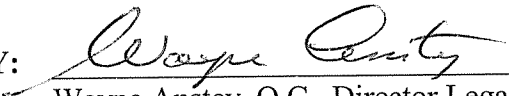

Halifax Regional Council
August 19th, 2003

TO: Mayor Peter Kelly and Members of Regional Council

SUBMITTED BY: 
Wayne Anstey, Q.C., Director Legal Services

DATE: August 5, 2003

SUBJECT: Status of By-law Prosecutions

INFORMATION REPORT

ORIGIN:
Legal Services - Municipal Prosecution

DISCUSSION:
This report identifies only those active cases where court appearances occurred between June 1, 2003 to June 30, 2003.

COURT APPEARANCE	PROPERTY/ LOCATION	OWNER/DEFENDANT	VIOLATION	STATUS
Trial June 3/2003 Halifax Provincial Ct., C.R.#2	41 Union Street Bedford	Covehead Properties Ltd.	Town of Bedford Land Use Bylaw Part 5. S. 29(a)(v) contrary to s. 505 (1)(a) of the MGA	Hearing to Set Trial Date June 30, 2003 @9:00 Halifax Provincial Ct.,#3
Arraignment June 4/2003 Halifax Provincial Ct., C.R.#1	118 Ingram Dr. Fall River	Scott Myers	HRM Bylaw D-100 Dogs (6 counts) s. 11(1)(a) x 4 (At Large) s. 3(1) x 2 (Not Registered)	Count #1, #2, #3 Fined \$250.00 - Withdrew Count #4, #5 and #6
Hearing to Set a Trial Date July 8/2003 Halifax Provincial Ct., C.R.#4	39 Dartmouth Road 84 Golf's Link Road Bedford	Truro Professional Group Bernie Furey Gerald Bonang and Diane Bonang	Town of Bedford Land Use By-law Part 5 s. 21(a) and Part 6	Hearing to Set Trial Date September 9/2003 @2:00 p.m. Halifax Provincial Ct., C.R.#4
Trial June 17/2003 Halifax Provincial Ct., C.R.#2	6283 Jennings St. Halifax	Jason Hubley	HRM Bylaw N-200 Noise, s. 3(1) (Making Noise That Disturbs Peace)	No Evidence Offered due to lack of evidence that a neighbour was disturbed
Trial June 17/2003 Halifax Provincial Ct., C.R.#3	6489 Edinburgh Halifax	Bill Hughes	HRM Bylaw P-600 Parks, s.13(2) (Using Park When Prohibited By Notice)	Adjourned Trial April 22/2004 @ 1:30 . Halifax Provincial Ct., C.R.#2

COURT APPEARANCE	PROPERTY/ LOCATION	OWNER/DEFENDANT	VIOLATION	STATUS
Trial June 18/2003 Halifax Provincial Ct., C.R.#2	1339 Edward St. Halifax	Philip Rabin	HRM Bylaw N-200 Noise, s. 3(1) (2 counts) (Making Noise That Disturbs Peace)	Found Guilty Fined \$100.00 plus \$100.00 court costs Total: \$200.00
Trial June 19/2003 Halifax Provincial Ct., C.R.#3	No fixed address Halifax	Mark McCluskey	HRM Bylaw S 300 Streets, s. 44 (Posting Sign On Street Without Permit)	Charter Challenge July 10/2004 @ 1:30 p.m. Halifax Provincial Ct., C.R.#3
Trial June 19/2003 Halifax Provincial Ct., C.R.#3	Robie St. Halifax	Scott Ross	HRM By-law S-300 Streets, s. 44 (Posting Sign On Street Without Permit)	In Absence Conviction \$215.00
Trial June 19/2003 Halifax Provincial Ct., C.R.#3	No fixed address Halifax	Michael Leach	HRM By-law S-300 Streets, s. 44 (3 counts) (Posting Sign On Street Without Permit)	In Absence Conviction \$215.00 each count
Trial June 19/2003 Halifax Provincial Ct., C.R.#3	Windsor St. Halifax	Kassandra Patrick	HRM By-law S-300 Streets, s. 44 (Posting Sign On Street Without Permit)	In Absence Conviction \$215.00

COURT APPEARANCE	PROPERTY/ LOCATION	OWNER/DEFENDANT	VIOLATION	STATUS
Arrestment June 20/2003 Halifax Provincial Ct., C.R.#2	6022 Cherry St. Halifax	James Bresolin	HRM By-law N-200 Noise, s. 3(1) (Making Noise That Disturbs Peace)	Trial Oct. 15/2003 @ 9:00 a.m. Halifax Provincial Ct., C.R.#4
Arrestment June 20/2003 Halifax Provincial Ct., C.R.#2	17 McFatridge Rd. Halifax	Brian Fevens	HRM By-law T-400 Truck Routes, s. 4 (Operating Outside Truck Route)	Trial Oct. 16/2003 @ 9:00 a.m. Halifax Provincial Ct., C.R.#4
Trial June 23/2003 Halifax Provincial Ct., C.R.#3	No fixed address Halifax	Patrick John Drish	HRM By-law S-300 Streets, s.44 (Posting Sign On Street Without Permit)	In. Absence Conviction \$215.00
Arrestment June 24/2003 Halifax Provincial Ct., C.R.#2	11 Ragged Lake Blvd. Halifax	J.W. Lindsay Enterprises Ltd.	Building Code Act s. 8(a) (Illegal Demolition) and 19(1)(b) (3 counts) (Failure To Comply With Order)	Count #1 Withdrawn Count #2 \$100.00 Count #3 \$500.00
Arrestment June 24/2003 Halifax Provincial Ct., C.R.#2	11 Ragged Lake Blvd. Halifax	Webb Atlantic Ltd.	Building Code Act s. 8(a) (Illegal Demolition) and 19(1)(b)(3 counts) (Failure To Comply With Order)	Web Atlantic Limited Count #1 Withdrawn Count #2 Withdrawn Count #3 Withdrawn
Arrestment June 24/2003 Halifax Provincial Ct., C.R.#2	1681Edward St. Halifax and 1670 Robie Street Halifax	Renee Abi Daoud	HRM Land Use By-law (Peninsula Area) s. 35 contrary to s. 505(1)(a) of MGA	Trial January 13/2004 @ 9:00 a.m. Halifax Provincial Ct., C.R.#2

COURT APPEARANCE	PROPERTY/ LOCATION	OWNER/DEFENDANT	VIOLATION	STATUS
Trial June 25/2003 Halifax Provincial Ct., C.R.#3	Windsor/Kempt Rd. Halifax	Stephen Donovan	HRM By-law S-300 Streets s. 44 (Posting Sign On Street Without Permit)	In Absence Conviction \$215.00
Trial June 25/2003 Halifax Provincial Ct., C.R.#3	5635 Spring Garden Rd. Halifax	John Moriarty	HRM By-law T-108 Taxis, s.71(a) (Improper Use Of Common Stand)	Warrant Issued
Trial June 26/2003 Halifax Provincial Ct., C.R.#3	no fixed address Halifax	Matthew Abbs	HRM By-law S-300 Streets, s. 44 (Posting Sign On Street Without Permit)	Dismissed for want of Prosecution -witness did not appear
Hearing to Set Trial Date June 27/2003 Halifax Provincial Ct., C.R.#2	no fixed address Halifax	Mark McCluskey	HRM By-law S-300 Streets, s.44 (Posting Sign On Street Without Permit)	Hearing to Set Trial Date Aug. 5/2003 @ 1:30 p.m. Halifax Provincial Ct., C.R.#4
Hearing to Set Trial Date June 30/2003 Halifax Provincial Ct., C.R.#3	41 Union St. Bedford	Covehead Properties Incorp. Reg. Agent: David Munro	Town of Bedford Land Use By-law Part 5, s. 29(a)(v) contrary to s. 505 (1)(a) MGA	Plead Guilty Fined \$100.00