

# THE RURAL MUNICIPALITY OF ST. ANDREWS

## BY-LAW NO. 4132

**BEING A BY-LAW OF THE RURAL MUNICIPALITY OF ST. ANDREWS to prohibit the use of Engine Retarder Brakes ("Jake Brakes") within the entire municipality.**

WHEREAS the provisions of the Municipal Act, L.M. 1996, c. 58 provide in part as follows:

### **Spheres of jurisdiction**

**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 road recreation centres, restaurants, facilities, retail stores, malls and private clubs and facilities that are exempt from municipal taxation.

### **Exercising by-law-making powers**

**232(2)** Without limiting the generality of subsection (1), a Council may in a by-law passed under this Division

- (a) regulate or prohibit

AND WHEREAS the Council of the Rural Municipality of St. Andrews is of the opinion that the use of engine retarder brakes ("Jake Brakes") in all areas of the municipality is a noise nuisance and an unnecessary or unusual sound which either annoys, disturbs, injures, endangers or distracts from the comfort, repose, health, peace and safety of any person;

AND WHEREAS the Council of the Rural Municipality of St. Andrews deems it expedient and in the public interest to prohibit the use of engine retarder brakes ("Jake Brakes") within the Rural Municipality of St. Andrews.

NOW THEREFORE, the Council of the Rural Municipality of St. Andrews, duly assembled, enacts as follows:

1. That the use of engine retarder brakes ("Jake Brakes") shall be prohibited within the Rural Municipality of St. Andrews.

DONE AND PASSED by the Council of the Rural Municipality of St. Andrews, in Council duly assembled, at Clandeboye, Manitoba this 10<sup>th</sup> day of July, A.D., 2007.

THE RURAL MUNICIPALITY OF ST. ANDREWS

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
Chief Administrative Officer

Read a First time this 26<sup>th</sup> day of June, A.D., 2007.

Read a Second time this 10<sup>th</sup> day of July, A.D., 2007.

Read a Third time this 10<sup>th</sup> day of July, A.D., 2007.