAX PROVINCIAL COURT	6 BARCLAY AVE HALIFAX	AMBER THOMPSON	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00
Trial Mar 26/2009 HALIFAX PROVINCIAL COURT	DEADMAN'S ISLAND PARK HALIFAX	MICHAEL H. HAMLYN	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	CHANGE OF PLEA - FINE \$108.00
Trial Mar 26/2009 HALIFAX PROVINCIAL COURT	42 UNION ST BEDFORD	GARY GOODWIN	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Mar 26/2009 HALIFAX PROVINCIAL COURT 8732	5241 TOBIN ST HALIFAX	GBRF PROPERTIES LIMITED Agent: PETER ALEXANDER POLLEY	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	IN ABSENCE CONVICTION - FINE \$222.00
Trial Mar 26/2009 HALIFAX PROVINCIAL COURT 8733	6420 SUMMIT ST HALIFAX	PETER ALEXANDER POLLEY	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF MIXED GARBAGE, WASTE, DEBRIS AND DISCARDED ITEMS	IN ABSENCE CONVICTION - FINE \$222.00
Arraignment Mar 27/2009 HALIFAX PROVINCIAL COURT 8911	6252 NORTH ST HALIFAX	SIMON LUKE GAUDET	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment Mar 31/2009 HALIFAX PROVINCIAL COURT 8950	2603 FULLER TERR HALIFAX	BRYAN WILLIAM BURNS	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	Adj. Arraignment: Aug 5/2009 HALIFAX PROVINCIAL COURT
Arraignment Mar 31/2009 HALIFAX PROVINCIAL COURT 8918	5260 SOUTH ST HALIFAX	BRIAN A. MCFADDEN	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Trial: Sep 14/2009@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 31/2009 HALIFAX PROVINCIAL COURT 8976	2360 HUNTER ST HALIFAX	WHITE'S LAKE SUBDIVISION LIMITED	BY-LAW S-600 RESPECTING SOLID WASTE - FAILING TO ENSURE COMMERCIAL CONTAINER FOR TEMPORARY STORAGE OF WASTE IS EQUIPPED WITH TIGHT-FITTING LID WITH POSITIVE CLOSING DEVICE	Trial: Sep 17/2009@1:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 31/2009 DARTMOUTH PROVINCIAL COURT 8913	200 WYSE RD DARTMOUTH	JOHN JOSEPH BOU-DAHER	BY-LAW A-300 RESPECTING ANIMALS - BEING OWNER OF A DOG THAT ATTACKS	Trial: Oct 22/2009@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Mar 31/2009 HALIFAX PROVINCIAL COURT 8916	5225 ARTZ ST HALIFAX	SEAN L. EMMETT	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	Trial: Aug 27/2009@9:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Mar 31/2009 HALIFAX PROVINCIAL COURT 8914	3556 ACADIA ST HALIFAX	GINA MARIE JOLLIMORE	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	Trial: Aug 31/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 31/2009 HALIFAX PROVINCIAL COURT 8917	19 MANSION RD HALIFAX	THERESA J. FRANCIS	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	Trial: Aug 31/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment Mar 31/2009 HALIFAX PROVINCIAL COURT 8915	6059 NORTH ST HALIFAX	3024336 NOVA SCOTIA LIMITED	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	Trial: Jul 28/2009@11:00 HALIFAX PROVINCIAL COURT