



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

Item No. 6
Halifax Regional Council
May 15, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

Original Signed by Director

SUBMITTED BY: _____
Marian Tyson, Acting Director, Legal Services & Risk Management

DATE: April 24, 2012

SUBJECT: Status of By-law Prosecutions – January 1, 2012 – January 31, 2012

INFORMATION REPORT

ORIGIN

Legal Services – Municipal Prosecutions

BACKGROUND

This report identifies only those currently active cases where court appearances occurred between January 1, 2012 and January 31, 2012.

DISCUSSION

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 January 1, 2012 and January 31, 2012

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

Legal Services

Status of By-law Prosecution

Selected by: Court Appearance Date Between 01-Jan-2012 and 31-Jan-2012

Sorted by: Court appearance date

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As of: Apr 26/2012

File#	Court Appearance	Location of Offence	Outcome	Fine
	Charge	Owner/Defendant	Comments	
13007	Pre-Trial Conference Halifax Provincial Court 06-Jan-2012	1659 Argyle St., Hfx. 1663 Argyle St., Hfx.	Trial 14-Feb-2012	
	- 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.	Argyle Cobblers Limited Halifax Inland Property ULC		
13261	Trial Halifax Provincial Court 10-Jan-2012	1175 Wellington St., Hfx.	Adjourned at Trial 12-Mar-2012	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Fraser Shaw Willson		
13703	Hearing to set Trial Date Dartmouth Provincial Court 10-Jan-2012	8 Wyndholme Ave., Dart.	Trial 02-May-2012	
	- Owning dog that runs at large	Stefan Tylak		
13725	Hearing to set Trial Date Halifax Provincial Court 10-Jan-2012	1535 Lemarchant St., Hfx.	Trial 19-Apr-2012	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Jessica Irene Fairlie		
13726	Hearing to set Trial Date Halifax Provincial Court 10-Jan-2012	1960 Oxford St., Hfx.	Trial 19-Apr-2012	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Alexander Arthur		
13727	Hearing to set Trial Date Halifax Provincial Court 10-Jan-2012	1960 Oxford St., Hfx.	Trial 19-Apr-2012	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Abdulrahman K. Alkhedairy		
13728	Hearing to set Trial Date Halifax Provincial Court 10-Jan-2012	1960 Oxford St., Hfx.	Trial 19-Apr-2012	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Stephen Lopez		

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	Charge	Owner/Defendant	Comments	
13729	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	1960 Oxford St., Hfx.	Trial	19-Apr-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Reginald Wilson		
13752	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	32-830 McLean St., Hfx.	Trial	01-Nov-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Nathyn Taylor Halfkenny		
13753	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	32-830 McLean St., Hfx.	Trial	01-Nov-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Nathyn Taylor Halfkenny		
13754	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	2037 Oxford St., Hfx.	Trial	01-Nov-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Kaetlyn N. Graham		
13755	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	6213 Shirley St., Hfx.	Trial	21-Nov-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Charlotte Elene Wilson		
13757	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	6213 Shirley St., Hfx.	Trial	21-Nov-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Annick L. Colbert		
13758	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	1345 Birmingham St., Hfx.	Trial	21-Nov-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Haily May Whitehead		
13759	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	47 Purcells Cove Rd., Hfx.	Trial	21-Nov-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Daniel Albert Tonet		

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	Charge	Owner/Defendant	Comments	
13760	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	6213 Shirley St., Hfx.	Trial 21-Nov-2012	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Caroline M. Mercer		
13804	Hearing to set Trial Date 10-Jan-2012 Halifax Provincial Court	6213 Shirley St., Hfx.	Trial 21-Nov-2012	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Erin Leah McDonald		
9282	Sentencing 10-Jan-2012 Halifax Provincial Court	1225 Bedford Hwy., Bedford	Change of Plea	\$400.00
	- Construct without first obtaining a building permit; - Fail to comply with an order; - Occupy a building without first obtaining an occupancy permit.	Camran Khandan Suong Pham	Charge #1 & #3 - Change of Plea Charge #2 - Withdrawn	
13371	Trial 11-Jan-2012 Halifax Provincial Court	457 Herring Cove Rd., Hfx.	Adjourned at Trial 23-Jul-2012	
	Failing to comply with order to remedy dangerous or unsightly condition	Andrzej Rafalski		
13372	Trial 11-Jan-2012 Halifax Provincial Court	5162 Duke St., Hfx.	Change of Plea	\$127.46
	- 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.	Herbert Chester Warnell	Charge #1 - Change of Plea; Charge #2 - Withdrawn	
13375	Trial 13-Jan-2012 Halifax Provincial Court	18 Green Acres Rd., Hfx.	In Absence Conviction	\$340.21
	- Owning dog that runs at large; - Owning unlicensed dog - 3 counts.	Kimberly Anne Schimmel	Charge #1 - In Absence Conviction Charge #2 - All Counts - Stayed	
13376	Trial 13-Jan-2012 Halifax Provincial Court	18 Green Acres Dr., Hfx.	In Absence Conviction	\$340.21
	- Owning unlicensed dog	Kimberly Anne Schimmel		

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	Charge	Owner/Defendant	Comments	
13415	Trial 13-Jan-2012 Halifax Provincial Court	18 Green Acres Rd., Hfx.	In Absence Conviction	\$340.21
	- Owning unlicensed dog	Kimberly Anne Schimmel		
09174	Decision 17-Jan-2012 Dartmouth Provincial Court	Cow Bay Rd., Cow Bay	Convicted	\$200.00
	- Owning dog that runs at large	Jeff Wang		
13242	Trial 17-Jan-2012 Dartmouth Provincial Court	Spring Avenue, Dart.	Adjourned at Trial 03-Feb-2012	
	- Owning a dog which runs at large - two counts; - Owning a dog that attacks a person or animal - two counts.	Garfield Flint		
13419	Trial 17-Jan-2012 Dartmouth Provincial Court	4207 Highway 2	In Absence Conviction	\$455.21
	Adjourned at Trial 27-Jan-2012 Dartmouth Provincial Court			
	- Engaging in activity that unreasonably disturbs the neighbourhood	Norris Francis Boudreau		
13659	Hearing to set Trial Date 17-Jan-2012 Halifax Provincial Court	5482 Clyde St., Hfx.	Trial 27-Mar-2012	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Katherine Frances MacMaster		
09372	Trial 19-Jan-2012 Dartmouth Provincial Court	150 Cole Dr., Dart.	In Absence Conviction	
	- Owning unlicensed dog - 2 Counts	Michael James Graham	Fine \$340.21 X 2	
13416	Trial 20-Jan-2012 Halifax Provincial Court	Point Pleasant Park, Hfx.	Withdrawal	
	- Owning dog that attacks person or animal	Robert Russell		

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13447	Arraignment Dartmouth Provincial Court 26-Jan-2012	Laura Ct., Fall River	Adjourned at Arraignment	01-Mar-2012
	- Owning dog that runs at large - 7 Counts; - Owning unlicensed dog - 1 Count.	Joey Lynk		
13544	Arraignment Dartmouth Provincial Court 26-Jan-2012		Trial	28-Nov-2012
	- Owning dog that runs at large	David Rogerson Muriel Doiron		
13805	Hearing to set Trial Date Dartmouth Provincial Court 26-Jan-2012	Dorthea Dr., Dart.	Trial	22-Nov-2012
	- Owning dog that attacks person or animal	Juli Langille		
13806	Hearing to set Trial Date Dartmouth Provincial Court 26-Jan-2012	Les Collins Ave., West Chezzetcook	Trial	28-Nov-2012
	- Owning dog that attacks person or animal	Shawn W. Delorey		
09370	Adjourned at Trial Halifax Provincial Court 31-Jan-2012	4985 St. Margaret's Bay Rd., Tantallon	Hearing to set Trial Date	28-Feb-2012
	- Allow the stock piling of construction materials in a RA-1 Zone; - Allow the storage of a shipping container on a lot in a RA-1 Zone.	Harvey Cameron Dauphinee		
09371	Adjourned at Trial Halifax Provincial Court 31-Jan-2012	4985 St. Margarets Bay Rd., Tantallon	Hearing to set Trial Date	28-Feb-2012
	- Without lawful excuse, disobey a lawful ordr made by a court of justice, contrary to Section 127.1 of the Criminal Code of Canada	Harvey Cameron Dauphinee		

Total # of Case Files:

35