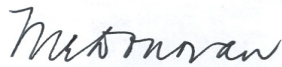




PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5, Canada

**Item No. 4**  
**Halifax Regional Council**  
**January 12, 2010**

**TO:** Mayor Kelly and Members of Halifax Regional Council

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

**DATE:** December 16, 2009

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

**INFORMATION REPORT**

**ORIGIN**

Legal Services - Municipal Prosecutions

### **BACKGROUND/DISCUSSION**

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

Dec 16/2009

Page 1 of 6

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Trial Oct 5/2009 9038 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DONALD GORDON MURRAY	PROTECTION OF PROPERTY ACT S.3(1)(E) - ENTERING ON PREMISES WHERE ENTRY IS PROHIBITED BY NOTICE	WITHDRAWN
Trial Oct 6/2009 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	CHANGE OF PLEA - FINE \$357.00
Trial Oct 6/2009 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S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	WITHDRAWN
Trial Oct 6/2009 8864 HALIFAX PROVINCIAL COURT	5385 VICTORIA RD HALIFAX	TROY GRANT	FIRE SAFETY ACT - FAIL TO COMPLY WITH AN ORDER; - FAIL TO PROVIDE MEANS OF EGRESS.	CHARGE #1 - CHANGE OF PLEA - FINE \$3,000.00 CHARGE #2 - WITHDRAWN
Arraignment Oct 6/2009 8980 HALIFAX PROVINCIAL COURT	5661 VICTORIA RD HALIFAX	BALWANT RAI BATRA	FIRE SAFETY ACT S. 25(1) - FAIL TO COMPLY WITH AN ORDER	Trial: Feb 2/2010@9:00  HALIFAX PROVINCIAL COURT
Trial Oct 6/2009 8853 HALIFAX PROVINCIAL COURT	549 REGENCY PARK DR HALIFAX	MIRA VISTA APARTMENTS LTD  Agent: J. CRAIG MCCREA Q.C., COX PALMER	BUILDING CODE ACT - S.8(A) DID CONSTRUCT A BUILDING WITHOUT A BUILDING PERMIT; - S.19(1)(B) DID NOT OBEY AN ORDER TO STOP WORK ON THE BUILDING.	Adj. Trial: Dec 17/2009  HALIFAX PROVINCIAL COURT
Trial Oct 6/2009 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	IN ABSENCE CONVICTION - FINE \$222.00
Trial Oct 8/2009 8926 HALIFAX PROVINCIAL COURT	16 DENTITH RD HALIFAX	SPRYFIELD SHOPPING CENTRE INC.	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD - 2 COUNTS	ONE COUNT - ACQUITTED ONE COUNT - CONVICTION - FINE \$452.00

Dec 16/2009

Page 2 of 6

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Trial Oct 13/2009 8774 HALIFAX PROVINCIAL COURT	6175 LAWRENCE ST DARTMOUTH	DEBRA REYNOLDS-BANTING	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE	WITHDRAWN
Trial Oct 13/2009 8776 HALIFAX PROVINCIAL COURT	72 ARDWELL AVE HALIFAX	CRYSTAL GAIL MCPHEE	BY-LAW A-300 RESPECTING ANIMALS - ALLOWING ANY ANIMAL TO MAKE NOISE EXCESSIVELY	WITHDRAWN
Trial Oct 13/2009 8777 HALIFAX PROVINCIAL COURT	37 VIRGINIA DR HAMMONDS PLAINS	KEVIN C. KELLOWAY	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE	WITHDRAWN
Trial Oct 13/2009 8778 HALIFAX PROVINCIAL COURT	23 ARMSHORE DR HALIFAX	NICOLE KEEFE	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG	WITHDRAWN
Trial Oct 13/2009 8779 HALIFAX PROVINCIAL COURT	264 POWER RD WHITES LAKE	PATRICIA FORGERON	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE	IN ABSENCE CONVICTION - FINE \$222.00
Trial Oct 13/2009 8781 HALIFAX PROVINCIAL COURT	1656 ROBIE ST HALIFAX	JANICE BURGOYNE	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO LICENSE DOG - 2 COUNTS	Adj. Trial: Jul 26/2010  HALIFAX PROVINCIAL COURT
Trial Oct 13/2009 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	CHANGE OF PLEA - FINE \$100.00 X 3
Trial Oct 13/2009 8876 DARTMOUTH PROVINCIAL COURT	782 EAST CHEZZETCOOK RD EAST CHEZZETCOOK	FRANCESCA ROGIER	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE; - OWNING A DOG THAT ATTACKS A PERSON OR ANIMAL; - FAILING TO COMPLY WITH A NOTICE TO MUZZLE THE DOG.	Adj. Trial: Jan 29/2010  DARTMOUTH PROVINCIAL COURT

Dec 16/2009

Page 3 of 6

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Trial Oct 13/2009 HALIFAX PROVINCIAL COURT	8775 3 TREELINE CRT HARRIETSFIELD	TERINA OAKLEY	BY-LAW A-300 RESPECTING ANIMALS - ALLOWING ANY ANIMAL TO MAKE NOISE EXCESSIVELY	WITHDRAWN
Trial Oct 13/2009 HALIFAX PROVINCIAL COURT	8773 82 BRENTWOOD AVE HALIFAX	BARBARA A. SOBKOWICH	MGA S. 348(4) - FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION - 2 COUNTS	IN ABSENCE CONVICTION - FINE \$222.00 X 2
Trial Oct 14/2009 HALIFAX PROVINCIAL COURT	8945 5455 RUSSELL ST HALIFAX	ECL GENERAL PARTNER IV LIMITED	BY-LAW S-300 RESPECTING STREETS - FAILING TO REMOVE ALL SNOW AND ICE FROM SIDEWALK	WITHDRAWN
Trial Oct 15/2009 HALIFAX PROVINCIAL COURT	8947 2018 OXFORD ST HALIFAX	MARIE LOUISE ROBINSON	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	CHANGE OF PLEA - FINE \$1.00
Arraignment Oct 15/2009 DARTMOUTH PROVINCIAL COURT	9047 FIRST LAKE DR SACKVILLE	RALPH CAVE	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE - 2 COUNTS	Trial: Jul 13/2010@9:30  DARTMOUTH PROVINCIAL COURT
Arraignment Oct 20/2009 DARTMOUTH PROVINCIAL COURT	9055 71 FIRST LAKE DR SACKVILLE	RALPH DOUGLAS CAVE	PROTECTION OF PROPERTY ACT S. 3(1)(E) - ENTERING ON PREMISES WHERE ENTRY IS PROHIBITED BY NOTICE	Trial: Jul 13/2010@9:30  DARTMOUTH PROVINCIAL COURT
Trial Oct 21/2009 HALIFAX PROVINCIAL COURT	8675 301-38 SHAUNSLIEVE DR HALIFAX	KYLE WILLIAM SAMMS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$452.00
Trial Oct 22/2009 DARTMOUTH PROVINCIAL COURT	8981 10 CRAWFORD ST DARTMOUTH	LARRY LORIMER HUBLEY	HRM CHARTER S. 354 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF DEBRIS	Adj. Trial: Dec 10/2009  DARTMOUTH PROVINCIAL COURT

Dec 16/2009

Page 4 of 6

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Trial Oct 22/2009 8797 DARTMOUTH PROVINCIAL COURT	228 WYSE RD DARTMOUTH	RICHMOND ROW DEVELOPMENTS LIMITED	MGA S.348(4) FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION	CONVICTION - FINE \$222.00
Trial Oct 22/2009 8978 DARTMOUTH PROVINCIAL COURT	4065 HIGHWAY #2 FLETCHERS LAKE	BRADLEY DONALD CAMERON	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE; - OWNING A DOG THAT ATTACKS A PERSON OR ANIMAL	CHARGE #1 - WITHDRAWN CHARGE #2 - CONVICTION - FINE \$222.00
Trial Oct 22/2009 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	WITHDRAWN
Trial Oct 22/2009 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	CHANGE OF PLEA - FINE \$107.00
Trial Oct 22/2009 8982 DARTMOUTH PROVINCIAL COURT	1249 COLE HARBOUR RD DARTMOUTH	JAMES GOLDSWORTHY	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG THAT ATTACKS A PERSON OR ANIMAL	ACQUITTED
Arraignment Oct 23/2009 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	Trial: Jan 20/2010@9:30 HALIFAX PROVINCIAL COURT
Trial Oct 23/2009 8760 HALIFAX PROVINCIAL COURT	5476 SUNRISE WALK HALIFAX	KENNETH ARMSWORTHY	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG THAT ATTACKS AN ANIMAL; - OWNING A DOG THAT RUNS AT LARGE; - OWNING AN UNLICENSED DOG.	Adj. Trial: Nov 18/2009 HALIFAX PROVINCIAL COURT
Arraignment Oct 23/2009 8890 HALIFAX PROVINCIAL COURT	1840 VERNON ST HALIFAX	AL WARITH / WILLARD STRUG	FSA S. 25(1) - FAIL TO COMPLY WITH AN ORDER	Trial: Jan 20/2010@9:30 HALIFAX PROVINCIAL COURT

Dec 16/2009

Page 5 of 6

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Oct 27/2009 9059 DARTMOUTH PROVINCIAL COURT	149 HAVELOCK CRES COLE HARBOUR	DANNY CASTILLO	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE	Trial: Apr 1/2010@1:30  DARTMOUTH PROVINCIAL COURT
Arraignment Oct 27/2009 9060 DARTMOUTH PROVINCIAL COURT	HALIFAX AIRPORT ENFIELD	HUYNH VAN LAM	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS AND LIMOUSINES - OPERATING TAXI WITHOUT SIGN CAPABLE OF BEING ILLUMINATED FROM WITHIN AFFIXED TO ROOF OF TAXI	Trial: Apr 1/2010@1:30  DARTMOUTH PROVINCIAL COURT
Arraignment Oct 27/2009 9061 DARTMOUTH PROVINCIAL COURT	175 MELROSE CRES E. PASSAGE	THEA M. MASTERS	HRM CHARTER S. 354 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY (ACCUMULATION OF DOG FECES)	Trial: May 20/2010@9:30  DARTMOUTH PROVINCIAL COURT
Arraignment Oct 27/2009 9062 DARTMOUTH PROVINCIAL COURT	45 A/B ELMWOOD AVE DARTMOUTH	WISE MAN INVESTMENTS LIMITED	HRM CHARTER S. 354 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DERELICT VEHICLES, BLACK VOLKSWAGON JETTA AND RED DODGE CARAVAN	Trial: May 20/2010@9:30  DARTMOUTH PROVINCIAL COURT
Arraignment Oct 27/2009 9063 HALIFAX PROVINCIAL COURT	24 RICHARD ST TIMBERLEA	SUSAN ANN ANDREWS	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO KEEP IDENTIFICATION DEVICE AFFIXED TO ANIMAL	Trial: Jan 7/2010@1:30  HALIFAX PROVINCIAL COURT
Arraignment Oct 27/2009 9064 HALIFAX PROVINCIAL COURT	6198 CHEBUCTO RD HALIFAX	LENA METLEDGE DIAB	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Trial: Jan 7/2010@1:30  HALIFAX PROVINCIAL COURT
Arraignment Oct 27/2009 9065 HALIFAX PROVINCIAL COURT	DE WOLFE PARK BEDFORD	ZOE KELLY	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG THAT ATTACKS	Trial: Jan 21/2010@9:00  HALIFAX PROVINCIAL COURT
Arraignment Oct 27/2009 9074 HALIFAX PROVINCIAL COURT	5248 HARVEY ST HALIFAX	3006072 NOVA SCOTIA LIMITED	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN AREA BETWEEN CURB AND PROPERTY LINE FREE FROM GARBAGE AND DEBRIS	Adj. Arraignment: Nov 17/2009  HALIFAX PROVINCIAL COURT

Dec 16/2009

Page 6 of 6

<b>Court Appearance</b>	<b>Address</b>	<b>Owner/Defendant</b>	<b>Violation</b>	<b>Status</b>
Arraignment Oct 27/2009 9066 HALIFAX PROVINCIAL COURT	3476 MCALPINE AVE HALIFAX	ERIN KATHLEEN LILLY	BY-LAW A-300 RESPECTING ANIMALS - OWNING AN UNLICENCED DOG	Trial: Feb 12/2010@9:00 HALIFAX PROVINCIAL COURT
Arraignment Oct 27/2009 9067 HALIFAX PROVINCIAL COURT	8 DAWN ST HALIFAX	JOSEPH NJEIM	HRM CHARTER S. 354 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY	Trial: Feb 15/2010@9:00 HALIFAX PROVINCIAL COURT
Arraignment Oct 27/2009 9085 HALIFAX PROVINCIAL COURT	HALIFAX COMMON SKATE PARK HALIFAX	MARCEL AYOUB	BY-LAW C-500 RESPECTING COMMERCE AND VENDING ON MUNICIPAL LAND - VENDING AT SITE FOR WHICH VENDOR DOES NOT HOLD LICENCE	Adj. Arraignment: Dec 1/2009 HALIFAX PROVINCIAL COURT
Arraignment Oct 27/2009 9068 HALIFAX PROVINCIAL COURT	56 RAINES MILL RD LAKESIDE	GEORGE JURE PECOTIC	BY-LAW A-300 RESPECTING ANIMALS - OWNING A DOG WHICH RUNS AT LARGE	Trial: Feb 18/2010@9:00 HALIFAX PROVINCIAL COURT
Arraignment Oct 27/2009 9069 DARTMOUTH PROVINCIAL PARK	30 JOHN BRENTON DR DARTMOUTH	WALLACE BARKHOUSE	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - OPERATING UNAUTHORIZED VEHICLE IN PARK	Trial: May 20/2010@9:30 DARTMOUTH PROVINCIAL PARK
Trial Oct 28/2009 8338 HALIFAX PROVINCIAL COURT	5654 MORRIS ST HALIFAX	E. COYLE/E. SMITH/N. MCKENZIE	MGA S. 244(1) - FAIL TO OBTAIN A PERMIT FOR ADDITIONAL DWELLING UNITS	Adj. Trial: Dec 16/2009 HALIFAX PROVINCIAL COURT
Trial Oct 29/2009 8952 HALIFAX PROVINCIAL COURT	ROBIE ST/CHARLES ST HALIFAX	ROBERT HENRY TRAVERS	BY-LAW 47 RESPECTING ANTI DUMPING - THROWING RUBBISH IN OR ON PUBLIC WAY OR PLACE IN MUNICIPALITY	WITHDRAWN