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

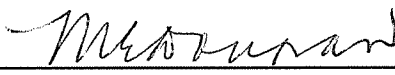
November 22, 2005



PO Box 1749
Halifax, Nova Scotia
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**Halifax Regional Council
November 22, 2005**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Mary Ellen Donovan, Acting Director of Legal Services

DATE: November 3, 2005

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 October 1, 2005 up to October 31, 2005.

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

November 22, 2005

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

Report Approved by: 
Mary Ellen Donovan, Acting Director of Legal Services

Court Appearance	Address	Owner/Defendant	Violation	Status
Trial Oct 3/2005 HALIFAX PROVINCIAL COURT 8071	6074 SOUTH ST HALIFAX	JOE LAMBERT	ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD - NOISE BY-LAW N-200	GUILTY FINE - \$243.75 TO BE PAID BY NOVEMBER 4, 2005
Trial Oct 6/2005 DARTMOUTH PROVINCIAL COURT 8048	21 212 HIGHFIELD PARK DR DARTMOUTH	KIMBERLEY HICKEY	ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBORHOOD BY-LAW N-200	CHARGES DISMISSED
Trial Oct 6/2005 DARTMOUTH PROVINCIAL COURT 8049	87 ROSE ST DARTMOUTH	JOSEPH C. ARAB	FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY MGA SEC 344	ACCUSED NOT PRESENT OCT. 6/05 HEARING TO SET TRIAL DATE - OCT. 25/05 TRIAL DATE - JAN. 12/06
Trial Oct 6/2005 DARTMOUTH PROVINCIAL COURT 8052	7410 HIGHWAY 207 WEST CHEZZETCOOK	DAVID GAY	OWNING DOG THAT PERSISTENTLY DISTURBS QUIET OF NEIGHBORHOOD	IN ABSENCE CONVICTION FINE \$215.00
Trial Oct 11/2005 HALIFAX PROVINCIAL COURT 8047	6436 SUMMIT ST HALIFAX	KATHRYN STOW	ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBORHOOD NOISE BY-LAW N-200	CHANGED PLEA TO GUILTY FINED \$243.75 TO BE PAID BY FEBRUARY 24, 2006
Trial Oct 13/2005 HALIFAX PROVINCIAL CT., C.R.#1 6772	6318 YALE ST HALIFAX	JOHN, THOMAS, GEORGE SFALAGAKOS	HALIFAX PENINSULA LAND USE BY-LAW S. 35(3)	JOHN & THOMAS SFALAGAKOS CHARGES DISMISSED GEORGE SFALAGAKOS PLEAD GUILTY - FINED \$260.00
Trial Oct 13/2005 HALIFAX PROVINCIAL CT. 8073	2400 BRUNSWICK ST HALIFAX	ROSS EVERETT CALVIN	BY-LAW N-200 - ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBORHOOD	DISMISSED
Trial Oct 17/2005 HALIFAX PROVINCIAL COURT 8053	4-6980 LEPPERT STREET HALIFAX	JEFFREY FRANCIS DEVOE	ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBORHOOD BY-LAW N-200 NOISE	CONVICTED FINED \$186.25 TO BE PAID BY NOVEMBER 25, 2005

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Oct 18/2005 DARTMOUTH PROVINCIAL CT.	742 WAVERLEY RD DARTMOUTH	PARKWAY VIDEO AND VARIETY Agent: RECOGNIZED AGENT: RONALD ELIAS	COLE-HARBOUR - WESTPHAL LAND USE BY-LAW NON-CONFORMING USE IN A R-1 ZONE (MOBILE SIGN AND OTHERS ATTACHED TO THE FENCES, BUILDING AND ON SIDEWALK	CHARGES WITHDRAWN SIGNS REMOVED - CHANGE OF OWNERSHIP
Arraignment Oct 20/2005 DARTMOUTH PROVINCIAL COURT	272 WINDMILL RD DARTMOUTH	DAVID DUPUIS	DOG BY-LAW D-100 OWNING A DOG THAT IS FIERCE AND DANGEROUS TO PERSONS OR ANIMALS	Trial: Jan 19/2006@10:00 DARTMOUTH PROVINCIAL COURT
Arraignment Oct 21/2005 HALIFAX PROVINCIAL COURT	6312 ALLAN ST HALIFAX	NATHAN ROSENTHAL	BY-LAW N-200 ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Trial: Jan 19/2006@9:00 HALIFAX PROVINCIAL COURT
Arraignment Oct 21/2005 HALIFAX PROVINCIAL COURT	921 BRUSSELS ST HALIFAX	HEATHER KIRK	BY-LAW N-200 ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	Adj. Arraignment: Nov 1/2005 HALIFAX PROVINCIAL COURT
Arraignment Oct 25/2005 HALIFAX PROVINCIAL COURT	11 SPRINGVALE AVE HALIFAX	ANTHONY JOSEPH METLEGE	BUILDING CODE ACT	Adj. Arraignment: Nov 15/2005 HALIFAX PROVINCIAL COURT
Arraignment Oct 25/2005 HALIFAX PROVINCIAL COURT	17 BLACKBURN LANE LOWER PROSPECT	KIMBERLEY RAYNER	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 CONTRARY TO DOG BY-LAW D-100	SET OVER TO ENTER PLEA NOVEMBER 29, 2005
Arraignment Oct 25/2005 DARTMOUTH PROVINCIAL COURT	3352 HIGHWAY 7 LAKE ECHO	GEO TOP-CONSULTING AND DEVELOPMENT LTD. Agent: ACHIM SCHULZ	BY-LAW S-600 FAILING TO STORE COLLECTIBLE WASTE OUTSIDE OF MAIN BUILDING IN SECURE REGULATION CONTAINERS MADE INACCESSIBLE TO PESTS OR ANIMALS	Trial: Jan 19/2006@10:00 DARTMOUTH PROVINCIAL COURT

Court Appearance	Address	Owner/Defendant	Violation	Status
Arraignment Oct 25/2005 HALIFAX PROVINCIAL COURT 8088	3251 AGRICOLA ST HALIFAX	JOSEPH C. ANTHONY ARAB	MGA 344 FAILING TO MAINTAIN PROPERTY SO AS NOT TO BE DANGEROUS OR UNSIGHTLY DUE TO DEBRIS INCLUDING BUT NOT LIMITED TO CONSTRUCTION REFUSE, STAIR STRINGERS HANRAILS, DOORS, WINDOWS, LUMBER, SHOPPING CART, DISCARDED TOYS, HOUSEHOLD ITEMS, BAGS OF SOLID WASTE	Trial: Jan 19/2006@9:00 HALIFAX PROVINCIAL COURT
Arraignment Oct 25/2005 HALIFAX PROVINCIAL COURT 8085	5277 HARVEY ST HALIFAX	ZHIZHANG CHEN	BY-LAW S-600 PLACING COLLECTIBLES OUT FOR MUNICIPAL COLLECTION BEFORE 7:00 P.M. THE DAY PRIOR TO COLLECTION DAY	Trial: Jan 23/2006@9:00 HALIFAX PROVINCIAL COURT
Arraignment Oct 25/2005 DARTMOUTH PROVINCIAL COURT 8089	288 GAMMON RD WEST QUODDY	JENNIE POTTIE	BY-LAW N-200 ENGAGING IN ACTIVITY THAT UNREASONABLY DISTURBS THE NEIGHBOURHOOD	SET OVER TO DECEMBER 8, 2005 FOR PLEA
Arraignment Oct 25/2005 DARTMOUTH PROVINCIAL COURT 8090	880 MAIN ST DARTMOUTH	WILLIAM HENRY STEWART	BY-LAW 0-103 - OPEN AIR BURNING USING OUTDOOR WOOD BURNING APPLIANCE DURING DEPARTMENT OF NATURAL RESOURCES BAN ON OPEN AIR BURNING	Trial: Jan 19/2006@1:30 DARTMOUTH PROVINCIAL COURT
Trial Oct 27/2005 DARTMOUTH PROVINCIAL COURT 8050	3352 HIGHWAY 7 LAKE ECHO	GEOTOP-CONSULTING AND DEVELOPMENT LIMITE Agent: ACHIM SCHULZ	OWNER OF ELIGIBLE PREMISES FAILING TO STORE COLLECTIBLE WASTE OUTSIDE OF MAIN BUILDING IN SECURE REGULATION CONTAINERS BY-LAW S-600 SOLID WASTE SOT 3655720 & 3655719	PLEAD GUILTY TO SOT 3655719 - FINED \$215.00 SOT 3655720 - DISMISSED
Trial Oct 27/2005 DARTMOUTH PROVINCIAL COURT 8051	57 PRESCOTT DR WESTPHAL	MARSHALL L. SAMPSON	LIGHTING FIRE WITHOUT PERMIT BY-LAW 0-103	Adj. Trial: Dec 13/2005 DARTMOUTH PROVINCIAL COURT
Arraignment Oct 31/2005 HALIFAX PROVINCIAL CT. 6821	5668 OGILVIE ST HALIFAX	MICHAEL LUND	HRM BY-LAW N-200 RESPECTING NOISE, S. 3(1) UNREASONABLY DISTURBS THE NEIGHBOUR HOOD	Trial: Feb 14/2006@01:30 HALIFAX PROVINCIAL CT.