



P.O. Box 1749
Halifax, Nova Scotia
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Item No. 5
Halifax Regional Council
January 25, 2011

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by Director

ME Donovan, Director Legal Services & Risk Management

DATE: January 10, 2011

SUBJECT: Status of By-law Prosecutions – September 1, 2010 – September 30, 2010

INFORMATION REPORT

ORIGIN

Legal Services – Municipal Prosecutions

BACKGROUND

This report identifies only those currently active cases where court appearances occurred between September 1, 2010 and September 30, 2010.

DISCUSSION

BUDGET IMPLICATIONS

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

ATTACHMENTS

Status of By-law Prosecutions between September 1, 2010 and September 30, 2010

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 Gagliardi, Legal Assistant, 490-4227

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 2/2010 8904 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	CHANGE OF PLEA - FINE \$18,500.00
Trial Sep 7/2010 DARTMOUTH PROVINCIAL COURT	9233 82 THERESA CT LAKE ECHO	BRIAN TRIMM	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	CONVICTION - FINE \$340.21
Trial Sep 7/2010 DARTMOUTH PROVINCIAL COURT	9234 55 KINSAC RD BEAVERBANK	DAVID LORNE	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	ACQUITTED
Arraignment Sep 7/2010 DARTMOUTH PROVINCIAL COURT	9236 ALPS RD WEST PORTERS LAKE	RYAN JORDAN DAY	BY-LAW 47 RESPECTING ANTI DUMPING - THROWING ANY WASTE ARTICLE IN OR ON PUBLIC WAY OR PLACE IN MUNICIPALITY	WITHDRAWN
Trial Sep 10/2010 HALIFAX PROVINCIAL COURT	9053 6208 CHEBUCTO RD HALIFAX 2482 CHEBUCTO LANE HALIFAX 6215 DUNCAN ST HALIFAX	HOUDA & STEVEN WADIH METLEGE	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILED TO MAINTAIN AREA BETWEEN CURB AND THE PROPERTY LINE FREE FROM GARBAGE AND DEBRIS - 14 PROPERTIES	ACQUITTED
Trial Sep 10/2010 HALIFAX PROVINCIAL COURT	9213 660 FRANCKLYN ST HALIFAX	KATHLEEN CYD GIAMMARA	BY-LAW S-600 RESPECTING SOLID WASTE - PICKING OVER, REMOVING, DISTURBING OR OTHERWISE INTERFERING WITH (BLUE BAGS) WASTE MATERIAL THAT HAS BEEN PLACED FOR MUNICIPAL COLLECTION	CHANGE OF PLEA - FINE \$1.00
Arraignment Sep 14/2010 HALIFAX PROVINCIAL COURT	9237 4492 PROSPECT RD BAYSIDE	BAYSIDE SUPPLIES LIMITED/JOHN MITCHELL	LAND USE BY-LAW FOR PLANNING DISTRICT 4 - OPERATE A BUSINESS, TO WIT: A MARINA WHICH IS NOT A PERMITTED USE IN AN RRE-1 ZONE	JOHN MITCHELL, SR. - CHARGE WITHDRAWN BAYSIDE SUPPLIES LIMITED - CHANGE OF PLEA - FINE \$1.00 - COMPLIANCE ORDER ISSUED
Trial Sep 16/2010 HALIFAX PROVINCIAL COURT	9246 6538 BAYERS RD HALIFAX	RAY HENICK	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	WITHDRAWN

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 16/2010 HALIFAX PROVINCIAL COURT	9172 6209 COBURG RD HALIFAX	BROOK MICHAEL STACEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$910.42
Trial Sep 16/2010 HALIFAX PROVINCIAL COURT	9145 6209 COBURG RD HALIFAX	BROOK M. STACEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Trial Sep 17/2010 HALIFAX PROVINCIAL COURT	9260 920 BRUSSELS ST HALIFAX	STEPHEN JAMES LAVIGNE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$255.21
Trial Sep 20/2010 HALIFAX PROVINCIAL COURT	9242 6057 PEPPERELL ST HALIFAX	FAITH PROPERTIES LIMITED Agent: ASHOK CHUGH	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 \$225.21
Trial Sep 22/2010 DARTMOUTH PROVINCIAL COURT	9174 1299 COW BAY RD COW BAY	JEFF WANG	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	Adj. Trial: Feb 3/2011 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 23/2010 DARTMOUTH PROVINCIAL COURT	9262 1833 HIGHWAY #7 EAST PRESTON	KEVIN WADE BROOKS	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	WITHDRAWN
Arraignment Sep 23/2010 DARTMOUTH PROVINCIAL COURT	9277 26 BROCK ST DARTMOUTH	EDWARD CHARLES FULTZ	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Nov 29/2010@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Sep 23/2010 DARTMOUTH PROVINCIAL COURT	9264 1 CHEBUCTO LN DARTMOUTH	PAMELA RITCEY	BY-LAW A-300 RESPECTING ANIMALS - OWNING UNLICENSED DOG - 2 COUNTS	Trial: May 3/2011@9:30 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Sep 24/2010 9132 HALIFAX PROVINCIAL COURT	1664 LARCH ST HALIFAX	JULIA KATHLEEN ZEEMAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$153.00
Trial Sep 24/2010 9146 HALIFAX PROVINCIAL COURT	1664 LARCH ST HALIFAX	JORDAN WOOD	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$252.00
Trial Sep 24/2010 9147 HALIFAX PROVINCIAL COURT	1664 LARCH ST HALIFAX	ELIJAH MASEK-KELLY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$153.00
Arraignment Sep 24/2010 9300 HALIFAX PROVINCIAL COURT	1952 BEECH ST HALIFAX	KWANG LEE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 31/2011@1:30 HALIFAX PROVINCIAL COURT
Arraignment Sep 24/2010 9039 HALIFAX PROVINCIAL COURT	6350 COBURG RD HALIFAX	UNIVERSITY OF KING'S COLLEGE Agent: WILLIAM BARKER	FIRE CODE DIVISION B S.2.2.2.1 - FAIL TO ENSURE THAT OPENINGS IN FIRE SEPARATIONS ARE PROTECTED WITH CLOSURES	CHANGE OF PLEA FINE \$50.00 PROBATION ORDER ISSUED
Trial Sep 27/2010 9245 HALIFAX PROVINCIAL COURT	19 KATE CT HALIFAX	KATHLEEN VALLIS	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT ATTACKS PERSON OR ANIMAL	Adj. Trial: Jan 24/2011 HALIFAX PROVINCIAL COURT
Trial Sep 27/2010 9272 HALIFAX PROVINCIAL COURT	2355 AGRICOLA ST HALIFAX	CHARLES WOODFORD	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	WITHDRAWN
Arraignment Sep 27/2010 9148 HALIFAX PROVINCIAL COURT	63 AHMADI CRESCENT BEDFORD	JULIET ATBIN	HRM CHARTER S. 278 AND S. 369 - DID BREACH THE TERMS OF A DEVELOPMENT AGREEMENT	CHANGE OF PLEA - FINE \$3,000.00

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Trial 9073 Sep 27/2010 HALIFAX PROVINCIAL COURT	18 LYNNETT RD HALIFAX 20 LYNNETT RD HALIFAX	NAJAT & TINA CHEDIAC	FIRE SAFETY ACT S.25(1) - FAIL TO COMPLY WITH AN ORDER	TINA CHEDIAC - WITHDRAWN NAJAT CHEDIAC - CHANGE OF PLEA - FINE \$1,000.00
Trial 9192 Sep 27/2010 HALIFAX PROVINCIAL COURT	103 RED FERN TERR HALIFAX	ALFRED CYRIL WILLIAMS	BY-LAW S-600 RESPECTING SOLID WASTE - PICKING OVER, REMOVING, DISTURBING OR OTHERWISE INTERFERING WITH SPECIFICALLY RECYCLABLE WASTE MATERIAL THAT HAS BEEN PLACED FOR MUNICIPAL COLLECTION	Adj. Trial: Feb 2/2011 HALIFAX PROVINCIAL COURT
Trial 9193 Sep 27/2010 HALIFAX PROVINCIAL COURT	41 CHELTON WOODS LANE HALIFAX	ALFRED CYRIL WILLIAMS	BY-LAW S-600 RESPECTING SOLID WASTE - PICKING OVER, REMOVING, DISTURBING OR OTHERWISE INTERFERING WITH SPECIFICALLY RECYCLABLE WASTE MATERIAL THAT HAS BEEN PLACED FOR MUNICIPAL COLLECTION	Adj. Trial: Feb 2/2011 HALIFAX PROVINCIAL COURT
Trial 9167 Sep 28/2010 HALIFAX PROVINCIAL COURT	22 MEADOWBROOK DR BEDFORD	NADIA & JOHN GHOSN	FIRE SAFETY ACT S.25(1) - FAIL TO COMPLY WITH AN ORDER	ADJ. ARRAIGNMENT: OCTOBER 28, 2010
Arraignment 9301 Sep 28/2010 HALIFAX PROVINCIAL COURT	2490 BEECH ST HALIFAX	JOHN MARTIN MUNROE	BY-LAW S-600 RESPECTING SOLID WASTE - PICKING OVER, REMOVING, DISTURBING OR OTHERWISE INTERFERING WITH (DOUBLE SINK METAL) WASTE MATERIAL THAT HAS BEEN PLACED FOR MUNICIPAL COLLECTION	Trial: Apr 13/2011@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 9288 Sep 28/2010 HALIFAX PROVINCIAL COURT	6136 UNIVERSITY AVE HALIFAX	GERALD ARTHUR REDDICK	BY-LAW C-500 RESPECTING COMMERCE AND VENDING - USING TABLE OR OTHER DEVICE (2 TABLES) TO INCREASE SELLING OR DISPLAY CAPACITY OF STAND OR MOBILE CANTEEN; - VENDING FROM STAND WITH TOTAL OPERATING SPACE LARGER THAN 4M. SQ - 2 COUNTS; - VENDING WITHOUT PROVIDING ADEQUATE SOLID WASTE STORAGE FACILITIES IMMEDIATELY ADJACENT TO MOBILE CANTEEN-TWO COUNTS; - USING TABLE OR OTHER DEVICE (6 FOOT TABLE, BASKET AND TUPPERWARE CONTAINER) TO INCREASE SELLING OR DISPLAY CAPACITY OF STAND OR MOBILE CANTEEN.	Adj. Arraignment: Nov 9/2010 HALIFAX PROVINCIAL COURT
Arraignment 9276 Sep 28/2010 HALIFAX PROVINCIAL COURT	1580 WALNUT ST HALIFAX	KIMBERLY ROBIN HARDY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Mar 24/2011@1:30 HALIFAX PROVINCIAL COURT
Arraignment 9281 Sep 30/2010 DARTMOUTH PROVINCIAL COURT	21 MAPLE GROVE DR SACKVILLE	STANLEY GORDON GILLIS	HRM CHARTER S. 367(3)(D) - REFUSING ACCESS TO INSPECTOR EXERCISING POWER GRANTED UNDER ACT	Trial: Sep 26/2011@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 9302 Sep 30/2010 DARTMOUTH PROVINCIAL COURT	26B KENNEDY DR DARTMOUTH	JOSHUA D. BEALS	HRM CHARTER S. 358(4) - PERMITTING, CAUSING OR CONTINUING TO PERMIT OR CAUSE DANGEROUS OR UNSIGHTLY CONDITION AFTER ORDER TO REMEDY SERVED	Trial: Aug 8/2011@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 9303 Sep 30/2010 DARTMOUTH PROVINCIAL COURT	109 HADDAD DR SACKVILLE	MAURICE BERRIGAN	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	Trial: Aug 8/2011@9:30 DARTMOUTH PROVINCIAL COURT
Arraignment 9304 Sep 30/2010 DARTMOUTH PROVINCIAL COURT	11 APPLEWOOD LANE DARTMOUTH	PAUL WILLIAM GOLDBERG	BY-LAW S-300 RESPECTING STREETS - ABUTTER FAILING TO MAINTAIN GRASS AREA BETWEEN SIDEWALK AND CURB CLOSELY CLIPPED OR KEPT IN GOOD ORDER	Trial: Aug 8/2011@1:30 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 9305 Sep 30/2010 DARTMOUTH PROVINCIAL COURT	COW BAY	NEIL NAUGLE	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT ATTACKS PERSON OR ANIMAL	Trial: Aug 10/2011@9:30 DARTMOUTH PROVINCIAL COURT