



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 2
Halifax Regional Council
November 15, 2011

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by Director

ME Donovan, Director, Legal Services & Risk Management

DATE: October 27, 2011

SUBJECT: Status of By-law Prosecutions – April 1, 2011 – April 30, 2011

INFORMATION REPORT

ORIGIN

Legal Services – Municipal Prosecutions

BACKGROUND/DISCUSSION

This report identifies only those currently active cases where court appearances occurred between April 1, 2011 and April 30, 2011.

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, 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

N/A

ATTACHMENTS

Status of By-law Prosecutions between April 1, 2011 and April 30, 2011

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
Arraignment 9369 Apr 5/2011 HALIFAX PROVINCIAL COURT	R17-1535 DRESDEN ROW HALIFAX	TEDDY ZAGHLOUL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial 9374 Apr 5/2011 HALIFAX PROVINCIAL COURT	15 HAMSHAW DR HALIFAX	ALICIA WHYNOT	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	WITHDRAWN
Trial 9354 Apr 5/2011 HALIFAX PROVINCIAL COURT	15 HAMSHAW DR HALIFAX	JONATHAN WILLIAM GIDNEY	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	WITHDRAWN
Trial 9357 Apr 6/2011 HALIFAX PROVINCIAL COURT	15 HAMSHAW DR HALIFAX	SEAN MCMILLAN	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	CONVICTION - FINE \$150.21
Trial 9359 Apr 6/2011 HALIFAX PROVINCIAL COURT	15 HAMSHAW DR HALIFAX	ADAM DAVID BENT	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	CONVICTION - FINE \$150.21
Trial 9360 Apr 6/2011 HALIFAX PROVINCIAL COURT	15 HAMSHAW DR HALIFAX	MATTHEW PETER BUSTIN	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	CONVICTION - FINE \$150.21
Trial 9361 Apr 6/2011 HALIFAX PROVINCIAL COURT	15 HAMSHAW DR HALIFAX	ANNA CELYN BUSTIN	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSITION	CONVICTION - FINE \$150.21
Trial 9327 Apr 7/2011 DARTMOUTH PROVINCIAL COURT	15 RIDGECREST DR DARTMOUTH	JEFFREY DEAN WEBBER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	ACQUITTED

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial 9389 Apr 7/2011 HALIFAX PROVINCIAL COURT	522 BEDFORD HWY HALIFAX	NESTOR R. ALVAREZ-MORILLO	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI OR LIMOUSINE IN VIOLATION OF ZONE RESTRICTIONS	CHANGE OF PLEA - FINE \$127.46
Trial 9169 Apr 11/2011 HALIFAX PROVINCIAL COURT	R17-1535 DRESDEN ROW HALIFAX	TEDDY ZAGHLOUL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial 9391 Apr 11/2011 HALIFAX PROVINCIAL COURT	HALIFAX COMMONS HALIFAX	JULIE ANGUS	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	WITHDRAWN
Arraignment 13008 Apr 12/2011 HALIFAX PROVINCIAL COURT	5654 MORRIS ST HALIFAX	TODD SCANLAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial 9358 Apr 12/2011 DARTMOUTH PROVINCIAL COURT	4 OLD FERRY RD DARTMOUTH	VALERIE TYNES	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	ACQUITTED
Arraignment 13014 Apr 12/2011 HALIFAX PROVINCIAL COURT	6226 JUBILEE RD HALIFAX	ALEXANDER JOVAISAS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 15/2011@1:30 HALIFAX PROVINCIAL COURT
Arraignment 13015 Apr 12/2011 HALIFAX PROVINCIAL COURT	6226 JUBILEE RD HALIFAX	ALEXANDER D. GUY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 15/2011@1:30 HALIFAX PROVINCIAL COURT
Arraignment 13016 Apr 12/2011 HALIFAX PROVINCIAL COURT	6226 JUBILEE RD HALIFAX	SAMUEL JOHN NYHUUS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 15/2011@1:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 13017 Apr 12/2011 HALIFAX PROVINCIAL COURT	6226 JUBILEE RD HALIFAX	DAVID WILLIAM HOLMES	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 15/2011@1:30 HALIFAX PROVINCIAL COURT
Arraignment 9388 Apr 12/2011 HALIFAX PROVINCIAL COURT	35 HAMMONDS PLAINS RD BEDFORD	DEVON W. BROWN	BY-LAW P-600 RESPECTING MUNICIPAL PARKS - BEING IN PARK BETWEEN 10:00 P.M. AND 5:00 A.M. WITHOUT WRITTEN PERMISSION	CHANGE OF PLEA - FINE \$100.00
Trial 9301 Apr 13/2011 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	WITHDRAWN
Arraignment 9378 Apr 13/2011 HALIFAX PROVINCIAL COURT	348 PURCELL'S COVE RD HALIFAX	GENE JENSEN & PAULETTE JENSEN	LAND USE BY-LAW FOR HALIFAX MAINLAND - ALLOW A STRUCTURE WITHIN THE 9 METRES OF THE SHORLINE OF THE NORTHWEST ARM; - ALLOW A DWELLING THAT DOES NOT HAVE ON-SITE SEWAGE DISPOSAL AND WATER SERVICES PROVIDED ON THE SAME LOT; - ALLOW A BUILDING THAT IS LESS THAN 8 FEET FROM THE REAR LOT LINE. - A THREE STORY STRUCTURE ON LOT G1. HRM CHARTER - ALLOW DEVELOPMENT WITHOUT FIRST OBTAINING A DEVELOPMENT PERMIT: - SINGLE FAMILY DWELLING ON LOT G2; - DETACHED GARAGE ON LOT G1; - DETACHED GARAGE ON LOT G1;	Adj. Arraignment: May 12/2011 HALIFAX PROVINCIAL COURT
Trial 9216 Apr 14/2011 DARTMOUTH PROVINCIAL COURT	35A MOUNTAIN AVE DARTMOUTH	CASSANDRA DAWN MASON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	ACQUITTED
Trial 9395 Apr 15/2011 HALIFAX PROVINCIAL COURT	11-56 EVANS AVE HALIFAX	RICHARD GEORGE MAPP	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial 9343 Apr 19/2011 DARTMOUTH PROVINCIAL COURT	86 THERESA CT LAKE ECHO	GARRY VERNON THOMPSON	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	Adj. Trial: May 24/2011 DARTMOUTH PROVINCIAL COURT
Trial 9390 Apr 21/2011 HALIFAX PROVINCIAL COURT	1919 UPPER WATER ST HALIFAX	LEWIS WAYNE COOPER	HRM CHARTER S. 369(1)(D) - A PERSON WHO OBSTRUCTS OR HINDERS ANY PERSON IN THE PERFORMANCE OF THEIR DUTIES UNDER THIS ACT OR UNDER ANY ORDER, REGULATION OR BY-LAW IN FORCE IN ACCORDANCE WITH THIS ACT	CONVICTION - FINE \$100.00
Arraignment 13198 Apr 26/2011 HALIFAX PROVINCIAL COURT	5657 SPRING GARDEN RD HALIFAX	ALIREZA A. ROSHANIMEYDAN	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING OR PERMITTING TO BE OPERATED A TAXI WITHOUT VALID TAXI OWNER'S LICENSE DISPLAYED AS REQUIRED	Adj. Arraignment: Sep 14/2011 HALIFAX PROVINCIAL COURT
Arraignment 13066 Apr 26/2011 HALIFAX PROVINCIAL COURT	1801 HOLLIS ST HALIFAX	KULDIP KUMAR BALI	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING OR PERMITTING TO BE OPERATED A TAXI WITHOUT VALID TAXI OWNER'S LICENSE DISPLAYED AS REQUIRED	CHANGE OF PLEA - FINE \$127.46
Arraignment 13080 Apr 26/2011 HALIFAX PROVINCIAL COURT	2717 JOSEPH HOWE DR HALIFAX	TERRY MORIER	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI OR LIMOUSINE IN VIOLATION OF ZONE RESTRICTIONS	ACQUITTED
Arraignment 9226 Apr 26/2011 HALIFAX PROVINCIAL COURT	2116 GOTTINGEN ST HALIFAX	3173399 NS LIMITED/DAVID GRAHAM Agent: ERIN O'BRIEN EDMONDS	BUILDING CODE ACT - DID NOT OBEY AN ORDER TO STOP WORK ON THE BUILDING - 3 COUNTS; -DID CONSTRUCT A BUILDING WITHOUT A BUILDING PERMIT.	Adj. Arraignment: May 31/2011 HALIFAX PROVINCIAL COURT

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Arraignment 9282 Apr 26/2011 HALIFAX PROVINCIAL COURT	1225 BEDFORD HWY BEDFORD	CAMRAN KHANDAN & SUONG PHAM	BUILDING CODE ACT - CONSTRUCT WITHOUT FIRST OBTAINING A BUILDING PERMIT; - FAIL TO COMPLY WITH AN ORDER; - OCCUPY A BUILDING WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT.	Adj. Arraignment: May 31/2011 HALIFAX PROVINCIAL COURT
Trial 9250 Apr 27/2011 DARTMOUTH PROVINCIAL COURT	23 ROBERT DR DARTMOUTH	WILLIAM DAVISON	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE; - OWNING DOG THAT ATTACKS PERSON OR ANIMAL; - OWNING UNLICENSED DOG.	WITHDRAWN
Trial 9191 Apr 27/2011 DARTMOUTH PROVINCIAL COURT	99 WYSE RD DARTMOUTH	ALEKSEY OSIPENKOV	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS AND LIMOUSINES - FAILING TO COMPLY WITH REQUIREMENT TO NOT REFUSE TO CARRY A DISABLED PASSENGER WHILE OPERATING TAXI OR ACCESSIBLE TAXI	ACQUITTED
Trial 9261 Apr 28/2011 DARTMOUTH PROVINCIAL COURT	14 GREENBANK CRT DARTMOUTH	TRENT P. DAVIS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Jun 2/2011 DARTMOUTH PROVINCIAL COURT
Arraignment 13201 Apr 28/2011 DARTMOUTH PROVINCIAL COURT	14-7 JACKSON RD DARTMOUTH	ROBERT EDWARD SPARKS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Jul 14/2011 DARTMOUTH PROVINCIAL COURT
Arraignment 13339 Apr 28/2011 DARTMOUTH PROVINCIAL COURT	68 LAKEFRONT RD DARTMOUTH	STEPHEN MICHAEL MEADE	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING OR PERMITTING TO BE OPERATED A TAXI WITHOUT VALID TAXI OWNER'S LICENSE DISPLAYED AS REQUIRED; - OPERATING TAXI OR LIMOUSINE IN VIOLATION OF ZONE RESTRICTIONS	Trial: Feb 29/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 13077 Apr 28/2011 DARTMOUTH PROVINCIAL COURT	900 COLE HARBOUR RD COLE HARBOUR	TANIOS FARID ABIDAUD	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING OR PERMITTING TO BE OPERATED A TAXI WITHOUT VALID TAXI OWNER'S LICENSE DISPLAYED AS REQUIRED	Adj. Arraignment: Jun 2/2011 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 13078 Apr 28/2011 DARTMOUTH PROVINCIAL COURT	900 COLE HARBOUR RD COLE HARBOUR	JOE A. EDDO	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING OR PERMITTING TO BE OPERATED A TAXI WITHOUT VALID TAXI OWNER'S LICENSE DISPLAYED AS REQUIRED	Adj. Arraignment: Jun 2/2011 DARTMOUTH PROVINCIAL COURT
Arraignment 13079 Apr 28/2011 DARTMOUTH PROVINCIAL COURT	69 RENFREW ST DARTMOUTH	RONALD FRANCIS AUBE	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI OR LIMOUSINE IN VIOLATION OF ZONE RESTRICTIONS	IN ABSENCE CONVICTION - FINE \$127.46
Arraignment 13340 Apr 28/2011 DARTMOUTH PROVINCIAL COURT	57 GLORIA AVE SACKVILLE	MICHAEL HUGH GILLIS	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS & LIMOUSINES - OPERATING TAXI OR LIMOUSINE IN VIOLTION OF ZONE RESTRICTIONS	Trial: Feb 28/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 13341 Apr 28/2011 DARTMOUTH PROVINCIAL COURT	261 STOKIL DR SACKVILLE	MARLA MACDOUGALL	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	Trial: Feb 29/2012@1:30 DARTMOUTH PROVINCIAL COURT