



P.O. Box 1749
Halifax, Nova Scotia
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Item No. 2
Halifax Regional Council
February 14, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

Original Signed by Director

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

DATE: January 23, 2012

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

INFORMATION REPORT

ORIGIN

Legal Services – Municipal Prosecutions

BACKGROUND/DISCUSSION

This report identifies only those currently active cases where court appearances occurred between October 1, 2011 and October 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 October 1, 2011 and October 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 13420 Oct 4/2011 HALIFAX PROVINCIAL COURT	11-171 MAIN AVE HALIFAX	DAVID ANGUS DIGOUT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 3/2012@9:00 HALIFAX PROVINCIAL COURT
Arraignment 13371 Oct 4/2011 HALIFAX PROVINCIAL COURT	457 HERRING COVE RD HALIFAX	ANDRZEJ RAFALSKI	HRM CHARTER - FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION	Trial: Jan 11/2012@1:30 HALIFAX PROVINCIAL COURT
Arraignment 13372 Oct 4/2011 HALIFAX PROVINCIAL COURT	5162 DUKE ST HALIFAX	HERBERT CHESTER WARNELL	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 OR PERMITTING TO BE OPERATED A TAXI WITHOUT CURRENT TAXI BUMPER STICKER ISSUED IN RESPECT OF THAT VEHICLE AFFIXED AS REQUIRED AND CLEARLY VISIBLE.	Trial: Jan 11/2012@1:30 HALIFAX PROVINCIAL COURT
Arraignment 9384 Oct 4/2011 HALIFAX PROVINCIAL COURT	1270 EDWARD ST HALIFAX	KEVIN ALEXANDER WRIGHT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 1/2012@9:00 HALIFAX PROVINCIAL COURT
Arraignment 13477 Oct 4/2011 HALIFAX PROVINCIAL COURT	1175 CARTARET ST. HALIFAX	TAYLOR N. KIRTON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 8/2012@9:00 HALIFAX PROVINCIAL COURT
Trial 9255 Oct 4/2011 HALIFAX PROVINCIAL COURT	6362 NORWOOD ST HALIFAX	ADRIAN WARNER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$452.00
Trial 13184 Oct 7/2011 HALIFAX PROVINCIAL COURT	9774 PEGGYS COVE RD HACKETTS COVE	CHRISTINA PAMELA ANN ASKEW	BY-LAW A-300 RESPECTING ANIMALS - OWNING UNLICENSED DOG	IN ABSENCE CONVICTION - FINE \$340.21

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial 9282 Oct 7/2011 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. Trial: Jan 10/2012 HALIFAX PROVINCIAL COURT
Trial 13255 Oct 11/2011 HALIFAX PROVINCIAL COURT	2-5670 MORRIS ST HALIFAX	KATHRYN MARY HARDING	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$455.21
Arraignment 13479 Oct 11/2011 HALIFAX PROVINCIAL COURT	1524 LEMARCHANT HALIFAX	MEAGAN ELIZABETH ABRIEL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 17/2012@9:00 HALIFAX PROVINCIAL COURT
Trial 13181 Oct 13/2011 HALIFAX PROVINCIAL COURT	203-10 VIMY AVE HALIFAX	KATRINA ASHLEY SCHMIDT	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial 13185 Oct 13/2011 HALIFAX PROVINCIAL COURT	2031 CREIGHTON ST HALIFAX	TOMASZ LEWANDOWSKI	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Apr 11/2012 HALIFAX PROVINCIAL COURT
Arraignment 13373 Oct 13/2011 DARTMOUTH PROVINCIAL COURT	29 FELLER CT. MIDDLE SACKVILLE	WILLIAM SMITH	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 23/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 13237 Oct 13/2011 DARTMOUTH PROVINCIAL COURT	1465 SACKVILLE DR SACKVILLE	KEVIN & BRENDA GOUGH	BUILDING CODE ACT - CONSTRUCT A BUILDING WITHOUT FIRST OBTAINING A BUILDING PERMIT; - FAIL TO COMPLY WITH AN ORDER.	Trial: Jun 27/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arraignment 13555 Oct 13/2011 DARTMOUTH PROVINCIAL COURT	24 ARGUS DR DARTMOUTH	ANN MARIE BAXTER	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jun 20/2012@1:30 DARTMOUTH PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Oct 13/2011 13556 DARTMOUTH PROVINCIAL COURT	29 SOUTHDALE ST DARTMOUTH	KAREN ELIZABETH BOUTILIER	BY-LAW N-300 RESPECTING NUISANCES - FAILING TO IMMEDIATELY REMOVE CAT DEFECATION	Trial: Jun 20/2012@1:30 DARTMOUTH PROVINCIAL COURT
Trial Oct 17/2011 9323 DARTMOUTH PROVINCIAL COURT	6539 HWY 207 GRAND DESERT	LAWRENCE JOSEPH & DONALD LAPIERRE	HRMC S. 358(4) - PERMITTING, CAUSING OR CONTINUING TO PERMIT OR CAUSE DANGEROUS OR UNSIGHTLY CONDITION AFTER ORDER TO REMEDY SERVED - 2 COUNTS	Adj. Trial: Dec 15/2011 DARTMOUTH PROVINCIAL COURT
Trial Oct 17/2011 9324 DARTMOUTH PROVINCIAL COURT	6539 HWY 207 GRAND DESERT	DONALD JOSEPH LAPIERRE	HRMC S. 358(4) - FAILING TO COMPLY WITH ORDER TO REMEDY DANGEROUS OR UNSIGHTLY CONDITION	Adj. Trial: Dec 15/2011 DARTMOUTH PROVINCIAL COURT
Trial Oct 17/2011 9194 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.	BOTH DEFENDANTS CHARGE #1 & #3 - ACQUITTED CHARGE #2 - CONVICTION - FINE \$100.00 - COMPLIANCE ORDER ISSUED
Trial Oct 17/2011 9322 DARTMOUTH PROVINCIAL COURT	19 RODNEY RD DARTMOUTH	ELIZABETH D. LUCAS	HRMC S. 354 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY (AN ACCUMULATION OF BAGS, MATTRESSES, BED FRAMES, APPLIANCES, FURNITURE AND OTHER DEBRIS)	CHANGE OF PLEA - FINE \$225.21
Arraignment Oct 18/2011 13245 HALIFAX PROVINCIAL COURT	2692 BELLE AIRE TERR HALIFAX	THOMAS WILLIAM ARSENAULT SR. & JR.	HRM CHARTER - ALLOW DEVELOPMENT TO WIT: A THIRD DWELLING UNIT IN A R-2 ZONE WITHOUT OBTAINING A DEVELOPMENT PERMIT	Adj. Arraignment: Nov 29/2011 HALIFAX PROVINCIAL COURT

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment 13075 Oct 20/2011 DARTMOUTH PROVINCIAL COURT	2579 SACKVILLE DR SACKVILLE	DAVID BOULTON	LAND USE BY-LAW FOR BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE - ALLOW A BUSINESS TO OPERATE WITHOUT OBTAINING A DEVELOPMENT PERMIT; OPERATE OR ALLOW TO OPERATE A SAWMILL OR OTHER INDUSTRIAL MILL RELATED TO FORESTRY LESS THAN THREE HUNDRED FEET FROM A DWELLING; - PLACE A SIGN THAT DOES NOT HAVE A VALID LICENSE.	CHARGES STAYED
Arraignment 13478 Oct 25/2011 HALIFAX PROVINCIAL COURT	5540 CUNARD ST HALIFAX	JAMES WAYNE HARDY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 10/2012@1:30 HALIFAX PROVINCIAL COURT
Arraignment 13490 Oct 25/2011 HALIFAX PROVINCIAL COURT	1524 LEMARCHANT ST. HALIFAX	BRYN J.P. KARCHA	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 17/2012@9:00 HALIFAX PROVINCIAL COURT
Arraignment 13510 Oct 25/2011 HALIFAX PROVINCIAL COURT	1524 LEMARCHANT ST HALIFAX	GARRET EUGENE LECLAIR	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 17/2012@9:00 HALIFAX PROVINCIAL COURT
Arraignment 13511 Oct 25/2011 HALIFAX PROVINCIAL COURT	1524 LEMARCHANT ST HALIFAX	SASHA M. LEBLANC	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Feb 17/2012@9:00 HALIFAX PROVINCIAL COURT
Trial 13262 Oct 25/2011 HALIFAX PROVINCIAL COURT	1626 EDWARD ST HALIFAX	STEPHEN MAYR	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	WITHDRAWN
Trial 13318 Oct 26/2011 HALIFAX PROVINCIAL COURT	50 B MAIN AVE HALIFAX	ANNETTE BARKHOUSE	BY-LAW A-300 RESPECTING ANIMALS - FAILING TO IMMEDIATELY REMOVE DOG DEFECATION	WITHDRAWN

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Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Oct 26/2011 13256 DARTMOUTH PROVINCIAL COURT	84 HORNES RD E. PASSAGE	CAROLYN MARIE MYERS	LAND USE BY-LAW FOR EASTERN PASSAGE / COW BAY - ALLOW AN ACCESSORY BUILDING IN A R-2 ZONE THAT IS GREATER THAN 15 FEET IN HEIGHT	Trial: Feb 15/2012@9:30 DARTMOUTH PROVINCIAL COURT
Arrestment Oct 26/2011 9187 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
Arrestment Oct 26/2011 13244 HALIFAX PROVINCIAL COURT	80 LANCASTER DR HERRING COVE	ROBERT GERALD FERGUSON	LAND USE BY-LAW FOR HALIFAX MAINLAND - ALLOW MORE DWELLING UNITS THAN PERMITTED IN AN R2-P ZONE	Adj. Arrestment: Nov 23/2011 HALIFAX PROVINCIAL COURT
Arrestment Oct 27/2011 13461 DARTMOUTH PROVINCIAL COURT	33 SAMUEL DANIAL DR EASTERN PASSAGE	HEATHER L. CORKUM	BY-LAW A-300 RESPECTING ANIMALS - OWNING DOG THAT ATTACKS PERSON OR ANIMAL	Trial: Feb 16/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Oct 27/2011 13553 DARTMOUTH PROVINCIAL COURT	20 SPRINGBROOK LN PORTERS LAKE	NORMAN LAWRENCE	BY-LAW A-300 RESPECTING ANIMALS - OWNING UNLICENSED DOG	Trial: Mar 22/2012@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Oct 27/2011 13377 DARTMOUTH PROVINCIAL COURT	1800 HAMMONDS PLAINS RD HAMMONDS PLAINS	HATFIELD FARM INCORPORATED Agent: VIDA DOUCET	LAND USE BY-LAW FOR BEAVER BANK HAMMONDS PLAINS AND UPPER SACKVILLE - ALLOW THE OPERATION OF A COMMERCIAL RECREATION FACILITY WHICH IS NOT A PERMITTED USE IN A MU-1 ZONE	Adj. Arrestment: Jun 28/2012 DARTMOUTH PROVINCIAL COURT
Trial Oct 31/2011 13225 HALIFAX PROVINCIAL COURT	918 BRUSSELS ST HALIFAX	RACHEL E. SAMMIS	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Nov 29/2011 HALIFAX PROVINCIAL COURT
Trial Oct 31/2011 13226 HALIFAX PROVINCIAL COURT	918 BRUSSELS ST HALIFAX	AMANDA JEAN DAVIDSON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$455.21

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Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Oct 31/2011 13227 HALIFAX PROVINCIAL COURT	918 BRUSSELS ST HALIFAX	BRIGID ANNE JEMIESON	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$455.21