

**THE RURAL MUNICIPALITY OF EAST ST. PAUL
BY-LAW NO. 2019-06**

**BEING A BY-LAW OF THE RM OF EAST ST. PAUL to amend ByLaw 2016-04,
being a ByLaw to regulate noise nuisances.**

WHEREAS Sections 232 and 233 of *The Municipal Act* provides, in part, as follows:

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation;
- (c) subject to section 233, activities or things in or on private property;
- (o) the enforcement of by-laws.

233 A by-law under clause 232(1)(c) (activities or things in or on private property) may contain provisions only in respect of

- (d) activities or things that in the opinion of the council are or could become a nuisance, which may include noise, weeds, odors, unsightly property, fumes and vibrations.

AND WHEREAS excessive sound is a serious hazard to public health and welfare, safety and quality of life and Council deems it expedient and in the best interests of the Municipality to amend By-Law 2016-04;

NOW THEREFORE, the Council of the RM of East St. Paul, in Council assembled, enacts as follows:


1. THAT Section 6 of ByLaw 2016-04 be amended to add the following as Section 6 (a) (ii);

The use of engine retarder brakes (“Jake Brakes”) shall be expressly prohibited within the following limits of the RM of East St. Paul and shown on Schedule “A” attached hereto and forming part of this By-Law:

- (i) All that portion of P.T.H. No. 59 in the vicinity of Birds Hill lying NORTH of the intersection of P.R. No. 101 and PTH No. 59 a distance of 4500 metres to the PTH No. 59 Floodway Bridge.
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DONE AND PASSED by the Council of the RM of East St. Paul, in Council duly assembled, at Birds Hill, Manitoba this 10th day of September, 2019.

THE RM OF EAST ST. PAUL



Shelley Hart
Mayor



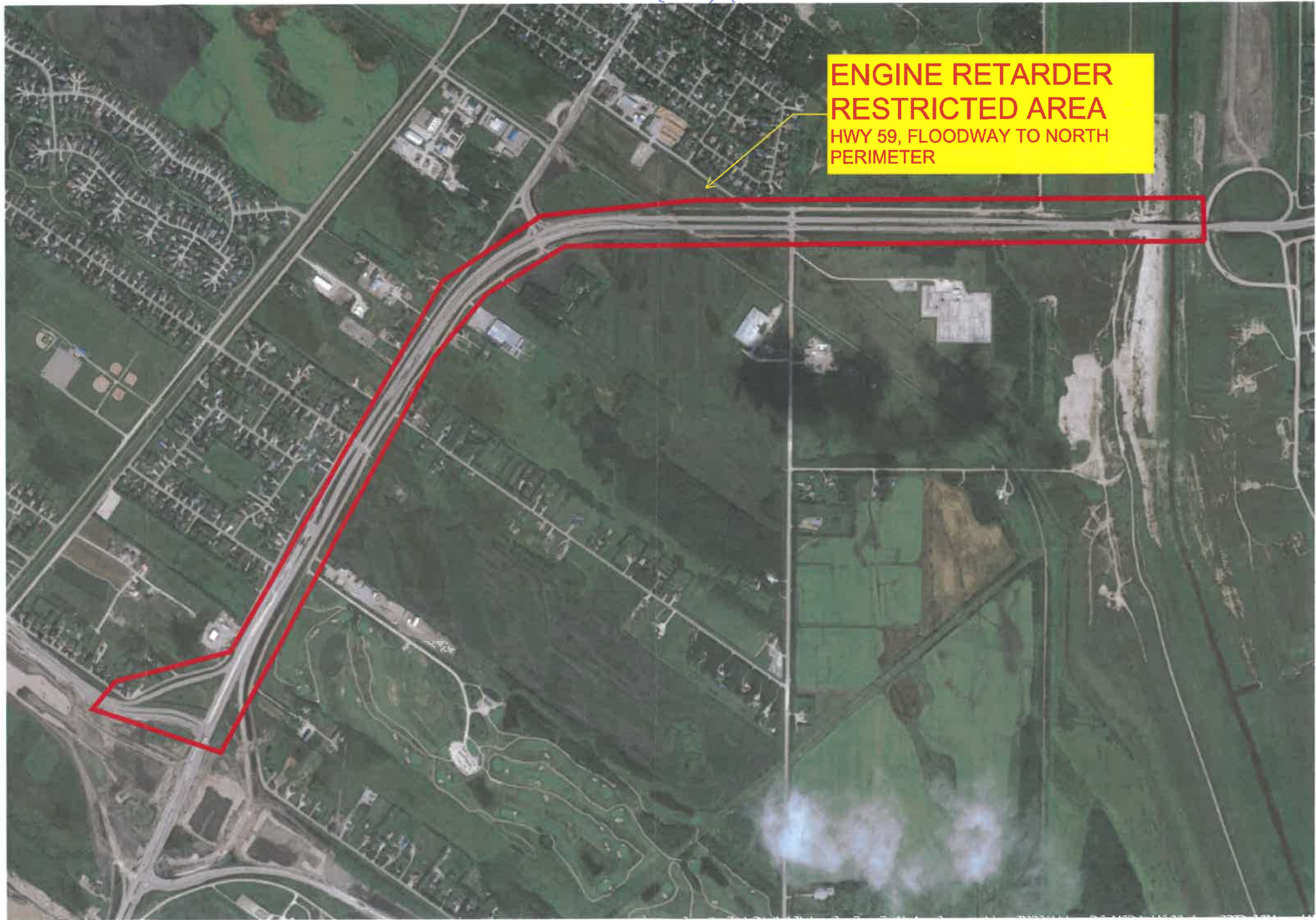
Sheila Mowat
Chief Administrative Officer

Read a First time this 13th day of August A.D., 2019

Read a Second time this 10th day of September A.D., 2019

Read a Third time this 10th day of September A.D., 2019

Schedule "A"



**ENGINE RETARDER
RESTRICTED AREA**
HWY 59, FLOODWAY TO NORTH
PERIMETER