



P.O. Box 1749
Halifax, Nova Scotia
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Item No. 6
Halifax Regional Council
December 6, 2011

TO: Mayor Kelly and Members of Halifax Regional Council

Original Signed by Director

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

DATE: November 22, 2011

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

INFORMATION REPORT

ORIGIN

Legal Services – Municipal Prosecutions

BACKGROUND/DISCUSSION

This report identifies only those currently active cases where court appearances occurred between July 1, 2011 and July 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 July 1, 2011 and July 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
Arrestment 9385 Jul 5/2011 HALIFAX PROVINCIAL COURT	6208 DUNCAN ST HALIFAX	GARY HOUSTON & GRACE DARLENE WARNICA	LAND USE BY-LAW FOR HALIFAX PENINSULA - ALLOW MORE DWELLING UNITS THAN PERMITTED IN A R-2 ZONE	Adj. Arrestment: Aug 2/2011 HALIFAX PROVINCIAL COURT
Arrestment 9282 Jul 5/2011 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.	Trial: Oct 7/2011@1:30 HALIFAX PROVINCIAL COURT
Trial 9376 Jul 6/2011 HALIFAX PROVINCIAL COURT	5654 MORRIS ST HALIFAX	SUKHPREET SINGH SAINI	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Sep 12/2011 HALIFAX PROVINCIAL COURT
Arrestment 9348 Jul 7/2011 DARTMOUTH PROVINCIAL COURT	MACINTOSH RD MIDDLE SACKVILLE	MICHAEL RONALD PATRIQUEN	BY-LAW A-300 RESPECTING ANIMALS - OWN DOG WHICH RUNS AT LARGE - 9 COUNTS - OWN DOG THAT ATTACKS A PERSON OR ANIMAL - 1 COUNT - OWN AN UNLICENSED DOG - 3 COUNTS	WITHDRAWN

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment 9394 Jul 7/2011 DARTMOUTH PROVINCIAL COURT	795 WEST SHIP HARBOUR RD LOWER SHIP HARBOUR	GERALD & ALMA TANNER	BUILDING CODE ACT 1, 6, 11, & 16 - CONSTRUCT BUILDINGS KNOWN AS COTTAGE "A", "B", "C" & "D" WITHOUT A BUILDING PERMIT; 2, 7, 12 & 17 - FAILED TO NOTIFY THE BUILDING OFFICIAL TO INSPECT THE BUILDINGS KNOWN AS COTTAGE "A", "B", "C" & "D" AT THE MANDATORY STAGES OF CONSTRUCTION; 3, 8, 13 & 18 - DID ALLOW THE OCCUPANCY OF THE BUILDINGS KNOWN AS COTTAGE "A", "B", "C" & "D" WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT; 4, 9, 14 & 19 - DID NOT OBEY AN ORDER TO OBTAIN A BUILDING PERMIT FOR THE BUILDINGS KNOWN AS COTTAGE "A", "B", "C" & "D"; 5, 10, 15 & 20 - DID NOT OBEY AN ORDER TO STOP WORK ON THE BUILDINGS KNOWN AS COTTAGE "A", "B", "C" & "D".	Adj. Arrestment: Feb 9/2012 DARTMOUTH PROVINCIAL COURT
Arrestment 13200 Jul 7/2011 DARTMOUTH PROVINCIAL COURT	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 DARTMOUTH PROVINCIAL COURT
Trial 9330 Jul 7/2011 HALIFAX PROVINCIAL COURT	BARRINGTON ST @ MORRIS ST HALIFAX	HANNAH MARCELLE DAHN	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$455.21
Trial 9331 Jul 7/2011 HALIFAX PROVINCIAL COURT	SEXTON FIELD HALIFAX	CHRISTOPHER ROBERT SAULNIER	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
Arraignment 13418 Jul 7/2011 DARTMOUTH PROVINCIAL COURT	5839 CUNARD ST HALIFAX	NOVACORP PROPERTIES LTD. Agent: DEXTER DAVID PELLEY	FIRE SAFETY ACT - FAIL TO COMPLY WITH NATIONAL FIRE CODE ANNUAL REPORTS NOT SUBMITTED AS REQUIRED; - FAIL TO COMPLY WITH ORDER MADE BY FIRE SAFETY ACT.	Trial: Apr 17/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 9401 Jul 12/2011 HALIFAX PROVINCIAL COURT	5221 SACKVILLE ST HALIFAX	DURTY NELLY'S IRISH PUB Agent: JOSEPH MCGUINNESS	FIRE CODE - FAIL TO INSPECT, TEST AND MAINTAIN PORTABLE FIRE EXTINGUISHERS; - FAIL TO INSPECT THE KITCHEN FIRE SUPPRESSION SYSTEM; - FAIL TO INSPECT EMERGENCY LIGHTING; - ALLOW ELECTRICAL CORDS TO RUN ACROSS A MEANS OF EGRESS; - FAIL TO MAINTAIN A FIRE SEPARATION; - FAIL TO ESTABLISH FIRE EMERGENCY PROCEDURES; - FAIL TO TRAIN SUPERVISORY STAFF IN FIRE EMERGENCY PROCEDURES; - FAIL TO MAINTAIN FIRE SAFETY SYSTEM RECORDS.	Adj. Arraignment: Sep 13/2011 HALIFAX PROVINCIAL COURT
Arraignment 13007 Jul 12/2011 HALIFAX PROVINCIAL COURT	1663 ARGYLE ST HALIFAX	SEA HORSE TAVERN Agent: DAVID HENRY	FIRE CODE - FAIL TO PROTECT OPENINGS IN FIRE SEPARATIONS WITH CLOSURES; - ALLOW THE CLOSURE IN A FIRE SEPARATION TO BE CONTINUOUSLY HELD OPEN; - FAIL TO ESTABLISH FIRE EMERGENCY PROCEDURES; - FAIL TO TRAIN SUPERVISORY STAFF IN FIRE EMERGENCY PROCEDURES; - FAIL TO MAINTAIN FIRE SAFETY SYSTEM RECORDS.	Adj. Arraignment: Nov 1/ 211 HALIFAX PROVINCIAL COURT
Arraignment 13202 Jul 12/2011 HALIFAX PROVINCIAL COURT	6190 SHIRLEY ST HALIFAX	BYRON DOUGLAS RILEY	BY-LAW S-600 RESPECTING SOLID WASTE - PICKING OVER, REMOVING, DISTURBING OR OTHERWISE INTERFERING WITH BLUE BAG WASTE MATERIAL THAT HAS BEEN PLACED FOR MUNICIPAL COLLECTION	Trial: Nov 18/2011@11:00 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jul 12/2011 13031 HALIFAX PROVINCIAL COURT	6220 CHEBUCTO RD HALIFAX	SIMONE EMILY DOUCET	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGE OF PLEA - FINE \$100.00
Trial Jul 13/2011 9320 HALIFAX PROVINCIAL COURT	5188 SALTER ST HALIFAX	HABIB HABIB	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; - OPERATING OR PERMITTING TO BE OPERATED A TAXI WITHOUT VALID TAXI OWNER'S LICENSE DISPLAYED AS REQUIRED; - TRANSPORTING OR BEING IN CONTROL OF MOTOR VEHICLE FOR PURPOSE OF TRANSPORTING PASSENGERS FOR HIRE WITHOUT REQUIRED VALID TAXI DRIVER'S LICENSE CONSPICUOUSLY DISPLAYED.	Adj. Trial: Sep 14/2011 HALIFAX PROVINCIAL COURT
Arraignment Jul 14/2011 13201 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	Trial: Jun 7/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Jul 14/2011 13362 DARTMOUTH PROVINCIAL COURT	228-3 DILLMAN PL DARTMOUTH	KATHY GRIMES	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jun 6/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Jul 14/2011 13451 DARTMOUTH PROVINCIAL COURT	99 THERESA CRT LAKE ECHO	NATHAN BLACK	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	Trial: Jun 6/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment Jul 14/2011 13452 DARTMOUTH PROVINCIAL COURT	70 POST OFFICE RD PORTERS LAKE	CRACEAN M. BENNETT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jun 6/2012@1:30 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 13213 Jul 19/2011 HALIFAX PROVINCIAL COURT	1579 VERNON ST HALIFAX	NICOLE C. HALLIDAY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Nov 2/2011@11:00 HALIFAX PROVINCIAL COURT
Arraignment 13194 Jul 21/2011 DARTMOUTH PROVINCIAL COURT	970 BEDFORD HIGHWAY BEDFORD	RYAN GORDON LORAINÉ HYSOŒ	LAND USE BY-LAW FOR BEDFORD - ALLOW A HOME OCCUPATION TO OPERATE WITHOUT OBTAINING A DEVELOPMENT PERMIT; - ALLOW THE OUTSIDE STORAGE OF ITEMS ASSOCIATED WITH A HOME OCCUPATION, INCLUDING VEHICLES, TRAILERS, EQUIPMENT AND MATERIAL IN A RTU ZONE.	CHANGE OF PLEA - FINE \$1,000.00
Arraignment 13154 Jul 26/2011 HALIFAX PROVINCIAL COURT	1579 VERNON ST HALIFAX	NICOLE C. HALLIDAY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 17/2012@9:30 HALIFAX PROVINCIAL COURT
Arraignment 13234 Jul 26/2011 HALIFAX PROVINCIAL COURT	1579 VERNON ST HALIFAX	NICOLE C. HALLIDAY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 17/2012@9:30 HALIFAX PROVINCIAL COURT
Arraignment 9187 Jul 26/2011 HALIFAX PROVINCIAL COURT	30 BEDFORD HWY HALIFAX	ATLANTIC ACURA Agent: LOUIS A. WOLFSON	FIRE SAFETY ACT - FAIL TO COMPLY WITH AN ORDER	TROY BENNETT - CHANGE OF PLEA - FINE \$500; 2448379 NOVA SCOTIA LIMITED - WITHDRAWN BRUCE HILL - WITHDRAWN
Trial 13013 Jul 27/2011 HALIFAX PROVINCIAL COURT	452 BEDFORD HWY HALIFAX	SYLVIA MORGAN	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT RUNS AT LARGE	CHANGE OF PLEA - FINE \$340.21