



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

**Item No. 12.1.1**  
**Appeals Standing Committee**  
**December 8, 2021**

**TO:** Chair and Members of Appeals Standing Committee

Original Signed

**SUBMITTED BY:** \_\_\_\_\_  
Andrea MacDonald, Acting Director, Buildings and Compliance

**DATE:** November 25, 2021

**SUBJECT:** **Appeal Report – Cases 363291 and 363374, 144 Sampson Drive, Lower Sackville**

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**ORIGIN**

Appeal of an Orders to Remedy the condition of a property pursuant to the Dangerous or Unightly provisions of the *Halifax Regional Municipality Charter* (the “Charter”).

**LEGISLATIVE AUTHORITY**

Sections 355, 356 and 3(q) of the *Halifax Regional Municipality Charter*, S.N.S., 2008 C.39.

**MOTION FOR CONSIDERATION**

In accordance with Section 58 of Administrative Order One, the motion before the Appeals Standing Committee is to allow the appeal.

**RECOMMENDATION**

It is recommended that the Appeals Standing Committee uphold the Orders of the Administrator and thereby deny the appeal.

**BACKGROUND:**

There have been four previous dangerous or unsightly cases at the property closed with owner compliance.

The property is zoned R-1 (Single Unit Dwelling).

A complaint was received by service request on October 6, 2021. The complainant stated the vegetation was approximately 5 feet high and there was an old playground in the backyard.

There have been no subsequent complaints regarding the property.

This report will focus on the appeal dated November 12, 2021 by the property owner of the Orders to Remedy for the lack of yard maintenance violation (case 363291) and debris violation (case 363374).

**CHRONOLOGY OF CASE ACTIVITIES:**

- 07-Oct-2021 The Compliance Officer conducted a site inspection at 144 Sampson Drive, Lower Sackville hereinafter referred to as “the property” (attached as Appendix B).
- The Compliance Officer noted a lack of lawn maintenance and an accumulation of debris.
- The Compliance Officer posted two 7-day Notices of Violation (attached as Appendix C) for the lawn and debris violations.
- 08-Oct-2021 The Compliance Officer spoke with the property owner by phone and explained the Notices of Violation, work required and remedy process. The property owner advised the Compliance Officer they would not be completing the work.
- 14-Oct-2021 The Compliance Officer conducted a site inspection and noted no improvement to the condition of the property.
- The Compliance Officer received a call from the property owner regarding the Notices of Violation. The Compliance Officer explained the Notices of Violation and work required to bring the property into compliance. The property owner advised the Compliance Officer they would not address the violations. The Compliance Officer ended the call as the property owner became increasingly argumentative.
- 27-Oct-2021 The Compliance Officer conducted a site inspection and noted the violations still exist.
- 04-Nov-2021 The Compliance Officer conducted a site inspection and noted the violations remained.
- 06-Nov-2021 The Compliance Officer conducted a site inspection and noted the condition of the property was the same. The Compliance Officer hand delivered the Orders to Remedy to the property owner and explained the violations and work required to bring the property into compliance. The property owner advised the Compliance Officer that they had no intentions of addressing the violations.
- 12-Nov-2021 The property owner submitted a Notice of Appeal (attached as Appendix E) to the Municipal Clerk’s Office.

Upon receipt of the property owner's appeal staff noticed the original Orders were not signed. Staff prepared new Orders to Remedy.

15-Nov-2021 The Compliance Officer conducted a site inspection and noted the violations remained. The Compliance Officer posted the Orders to Remedy (attached as Appendix D) for the lawn maintenance and debris violations at the property.

The Municipal Clerk's Office sent the property owner a letter advising the appeal would be heard at the December 8, 2021 Appeals Standing Committee meeting (attached as Appendix F).

16-Nov-2021 The Compliance Officer received a phone call from the property owner inquiring about the Orders to Remedy posted at the property. The Compliance Officer explained that the original Orders were not signed, therefore new Orders were posted. The property owner became argumentative and the call was ended.

### **FINANCIAL IMPLICATIONS**

There are no financial implications if the owner complies with the Order. If the Municipality is required to complete the work, the costs will form a debt against the property which may be collected in the same manner as taxes pursuant to the Halifax Regional Municipality Charter, S.N.S., 2008, C.39.

### **ALTERNATIVES**

The Appeals Standing Committee may vary or overturn the Order to Remedy and in doing so, must provide reasons to be recorded in the minutes of the committee meeting.

### **RISK CONSIDERATIONS**

There are no significant risks associated with the recommendations in this report. The risk consideration rates low.

### **ENVIRONMENTAL IMPLICATIONS**

No environmental implications were identified.

### **ATTACHMENTS**

Appendix A: Legislative Authority – Halifax Regional Municipality Charter  
Appendix B: Copy of the Nova Scotia Property Records Map  
Appendix C: Copy of the Notices of Violation dated October 7, 2021  
Appendix D: Copy of the Orders to Remedy dated November 15, 2021  
Appendix E: Copy of the Notice of Appeal dated November 12, 2021  
Appendix F: Copy of the letter from the Clerk's Office dated November 15, 2021

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A copy of this report can be obtained online at Halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared For: Peter Popperl, Compliance Officer II, By-law Standards, 902.499.7241

## Appendix A

### **Halifax Regional Municipality Charter ('HRM Charter') Subsection 355 (1) 356 and 3 (q)**

HRM Charter, subsection 355(1) as follows:

- 355 (1) The Council may, by policy, delegate some or all of its authority pursuant to this Part, except the authority to order demolition, to the Administrator.

HRM Charter, subsection 356(1) as follows:

- 356 (1) Where a property is dangerous or unsightly, the Council may order the owner to remedy the condition by removal, demolition or repair, specifying in the order what is required to be done.

HRM Charter, subsections 356(2), (3A), as follows:

- 356 (2) An owner may appeal an order of the Administrator to the Council or to the committee to which the Council has delegated its authority within seven days after the order is made.
- (3A) Where the Council or the committee varies or overturns the order of the Administrator, the Council or committee shall provide reasons to be recorded in the minutes of the Council or committee meeting.

HRM Charter, subsection 3(q) as follows:

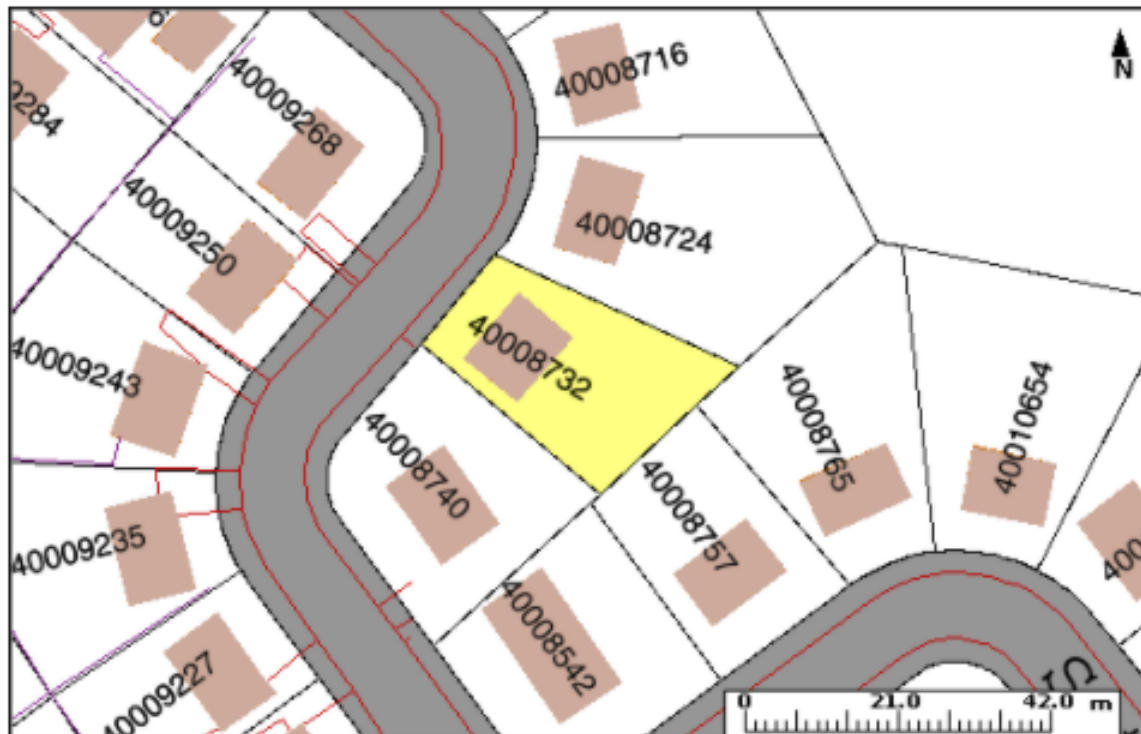
- (q) "dangerous or unsightly" means partly demolished, decayed, deteriorated or in a state of disrepair so as to be dangerous, unsightly or unhealthy, and includes property containing
- (i) ashes, junk, cleanings of yards or other rubbish or refuse or a derelict vehicle, vessel, item of equipment or machinery, or bodies of these or parts thereof,
  - (ii) an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material,
  - (iia) an accumulation or collection of materials or refuse that is stockpiled, hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person, or
  - (iii) any other thing that is dangerous, unsightly, unhealthy or offensive to a person, and includes property or a building or structure with or without structural deficiencies
  - (iv) that is in a ruinous or dilapidated condition,
  - (v) the condition of which seriously depreciates the value of land or buildings in the vicinity,
  - (vi) that is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,
  - (vii) that is an allurement to children who may play there to their danger,
  - (viii) constituting a hazard to the health or safety of the public,
  - (ix) that is unsightly in relation to neighbouring properties because the exterior finish of the building or structure or the landscaping is not maintained,
  - (x) that is a fire hazard to itself or to surrounding lands or buildings,
  - (xi) that has been excavated or had fill placed on it in a manner that results in a hazard, or
  - (xii) that is in a poor state of hygiene or cleanliness;

## Appendix B



### Property Online Map

Date: Nov 12, 2021 12:08:45 PM



|            |                |          |                                |        |                      |
|------------|----------------|----------|--------------------------------|--------|----------------------|
| PID:       | 40008732       | Owner:   | JOHN GLENN ALEXANDER MACCALDER | AAN:   | 03238539             |
| County:    | HALIFAX COUNTY |          | JOHN GLENN ALEXANDER MACCALDER | Value: | \$179,000 (2021      |
| LR Status: | LAND           | Address: | 144 SAMPSON DRIVE              |        | RESIDENTIAL TAXABLE) |
|            | REGISTRATION   |          | LOWER SACKVILLE                |        |                      |

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

#### Property Online version 2.0

This page and all contents are copyright © 1999-2003, [Government of Nova Scotia](http://www.government.nova-scotia.ca), all rights reserved.

## Notice of Violation

Notice Served Upon: Name \_\_\_\_\_  
or address 144 SAMPSON DR LOWER SACKVILLE

This is to advise that you are in violation of the following municipal and/or provincial legislation:

- |   |   |
|---|---|
| <input type="checkbox"/> HRM By-law A-300 Animals   | <input type="checkbox"/> HRM By-law S-300 Streets           |
| <input type="checkbox"/> HRM By-law C-300 Civic Addressing  | <input type="checkbox"/> HRM By-law S-600 Solid Waste       |
| <input type="checkbox"/> HRM By-law C-501 Vending   | <input type="checkbox"/> HRM By-law S-801 Temporary Signs   |
| <input checked="" type="checkbox"/> HRM Charter, Part XV Respecting Dangerous or Unsightly Premises | <input type="checkbox"/> HRM By-law S-1000 Sidewalk Cafes   |
| <input type="checkbox"/> HRM By-law N-300 Nuisances   | <input type="checkbox"/> HRM By-law T-1000 Taxi & Limousine |
|   | <input type="checkbox"/> Other: _____                       |

**Details of violation(s):**

A LACK OF MAINTENANCE TO THE LANDSCAPING  
INCLUDING BUT NOT LIMITED TO OVERTGROWN GRASS  
WEEDS AND SHRUBS.

**Violation(s) to be rectified as per the following:**

CUT OR MOW GRASS, WEEDS, OR SHRUBS

**Notice of Re-inspection:**

A re-inspection will be performed on Oct 14, 2021 to confirm the above noted violations have been rectified. If you have any queries regarding this matter, please contact the issuing Officer prior to the re-inspection date.

P. BOERL  
Issuing Officer

07/10/21  
Date (dd/mm/yy)

902-479-7241  
Issuing Officer Phone Number  
Original Signed

11:57  
Time (hh/mm)

\_\_\_\_\_  
Issuing Officer Signature

363 291  
Case Number

## Notice of Violation

Notice Served Upon: Name \_\_\_\_\_  
or address 144 SANDSON DR LOWER SACKVILLE

This is to advise that you are in violation of the following municipal and/or provincial legislation:

- |   |   |
|---|---|
| <input type="checkbox"/> HRM By-law A-300 Animals   | <input type="checkbox"/> HRM By-law S-300 Streets           |
| <input type="checkbox"/> HRM By-law C-300 Civic Addressing  | <input type="checkbox"/> HRM By-law S-600 Solid Waste       |
| <input type="checkbox"/> HRM By-law C-501 Vending   | <input type="checkbox"/> HRM By-law S-801 Temporary Signs   |
| <input checked="" type="checkbox"/> HRM Charter, Part XV Respecting Dangerous or Unsightly Premises | <input type="checkbox"/> HRM By-law S-1000 Sidewalk Cafes   |
| <input type="checkbox"/> HRM By-law N-300 Nuisances   | <input type="checkbox"/> HRM By-law T-1000 Taxi & Limousine |
|   | <input type="checkbox"/> Other: _____                       |

**Details of violation(s):**

AN ACCUMULATION OF DEBRIS INCLUDING BUT NOT LIMITED TO VEHICLE PARTS, HOUSEHOLD APPLIANCES, SCRAP METAL, SCRAP WOOD, CARDBOARD, TAPES, TIRES, AND OTHER LOOSE SCATTERED DEBRIS

**Violation(s) to be rectified as per the following:**

REMOVE THE ABOVE NOTED VIOLATIONS FROM THE PROPERTY

**Notice of Re-inspection:**

A re-inspection will be performed on Oct 14, 2021 to confirm the above noted violations have been rectified. If you have any queries regarding this matter, please contact the issuing Officer prior to the re-inspection date.

P POPPERL  
Issuing Officer

902-499-7241  
Issuing Officer Phone Number

Original Signed  
\_\_\_\_\_  
Issuing Officer Signature

07/10/21  
Date (dd/mm/yy)

1202  
Time (hh/mm)

363.374  
Case Number

**Appendix D**



**ORDER TO REMEDY  
DANGEROUS OR UNSIGHTLY PREMISES**

**IN THE MATTER OF:** Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008, C.39  
Hereinafter referred to as the "Charter"  
- and -

**IN THE MATTER OF:** Property located at 144 SAMPSON DR, LOWER SACKVILLE, NS,  
[REDACTED] [REDACTED] Case # 363291  
Hereinafter referred to as the "Property"

**TO:** JOHN GLENN ALEXANDER MACCALDER  
[REDACTED] [REDACTED] [REDACTED]

**WHEREAS** you are the owner(s) of the Property;

**AND WHEREAS** located on the Property is an unsightly or dangerous condition due to a lack of maintenance to the landscaping resulting in overgrown grass, weeds, and shrubs, in accordance with Section 3(q) of the Charter;

**TAKE NOTICE** that you are hereby Ordered to remedy the condition of the Property by cutting or mowing all overgrown grass, weeds, and shrubs, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

**TAKE FURTHER NOTICE** that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

**AND FURTHER TAKE NOTICE** that your failure to comply with the requirements of this Order within seven (7) days after service, the Administrator, or any person authorized by the Administrator, may enter upon the Property without warrant or other legal process and carry out the work specified in this Order.

**AND FURTHER TAKE NOTICE** that the costs of complying with this Order, including the cost of completing the work specified herein, incurred by the Halifax Regional Municipality ("HRM") or its agents, is a debt payable by you to HRM and that HRM has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the Charter;

**AND FURTHER TAKE NOTICE** that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

**DATED** at Halifax, Nova Scotia this 15th of November, 2021 AD. **Original signed**

PETER POPPERL  
COMPLIANCE OFFICER  
(902) 499-7241

\_\_\_\_\_  
SCOTT HILL  
Administrator  
Halifax Regional Municipality



**Appendix D**



**ORDER TO REMEDY  
DANGEROUS OR UNSIGHTLY PREMISES**

**IN THE MATTER OF:** Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008 , C.39  
Hereinafter referred to as the "Charter"

- and -

**IN THE MATTER OF:** Property located at 144 SAMPSON DR, LOWER SACKVILLE, NS,  
[REDACTED] [REDACTED] Case # 363374  
Hereinafter referred to as the "Property"

**TO:** JOHN GLENN ALEXANDER MACCALDER  
[REDACTED]

**WHEREAS** you are the owner(s) of the Property;

**AND WHEREAS** located on the Property is an unsightly or dangerous condition due to an accumulation of debris including but not limited to discarded auto parts, household appliances, scrap metal, scrap wood, scrap plastic, sleeping bags, broken bench, cardboard, tarps, tires, bagged waste and other scattered debris and litter, in accordance with Section 3(q) of the Charter;

**TAKE NOTICE** that you are hereby Ordered to remedy the condition of the Property by removing the accumulation of debris including but not limited to discarded auto parts, household appliances, scrap metal, scrap wood, scrap plastic, sleeping bags, broken bench, cardboard, tarps, tires, bagged waste and other scattered debris and litter, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

**TAKE FURTHER NOTICE** that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

**AND FURTHER TAKE NOTICE** that your failure to comply with the requirements of this Order within seven (7) days after service, the Administrator, or any person authorized by the Administrator, may enter upon the Property without warrant or other legal process and carry out the work specified in this Order.

**AND FURTHER TAKE NOTICE** that the costs of complying with this Order, including the cost of completing the work specified herein, incurred by the Halifax Regional Municipality ("HRM") or its agents, is a debt payable by you to HRM and that HRM has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the Charter;

**AND FURTHER TAKE NOTICE** that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

**DATED** at Halifax, Nova Scotia this 15th of November, 2021 AD. **Original signed**

PETER POPPERL  
COMPLIANCE OFFICER  
(902) 499-7241

SCOTT HILL  
\_\_\_\_\_  
Administrator  
Halifax Regional Municipality

ATTN:

TO:

APPEALS  
STANDING  
COMMITTEE  
HRM

HALIFAX REGIONAL  
MUNICIPALITY  
NOV 12 2021  
Original signed  
MUNICIPAL CLERK

OF

**Appendix E**

To the Order to the Appeals Standing Committee of HRM,

- I am sending this as my Notice of Appeal of an Order to Remedy Dangerous or Unsightly Premises
- It is about Case # 363291
- Property location 144 Sampson Drive, Lwr. Sackville

Thank you,  
Original signed

**VALID**

## Appendix F

November 15, 2021

REGISTERED MAIL

John Glenn A. MacCalder

|   |                             |  |                                    |   |
|---|-----------------------------|--|------------------------------------|---|
|  |                             | <b>REGISTERED DOMESTIC</b>                               | <b>RECOMMANDÉ RÉGIME INTÉRIEUR</b> |  |
|   |                             | CUSTOMER RECEIPT   | REÇU DU CLIENT                     |   |
| <b>To</b>   | <b>Destinataire</b>         |  |                                    |   |
| Name  | Nom                         |  |                                    |   |
| Address   | Adresse                     |  |                                    |   |
| City / Prov. / Postal Code  | Ville / Prov. / Code postal |  |                                    |   |
| Declared Value  | Valeur déclarée             |  |                                    |   |
|   |                             | 33-088-584 (17-12)                                       |                                    |   |
|   |                             | FOR DELIVERY CONFIRMATION / CONFIRMATION DE LA LIVRAISON |                                    |   |
|   |                             | canadapost.ca / postescanada.ca                          |                                    |   |
|   |                             | 1 888 550-6333   |                                    |   |
|   |                             | CPC Tracking Number / Numéro de suivi de la BCP          |                                    |   |
|   |                             | RN 388 297 085 CA  |                                    |   |

Re: Cases 363291 and 363374, Property located at 144 Sampson Drive, Lower Sackville

This is to advise that your appeal will be heard on **Wednesday, December 8, 2021 at 10:00 a.m.** by the Appeals Standing Committee. This meeting will be in-person in the Council Chamber, Halifax City Hall, 1841 Argyle Street, Halifax.

As per public health requirements, masks must be worn during in-person meetings other than when an individual is called upon to speak by the Chair. To enter the building and attend the meeting, Proof of Full COVID-19 Vaccination is required. More information about attending in-person meetings can be found here: <https://www.halifax.ca/city-hall/regional-council/attending-person-meetings>

If you cannot attend the meeting in person, you may participate via phone. If you must use the phone option, please contact me at 902.490.6521 or [vingink@halifax.ca](mailto:vingink@halifax.ca) by 4:30pm on Monday, December 6, 2021 (two (2) business days before of the meeting).

The staff report for this matter will be posted online to the Appeals Standing Committee webpage at Halifax.ca by end of day the Friday prior to your hearing. If you require a hard copy of the report, please contact our office.

Please be advised that your submission and appeal documents will form part of the public record and will be posted online at Halifax.ca. If you feel that information you consider to be personal is necessary for your appeal, please attach that as a separate document, clearly marked "PERSONAL". It will be provided to the Committee and form part of the public record but will not be posted online. You will be contacted if there are any concerns.

Should you be unable to attend, you may have a representative attend to present the appeal to the Committee. Please note that your representative is required to have a letter signed by you giving permission. You or your representative may have witnesses or other evidence in support of the appeal and will be permitted up to 10 minutes to make a verbal submission. If neither you or a representative appears, the hearing will proceed, and you will be advised of the Committee's decision.

If you have any questions, please contact me at 902.490.6521 or email [vingink@halifax.ca](mailto:vingink@halifax.ca).

Sincerely,  
Original signed

Krista Vining  
Legislative Assistant  
Office of the Municipal Clerk

**HALIFAX**

Halifax Regional Municipality  
PO Box 1749, Halifax, Nova Scotia  
Canada B3J 3A5

halifax.ca

## Appendix F

cc: Tanya Phillips, Manager, By-law Standards  
Scott Hill, Regional Coordinator By-law  
Natalie Matheson, Support Services Supervisor, Municipal Compliance  
Laurie Lauder, Adjudication Clerk  
Peter Popperl, Compliance Officer II

Encl. Order of Proceedings for Appeals Standing Committee

## Appendix F

### Order of Proceedings for Appeals Standing Committee

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The Chair will open each of the hearings and address the following:

- The Chair will ask the Appellant (property owner) to identify themselves and provide their contact information
- If a person is appearing on behalf of an Appellant who is not present (legal counsel, family member, friend), they must provide written authorization to act on the Appellant's behalf
- The Chair will briefly explain the hearing will proceed (as follows):
- Staff Presentation: The HRM staff presenter explains the basis for the order under review and presents evidence in support of the order (including any documents or recent photos of the property, if applicable)
- The Committee may ask questions of the HRM staff presenter for clarification
- The Appellant may ask questions of the HRM staff presenter for clarification
- Non-party witnesses\* may be permitted to provide factual evidence relevant to the appeal
- The Appellant may ask questions of non-party witnesses for clarification
- Appellant's Presentation: The Appellant is granted reasonable time to present evidence in support of the appeal (documents/photos/witnesses)
- The Committee may ask questions to the Appellant and/or their witnesses
- The Appellant or their representative is then permitted up to 10 minutes to make a verbal submission in support of their case to reverse the order
- The Committee may ask questions to the Appellant and also further questions of HRM staff (subject to Appellant's response to the answers)
- Staff may ask questions to the Appellant (subject to Appellant's response to the answers)
- The Committee then debates their decision and renders a decision with the Appellant or their representative present
- Upon motion the Committee may move In Camera (In Private) to obtain confidential legal advice at any time during the process
- The Committee has four (4) options:
  - cancel the order (allow the appeal)
  - amend the order (change the conditions)
  - keep the order as is (appeal dismissed)
  - continue the hearing at a later date (defer)

#### \*Non-Party Witnesses

Persons who are not parties to the appeal may be permitted to provide relevant evidence of factual matters within their personal knowledge to the Appeals Standing Committee. Non-party witnesses will be given an appropriate amount of time to present their information.

#### Attending In-Person Meetings

As per public health requirements, **masks must be worn** during in-person meetings other than when an individual is called upon to speak by the Chair. To enter the building and attend the meeting, **Proof of Full COVID-19 Vaccination is required**. More information about attending in-person meetings can be found here: <https://www.halifax.ca/city-hall/regional-council/attending-person-meetings>

Hearings of the Appeals Standing Committee are open to the public and any information, including personal information, which is provided or obtained in relation to your appeal, will be a matter of public record.

The Appeals Standing Committee meetings begin at 10:00 a.m. and cases will be heard as they appear on the approved agenda.