



P.O. Box 1749
Halifax, Nova Scotia
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Item No. 3
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 31, 2011

SUBJECT: Status of By-law Prosecutions – May 1, 2011 – May 31, 2011

INFORMATION REPORT

ORIGIN

Legal Services – Municipal Prosecutions

BACKGROUND/DISCUSSION

This report identifies only those currently active cases where court appearances occurred between May 1, 2011 and May 31, 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 May 1, 2011 and May 31, 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 9332 May 2/2011 HALIFAX PROVINCIAL COURT	6093 WATT ST HALIFAX	LAURELLE A. POTTER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment 9333 May 2/2011 HALIFAX PROVINCIAL COURT	6093 WATT ST HALIFAX	JENNIFER LAUREN WATSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment 9334 May 2/2011 HALIFAX PROVINCIAL COURT	6093 WATT ST HALIFAX	SARAH EVANS MORGAN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment 9335 May 2/2011 HALIFAX PROVINCIAL COURT	6093 WATT ST HALIFAX	STEFANIE MICHELE MILNER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Arraignment 9383 May 3/2011 HALIFAX PROVINCIAL COURT	5688 SPRING GARDEN RD HALIFAX	GREMAR INVESTMENTS LIMITED, ET AL. Agent: GREGORY ARAB	BY-LAW B-201 RESPECTING BUILDING - FAIL TO CLEAN UP THE PROPERTY AND REMOVE ALL DEBRIS OR OTHER MATERIAL; BUILDING CODE ACT - FAIL TO COMPLY WITH AN ORDER.	Adj. Arraignment: Jun 8/2011 HALIFAX PROVINCIAL COURT
Arraignment 13225 May 3/2011 HALIFAX PROVINCIAL COURT	918 BRUSSELS ST HALIFAX	RACHEL E. SAMMIS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 31/2011@9:30 HALIFAX PROVINCIAL COURT
Arraignment 13226 May 3/2011 HALIFAX PROVINCIAL COURT	918 BRUSSELS ST HALIFAX	AMANDA JEAN DAVIDSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 31/2011@9:30 HALIFAX PROVINCIAL COURT
Arraignment 13227 May 3/2011 HALIFAX PROVINCIAL COURT	918 BRUSSELS ST HALIFAX	BRIGID ANNE JEMIESON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Oct 31/2011@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial May 3/2011 DARTMOUTH PROVINCIAL COURT	9264 1 CHEBUCTO LN DARTMOUTH	PAMELA RITCEY	BY-LAW A-300 RESPECTING ANIMALS - OWNING UNLICENSED DOG - 2 COUNTS	IN ABSENCE CONVICTION - FINE \$340.21 X 2
Trial May 5/2011 HALIFAX PROVINCIAL COURT	9380 3RD FL-5654 MORRIS ST HALIFAX	ALEXANDER JAMES HEIMPEL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Feb 2/2012 HALIFAX PROVINCIAL COURT
Trial May 5/2011 HALIFAX PROVINCIAL COURT	9398 1-3460 CLAREMONT ST HALIFAX	TERRIS DAYE	BY-LAW A-300 RESPECTING ANIMALS - OWNING UNLICENSED DOG	IN ABSENCE CONVICTION - FINE \$340.21
Trial May 10/2011 HALIFAX PROVINCIAL COURT	9266 VARIOUS LOCATIONS HALIFAX	JONAS HECTOR COLTER	BY-LAW S-800 RESPECTING SIGNS - VIOLATING S. 7.1 - SIGN WITHIN AN HRM RIGHT-OF-WAY	WITHDRAWN
Trial May 10/2011 HALIFAX PROVINCIAL COURT	9267 VARIOUS LOCATIONS HALIFAX	JONAS COLTER	BY-LAW S-800 RESPECTING SIGNS - VIOLATING S. 7.1 - SIGN WITHIN AN HRM RIGHT-OF-WAY	WITHDRAWN
Arraignment May 10/2011 HALIFAX PROVINCIAL COURT	13010 6080 COMPTON AVE HALIFAX	WENDY ELIZABETH ADAMS	LAND USE BY-LAW FOR HALIFAX PENINSULA - ALLOW MORE DWELLING UNITS THAN PERMITTED IN AN R-2 ZONE	CHANGE OF PLEA - FINE \$2,000.00
Arraignment May 12/2011 HALIFAX PROVINCIAL COURT	13199 201-36 PRIMROSE ST DARTMOUTH	ROSE MARIE BARTARAW	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 8/2011@1:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 9378 May 12/2011 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: Aug 4/2011 HALIFAX PROVINCIAL COURT
Trial 9392 May 17/2011 HALIFAX PROVINCIAL COURT	33 HEBRIDEAN DR HERRING COVE	ERIN KEITH DEMPSEY	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	WITHDRAWN
Arraignment 9402 May 17/2011 HALIFAX PROVINCIAL COURT	53 OLIVE DR BEDFORD	CATHERINE BARTEAUX	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	Trial: Jun 1/2011@1:30 HALIFAX PROVINCIAL COURT
Trial 9289 May 19/2011 DARTMOUTH PROVINCIAL COURT	3 DILLMAN PL DARTMOUTH	MICHAEL JOHN HAWRYLUK	BY-LAW T-108 RESPECTING THE REGULATION OF TAXIS AND LIMOUSINES - OPERATING OR PERMITTING TO BE OPERATED A VEHICLE FOR HIRE WITHOUT LICENSE AS REQUIRED	IN ABSENCE CONVICTION - FINE \$225.21
Trial 9194 May 19/2011 DARTMOUTH PROVINCIAL COURT	65 CALDWELL RD DARTMOUTH	LEONIDAS & DEBORAH TSALTAS	LAND USE BY-LAW FOR COLE HARBOUR/ WESTPHAL - ALLOW THE KEEPING OF LIVESTOCK IN A R-1 ZONE; - ALLOW A STRUCTURE TO BE USED FOR THE KEEPING OF LIVESTOCK IN A R-1 ZONE; - ALLOW THE OBNOXIOUS USE OF A PROPERTY IN A R-1 ZONE.	Adj. Trial: Jun 7/2011 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial 9399 May 19/2011 HALIFAX PROVINCIAL COURT	6137 JUBILEE RD HALIFAX	KATHLEEN CYD GIAMMARA	BY-LAW S-600 RESPECTING SOLID WASTE - REMOVING OR OTHERWISE INTERFERING WITH WASTE MATERIAL THAT HAS BEEN PLACED FOR MUNICIPAL COLLECTION	WITHDRAWN
Arraignment 13092 May 19/2011 DARTMOUTH PROVINCIAL COURT	5-28 PRIMROSE ST DARTMOUTH	SHACOYIA C. LOPPIE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Jun 2/2011 DARTMOUTH PROVINCIAL COURT
Trial 9310 May 20/2011 HALIFAX PROVINCIAL COURT	5553 DUFFUS ST HALIFAX	BASH TOULANY'S FINE FOODS, B./N. TOULANY Agent: MOHAMMED AL-TAWIL	LAND USE BY-LAW FOR HALIFAX PENINSULA - ALLOW THE LAND TO BE USED IN A WAY NOT PERMITTED IN A R-2 ZONE	BASH TOULANY'S FINE FOODS - WITHDRAWN; NAJAT & BECHORA TOULANY - WITHDRAWN; AMJAD AL-TAWIL - WITHDRAWN; MOHAMMED AL-TAWIL - CHANGE OF PLEA - FINE \$500.00.
Trial 13066 May 20/2011 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
Trial 9343 May 24/2011 DARTMOUTH PROVINCIAL COURT	86 THERESA CT LAKE ECHO	GARRY VERNON THOMPSON	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	WITHDRAWN
Trial 9400 May 24/2011 DARTMOUTH PROVINCIAL COURT	108 CAPRIS DR WEST PORTERS LAKE	BARBARA MARIA TRUSZYNSKI	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	ACQUITTED
Trial 13011 May 24/2011 DARTMOUTH PROVINCIAL COURT	169 MILO TERR BEAVER BANK	VINCENT FOSTER FERLA	BY-LAW A-300 RESPECTING ANIMALS - OWNING UNLICENSED DOG	IN ABSENCE CONVICTION - FINE \$340.21
Arraignment 13093 May 31/2011 HALIFAX PROVINCIAL COURT	6175 DUNCAN ST HALIFAX	MYLES TOMPKINS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 2/2012@9:30 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 13095 May 31/2011 HALIFAX PROVINCIAL COURT	6175 DUNCAN ST HALIFAX	THOMAS ATKINSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 2/2012@9:30 HALIFAX PROVINCIAL COURT
Arraignment 9226 May 31/2011 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: Jun 21/2011 HALIFAX PROVINCIAL COURT
Arraignment 13361 May 31/2011 HALIFAX PROVINCIAL COURT	203-31 CARRINGTON PL HALIFAX	ANAHITA ABOUZARI	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 2/2012@9:30 HALIFAX PROVINCIAL COURT
Arraignment 9363 May 31/2011 HALIFAX PROVINCIAL COURT	153 OLD SAMBRO RD HALIFAX	AMANDA E. PELRINE	BUILDING CODE ACT - DID OCCUPY A BUILDING WITHOUT A PERMIT - DID NOT OBEY AN ORDER.	Adj. Arraignment: Jun 21/2011 HALIFAX PROVINCIAL COURT
Arraignment 9282 May 31/2011 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: Jul 5/2011 HALIFAX PROVINCIAL COURT