



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

Item No. 4
Halifax Regional Council
September 11, 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: July 31, 2012

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

INFORMATION REPORT

ORIGIN

Legal Services – Municipal Prosecutions

BACKGROUND

This report identifies only those currently active cases where court appearances occurred between March 1, 2012 and March 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 March 1, 2012 and March 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 Gaglardi, Legal Assistant, 490-4227

Legal Services Status of By-law Prosecution

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

Sorted by: Court appearance date

As of: Jul 31/2012

File#	Court Appearance	Location of Offence	Outcome	Fine
	Charge	Owner/Defendant	Comments	
13447	Adjudged Arraignment Dartmouth Provincial Court	01-Mar-2012 Laura Ct., Fall River	Arraignment	30-Apr-2012
	- Owning dog that runs at large - 7 Counts; - Owning unlicensed dog - 1 Count.	Joey Lynk	April 30/12 - Did not appear - warrant issued;	
13489	Trial Dartmouth Provincial Court	01-Mar-2012 Bernice Dr., Head of Chezzetcook	Withdrawal	
	- Owning unlicensed dog	Gillian Murray		
14039	Hearing to set Trial Date Dartmouth Provincial Court	01-Mar-2012 305 Cole Rd., Meaghers Grant	Trial	19-Dec-2012
	- Owning dog that runs at large	Yvonne Hudson		
09280	Trial Dartmouth Provincial Court	02-Mar-2012 East Chezzetcook Rd., East Chezzetcook	Convicted	\$600.00
	1. Own a dog which runs at large; 2. Own a dog that attacks an animal; 3. Fail to comply with a notice to muzzle a dog.	Francesca Rogier		
13598	Trial Halifax Provincial Court	02-Mar-2012 6373 Cork St., Hfx.	Withdrawal	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Gitika Chawla		
13155	Adjudged Arraignment Halifax Provincial Court	06-Mar-2012 133 Leeward Dr., Hammonds Plains	Election / Plea	02-May-2012
	- Allow a swimming pool that was not completely separated from adjacent properties by a fence, building, deck or similar structure	Ronald Albert Maddigan Tracey Alice Eileen Maddigan		
13600	Trial Halifax Provincial Court	07-Mar-2012 401-1545 South Park St., Hfx.	Withdrawal	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Tyler Desantis		
13666	Trial Halifax Provincial Court	07-Mar-2012 Halifax Commons	Adjourned Trial	04-Jul-2012
	- Owning dog that runs at large; - Owning dog that runs at large.	Ken V. Keeping		

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13019	Trial Dartmouth Provincial Court	08-Mar-2012 167 Marjorie Dr., West Porters Lake	In Absence Conviction	\$340.21
	- Owning dog that runs at large	Janice M. Kivimaki		
13984	Hearing to set Trial Date Dartmouth Provincial Court	08-Mar-2012 Maplegrove Ave. / Riverside Dr., Lwr. Sackville	Trial	07-Jan-2013
	- Owning dog that attacks person or animal	Ann Nesbit		
13985	Hearing to set Trial Date Dartmouth Provincial Court	08-Mar-2012 8 Hilton Dr., Dart.	Trial	21-Jan-2013
	- Operating taxi or limousine in violation of zone restrictions	Joe A. Eddo		
14040	Hearing to set Trial Date Dartmouth Provincial Court	08-Mar-2012 11 Maynard St., Hfx.	Trial	30-Jan-2013
	- Failing to place collectible waste for municipal collection in front of eligible premises from which they have accumulated	Sherman Lorne Gray		
14042	Hearing to set Trial Date Dartmouth Provincial Court	08-Mar-2012 Chater St., Dart.	Trial	30-Jan-2013
	- Owning dog that runs at large	Kayla Flynn		
13601	Trial Halifax Provincial Court	09-Mar-2012 1535 LeMarchant St., Hfx.	Change of Plea	\$200.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	Christopher M. Hodges		
13608	Trial Halifax Provincial Court	09-Mar-2012 604 Tower Rd., Hfx.	Adjourned Trial	17-Sep-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Drew Miller		
13261	Adjourned Trial Halifax Provincial Court	12-Mar-2012 1175 Wellington St., Hfx.	Withdrawal	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Fraser Shaw Willson		

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09281	Pre-Trial Conference Dartmouth Provincial Court	21 Maple Grove Dr., Sackville	Trial	04-May-2012
	- Refusing access to inspector exercising power granted under Act	Stanley Gordon Gillis		
09370	Hearing to set Trial Date Halifax Provincial Court	4985 St. Margaret's Bay Rd., Tantallon		
	- 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	Stay entered for all charges	
09371	Hearing to set Trial Date Halifax Provincial Court	4985 St. Margarets Bay Rd., Tantallon		
	- Without lawful excuse, disobey a lawful order made by a court of justice, contrary to Section 127.1 of the Criminal Code of Canada	Harvey Cameron Dauphinee	Stay entered	
13596	Election / Plea Halifax Provincial Court	3155 Joseph Howe Dr., Hfx.	Change of Plea	\$7,500.00
	- Allow additional dwelling units on a lot in a R-1 zone; - Allow development without first obtaining a development permit; - Alter a building without complying with the provisions of the Halifax Peninsula Land Use By-law.	Neil G. Muir	Charge #1 - Change of Plea Charge #2 - Withdrawn Charge #3 - Withdrawn	
13609	Trial Halifax Provincial Court	1751 Vernon St., Hfx.	Withdrawal	
	- Engaging in activity that unreasonably disturbs the neighbourhood	George Alexander		
13512	Trial Halifax Provincial Court	Connolly St., Hfx.	Change of Plea	\$150.00
	- Owning dog that attacks person or animal	Joel Christopher Waterfield		
13613	Trial Halifax Provincial Court	232-80 Camelot Ln., Hfx.	Withdrawal	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Beth Helene Clark		

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13614	Trial Halifax Provincial Court	20-Mar-2012 5683 Inglis St., Hfx.	In Absence Conviction	\$452.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	Nick Knorr		
13716	Application Halifax Provincial Court	20-Mar-2012 St. Paul St., Hfx.	Withdrawal	
	- Owning dog that runs at large	Frank Nelder		
13615	Trial Halifax Provincial Court	21-Mar-2012 6037 South St., Hfx.	Change of Plea	\$250.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	Valerie Oosterbaan		
13616	Trial Halifax Provincial Court	21-Mar-2012 204-11 Main Ave.	Withdrawal	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Daniel David Walker		
13546	Hearing to set Trial Date Dartmouth Provincial Court	22-Mar-2012 92 Main St., Dart.	Change of Plea	\$457.41
	- Engaging in activity that unreasonably disturbs the neighbourhood - 2 Counts	ReGroup Recognized Agent - Christine C. Pound	One count withdrawn	
13553	Trial Dartmouth Provincial Court	22-Mar-2012 20 Springbrook Ln., Porters Lake	Withdrawal	
	- Owning unlicensed dog	Norman Lawrence		
13749	Hearing to set Trial Date Dartmouth Provincial Court	22-Mar-2012 1109 Fall River Rd., Fall River	Hearing to set Trial Date	12-Apr-2012
	- Owning dog that runs at large	Cara Acker		
13977	Hearing to set Trial Date Dartmouth Provincial Court	22-Mar-2012 Les Collins Ave., Head of Chezzetcook	Trial	05-Dec-2012
	- Owning dog that attacks person or animal	Jeffrey Alexander King		

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13978	Hearing to set Trial Date Dartmouth Provincial Court	22-Mar-2012 100 Highfield Park Dr., Dart.	Trial	12-Dec-2012
	- Used abusive and insulting language; - Refused to proceed as directed by the passenger.	Aleksey Osipenkov		
13622	Trial Halifax Provincial Court	23-Mar-2012 6251 Jubilee Rd., Hfx.	Withdrawal	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Jeffrey W. Clarke		
13623	Trial Halifax Provincial Court	23-Mar-2012 4A-718 McLean St.	Adjourned Trial	05-Jun-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Julie Rena Nickerson		
13259	Election / Plea Dartmouth Provincial Court	24-Mar-2012 25 Sea King Drive, Dart.	Election / Plea	01-May-2012
	- Construct a deck without first obtaining a building permit; - Fail to comply with an order; - Fail to comply with an order.	Jihan Atie Pierre Atie		
09378	Trial Halifax Provincial Court	26-Mar-2012 348 Purcell's Cove Rd., Hfx.	Change of Plea	\$8,000.00
	- Allow a structure within the 9 metres of the shoreline 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; - Allow development without first obtaining a development permit: - A single family dwelling on lot G2; - A detached garage on lot G1; - A detached garage on lot G1; - A three story structure on lot G1.	Gene M. Jensen Paulette Jensen	Paulette Jensen - All charges withdrawn; Gene Jensen - Charge #3 - Change of Plea - All other charges withdrawn	
13520	Trial Halifax Provincial Court	26-Mar-2012 1-1468 Carlton St., Hfx.	Withdrawal	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Ryan Yoffe		

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13554	Trial Halifax Provincial Court	26-Mar-2012 18 Green Acres Rd., Hfx.	Acquitted	
	- Owning dog that runs at large; - Owning unlicensed dog.	Ryan Schimmel	Second Charge - Withdrawn	
13659	Trial Halifax Provincial Court	27-Mar-2012 5482 Clyde St., Hfx.	Convicted	\$457.41
	- Engaging in activity that unreasonably disturbs the neighbourhood	Katherine Frances MacMaster		
13699	Arraignment Halifax Provincial Court	27-Mar-2012 142 Ketch Harbour Rd., Herring Cove	Election / Plea	24-Apr-2012
	- Allow a building for which a development permit had not been issued; - Allow a home occupation to operate without it being wholly contained within the dwelling; - Allow open storage.	Trevor Gibson		
13861	Hearing to set Trial Date Halifax Provincial Court	27-Mar-2012 1A-1729 Connaught Ave., Hfx.	Trial	27-Aug-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Couragyn J. Chretien		
13888	Hearing to set Trial Date Halifax Provincial Court	27-Mar-2012 1958 Oxford St., Hfx.	Trial	10-Sep-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Lauren Lethbridge		
13077	Trial Dartmouth Provincial Court	28-Mar-2012 900 Cole Harbour Rd., Dart.	Convicted	\$127.46
	- Operating or permitting to be operated a taxi without valid taxi owner's license displayed as required	Tanios Farid Abidaoud		
13417	Trial Dartmouth Provincial Court	28-Mar-2012 4 Lakefront Rd., Dart.	Convicted	\$127.46
	- Operating taxi or limousine in violation of zone restrictions	Tanios Farid Abidaoud		

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13599	Trial Halifax Provincial Court	28-Mar-2012 6037 South St., Hfx.	Change of Plea	\$250.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	Valerie Oosterbaan		
13606	Trial Halifax Provincial Court	28-Mar-2012 6037 South St., Hfx.	Change of Plea	\$250.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	James McCutcheon		
13607	Trial Halifax Provincial Court	28-Mar-2012 6037 South St., Hfx.	Change of Plea	\$300.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	Gillian Mary McGrath		
13624	Trial Halifax Provincial Court	28-Mar-2012 6037 South St., Hfx.	Change of Plea	\$250.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	David B. MacDonald		
13625	Trial Halifax Provincial Court	28-Mar-2012 6037 South St., Hfx.	Change of Plea	\$250.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	James McCutcheon		
13198	Trial Halifax Provincial Court	29-Mar-2012 5687 Spring Garden Rd., Hfx.	Adjourned Trial	03-Apr-2012
	- Operating or permitting to be operated a taxi without valid taxi owner's license displayed as required	Alireza A. Roshanimeydan		
13645	Trial Halifax Provincial Court	30-Mar-2012 604 Tower Rd., Hfx.	Adjourned Trial	17-Sep-2012
	- Engaging in activity that unreasonably disturbs the neighbourhood	Trevor Wortman		

Total # of Case Files: 51