

**Status of By-Law Prosecutions
Council Report**

September 19, 2006



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

**Halifax Regional Council
September 19, 2006**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: *M. E. Donovan*
M. E. Donovan, Director of Legal Services

DATE: September 7, 2006

SUBJECT: Status of By-Law Prosecutions

INFORMATION REPORT

ORIGIN

Legal Services - Municipal Prosecution

DISCUSSION

This report identifies only those currently active cases where court appearances occurred between June 1, 2006 and June 30, 2006.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Lynda Gaglardi / Legal Assistant

Court Appearance	Address	Owner / Defendant	Violation	Status
Arraignment Jun 2/2006 HALIFAX PROVINCIAL COURT 8224	2104 GOTTINGEN ST HALIFAX	DAVID LANDRY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Aug 3/2006@9:00 HALIFAX PROVINCIAL COURT
Trial Jun 6/2006 HALIFAX PROVINCIAL COURT 8206	1679 LARCH ST HALIFAX	TREVOR DUNCAN EMPEY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CHANGED PLEA TO GUILTY - FINE \$300.00
Trial Jun 13/2006 HALIFAX PROVINCIAL COURT 8175	6-6573 BAYERS RD HALIFAX	JENNIFER MARY KENNEDY	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	DISMISSED - NO EVIDENCE - COMPLAINANT DID NOT SHOW DESPITE BEING SUBPOENAED
Trial Jun 13/2006 HALIFAX PROVINCIAL COURT 8176	2-5472 INGLIS ST HALIFAX	ELLIOT F. COTTRELLE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$200.00
Arraignment Jun 13/2006 DARTMOUTH PROVINCIAL COURT 8231	120 PINECREST DR DARTMOUTH	GREEN JAIN WEDLAKE INCORPORATED	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS, LITTER, IMPROPERLY STORED SOLID WASTE, DISCARDED CONSTRUCTION WOOD AND OTHER REFUSE ON THE PROPERTY	Trial: Oct 12/2006@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Jun 14/2006 HALIFAX PROVINCIAL COURT 8205	5239 TOBIN ST HALIFAX	LISA DAWN SCOTT	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	Adj. Arraignment: Aug 21/2006 HALIFAX PROVINCIAL COURT
Trial Jun 14/2006 HALIFAX PROVINCIAL COURT 8144	1172 QUEEN ST HALIFAX	MAROUN A. DIAB	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	DISMISSED - NO PROOF OF OFFENCE AS WRITTEN
Trial Jun 14/2006 HALIFAX PROVINCIAL COURT 8143	5397 VICTORIA RD HALIFAX	RENOVEST REALTY INCORPORATED Agent: PAUL GOLDBERG	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	NOT GUILTY - DISMISSED

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jun 15/2006 HALIFAX PROVINCIAL CT. 6851	6038 CEDAR ST HALIFAX	M & BUDDY COMPANY LIMITED Agent: MONCEF ASKRI	HRM LAND USE BY-LAW (PENINSULA AREA) S. 35(1)(2) CONDUCTING A COMMERCIAL BUSINESS WHICH IS NOT A PERMITTED USE WITHIN AN R-2 ZONE, TO WIT: OPERATION OF A VEHICLE PARKING LOT FOR A FEE.	Adj. Trial: Oct 19/2006 HALIFAX PROVINCIAL CT.
Arraignment Jun 16/2006 HALIFAX PROVINCIAL COURT 8234	1172 WATERLOO ST HALIFAX	CHELSEA L. GRACE	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Aug 22/2006@9:30 HALIFAX PROVINCIAL COURT
Arraignment Jun 16/2006 HALIFAX PROVINCIAL COURT 8235	SPRING GARDEN RD HALIFAX SOUTH PARK ST HALIFAX	PIERRE MICHEL CARIGNAN	BY-LAW T-108 RESPECTING TAXIS AND LIMOUSINES - OPERATING TAXI OR LIMOUSINE IN VIOLATION OF ZONE RESTRICTIONS	Trial: Dec 4/2006@1:30 HALIFAX PROVINCIAL COURT
Trial Jun 19/2006 HALIFAX PROVINCIAL COURT 8142	2150 GOTTINGEN ST HALIFAX	GEORGE TSULUHAS	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	DISMISSED - NO EVIDENCE G. TSULUHAS PLACED THE WASTE OUT FOR COLLECTION.
Arraignment Jun 20/2006 HALIFAX PROVINCIAL COURT 8233	1059 WELLINGTON ST HALIFAX	JOHN SCOTT CARROLL	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO AN ACCUMULATION OF IMPROPERLY STORED BAGS OF SOLID WASTE	Trial: Aug 29/2006@9:00 HALIFAX PROVINCIAL COURT
Trial Jun 22/2006 HALIFAX PROVINCIAL COURT 8105	6152 LAWRENCE ST HALIFAX	RYAN TERRIO	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	CONVICTION - FINE \$243.75
Trial Jun 22/2006 HALIFAX PROVINCIAL COURT 8163	1429 EDWARD ST HALIFAX	PETER POLLEY	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - 2 SOTS - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	WITHDRAWN
Arraignment Jun 23/2006 HALIFAX PROVINCIAL COURT 8239	6-1746 HENRY ST HALIFAX	DAVID H. CLAIR	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Sep 12/2006@9:30 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jun 23/2006 HALIFAX PROVINCIAL COURT 8117	86 VIRGINIA DR HAMMONDS PLAINS HALIFAX	DARREN PETER & DEBORAH JANE HOPKINS	BY-LAW S-700 RESPECTING SWIMMING POOLS - FAILURE TO COMPLY WITH AN ORDER	CHANGE OF PLEA - DARREN HOPKINS FINED \$6,000.00/REMITTED TO \$300.00 - DEBORAH HOPKINS FINED \$2,000.00/REMITTED TO \$2.00
Arraignment Jun 26/2006 HALIFAX PROVINCIAL COURT 8244	1061 WELLINGTON ST HALIFAX	CYGNET PROPERTIES LIMITED	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	IN ABSENCE CONVICTION - FINE \$215.00
Arraignment Jun 27/2006 HALIFAX PROVINCIAL COURT 8255	2500 AGRICOLA ST HALIFAX	CHAPMAN AUTO BODY LIMITED Agent: KELVIN T. CAMPBELL	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Aug 28/2006@9:00 HALIFAX PROVINCIAL COURT
Trial Jun 27/2006 ANTIGONISH PROVINCIAL COURT 8089	288 GAMMON RD WEST QUODDY	JENNIE POTTIE	BY-LAW N-200 RESPECTING NOISE ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	SEPTEMBER 18, 2006 - CHARTER APPLICATION
Arraignment Jun 27/2006 HALIFAX PROVINCIAL COURT 8198	5653 FENWICK ST HALIFAX	DONALD CUMMINGS	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	WITHDRAWN
Arraignment Jun 27/2006 HALIFAX PROVINCIAL COURT 8238	2382 AGRICOLA ST HALIFAX	BASHIR TOULANY	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	CONVICTION - FINE \$115.00
Arraignment Jun 27/2006 HALIFAX PROVINCIAL COURT 8237	2084 CREIGHTON ST HALIFAX 2086 CREIGHTON ST HALIFAX	BERNARD DAVIS	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	CONVICTION - FINE \$115.00

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Jun 27/2006 HALIFAX PROVINCIAL COURT 8242	1289 SOUTH PARK ST HALIFAX	DONALD CUMMINGS	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	CONVICTION - FINE \$100.00
Arraignment Jun 27/2006 HALIFAX PROVINCIAL COURT 8243	1289 SOUTH PARK ST HALIFAX	DONALD CUMMINGS	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PLROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	CHANGED PLEA - FINE \$100.00
Arraignment Jun 27/2006 DARTMOUTH PROVINCIAL COURT 8245	134 GREEN VILLAGE LANE DARTMOUTH	AMY MACARTHUR	BY-LAW D-100 RESPECTING DOGS - OWNING UNREGISTERED DOG	IN ABSENCE CONVICTION - FINE \$215.00
Arraignment Jun 27/2006 HALIFAX PROVINCIAL COURT 8246	2085 CREIGHTON ST HALIFAX	HUGH HAROLD WRIGHT	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	Trial: Aug 10/2006@9:00 HALIFAX PROVINCIAL COURT
Arraignment Jun 27/2006 HALIFAX PROVINCIAL COURT 8248	21 CENTRAL AVE HALIFAX	DAVID GLENN LLEWELLYN	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARGABE, WASTE OR DEBRIS, WHETHER OR NOT IT IS PLACED IN CONTAINERS	Trial: Aug 23/2006@9:00 HALIFAX PROVINCIAL COURT
Trial Jun 27/2006 HALIFAX PROVINCIAL COURT 8162	1562 WALNUT ST HALIFAX	JUDITH MARION ROBERTSON	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	WITHDRAWN
Arraignment Jun 27/2006 HALIFAX PROVINCIAL COURT 8250	5260 SOUTH ST HALIFAX	BRIAN A. MCFADDEN	BY-LAW S-300 RESPECTING STREETS - FAIL TO MAINTAIN THE AREA BETWEEN THE CURB AND THEIR PROPERTY LINE FREE FROM GARBAGE, WASTE OR DEBRIS	Trial: Aug 28/2006@9:00 HALIFAX PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arrestment Jun 27/2006 HALIFAX PROVINCIAL COURT 8251	40 OCEANVIEW DR HALIFAX	AYMAN WISHAH	MGA S.344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY (BAGS OF SOLID WASTE, SCRAP WOOD, DISCARDED CONSTRUCTION MATERIAL AND CARDBOARD BOXES	ACCUSED NOT PRESENT - BENCH WARRANT HELD UNTIL DECEMBER 4, 2006
Arrestment Jun 27/2006 HALIFAX PROVINCIAL COURT 8252	2408 CREIGHTON ST HALIFAX	RHYNO PROPERTY MANAGEMENT INCORPORATED	MGA S. 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS INCLUDING BUT NOT LIMITED TO A TELEVISION, REFRIGERATOR, LITTER, AMONG OTHER DEBRIS ON PROPERTY	Trial: Aug 28/2006@9:00 HALIFAX PROVINCIAL COURT
Arrestment Jun 27/2006 HALIFAX PROVINCIAL COURT 8254	902 SOUTH BLAND ST HALIFAX	KATHLEEN JANE HALL	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO BAGS OF SOLID WASTE, PAIL AND LOOSE DEBRIS	WITHDRAWN - INSUFFICIENT EVIDENCE TO OBTAIN CONVICTION
Arrestment Jun 27/2006 DARTMOUTH PROVINCIAL COURT 8259	19 ALBRO LAKE RD DARTMOUTH	MICHAEL M. WILLIAMS	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO BUT NOT LIMITED TO BAGS OF SOLID WASTE, MATTRESSES, BROKEN GLASS, SCRAP WOOD, CHRISTMAS TREE AND BUCKETS	Trial: Oct 12/2006@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Jun 27/2006 DARTMOUTH PROVINCIAL COURT 8260	11 CHAMEAU CRES DARTMOUTH	STEPHANE SABOURIN	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO BUT NOT LIMITED TO DERELICT VEHICLE AND A TRUCK BED	Trial: Oct 12/2006@1:30 DARTMOUTH PROVINCIAL COURT
Arrestment Jun 27/2006 DARTMOUTH PROVINCIAL COURT 8261	89 PINECREST DR DARTMOUTH	BASIN APARTMENTS LIMITED Agent: MIKE BURGESS	MGA SECTION 344 - FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO BUT NOT LIMITED TO SCATTERED LITTER AND ASSORTED METAL DEBRIS	Trial: Oct 12/2006@1:30 DARTMOUTH PROVINCIAL COURT
Trial Jun 28/2006 HALIFAX PROVINCIAL COURT 8078	17 BLACKBURN LANE LOWER PROSPECT	KIMBERLEY RAYNER	BY-LAW D-100 RESPECTING DOGS - - OWNER OF A DOG WHICH RAN AT LARGE - OWNER OF A DOG WHICH ATTACKED & INJURED A PERSON - OWNER OF A DOG WHICH WAS FIERCE AND DANGEROUS TO PERSONS	CONVICTION - FINE \$500.00

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Jun 29/2006 8107 HALIFAX PROVINCIAL COURT	5267 TOBIN ST HALIFAX	MICHAEL GILLIS KEATING	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	IN ABSENCE CONVICTION - FINE \$243.75
Trial Jun 29/2006 8108 HALIFAX PROVINCIAL COURT	39 CANDLEWOOD LANE SACKVILLE	SHANA SNOW	BY-LAW D-100 RESPECTING DOGS - OWNING DOG THAT RUNS AT LARGE	NOT GUILTY
Trial Jun 29/2006 8128 HALIFAX PROVINCIAL COURT	1-2680 AGRICOLA ST HALIFAX	TOMAS KING	BY-LAW N-200 RESPECTING NOISE - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Trial: Feb 7/2006 HALIFAX PROVINCIAL COURT
Trial Jun 30/2006 8199 HALIFAX PROVINCIAL COURT	6328 JUBILEE RD HALIFAX	GERALD RENO	BY-LAW S-600 RESPECTING SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	WITHDRAWN
Trial Jun 30/2006 8200 HALIFAX PROVINCIAL COURT	1447 BRENTON ST HALIFAX	ROBERT G. LAVERS	BY-LAW S-600 RESPECTING SOLID WASTE - OWNER OF ELIGIBLE PREMISES FAILING TO ENSURE COLLECTIBLE WASTE IS PLACED FOR COLLECTION IN ACCORDANCE WITH BY-LAW	WITHDRAWN
Trial Jun 30/2006 8202 HALIFAX PROVINCIAL COURT	1362 QUEEN ST HALIFAX	KEVIN DORAN	BY-LAW S-600 WITH RESPECT TO SOLID WASTE - PLACING COLLECTIBLE WASTE OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	WITHDRAWN