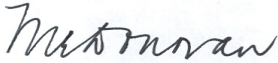




PO Box 1749
Halifax, Nova Scotia
B3J 3A5, Canada

Item No. 13
Halifax Regional Council
October 20, 2009

TO: Mayor Kelly and Members of Halifax Regional Council

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

DATE: October 1, 2009

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

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecutions

BACKGROUND/DISCUSSION

This report identifies only those currently active cases where court appearances occurred between August 1, 2009 and August 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 August 1, 2009 and August 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
Arrestment Aug 4/2009 8823 HALIFAX PROVINCIAL COURT	9 HEATHSIDE CRES HALIFAX	GERALD, BETTY & DOUGLAS MACDONALD	LAND USE BY-LAW FOR HALIFAX MAINLAND - ALLOW OR OPERATE A BUSINESS WITHOUT A PERMIT; - ALLOW OR DO AUTOMOBILE REPAIRS IN A RESIDENTIAL ZONE; - ALLOW OR OPERATE A BUSINESS IN A WAY THAT IS OBNOXIOUS.	ALL CHARGES WITHDRAWN MATTER RESOLVED BY SUPREME COURT INJUNCTION
Arrestment Aug 5/2009 8950 HALIFAX PROVINCIAL COURT	2603 FULLER TERR HALIFAX	BRYAN WILLIAM BURNS	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	WITHDRAWN
Arrestment Aug 11/2009 9013 HALIFAX PROVINCIAL COURT	6209 COBURG RD HALIFAX	HARRISON M. FOWNES	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Arrestment Aug 11/2009 9015 HALIFAX PROVINCIAL COURT	322-45 VIMY AVE HALIFAX	JONATHAN DAVID PARSONS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arrestment Aug 11/2009 8895 DARTMOUTH PROVINCIAL COURT	15 MIDDLE ST DARTMOUTH	D.D. NIVENS-MIDDLE-FARRELL LTD.	LAND USE BY-LAW FOR DARTMOUTH - ALLOW MORE DWELLING UNITS THAN PERMITTED IN AN R-2 ZONE	Trial: May 20/2010@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Aug 11/2009 9019 HALIFAX PROVINCIAL COURT	303-10 CAXTON CL HALIFAX	SARAH ELIZABETH ENGLEHART	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Nov 18/2009@1:30 HALIFAX PROVINCIAL COURT
Arrestment Aug 11/2009 9030 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 Aug 11/2009 9009 DARTMOUTH PROVINCIAL COURT	23 ALBRO LAKE RD DARTMOUTH	FRANK & LINDA CHEEVERS	LAND USE BY-LAW FOR DARTMOUTH - ALLOW A BUILDING CONTAINING MORE THAN TWO DWELLING UNITS A USE NOT PERMITTED IN AN R-2 ZONE	Trial: May 20/2010@9:30 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment 9038 Aug 11/2009 HALIFAX PROVINCIAL COURT	2156 BARRINGTON ST HALIFAX	DONALD GORDON MURRAY	PROTECTION OF PROPERTY ACT S.3(1)(E) - ENTERING ON PREMISES WHERE ENTRY IS PROHIBITED BY NOTICE	Trial: Oct 5/2009@1:30 HALIFAX PROVINCIAL COURT
Trial 8951 Aug 17/2009 HALIFAX PROVINCIAL COURT	52 ATTENBOROUGH CT HALIFAX	BONITA PAQUET	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG WHICH RUNS AT LARGE - 2 COUNTS	CONVICTION - FINE \$222.00 X 2
Trial 8764 Aug 17/2009 HALIFAX PROVINCIAL COURT	83 SHELDRAKE CRES HUBLEY	JOHN CRAWFORD	BY-LAW A-300 RESPECTING ANIMALS - RUNNING AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00
Arrestment 9006 Aug 18/2009 HALIFAX PROVINCIAL COURT	28 SYLVIA AVE HALIFAX	RODNEY FOUGERE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jan 18/2010@1:30 HALIFAX PROVINCIAL COURT
Arrestment 8904 Aug 18/2009 HALIFAX PROVINCIAL COURT	1675 OXFORD ST HALIFAX 1676 LARCH ST HALIFAX	SANDRA RHYNOLD	LAND USE BY-LAW FOR HALIFAX PENINSULA - ALLOW THE LAND TO BE USED IN A WAY NOT PERMITTED WITHIN AN R-2 ZONE, TO WIT, A BUILDING CONTAINING MORE THAN FOUR APARTMENTS	Adj. Arrestment: Nov 12/2009 HALIFAX PROVINCIAL COURT
Arrestment 9002 Aug 18/2009 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	IN ABSENCE CONVICTION - FINE \$452.00
Arrestment 9024 Aug 18/2009 HALIFAX PROVINCIAL COURT	17-1535 DRESDEN ROW HALIFAX	TEDDY ZAGHOUL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Nov 27/2009@1:30 HALIFAX PROVINCIAL COURT
Trial 8641 Aug 19/2009 HALIFAX PROVINCIAL COURT	287 LACEWOOD DR HALIFAX	ROSS A. HARRINGTON / WINE KITZ	NOVA SCOTIA LIQUOR CONTROL ACT - S.78(1) OFFER TO SELL LIQUOR; - S.78(2) MANUFACTURE AND KEEP LIQUOR; - S.98 PERMIT THE USE OF ANY BUILDING OR PREMISES FOR THE STORAGE OF LIQUOR.	CHARGE #1 - CONVICTION - FINE \$1.00 CHARGE #2 - ACQUITTED CHARGE #3 - ACQUITTED

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Aug 20/2009 HALIFAX PROVINCIAL COURT	8929 966 BRUSSELS ST HALIFAX	KMF HOLDINGS LIMITED	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	CHANGE OF PLEA - FINE \$108.00
Arraignment Aug 20/2009 DARTMOUTH PROVINCIAL COURT	9022 GARLAND AVE DARTMOUTH	BLAIR JOHN LOVETT	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	Trial: Apr 22/2010@9:30 DARTMOUTH PROVINCIAL COURT
Trial Aug 21/2009 HALIFAX PROVINCIAL COURT	8835 342 MOIRS MILL RD BEDFORD	WU-CHENG CHANG / TSAI-CHUAN LIAO	LAND USE BY-LAW FOR BEDFORD - ALLOW THE CONSTRUCTION OF AN ATTACHED DECK AND FENCE, WITHOUT FIRST OBTAINING A PERMIT	WITHDRAWN
Arraignment Aug 25/2009 HALIFAX PROVINCIAL COURT	9007 42 NORTH GREEN RD LAKESIDE	LAYTON CLYDE GATES	LAND USE BY-LAW FOR TIMBERLEA/LAKESIDE/BEECHVILLE - KEEP A COMMERCIAL VEHICLE WITH A VEHICLE WEIGHT GREATER THAN FIVE (5) TONS ON A LOT IN A CDD ZONE	Trial: Jan 20/2010@1:30 HALIFAX PROVINCIAL COURT
Arraignment Aug 25/2009 DARTMOUTH PROVINCIAL COURT	9021 113-271 WINDMILL RD DARTMOUTH	SPENCER HIGGINS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Apr 22/2010@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 25/2009 DARTMOUTH PROVINCIAL COURT	8921 1 CHEBUCTO LN DARTMOUTH	PAMELA RITCEY	BY-LAW A-300 RESPECTING ANIMALS - OWN A DOG WHICH ATTACKED A PERSON OR ANIMAL - 3 COUNTS; - OWN A DOG WHICH RAN AT LARGE - 3 COUNTS; - OWN AN UNLICENSED DOG; - FAIL TO KEEP IDENTIFICATION DEVICE AFFIXED TO ANIMAL.	Trial: Apr 22/2010@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 25/2009 DARTMOUTH PROVINCIAL COURT	9032 SHUBIE PARK DARTMOUTH	CHRISTOPHER STEVE MCNEIL	BY-LAW A-300 RESPECTING ANIMALS - OWN A DOG WHICH RUNS AT LARGE	Trial: Apr 1/2010@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment Aug 25/2009 DARTMOUTH PROVINCIAL COURT	9033 44 SALUKI DR BEAVERBANK	KAREN MOORE	BY-LAW A-300 RESPECTING ANIMALS - OWN A DOG WHICH RUNS AT LARGE	Trial: Apr 1/2010@1:30 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Aug 25/2009 9034 DARTMOUTH PROVINCIAL COURT	45 REDOUBT WAY E. PASSAGE	REBECCA RICHARDS	BY-LAW A-300 RESPECTING ANIMALS - OWN DOG WHICH RUNS AT LARGE; - FAIL TO IMMEDIATELY REMOVE DOG DEFECATION.	Trial: Apr 22/2010@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Aug 25/2009 9045 HALIFAX PROVINCIAL COURT	2396 PROSPECT RD HATCHET LAKE	TERI-LYN JOUDREY	BY-LAW A-300 RESPECTING ANIMALS - OWN A DOG THAT ATTACKS A PERSON OR ANIMAL	Adj. Arrestment: Sep 22/2009 HALIFAX PROVINCIAL COURT
Arrestment Aug 25/2009 9026 HALIFAX PROVINCIAL COURT	58 JARVIS LN HALIFAX	DOUGLAS S. HAMILTON	BY-LAW A-300 RESPECTING ANIMALS - OWNING AN UNLICENSED DOG - 2 COUNTS	Trial: Dec 8/2009@9:30 HALIFAX PROVINCIAL COURT
Arrestment Aug 25/2009 9027 HALIFAX PROVINCIAL COURT	6257 QUINPOOL RD HALIFAX	ASHWANI KUMAR RAI	HRMC S.358(4) - FAILING TO COMPLY WITH AN ORDER TO REMEDY DANGEROUS OR UNSAFELY CONDITION	Trial: Dec 9/2009@9:30 HALIFAX PROVINCIAL COURT
Arrestment Aug 25/2009 9025 HALIFAX PROVINCIAL COURT	12 CLAYTON PARK DR HALIFAX	LUKE PHILIP KELLY	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	Trial: Dec 7/2009@9:30 HALIFAX PROVINCIAL COURT
Arrestment Aug 25/2009 9005 DARTMOUTH PROVINCIAL COURT	2 QUEENS RD LAWRENCETOWN	KAREN METCALFE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD - 13 COUNTS	Trial: Apr 22/2010@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Aug 26/2009 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. Arrestment: Oct 23/2009 HALIFAX PROVINCIAL COURT
Arrestment Aug 26/2009 8889 HALIFAX PROVINCIAL COURT	6121 LINDEN ST HALIFAX	WILLARD STRUG	FSA S. 25(1) - FAIL TO COMPLY WITH AN ORDER	Trial: Jan 20/2010@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Aug 26/2009 8890 HALIFAX PROVINCIAL COURT	1840 VERNON ST HALIFAX	AL WARITH / WILLARD STRUG	FSA S. 25(1) - FAIL TO COMPLY WITH AN ORDER	Adj. Arraignment: Oct 23/2009 HALIFAX PROVINCIAL COURT
Arraignment Aug 27/2009 9029 DARTMOUTH PROVINCIAL COURT	801 OLD SACKVILLE DR SACKVILLE	DAVE ROGERSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 22/2009@9:30 DARTMOUTH PROVINCIAL COURT
Trial Aug 27/2009 8916 HALIFAX PROVINCIAL COURT	5225 ARTZ ST HALIFAX	SEAN L. EMMETT	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	IN ABSENCE CONVICTION - FINE \$222.00
Trial Aug 31/2009 8914 HALIFAX PROVINCIAL COURT	3556 ACADIA ST HALIFAX	GINA MARIE JOLLIMORE	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	CHANGE OF PLEA - FINE \$122.00
Trial Aug 31/2009 8917 HALIFAX PROVINCIAL COURT	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	CHANGE OF PLEA - FINE \$123.00