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Item No. :
Halifax Regional Council
September 22, 2009

TO: Mayor Kelly and Members of Halifax Regional Council

M. Donovan

SUBMITTED BY: _____
Mary Ellen Donovan, Director Legal Services & Risk Management

DATE: September 8, 2009

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

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND/DISCUSSION

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

BUDGET IMPLICATIONS

There are no 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 July 1, 2009 and July 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

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jul 2/2009 8588 HALIFAX PROVINCIAL COURT	1405 EDWARD ST HALIFAX	MATTHEW, CHRISTOPHER & THOMAS MOORE	LAND USE BY-LAW FOR HALIFAX PENINSULA - PERMIT THE LAND TO BE USED IN A WAY NOT PERMITTED WITHIN AN R-2 ZONE - A BUILDING CONTAINING MORE THAN FOUR APARTMENTS	APPLICATION TO CHANGE PLEA - SEPTEMBER 2, 2009
Trial Jul 2/2009 8928 HALIFAX PROVINCIAL COURT	6121 LINDEN ST HALIFAX	WILLARD STRUGG	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	WITHDRAWN
Trial Jul 2/2009 8803 HALIFAX PROVINCIAL COURT	39 JUNIPER WAY HUBLEY	WAYNE T. CHAPDELAINÉ	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO KEEP IDENTIFICATION SYSTEM IN PLACE; - RUNNING AT LARGE	BOTH CHARGES - CONVICTION - FINE \$222.00 EACH TICKET
Trial Jul 2/2009 8801 HALIFAX PROVINCIAL COURT	1238 POCKWOCK RD HAMMONDS PLAINS	YVONNE M. WILLIAMS	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE - 2 COUNTS	ONE COUNT - CHANGE OF PLEA - FINE \$222.00 ONE COUNT - WITHDRAWN
Trial Jul 2/2009 8802 HALIFAX PROVINCIAL COURT	75 HERRING COVE RD HALIFAX	EVANGELINE A. SADLER	MGA S. 348(4) - FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION	WITHDRAWN
Arraignment Jul 3/2009 9002 HALIFAX PROVINCIAL COURT	901-2309 BRUNSWICK ST HALIFAX	MUNHYAMBA HICHILEMA LWEENDO	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Aug 18/2009 HALIFAX PROVINCIAL COURT
Arraignment Jul 7/2009 9003 HALIFAX PROVINCIAL COURT	2309 901 BRUNSWICK ST HALIFAX	GODFREY MITTI	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Nov 4/2009@11:00 HALIFAX PROVINCIAL COURT
Arraignment Jul 7/2009 9004 HALIFAX PROVINCIAL COURT	2309 901 BRUNSWICK ST HALIFAX	NEO GEORGE NYIRENDO	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Nov 4/2009@11:00 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jul 8/2009 8827 HALIFAX PROVINCIAL COURT	1129 WELLINGTON ST HALIFAX	CYGNET PROPERTIES 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 FIRE ESCAPE	Adj. Trial: Oct 6/2009 HALIFAX PROVINCIAL COURT
Trial Jul 8/2009 8828 HALIFAX PROVINCIAL COURT	6026 CEDAR ST HALIFAX	CYGNET PROPERTIES LIMITED	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Adj. Trial: Oct 6/2009 HALIFAX PROVINCIAL COURT
Trial Jul 8/2009 8975 HALIFAX PROVINCIAL COURT	5812 GAINSBOROUGH PL HALIFAX	DAVID LANE	BY-LAW A-300 RESPECTING ANIMALS - BEING OWNER OF DOG THAT ATTACKS	CONVICTION - FINE \$222.00
Trial Jul 14/2009 8903 HALIFAX PROVINCIAL COURT	1661 HENRY ST HALIFAX	IAN ROBERT CAMERON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$302.00
Arraignment Jul 14/2009 9001 HALIFAX PROVINCIAL COURT	5505 INGLIS ST HALIFAX	SARAH KATE GIFFIN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$252.00
Arraignment Jul 14/2009 9008 HALIFAX PROVINCIAL COURT	504-64 FAIRFAX DR HALIFAX	HERBERT ELLIS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Nov 9/2009@11:00 HALIFAX PROVINCIAL COURT
Trial Jul 15/2009 8958 HALIFAX PROVINCIAL COURT	5478 SUNRISE WALK HALIFAX	MITZIE CLAUDETTE LOPPIE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACITIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment Jul 15/2009 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	Trial: Oct 6/2009@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment 8900 Jul 16/2009 HALIFAX PROVINCIAL COURT	3-31 TRIBUNE CT HALIFAX	KATHLEEN ANNE THOMPSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$108.00
Trial 8930 Jul 21/2009 HALIFAX PROVINCIAL COURT	2674 FERN LN HALIFAX	STEPHANIE STEWART	BY-LAW A-300 RESPECTING ANIMALS - OWN A DOG WHICH RUNS AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00
Arrestment 9010 Jul 21/2009 DARTMOUTH PROVINCIAL COURT	147 OCEANLEA DR EASTERN PASSAGE	MIKE POWER	BY-LAW A-300 RESPECTING ANIMALS - OWN A DOG WHICH RUNS AT LARGE	Trial: Apr 1/2010@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment 9030 Jul 21/2009 DARTMOUTH PROVINCIAL COURT	190 HAVEN LN GAETZ BROOK	BRENDA DEWOLFE	BY-LAW A-300 RESPECTING ANIMALS - OWN A DOG WHICH RUNS AT LARGE	Trial: Jan 21/2010@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment 8943 Jul 21/2009 DARTMOUTH PROVINCIAL COURT	19 OVERBROOK DR WAVERLEY	DAVID BRUCE & SANDRA LEE HARRISON	LAND USE BY-LAW FOR PLANNING DISTRICTS 14 AND 17 - KEEP A COMMERCIAL VEHICLE WITH A VEHICLE WEIGHT GREATER THAN FIVE TONS ON A LOT IN A R-1A ZONE	Trial: Apr 1/2010@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment 9011 Jul 21/2009 HALIFAX PROVINCIAL COURT	PORTLAND ST. SUPERSTORE DARTMOUTH	JESSIE AGNES MACISAAC	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OWNER OF TAXI PERMITTING PERSON WITHOUT VALID TAXI DRIVER'S LICENSE, FOR ZONE FOR WHICH TAXI LICENSED, TO OPERATE TAXI FOR HIRE	Trial: Nov 12/2009@11:00 HALIFAX PROVINCIAL COURT
Arrestment 9012 Jul 21/2009 HALIFAX PROVINCIAL COURT	247 REGENCY PARK DR HALIFAX	CHADI M. SEWIDAN	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI OR LIMOUSINE IN VIOLATION OF ZONE RESTRICTIONS	Trial: Nov 3/2009@11:00 HALIFAX PROVINCIAL COURT
Trial 8948 Jul 22/2009 HALIFAX PROVINCIAL COURT	287 LACEWOOD DR HALIFAX	RONALD FRANCIS AUBE	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI OR LIMOUSINE IN VIOLATION OF ZONE RESTRICTIONS	Adj. Trial: Mar 23/2010 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jul 22/2009 8841 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.	IN ABSENCE CONVICTION - FINE \$222.00 EACH CHARGE
Trial Jul 22/2009 8759 HALIFAX PROVINCIAL COURT	1029 BLAND ST HALIFAX	DILLON SAGAR	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial Jul 22/2009 8931 HALIFAX PROVINCIAL COURT	910-5572 NORTH RIDGE RD HALIFAX	JOHN MARCUS REDMAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$452.00
Trial Jul 22/2009 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	WITHDRAWN
Trial Jul 23/2009 8837 DARTMOUTH PROVINCIAL COURT	18 JOFFRE ST DARTMOUTH	DAVID ZERAVIV	BY-LAW A-300 RESPECTING ANIMALS - OWN A DOG THAT ATTACKS	WITHDRAWN
Trial Jul 23/2009 8937 DARTMOUTH PROVINCIAL COURT	90 CANAVAN DR BEAVERBANK	LAURAL LEE BAKER	BY-LAW A-300 RESPECTING ANIMALS - OWN DOG THAT RUNS AT LARGE	CONVICTION - FINE \$108.00
Trial Jul 23/2009 8938 DARTMOUTH PROVINCIAL COURT	2 BRADORIAN DR DARTMOUTH	MICHAEL CONRAD	BY-LAW A-300 RESPECTING ANIMALS - OWN DOG THAT RUNS AT LARGE	CONVICTION - FINE \$135.75
Trial Jul 23/2009 8934 DARTMOUTH PROVINCIAL COURT	425 COWBAY RD EASTERN PASSAGE	JILL TREMBLAY	BY-LAW A-300 RESPECTING ANIMALS - OWN DOG THAT RUNS AT LARGE	CHANGE OF PLEA - FINE \$107.00

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jul 23/2009 DARTMOUTH PROVINCIAL COURT	8935 30 HOWE ST DARTMOUTH	CALVIN CLARENCE MACDONALD	MGA S. 348(4) - FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION	Adj. Trial: Apr 22/2010 DARTMOUTH PROVINCIAL COURT
Trial Jul 23/2009 DARTMOUTH PROVINCIAL COURT	8936 30 HOWE ST DARTMOUTH	CALVIN CLARENCE MACDONALD	MGA S. 348(4) - FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION	Adj. Trial: Apr 22/2010 DARTMOUTH PROVINCIAL COURT
Trial Jul 23/2009 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	Adj. Trial: Jan 21/2010 DARTMOUTH PROVINCIAL COURT
Trial Jul 23/2009 DARTMOUTH PROVINCIAL COURT	8941 HALIFAX AIRPORT ENFIELD	DARRELL PETER MACPHEE	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 - 2 COUNTS	ONE COUNT - CHANGE OF PLEA - FINE \$107.00 ONE COUNT - WITHDRAWN
Trial Jul 23/2009 DARTMOUTH PROVINCIAL COURT	8942 HALIFAX AIRPORT ENFIELD	DARRELL PETER MACPHEE	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 \$107.00
Trial Jul 23/2009 DARTMOUTH PROVINCIAL COURT	8944 27 SANDPIPER DR EASTERN PASSAGE	ADRIAN WESTLAKE	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE; - FAILING TO LICENSE DOG.	IN ABSENCE CONVICTION - FINE \$222.00 EACH CHARGE
Arraignment Jul 24/2009 HALIFAX PROVINCIAL COURT	9013 6209 COBURG RD HALIFAX	HARRISON M. FOWNES	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Aug 11/2009 HALIFAX PROVINCIAL COURT
Arraignment Jul 24/2009 HALIFAX PROVINCIAL COURT	9015 322-45 VIMY AVE HALIFAX	JONATHAN DAVID PARSONS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Aug 21/2009@1:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jul 27/2009 8912 HALIFAX PROVINCIAL COURT	40 LOON TERR BEDFORD	PHILLIP ANDREW HARRIS	BY-LAW A-300 RESPECTING ANIMALS - OWN DOG THAT RUNS AT LARGE	WITHDRAWN
Arraignment Jul 28/2009 8888 HALIFAX PROVINCIAL COURT	1844 VERNON ST HALIFAX	WILLARD STRUG / AL WARITH	BY-LAW M-100 RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - FAIL TO COMPLY WITH AN ORDER PLUS 14 ADDITIONAL CHARGES	Adj. Arraignment: Aug 26/2009 HALIFAX PROVINCIAL COURT
Arraignment Jul 28/2009 8760 HALIFAX PROVINCIAL COURT	5476 SUNRISE WALK HALIFAX	KENNETH ARMSWORTHY	BY-LAW A-300 RESPECTING ANIMALS - OWN DOG THAT ATTACKS AN ANIMAL; - OWN DOG THAT RUNS AT LARGE; - OWN AN UNLICENSED DOG.	Trial: Oct 23/2009@1:30 HALIFAX PROVINCIAL COURT
Arraignment Jul 28/2009 9014 HALIFAX PROVINCIAL COURT	2444 JOHN ST HALIFAX	COLIN E. KERRY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Nov 6/2009@9:30 HALIFAX PROVINCIAL COURT
Arraignment Jul 28/2009 8889 HALIFAX PROVINCIAL COURT	6121 LINDEN ST HALIFAX	WILLARD STRUG	FSA S. 25(1) - FAIL TO COMPLY WITH AN ORDER	Adj. Arraignment: Aug 26/2009 HALIFAX PROVINCIAL COURT
Arraignment Jul 28/2009 8890 HALIFAX PROVINCIAL COURT	1840 VERNON ST HALIFAX	AL WARITH / WILLARD STRUG	FSA S. 25(1) - FAIL TO COMPLY WITH AN ORDER	Adj. Arraignment: Aug 26/2009 HALIFAX PROVINCIAL COURT
Trial Jul 28/2009 8915 HALIFAX PROVINCIAL COURT	6059 NORTH ST HALIFAX	3024336 NOVA SCOTIA LIMITED	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	CONVICTION - FINE \$222.00
Trial Jul 29/2009 8927 HALIFAX PROVINCIAL COURT	2054 CREIGHTON ST HALIFAX	ALISON FAYE STRACHAN	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	CHANGE OF PLEA - FINE \$115.00

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jul 30/2009 DARTMOUTH PROVINCIAL COURT	8765 30 OLD SACKVILLE RD SACKVILLE	YOUSSEF GHOSN/W.M. FARES GROUP Agent: PHILIP ARAB	LAND USE BY-LAW FOR SACKVILLE DRIVE - ALLOW EXCAVATION WITHIN THE WATER- COURSE BUFFER	YOUSSEF GHOSN - CHANGE OF PLEA - FINE \$7,500.00 W.M. FARES GROUP - CHARGES DISMISSED
Arrestment Jul 31/2009 HALIFAX PROVINCIAL COURT	9019 303-10 CAXTON CL HALIFAX	SARAH ELIZABETH ENGLEHART	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOUHOOD	Trial: Nov 18/2009@1:30 HALIFAX PROVINCIAL COURT