



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

Item No. 4
Halifax Regional Council
April 30, 2013

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by Director

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

DATE: April 12, 2013

SUBJECT: Status of By-law Prosecutions – March 1, 2013 – March 31, 2013

INFORMATION REPORT

ORIGIN

Legal Services – Municipal Prosecutions

BACKGROUND

This report identifies only those currently active cases where court appearances occurred between March 1, 2013 and March 31, 2013.

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, 2013 and March 31, 2013

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-2013 and 31-Mar-2013

Sorted by: Court appearance date

As of: Apr 12/2013

File#	Court Appearance	Location of Offence	Outcome	Fine
	Charge	Owner/Defendant	Comments	
14545	Trial Halifax Provincial Court	01-Mar-2013 1239 Henry St., Hfx.	In Absence Conviction	\$457.41
	- Engaging in activity that unreasonably disturbs the neighbourhood	Michael Stephen Greey		
14473	Trial Halifax Provincial Court	04-Mar-2013 Lady Hammond Rd., Hfx.	Withdrawal	
	- Owning dog that runs at large	Brandon Lovitte Blades		
14474	Trial Halifax Provincial Court	04-Mar-2013 53 West Pennant Rd., Sambro	Withdrawal	
	- Owning unlicensed dog	Shelly-Ann Chambers		
14746	Hearing to set Trial Date Halifax Provincial Court	04-Mar-2013 1382 Henry St., Hfx.	Trial	23-Sep-2013
	- Engaging in activity that unreasonably disturbs the neighbourhood	MacKenzie James Wade		
14056	Election / Plea Halifax Provincial Court	05-Mar-2013 3360 Agricola St., Hfx.	Election / Plea	30-Apr-2013
	Land Use By-law for Halifax Peninsula - Allow the construction of a deck without first obtaining a development permit; - Allow a structure within 4 feet of the side yard lot line in a R-2 Zone; - Allow a structure within 15 feet of the front yard lot line in a R-2 Zone; Building Code Act - Did construct a building without first obtaining a building permit; - Fail to comply with an order.	Norma Ruth Edwards Robert Charles Edwards		
14743	Hearing to set Trial Date Halifax Provincial Court	05-Mar-2013 12-611 Herring Cove Rd., Hfx.	Trial	03-Sep-2013
	- Engaging in activity that unreasonably disturbs the neighbourhood	Kimberlea Dawn MacDonald		

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	Charge	Owner/Defendant	Comments	
14744	Hearing to set Trial Date Halifax Provincial Court	05-Mar-2013 1382 Henry St., Hfx.	Trial	23-Sep-2013
	- Engaging in activity that unreasonably disturbs the neighbourhood	Scott Alexander Nordlund		
14745	Hearing to set Trial Date Halifax Provincial Court	05-Mar-2013 1382 Henry St., Hfx.	Trial	23-Sep-2013
	- Engaging in activity that unreasonably disturbs the neighbourhood	Michael Donald Smith		
14546	Trial Halifax Provincial Court	06-Mar-2013 2-6065 Coburg Rd., Hfx.	Change of Plea	\$300.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	Carly Margaret Gillis		
14547	Trial Halifax Provincial Court	06-Mar-2013 6065 Coburg Rd., Hfx.	Change of Plea	\$300.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	Hannah W. Schell		
09305	Adjourned Trial Dartmouth Provincial Court	07-Mar-2013 Cow Bay	Adjourned Trial	18-Jun-2013
	- Owning dog that attacks person or animal	Neil Naugle		
14551	Trial Halifax Provincial Court	08-Mar-2013 28 Bellwood Dr., Hfx.	In Absence Conviction	\$457.41
	- Engaging in activity that unreasonably disturbs the neighbourhood	Blaine William Nicholson		
14206	Trial Halifax Provincial Court	11-Mar-2013 1170 Davis St., Hfx.	In Absence Conviction	\$457.41
	- Engaging in activity that unreasonably disturbs the neighbourhood	Sid Rovere Smith		

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14663	Arrestment Halifax Provincial Court 12-Mar-2013	2728 Joseph Howe Dr., Hfx.	Hearing to set Trial Date 22-Apr-2013	
	Hearing to set Trial Date Halifax Provincial Court 26-Mar-2013			
	Land Use By-law for Halifax Mainland - Allow a development without first obtaining a development permit; - Use or allow to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in s. 20(1) of the By-law; - Use or allow to be used for residential uses, areas used for vehicle access, manoeuvring or parking not of a stable substance such as gravel, asphalt, concrete, bricks or paving stones.			
14740	Hearing to set Trial Date Halifax Provincial Court 12-Mar-2013	13-5683 Victoria Rd., Hfx.	Trial 01-May-2013	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Jillian Tamara Smith		
14741	Hearing to set Trial Date Halifax Provincial Court 12-Mar-2013	13-5683 Victoria Rd., Hfx.	Trial 01-May-2013	
	- Engaging in activity that unreasonably disturbs the neighbourhood	Rebecca Christine Rogez		
14552	Trial Halifax Provincial Court 13-Mar-2013	5732 Victoria Rd., Hfx.	Convicted	\$457.41
	Adjourned Trial Halifax Provincial Court 27-Mar-2013			
	- Engaging in activity that unreasonably disturbs the neighbourhood			
14553	Trial Halifax Provincial Court 15-Mar-2013	1239 Henry St., Hfx.	Convicted	\$300.00
	- Engaging in activity that unreasonably disturbs the neighbourhood	Sean Ashton		

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	Charge	Owner/Defendant	Comments	
13527	Adjudged Trial Dartmouth Provincial Court	20-Mar-2013 47 Murray Hill Dr., Dart.	Convicted	\$340.21
	- Owning dog that runs at large	Mary Elizabeth Boudreau		
14207	Trial Dartmouth Provincial Court	20-Mar-2013 32 Sovereign Cr., Dart.	Adjourned Trial	19-Aug-2013
	- Owning dog that attacks person or animal; - Owning dog that runs at large.	Dan Fraser		
09394	Sentencing Dartmouth Provincial Court	21-Mar-2013 795 West Ship Harbour Rd., Lower Ship Harbour	Sentencing	24-Oct-2013
	1. Construct a building, known as cottage "A", without a building permit; 2. Failed to notify the Building Official to inspect the building known as cottage "A" at the mandatory stages of construction; 3. Allow occupancy of the building known as cottage "A" without first obtaining an Occupancy Permit; 4. Did not obey an order made under section 12 of the Building Code Act, to obtain a building permit for the building known as cottage "A"; 5. Did not obey an order made under section 12 of the Building Code Act, to stop work on the building known as cottage "A"; 6. - 10. Identical charges for the building known as cottage "B"; 11. - 15. Identical charges for the building known as cottage "C"; 16. - 20. Identical charges for the building known as cottage "D".	Alma Tanner Gerald Tanner		
14311	Hearing to set Trial Date Dartmouth Provincial Court	21-Mar-2013 350 Sackville Dr., Lw. Sackville	Change of Plea	\$1,250.00
	- Allow a sign which incorporates flashing and moving illumination	H & L Holdings Limited, RA Louis A. Wolfson Harvard Auto Sales, RA Willard Strug	Harvard Auto Sales - Change Plea H & L Holdings Limited - Offered No Evidence	
14617	Hearing to set Trial Date Dartmouth Provincial Court	21-Mar-2013 Caudle Park Cr., Lwr. Sackville	Trial	17-Apr-2013
	- Owning dog that runs at large	Todd Griffiths		

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14618	Hearing to set Trial Date Dartmouth Provincial Court	21-Mar-2013 909 Main St., Dart.	Trial	15-May-2013
	- Placing sign that does not have valid license - 2 Counts	Robin's Nest Properties Limited		
14690	Hearing to set Trial Date Dartmouth Provincial Court	21-Mar-2013 3 Haviland St., Lwr. Sackville	Trial	17-Apr-2013
	- Owning dog that runs at large	Todd Griffiths		
14742	Hearing to set Trial Date Dartmouth Provincial Court	21-Mar-2013 60 Regal Rd., Dart.	Trial	07-Apr-2013
	- Engaging in activity that unreasonably disturbs the neighbourhood	Melissa Hutchinson		
13680	Sentencing Halifax Provincial Court	25-Mar-2013 2350 Creighton St., Hfx.	Sentencing	14-May-2013
	- Did construct a building without first obtaining a building permit; - Failed to comply with an order.	Irvine Carvery Monica Blanche Carvery		
14192	Trial Halifax Provincial Court	25-Mar-2013 3089 Gottingen St., Hfx.	Decision	08-Apr-2013
	- Allow a building to be occupied as a restaurant without first obtaining an occupancy permit; - Fail to comply with an order.	Hanna John Toulany		
14090	Pre-Trial Conference Dartmouth Provincial Court	26-Mar-2013 30 Troop Ave., Dart.	Trial	30-Sep-2013
	- Fail to comply with an order	Atlantic Business Interiors Limited, RA Mitchell George E. Mitchell Michael D. Mailman T.A.R. Investments Limited, RA G. Mitchell		
14550	Arraignment Dartmouth Provincial Court	28-Mar-2013 21 Chestnut Ln., Dart.	Election / Plea	02-May-2013
	- Allow animal to make noise excessively - 8 Counts	Fotis Fatouros		

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14747	Hearing to set Trial Date Dartmouth Provincial Court	28-Mar-2013 246 Caldwell Rd., Dart.	Trial	06-Jan-2014
	- Owning dog that attacks a person or animal	Charlene Elizabeth Leightizer		

Total # of Case Files: 31