



**MODEL STANDARD BY- LAWS FOR  
PRADESHEEYA SABHAS**



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## **I. By-laws relating to scavenging**

1. Pradeshiya Sabhas are vested with powers to formulate these by-laws by virtue of Section 122 of Pradeshiya Sabha Act No.15 of 1987 read with sub section (ix) of Section 126 of the said Act.
2. This by-law is imposed to carry on scavenging services within the area of authority of the Pradeshiya Sabha and for making provisions to regularize and to prescribe fees on such services.
3. This by-law is cited as the by Law relating to Pradeshiya Sabha scavenging.
4. A cesspit or a sewage pit of any nature made by the owner or the resident of any premises in the area of authority (hereinafter referred to as the area of authority) of the Pradeshiya Sabha shall be in accordance with a plan approved by the Chairman of the Pradeshiya sabha.
5. With regard to a cesspit or a sewage pit constructed prior to implementation of this by-law without a plan approved by the Chairman the owner or the resident of the place may be ordered by the Chairman to make it in conformity with the approved plan by way of handing over a written notice.
6. Every Pradeshiya Sabha carrying on scavenging services (gulley service) within the area of authority shall publish from time to time the fees levied for such services in the government gazette on a resolution of the Pradeshiya Sabha.
7. Every person applying the gulley service should apply such services in accordance with the procedures adopted by the Pradeshiya Sabha in that regard.
8. Provided any person in the area of authority expecting the scavenging services other than any religious place, a government school or non-fee levying places as previously decided by the Pradeshiya Sabha has applied in the manner mentioned in section 7 above and made the payment under section 6 above, scavenging services shall not be provided by the Pradeshiya Sabha.

9. Every person applied for scavenging services shall be registered in the sequential order, and services be provided adhering to the registered order except in circumstances on specific reasons to the satisfaction of the Chairman.
  
10. It shall be the role of the applicant to reserve access in the relevant premises for entering the scavenging machinery and in circumstances it was not so, the Pradeshiya Sabha shall not hold responsible or bear any cost of damage as a result of not providing such service even though the prescribed fees has been paid and release the balance of the fee levied deducting the cost borne by the Council.
  
11. Provided the Pradeshiya Sabha agreed to provide scavenging services on an agreement with specific conditions with any person for a specific period of time any provision of this by-law shall not hinder the execution of such conditions so agreed upon.
  
12. In these by-laws unless the context otherwise requires:
  - “Chairman” shall mean the person who currently holds the office of the chairman of the ..... Pradeshiya Sabha;
  - “scavenging service” means any service carrying on for the purpose of disposing the content in a cesspit, sewage pit or sewerage pit set up in any premises for collection of waste and waste water.
  - “person” shall mean any individual, a company, incorporated establishment or any government affiliated institution.

## II. By Law relating to maintenance of lands free of thorny bushes and garbage

1. Pradeshiya Sabhas are vested with powers to formulate these by-laws by virtue of Section 122 of Pradeshiya Sabha Act No.15 of 1987 read with the paragraph (n) sub section (ix) of Section 126 of the said Act.
2. This by-law is imposed to regularize and control the maintenance of all lands in the area of authority of the Pradeshiya Sabha free of thorny bushes and garbage.
3. This by-law is cited as the by Law relating to maintenance of lands free of thorny bushes and garbage.
4. Owners, care takers and residents of the all lands within the area of authority of the Pradeshiya Sabha should take action to maintain their lands free of thorny bushes and garbage and to maintain the houses and compounds clean and hygienically.
5. It shall be lawful for the Chairman or any officer authorized by him to enter into any land between 6.00 am and 6.00 pm if so required, to verify whether the land consists of thorny bushes and garbage. No person should interrupt such inspection.
6. Provided, in any occasion the Chairman or the authorized officer is satisfied to the effect that any land consists of thorny bushes and garbage, it shall be the chairman's business to notify in writing the owner, care taker or the resident of such land to keep the land free from thorny bushes and garbage.
7. Any person, who received a notice in the manner mentioned in Section 06 above, should remove thorny bushes and garbage from that land prior to the expiry of fourteen days of such notice.
8. However in an occasion where the owner or the resident makes a written request to the chairman or the authorized officer with acceptable reasons the prescribed period may be extended subject to 30 days maximum, from the date of such notice by the Chairman or the authorized officer.

9. Thorny bushes or portions of thorny bushes or garbage removed from any land should not be dumped into any public place or onto the road and also into a land owned by another person without his permission.
10. Provided that adequate space is available in any land, thorny bushes or garbage removed from such land should be buried in a pit not deeper than one meter.
11. Pradeshiya Sabha may accept for disposal the thorny bushes and garbage removed from any land and prescribed fees chargeable for same shall be decided by a resolution from time to time by the Pradeshiya Sabha and published in the government Gazette.
12. Consequent to the charge of prescribed fees chargeable as in the section 11 above, the Pradeshiya Sabha should accept the thorny bushes and garbage removed from any premises for disposal.
13. Any person who violates any of the sections of this by-law or acts contrary to the directions of the Chairman under this by-law is an offence under this by-law and every person who commits such offence, shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No.15 of 1987 on conviction by a competent court on that offence.
14. In these by-laws unless the context otherwise requires:

“Chairman” shall mean the person who currently holds the office of the chairman of the ..... Pradeshiya Sabha;

“Owner or resident” means the lawful owner, care taker or any person residing or persons carrying out any institution in the land and shall include any person who holds any government land under rent or lease agreement.

“Thorny bushes” means any plant or any plant variety growing over 20cm in height not being controlled by any person and shall not include any flower plant, plants and crops grown for any economic and agricultural purposes.

“Public Place” means any road way, thoroughfare, street, lane, alley, pavement, common land, road reservation, playground, common building, cemetery, bus stop, railway station, canal, water stream, reservoir, tank, pond, lagoon, pool, water course, rain water drainage, seashore, land belongs to the Council, any

government land reserved for the use of the public, any other place reserved for the common use of the public;

“person” shall mean any individual, group of persons, institution or an organization;

“authorized person” means an officer of the council authorized in writing by the Chairman of the ..... Pradeshiya Sabha;

“Council” means the ..... Pradeshiya Sabha;

### III. By law relating to slaughter houses

1. Pradeshiya Sabhas are vested with powers to formulate this by-law by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with paragraph (i) of sub section (xi) of Section 126 the said Act.
2. This by-law is imposed for making provisions to regularize and control the slaughter houses within the area of authority of the Pradeshiya Sabha maintained to slaughter an animal for meat consumption.
3. This by-law is cited as the “By Law relating to slaughter houses”.
4. No animal brought to the slaughter house for slaughter shall be slaughtered unless an authorized officer had examined the animal and approved for slaughter within the 24 hours prior to slaughter.
5. With regard to every animal brought to the slaughter house to be slaughtered an authorized officer may refuse to grant approval to slaughter such animal on the limitations under provisions of the Cattle Slaughter Ordinance or any other written law applicable on slaughtering animals as well as on any fact that the meat of any animal lay before slaughter house is not suitable for human consumption.

6. Every animal refused to be not suitable to slaughter the owner should forthwith remove from the slaughter house upon such refusal.
7. Even though the authorized officer approved to slaughter the authorized officer shall subsequent to slaughter certify the meat of such animal is suitable for human consumption.
8. Provided an authorized officer after the slaughter certifies the meat of any animal approved to be slaughtered is not suitable for human consumption the relevant meat should make arrangements to destroy or dispose of in any other way.
9. No person shall remove from the slaughter house a slaughtered animal or parts thereof certified not suitable for human consumption without the permission of an authorized officer.
10. No animal shall be slaughtered before any other animal or before the parts of any slaughtered animal or until the parts of previously slaughtered animal are removed or covered.
11. The methodology to be used for animal slaughter shall be with minimal suffering to the animal slaughtered and be an approved methodology by the Chairman.
12. No person holding a permit for sale shall transport meat of an animal slaughtered in the slaughter house to the sales outlet other than in a vehicle with specific cold room facilities.
13. No meat of any other animal shall be sold within the area of authority of the Pradeshiya Sabha other than the meat of an animal slaughtered in the slaughter house of the Pradeshiya Sabha or in any other slaughter place within the area of authority of the Pradeshiya Sabha with a permit from the Chairman.
14. Unless an authorized officer inspected and issued a certificate in the Form "a" in this by-law to the effect that the meat of the animal slaughtered in the slaughter place is suitable for human use, no permit holder for the sale of meat shall offer such meat for sale.
15. The Council shall from time to time determine the fees chargeable on the inspection with regard to the function in the section above by an authorized officer.
16. A register shall be maintained in every slaughter house containing the details of slaughtered cattle and goats in accordance with the Schedule "b" in this by-law.

17. A certificate confirming the ownership of every animal brought for slaughter should be presented to the authorized officer or the slaughter house keeper by the bearer and it should be further authenticated by two identified witnesses. In the case of cattle, one of such authentication should be from the Grama Niladhari from which division the animal was obtained.
18. Provided a third party claims the ownership in relation to an animal brought to the slaughter house before slaughter, it shall be the duty of the authorized officer or the slaughter house keeper not to concede slaughter until the parties resolve the dispute and re-offer the animal for slaughter.
19. It shall be lawful for the Council to resolve and publish the fees from time to time relating to the animal slaughtered in the slaughter house of the Pradeshiya Sabha taking into consideration the category of the animal and the nature of services offered.
20. Unless under a specific slaughter license issued by the Chairman or under the conditions stipulated therein, slaughter of any animal by any person without a license is illegal.
21. It shall be lawful that a fee determined by the Pradeshiya Sabha from time to time is chargeable on every such license.
22. Any person who violates any of the sections of this by-law or acts contrary to the directions of the Chairman is an offence under this by-law and every person who commits such offence under the by-law and any person who commits such offence shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court.
23. In these by-laws unless the context otherwise requires:

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha;

“authorized officer” means any officer authorized in writing by the Chairman of the Pradeshiya Sabha.

“an animal” means the interpretation given in the Cattle slaughtering ordinance.

#### **IV.By-law relating to building construction**

1. Pradeshiya Sabhas are vested with powers to formulate this by-law by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with sub section (viii) of Section 126 the said Act.
2. This by-law is imposed for making provisions to determine the procedures for the inspection and approval of building plans and to prescribe fees for same on determining the areas for building construction, materials of building construction, provisions for air circulation, drainage systems, sanitary facilities, natures of foundation designs.
3. This by-law is cited as the “By Law relating to building construction”.
4. This by-law is applicable for regions proclaimed as developed regions under the Urban Development Authority Act, in the area of authority of the Pradeshiya Sabha and beyond.
5. Any person expecting to construct a building for residential or non-residential purpose within the applicable area of this by-law shall submit a duly perfected building application obtainable from the Pradeshiya Sabha office and get prior approval of the Chairman.
6. Following provisions shall be followed for the construction of a dwelling place or a lodging house:-
  - (a) If a single storied building it shall be permanently constructed 0.9 m in depth and 0.3 m in height from the ground level and the foundation shall be of granite or bricks or approved sand and cement or concrete mixture.
  - (b) If a multi-storied building specific materials and reinforcements should be used for the foundation in accordance with the certified standards of an engineer.
  - (c) Walls of each storey shall be at least 3.0 m in height and made of clay, bricks, cement blocks, granite or cabook or any other approved material and duly plastered.
  - (d) Base of each storey and the columns connected thereto shall be constructed according to the engineers’ standards with approved concrete mixtures and reinforcements.
  - (e) Openable windows not less than one fifteenth in size of the ground area shall be fitted to each room so as to get adequate ventilation. If not, air conditioners or ventilation equipment shall be installed.
  - (f) Every bed room should contain at least 9.5 m<sup>2</sup> in area.

7. Any building constructed for non-residential or non-lodging purposes should be in accordance with the following provisions:-
  - (a) If a single storied building it shall be permanently constructed 0.9 m in depth and 0.3 m in height from the ground level and the foundation shall be of granite or bricks or approved sand and cement or concrete mixture.
  - (b) If a multi-storied building, specific materials and reinforcements should be used for the foundation in accordance with the certified standards of an engineer.
  - (c) Walls of each floor shall be at least 2.8 m in height and made of clay, bricks, cement blocks, granite or cabook or any other approved material and duly plastered.
  - (d) Base of each floor and the columns connected thereto shall be constructed according to the engineers' standards with approved concrete mixtures and reinforcements.
  - (e) Openable windows not less than one sixteenth in size of the ground area shall be fitted to each room so as to get adequate ventilation. If not, air conditioners or ventilation equipment shall be installed.
8. The roofs of all buildings should be constructed using permanent timber or iron and thatched with tiles, asbestos or tin roofing sheets or approved roofing material. However the Chairman shall have power to grant permission to use cadjans, straw or grass for thatching the buildings in areas that are not declared as developed regions and where the land is not situated within a distance of 250 meters from high ways or provincial council roads.
9. In every building adequately water sealed or hygienically completed lavatories shall be constructed.
10. In every building premises a formal drain system or subterranean tubing system to drain out the rain water or waste water shall be constructed and it should not lead to rivers, canals and streams or common lakes or tanks.
11. Provided the rain water fallen on the roofs of every building and collected in secured water tanks through gutters and down pipes to be taken for use has not been designed in accordance with the approved specifications for diverting to a rain water drainage system the Chairman should not grant permission for the construction of such buildings.

12. Moreover the rain water drainage system mentioned in section 11 above should be constructed on the guidance and instructions of the authorized officer of the Pradeshiya Sabha.
13. Buildings should not be constructed obstructing a river, a canal, a stream, a drain, an embankment, or a bridge, a culvert, a pavement, a thoroughfare or a common foot path made for transportation.
14. Every building should be constructed excluding the “building limit” mentioned in section 49 of the Pradeshiya Sabha Act No. 15 of 1987.
15. Every person submitting a building application under section 5 of this by-law should with his application, forward the foundation structure, wall design and the position of doors and windows of the building expected to be constructed and when the building is not a single floored, the relevant plans and bills of quantities should be prepared and certified by a chartered Engineer or an architect.
16. In addition to the said plans and bills of quantities under section 15 above following documents should be submitted along with their originals:-
  - (a) Copy of the deed confirming the ownership of the land where the building is constructed;
  - (b) Copy of the survey plan of the relevant land;
  - (c) Documents and plans confirming as to the provision of water supply, drainage, electricity supply, access roads and toilet facilities;
  - (d) Any other documents prescribed by the Chairman.Originals should be returned to the applicant consequent to authentication of the copies of the said documents.
17. Every person who submitted or expects to submit an application under section 5 of this by-law should pay the Council :
  - (a) An application fee; and
  - (b) Plan inspection fee or an pre-inspection feeresolved by the Pradeshiya Sabha and published in the gazette from time to time.
18. Provided the Chairman considers any building being used or had being used and abandoned for over three years as a dwelling house or for any other purpose is not suitable for human dwelling or any

other purpose, he shall take action through an authorized officer to make a request to the Magistrate to prohibit such building to be used for any purpose.

19. The magistrate after a suitable inquiry may issue a prohibition order or any other reasonable or suitable order.
20. Any building prohibited to be used under an order issued as per section 19 above should not be allowed to be used or give on lease by the owner of such building until such time the Chairman certifies that the reasons for which the building became unsuitable had been satisfactorily removed or the magistrate removes such prohibition order by a written order.
21. Provided any building, a line of buildings or any premises being used for dwelling or any other purpose :-
  - (a) is not of adequate height;
  - (b) does not contain appropriate drainage system;
  - (c) is without proper waste disposal method;
  - (d) has a risk of catching infections or contagious diseases to its dwellers;
  - (e) is dangerous for public health r protection; and
  - (f) has a risk of catching fire or to be collapsed;and the Chairman considering one or more of the above reasons may direct the owner, residents, or lessees by way of pasting on a prominent place or sending by registered post a notice to the effect that the relevant buildings or a part thereof to be demolished or changed in the manner specifically mentioned in the notice, repaired or constructed within a specific period of time.
22. Any person constructing a bridge, pavement or doing any construction work over a drain constructed for the purpose of drainage on either side of the road shall proceed, after submission of an application to the Chairman under section 5 of this by-law and with his approval.
23. It shall be lawful for the Pradeshiya Sabha to demolish and remove such building in default within 30 days of the notice to the owner to remove the building constructed contrary to the provisions of this by-law.

24. Any construction made without prior approval under section 22 above shall be considered as an unauthorized construction and the Chairman may direct the person constructed such building : -
- (a) To renovate or demolish and remove as per the given instructions and within a period of time specified by the Chairman;
  - (b) To regularize same by making a formal application under section 5 and payment of plan inspection fee and a 50% surcharge upon it as directed in section 15 of this by-law.
25. The Chairman shall have power to demolish and remove such unauthorized construction without payment of compensation or damage provided the non-performance of directions given under section 24 above.
26. It shall be lawful to direct the owner of such property by the Chairman to construct on the instruction and supervision of an authorized office of the Pradeshiya Sabha a permanent drainage system or a piping system up to the drainage system on either side of the road to drain water collected in any building yard, between buildings or in any passage.
27. Provided construction of the drainage or piping system up to the existing drain on either side of the road as per the section 26 above appears to be constructed across any land owned by others the Chairman shall have power to discuss with such land owners and make provisions to obtain permission by paying a reasonable compensation to such intermediary land owners.
28. The Chairman shall inform his decision regarding the approval or rejection of the building application submitted under section 5 of this by-law prior to 30 days from the date of payment of inspection or the pre inspection fee.
29. In the process of taking action on the application submitted under section 5 of his by-law and if the determination of the application takes over 30 days due to the delay of recommendations obtainable from any other authority, the applicant shall be informed by way of an interim answer.  
Any
30. Any person who violates any of the sections of this by-law or acts contrary to the directions of the Chairman is an offence under this by-law and every person who commits such offence under the by-law and any person who commits such offence shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court.

31. In these by-laws unless the context otherwise requires:

“construction of a building” means erection of a new building, additions of parts to an existing building, change of structure or the designs, construction and change of parapets and gates, to build new toilets and water tanks, making of new water drainage around the building;

“road” means the interpretation given in the High way Ordinance;

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha;

“authorized officer” means any officer authorized in writing by the Chairman of the Pradeshiya Sabha.

## **V. By-law relating to water supply and water industries**

1. Pradeshiya Sabhas are vested with powers to formulate these by-laws by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with paragraph(d) of sub section (xiii) of Section 126 the said Act.
2. This by-law is imposed to regularize, control, maintain and protect the water supply for any water industry, established or maintained by the Pradeshiya Sabha in fulfillment of its role for the promotion of comfortable life, comfort and welfare of the general public and to prevent the spillage, pollution and misuse of water, to determine the standard of material and accessories used for water supply, to resolve the fees chargeable on water supply and to impose all consequential provisions relevant the water industry.
3. This by-law is cited as the “by Law relating to water industries”.

### **Private water services**

4. Every person seeking a private water supply from a Water industry established or maintained by the Pradeshiya Sabha shall hand over a duly perfected application as directed by the Council to the Secretary of the Pradeshiya Sabha.

5. Applicant should fulfill the following manipulating arrangements in the place where the private water supply is sought:

- (1) All pipes used in the place where the erection of a private water supply is sought should be a kind of pipes made of PVC materials in conformity with the Sri Lanka standards and certified by an authorized officer.
- (2) Water taps and stop valves and all other accessories used for the purpose should be of an accepted standard and an approved quality.
- (3) Outlets of all taps spouting water should be open and clearly visible and be fixed over the highest water level of any tank, basin or any other container.
- (4) All accessories fitted into the water service and the fittings, joints and bonding should be in conformity with the technical measures to prevent any leakage.
- (5) In every bathing tub, toilet basin, wash basin or a sink the inlet and the outlet should be clearly visible and the inlet should be fixed over the highest water level of the said container.
- (6) If any architecture has made to the effect that water supplied by the water industry of the Council to be collected to a tank or other container a stop valve and a ball valve should be fitted to such tank or container and the ball valve should be fixed to the tank or the container so as to stop the water supply at 5cm before the spill level.
- (7) Outlet of every water tank or container should be fitted outwardly of the building in a clearly visible place.
- (8) Separate drain pipes should be fitted so as to drain the waste water from bath tubs, wash basins or sinks or bath rooms to an exterior drain.
- (9) If water tanks or water vessels are installed in order to collect a certain amount of the water for domestic purposes, the volume of the said water tank or vessel should be less than 600 liters.
- (10) For every water service, in circumstances where water is supplied through a pipe over 5cm in diameter:
  - (a) a stop valve made of brass or approved metal with a hard bottom; or

- (b) Strong screw stop-cock with a loose valve; or
  - (c) a sluice gate or slide valve should be installed.
- (11) In the event of installing the stop cock or the stop valve mentioned in sub section (10) above, it should be installed, if a pavement exists under it and as close as possible to the place of supply.
- (12) The stop valve mentioned in sub section (10) above it should consist of a cover box made of approved metal installed in a place reachable conveniently.

06. Any person should not perform the act of :

- (1) installation of a pipe to supply water to any place from the main water supply pipes or water industries of the Pradeshiya Sabha or carry out relevant activities for same; or
- (2) extension, change or renewal of the service pipe already connected to supply water to any place, of the main water supply pipes or water industries; without the written permission of the Chairman.

07. For any matter approved by the Chairman under section 6 above; any accessory, equipment or fitting should not be used without his prior approval.

08. Unless prior approval is obtained from the Chairman for the plan and standard of the water tank or water container to be constructed for the purpose of collecting water in any place, such tank or cistern should not be constructed or installed.

09. Spill water from any kind of water usage, accessory used in any place should not be connected to any sewage pipe or sanitary equipment outlet, a drain pipe or a drain pipe of any cistern.

10. Service pipes, water tanks or cisterns installed in any place for water supply should not be connected to service pipes, water tanks or cistern in any other place or water supply established in schools, religious places and any other public place.

11. Water service or any part thereof obtained for domestic use should not be directly connected to a boiler, condenser or any mechanical or industrial equipment.

12. No installation, removal or closing of pipe valves being a part of any water service newly constructed at any place should be carried out without the written permission of the Chairman.

### **Public Water Stumps and Taps**

13. No person shall obtain water,

- (1) into any container which cannot be carried with a single hand;
- (2) by way of connecting hose pipe, pipe or plates or any other device;

from the water stumps or taps established for the purpose of water supply to the general public or passenger folk at any thoroughfare, junction , religious place or public places.

14. No person shall perform any act,

- (1) to waste the water supplied at public water stumps.
- (2) to immobilize or temporary deactivate the function of any automatic valve, tap or any other automatic water control equipment fitted on to a public water stump .

15. No person should obtain water from a public water stump for any purpose other than a domestic purpose.

16. No person shall take bath, body wash; wash linen, wash utensils or furniture, animals, carts, foods, meat, fish or vegetables from or close to the water stumps.

17. No person suffering from any infectious, contagious disease or any skin disease or attended on such a person shall obtain water from public water stumps.

### **Powers and functions of a Pradeshiya Sabha**

18. Pradeshiya Sabha at its discretion can supply water for domestic or non-domestic purposes using a water meter or any other way.

19. Pradeshiya Sabha can install water meters at any occasion to any place where the water is supplied by a water supply system of the council.

20. Provided any domestic water supply is obstructed as a result of a water supply given for non-domestic purpose the Chairman of the Pradeshiya Sabha shall notwithstanding anything

mentioned contrary in the agreement signed, have authority to suspend or reduce such water supply without subjected to any compensation or damages.

21. The Chairman may, on one or more of the following circumstances stop, suspend, reduce or disconnect the water supply to any place:

- (1) on the request of the owner, lessee or the resident;
- (2) whenever the owner, lessee or the resident had violated these by-laws;
- (3) if arrears of water bills have not been settled over 21 days; and
- (4) whenever the owner, lessee or the resident had committed any act relating to damage,

pollute, waste or wrongful use of the water industries.

22. The owner, lessee or the resident of any place where a water service is provided, immediately upon disclosure of any leakage from the tap, pipe, meter or any other device attached to the water service should take necessary action to rectify such defect. In circumstances where such rectification is not possible it should be notified to the Chairman or an officer without delay.

23. Immediately after the discovery of any water leakage by way of notification under section 22 above or otherwise, an officer authorized by the Chairman shall discontinue such water supply and shall not re-connect the water supply until such time the defect is rectified by the resident of such place.

24. Expenses incurred by the Pradeshiya Sabha for the reconnection of such discontinued water supply under section 23 above shall be paid by the owner, resident or the lessee of such place.

25. Subject to charge the water tax, meter charges, rent or water rates from any consumer under the water supply service, the chairman shall in the following circumstances have authority to suspend, reduce, discontinue or divert the water service of any main pipe, distribution pipe, water sprinkler, public water stump or service pipe:

- (1) Whenever the volume of water is insufficient in the water project;
- (2) in circumstances where repairing, extensions or modifications are required;
- (3) in circumstances to prevent wastage of water due to damage to any water stump or pipe;

(4) in circumstances where the water industry is damaged due to fire, landslide or any other reason.

26. In circumstances where water supply is suspended, reduced, discontinued or diverted under section 25 above the Pradeshiya Sabha shall not subject to pay any compensation or damages on the failure of water supply.

27. The stopcock or the valve, the service pipe from the said stop cock and valve to the connecting joint of the main pipe, public water stumps and their accessories, water meters and the accommodative accessories for same of any private water service shall be the property of the Pradeshiya Sabha and the cost of its maintenance and repair shall be borne of the council fund.

#### **Provision of private water service**

28. Whenever an application is received for a private water supply under section 5 of this by-law it shall be registered in a priority list of the council and within three weeks of such application the chairman shall approve or reject such application on a field investigation report of an authorized officer and shall inform the applicant accordingly.

29. Consequent to the approval of the water supply for any water service by the Chairman under section 28 above the applicant shall pay:

- (1) duly estimated water connection charges;
- (2) prescribed security and deposits for the water supply; and
- (3) other additional and specific fees determined by the Pradeshiya Sabha and enter into a formal agreement.

30. The water connection charges, security bond deposits, additional or specific fees payable and fees levied on the monthly water consumption under section 29 above shall be in accordance with the fees determined and duly resolved by the Pradeshiya Sabha and published in the government gazette annually.

31. Whenever the water connection charges paid by any applicant under section 30 above is not commensurate under specific reason for the provision of the said water service the Pradeshiya Sabha may direct to pay an additional connection fee and the applicant should pay such fee.
32. The water connection shall not be provided to any applicant who had not paid all the dues under sections 30 and 31 above and not signed a formal agreement.
33. Only an authorized officer of the Council shall provide water supply to service pipe of any place from the pipes of the water project.
34. The Pradeshiya Sabha shall issue a monthly water bill prepared according to the reading of the meter to the consumer for every water service provided to any place via a water meter.
35. When the water meter is removed for repair or to install another a water bill with the last reading shall be issued to the consumer and a notice shall be displayed on the removal of the meter in that place.
36. Within the period for which the water meter is removed and fees for provision of water without a water meter shall be levied for the number of days calculated for provision of water without a meter based on the average daily fee of the water consumption in previous 3 months.
37. Whenever any consumer applies for a testing on the accuracy of the water meter, a specific testing fee approved and published in the gazette should be paid to the Council.
38. Consequent to the payment of testing fee under section 37 above and the Chairman shall provide a report to the consumer followed by a test conducted by an authorized officer.
39. Provided any difference is reported between the quantity of water indicated in the meter and the actual quantity consumed according to the test report under in section 38 above, the Pradeshiya Sabha shall take action to rectify the defect or to install a new meter. If the difference so reported exceeds 3% the council shall amend the last bill already issued to the consumer and the water charges be levied accordingly and shall refund the testing charges paid by the consumer.

40. Provided the difference between the quantity of water indicated in the meter and the actual quantity consumed is less than 3% according to the provisions of section 39 above, it shall be not relevant to amend the bills already issued and the refund of the testing fees.
41. Whenever a water supply is discontinued under section 21 hereof, the Chairman shall have authority to decide to provide reconnection mentioned in section 29 (i) after the payment under the provisions in this by-law.
42. Prior to construct a building in any place a water supply may be obtained for the use of such construction work and provisions from section 18 to 41 shall be applicable for such purpose.

### **Subterranean water supply services**

43. Any subterranean connection shall not be established to any water supply pipe or a part thereof or any accessory of the water system connecting a transformer or any other electrical equipment with a capacity of 500V or over .
44. Water supply or water service pipe shall not be established on earth less than 60 meters in distance to ground surface or subterranean connection of an electrical equipment mentioned in section 43 above.
45. Whenever earth plates are installed to any radio or electronic equipment or accessory it shall be installed not less than 60cm in a distance from an equipment or accessory to the water supply or water pipe.
46. Any person installing an earth plate in the place where water meter relating to a water supply of the Pradeshiya Sabha it shall be installed with an electrical bend inside or across the meter.
47. Water supply or water service pipes shall not be established close to earth plates, pipes, cables or wires connected to telephones, electric, radio, television or information technology accessories and equipment or to be parallel or to strike against such earth equipment and accessories.
48. Any person who violates any of the sections of this by-law or acts contrary to the directions of the Chairman is an offence under this by-law and every person who commits such offence under

the by-law and any person who commits such offence shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court.

49. In these by-laws unless the context otherwise requires:

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha;

“authorized officer” means any officer authorized in writing by the Chairman of the Pradeshiya Sabha.

## **VI. By Law relating to moving about and hanging about in public roadways and public places**

1. Pradeshiya Sabhas are vested with powers to formulate this by-law by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with subsection (xxi) of section 126 of the said Act.
2. This by-law is imposed to provide for the prevention of indecent behavior, loitering and use of indecent words by any person or persons on any thoroughfare, road, street or public place within the limits of the area of authority of the Pradeshiya Sabha.
3. This by-law is cited as the “By Law relating to moving about and hanging about in public roadways and public places”.
4. No person shall behave indecently, loiter or use indecent words in any thoroughfare, road, street or public place within the limits of the area of authority of the Pradeshiya sabha.
5. No person shall behave indecently or loiter disturbing any person walking on any thoroughfare, road, street or in a public place or the communications in the area of authority of the Pradeshiya Sabha.
6. No person shall use indecent words even if expressing ideas or delivering a speech in a thoroughfare, road, street or public place or behave indecently in such a place in the area of authority of the Pradeshiya Sabha.

7. Delivering a lecture, speech or conducting a meeting in the area of authority without a permit from the chairman or to act in contrary to the provisions of this by-law the is an offence under this by-law and every person who commits such an offence, shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court on that offence.
8. In these by-laws unless the context otherwise requires:

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha;

“lecture” means any clarification based on any matter, explanation, expression of ideas, solicitation or any expression of ideas with similar objectives;

“public place” means any place open for public in general such as a road, a market place, a bus station;

“streets” means any thoroughfare, junction or any other public place or a pavilion for which any authority of the Padeshiya Sabha has interests.

## **VII. By Law relating to wrongful encroachment & obstruction of immovable property, roadways and thoroughfares**

1. Pradeshiya Sabhas are vested with powers to formulate this by-law by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with subsection (vi) of section 126 and paragraph (e) of sub section (vii) of Section 126 the said Act.
2. This by-law is imposed for making provisions to change the boundaries of the immovable property, roads and thoroughfares owned by the Pradeshiya Sabha and the consequential matters thereto.

3. This by-law is cited as the “By Law relating to wrongful encroachment & obstruction of immovable property, roadways and thoroughfares”.
4. No person shall physically change the boundaries of any building, land, thoroughfares or a street line in relation to any immovable property or thoroughfare situated in the area of authority of the Pradeshiya Sabha for which the Pradeshiya Sabha has the legal interest or wrongfully attach such public property or any part thereof to any other adjoining property.
5. (1) Whenever the Chairman sees any change of a boundary of a street line or the physical status in any thoroughfare within the area of authority of the Pradeshiya Sabha and for which the Pradeshiya sabha has the legal interest or any wrongful attachment of any part thereof to an adjoining property the Chairman shall inform in writing to the alleged owner or the claimant to show cause for such attachment or change and to submit him, within a specific period of time the corresponding deed, instrument, plan if any, with originals and certified copies thereof.  
  
(2) An attorney at law or a Notary Public in relation to a deed or an instrument and a licensed surveyor in relation to a plan shall be considered as the authorized personnel for the purpose of certification under this by law.
6. Any person upon receipt of such notice should submit to the Chairman the requested documents within the period specified in the notice.
7. It shall be lawful that the chairman himself or any suitable person with relevant specific knowledge examines the deed, instrument or plan requested under this by-law.
8. The Chairman shall compare the deed, instrument or plan, submitted under this by-law with the certified copies and return the originals to the person who submitted the documents.

9. In the process of comparison of the documents presented to the Chairman or whenever the Chairman observes a difference of a street line relating to a building, land, thoroughfare or any other immovable property for which the Pradeshiya Sabha has a legal interest or an unlawful attachment thereof is apparent the Chairman may consequent to the prior notice to the alleged owner or the claimant grant authority to a person specifically authorized or to a surveyor for the purpose of carrying out an inspection or a specific survey and such ingress, inspection and survey of the relevant property shall be lawful.
10. Any plan made or a survey process carried out under the Chairman's authority of this by-law may be conclusive evidence on the burden of proof in any action that can be arisen relating to the rights and interests of the relevant property.
11. Provided the Chairman is satisfied that any change or an unlawful attachment has been effected in any building, land, thoroughfare or any other immovable property for which the Pradeshiya Sabha has legal interests on any plan made out of the Chairman's authority under this by-law, it shall be the Chairman's duty to inform in writing along with a copy of the plan to the alleged owner or the claimant of the relevant property granting one months period for the purpose of rectification relating the same.
12. Any person who receives a notice under section 11 above shall within the time stipulated therein or within a reasonable time take action accordingly or institute action in a competent court in order to further determine his rights.
13. Provided the Chairman sees no action has been taken under section 12 above and reasons have been presented to the effect that the same was an unlawful attachment, it shall be lawful that further steps in written law to be followed for the purpose of obtaining the vacant possession of the said property or appropriately suitable action be taken by the Chairman or

an authorized officer to subjugate such unlawful attachment back to the control of the relevant Pradeshiya sabha.

14. In following the steps under this by-law upon disclosure of the change of any thoroughfare or street line belongs to the Pradeshiya Sabha the Chairman shall inform in writing to restore such street line within a specific period of time. Provided the alleged owner or the claimant of such property does not comply within the specified time according to the notice the Chairman shall cause to restore such street line.

15. Violation of any of the sections of this by-law or acting contrary to the directions of the Chairman is an offence under this by-law and every person who commits such an offence, shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court on that offence.

16. In these by-laws unless the context otherwise requires:

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha;

“owner or the claimant” means the person who represent or appears for the rights of the attached property or the property in which the street lines have been changed.

## **VIII. By Law relating to public grounds**

1. Pradeshiya Sabhas are vested with powers to formulate this by-law by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with subsection (xiv) of section 126 of the said Act.
2. This by-law is imposed to keep in good condition any terrain within the area of authority of the Pradeshiya sabha and owned by or in the care of the Pradeshiya sabha used as a public ground for exuberance and the comfortable life of the people and to ensure proper maintenance of same.
3. This by-law is cited as “By-law relating to public grounds”.
4. All public grounds situated within the area of authority of the Pradeshiya Sabha shall be registered under this by-law and maintained by the Pradeshiya Sabha.
5. Any public ground situated within the area of authority of the Pradeshiya Sabha shall not be used without a document or permission given by the Chairman for any purpose declared to obtain the Chairman’s prior approval by way of a public notice.
6. Whenever the Chairman has directed that prior approval should be obtained to use any public ground situated in the area of authority of the Pradeshiya Sabha for a specific purpose such ground shall not be used unless proper permission is obtained for the purpose.
7. No person using such place shall behave in the manner to obstruct any other person using such terrain legally.
8. Public grounds situated within the area of authority of the Pradeshiya Sabha shall be kept open from 6.00 am to 6.00 pm for public use.

9. If any person, any institution or any organization expects to use such public ground after 6.00 pm should obtain the Chairman's special permission for same.
10. Whenever a pond or a water sprinkler is situated in any premises maintained as a public ground any person using such ground should not bath in the pond or the water sprinkler or perform any other act so as to pollute the water contained therein.
11. Any person using such terrain or a place should not do any harm to anything or any person in such premises or should not pluck flowers or plants without the permission of the chairman or do any harm to the trees and bushes within the premises.
12. No person shall use the seats provided by the Pradeshiya Sabha in such a ground except for sitting and shall tread on the seats or besmear with.
13. No person suffering from any infectious or contagious disease shall enter into a public ground.
14. No person shall remove sand, earth, stones, or growing plants or herbs from the public ground or shall disfigure the surface appearance of such ground.
15. Sports items and other goods used in the grounds situated within the Pradeshiya Sabha should duly return and should not harm any such goods.
16. Provided any such good is harmed for any reason, new item should be provided as required by the Council in lieu of such a good or pay the damage in cash.
17. Water taps, bath places and toilets should be maintained under good sanitary conditions and they should not be polluted.
18. Whenever using the facilities such as water, electricity provided by the Pradeshiya Sabha in public grounds prescribed fee should be paid to such effect and the Chairman has the power to exempt such fees provided the ground is used for the programs on public welfare.

19. Violation of any of the sections of this by-law or acting contrary to the directions of the Chairman is an offence under this by-law and every person who commits such an offence, shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court on that offence.

20. In these by-laws unless the context otherwise requires:

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha.

### **IX. By Law relating to Pradeshiya Sabha loans**

1. Pradeshiya Sabhas are vested with powers to formulate this by-law by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with paragraph (d) of subsection (iv) of section 126 of the said Act.
2. This by-law is imposed to provide for determining the circumstances to obtain loans by a Pradeshiya Sabha for the purpose of performing its duties and functions and to regularize the relevant methodology for the same.
3. This by-law is cited as “By Law relating to Pradeshiya Sabha loans”.
4. A Pradeshiya Sabha may obtain loans for one or several functions mentioned hereunder subject to the provisions under section 179 of the Pradeshiya Sabha Act No. 15 of 1987.
  - (a) Implementation of any function of permanent nature undertaken under the provisions of the Pradeshiya Sabha Act or any other written law;
  - (b) Establishment, completion, furtherance or development of any common service undertaken under the provisions of the Pradeshiya Sabha Act or any other written law;

- (c) Acquisition of any land or building required for any such function or function of a common service or in relation thereto;
  - (d) To provide any plant, machinery and equipment required for the continuation of such function or a common service;
  - (e) To perform any other function authorized by virtue of the Pradeshiya Sabha Act or any other written law
  - (f) Implementation of the directions made by the Minister under the provisions of sections 188 and 189 in the Pradeshiya Sabha Act No.15 of 1987.
5. Pradeshiya Sabha may as a surety for the money or monies borrowed by the Pradeshiya Sabha and the accumulated interest thereon assign under mortgage to the lender or lenders any rates or taxes or any part thereof collected or prescribed under this by-law or any property owned by the Pradeshiya Sabha or any other source of income or any part thereof accrued for the Pradeshiya Sabha.
6. Maximum repayment period for the loan facilities obtained by a Pradeshiya Sabha under section 178 of the Pradeshiya Sabha Act No. 15 of 1987 shall be thirty years.
7. Whenever the Minister requests a report from the Chairman with regard to the amount of loan obtained by the Pradeshiya Sabha and the obligations relating to loans by the preceding local authority, within thirty days of such request, the report certified by the Secretary of the Pradeshiya Sabha should be submitted to the Minister.
8. Whenever it appears to the Minister that any Pradeshiya Sabha or a preceding local authority in relation to a loan obtained has-
- (a) defaulted any installment payment or an annual payment; or
  - (b) defaulted any appropriation of any amount of money to be appropriated for the release of a loan;
- the Minister may at any time issue a suitable order to the council regarding such payment.
9. Every provision in relation to the loan repayment under this by-law shall be applicable to the amount of the relevant interest rate payable with the loan installment.

10. (1) Wherever possible the guarantee mentioned in this by-law shall be made by way of a security bond.

(2) The execution of an agreement by the Pradeshiya Sabha with the lender or lenders for a guarantee under this by-law shall not be deemed to be contrary to the provisions of section 10(1) above.

11. Resolved by a Pradeshiya Sabha with the approval of the Minister a Pradeshiya Sabha may obtain a bank overdraft –

(1) To execute a required expenditure estimate until the Pradeshiya Sabha receives a receivable amount of money;

(2) to incur necessary expenses until such time the receipt of authorized loan under Pradeshiya Sabha Act No.15 of 1987.

12. (1) Pradeshiya Sabha may resolve to obtain a loan for the settlement of a loan obtained by a preceding local authority or by the Pradeshiya Sabha prior to implementation of this by-law and implementation of such resolution is subject to the prior approval of the Minister.

(3) It is the duty of the Chairman in taking such a decision by the Pradeshiya Sabha under the above sub-section, to validate his request for the Minister's approval as to how much advantageous the implementation of such a decision.

13. The provisions relating to the entire loan shall still be applicable until the repayment of the entire loan obtained by the Pradeshiya Sabha.

14. For an extension of the agreed period of repayment of the loan obtained by a Pradeshiya Sabha it shall require:-

(a) Concurrence of the lender or lenders;

(b) Non-acceptance of additional conditions;

(c) Resolution passed by the Pradeshiya Sabha;

(d) To obtain Minister's approval.

However such extended period shall not exceed the maximum period specified under section 5 of this by-law on repayment of loans.

15. In this by-law unless the context otherwise requires:

“minister” means the minister in charge of the subject of local government of the province;

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha.

## **X. By Law relating to elimination of mosquitoes and disease carrying insects**

1. Pradeshiya Sabhas are vested with powers to formulate these by-laws by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with the paragraph (p) of sub section (ix) of Section 126 the said Act.
2. This by-law is imposed for the protection of public sanitation and promotion of methods for leading a comfortable life and the role of the Pradeshiya Sabha to avoid stress relevant to it, controlling diseases communicable by mosquitoes and eliminating mosquitoes and other disease carrying insects.
3. This by-law is cited as the “By Law relating to elimination of mosquitoes and disease carrying insects”
4. The owner, lessee, resident or any user of every place situated in the area of authority of the Pradeshiya Sabha should adhere to the following directions of this by-law for the control and prevention of diseases communicable from mosquitoes and disease carrying insects.
5. All tins, bottles, pots, boxes, containers and covers made of plastic or any other non-decomposing material, tyres, coconut husks, coconut and king coconut refuse, potsherds,

curd pots or all goods where water may retain and refuse material shall cause to be removed, destroyed or successfully disposed of by any other means.

6. All obstacles shall be removed for the smooth flow of rain water in all gutters, down pipes and drains.
7. All water wells, water tanks and reservoirs shall be maintained in clean and reconstructed position and the ways and means shall be used to prevent the breeding of mosquitoes.
8. Action should be taken to cover with lids the water vessels, water tanks and all containers for collecting water and to them maintain in a non-mosquito breeding condition.
9. Artificial ponds and all decorative creations retaining water should be depleted at least once in three days.
10. Preventive measures should be taken to avoid collecting water in all places including quarries, mining pits and waste water collecting pits.
11. Action should be taken by the owner, care taker or the resident to prevent the formation of water pools in rivers, waterways, canals, drains and water ways flowing across any place.
12. All shrubs, weed, and useless trees and plants other than the trees and plants grown for decoration and agricultural and cultivation activities should be removed from the land and destroyed by its owner. However, if water is accumulated in plants or trees grown for agricultural or decorative purposes action should have been taken to remove such plants or trees or to prevent such accumulation of water.
13. All kinds of aquatic plants floating on water including wormia triquetra, any kind of moss, slime, water hyacinth(salvinia) or any other kinds of plants susceptible to breeding

mosquitoes should be destroyed and action should have been taken to stop such floating over the water ways.

14. All places inclusive of cesspits and soakage pits should be maintained without accommodating the mosquitoes to breed.
15. Coconut husk pits and all forms of pits created for manufacturing processes and business requirements should be maintained in the manner to prevent the mosquito breeding.
16. No person shall sink a well, or construct water tanks, ponds, water sprinklers, fish tanks or any other water collecting device unless in accordance with the given instructions relating to the prevention of mosquito breeding or the plan approved by the Chairman and an authorized officer of the Council.
17. Any sewage, waste, branches and twigs or any other material should not be thrown or let in so as to block drains, subterranean drains, water ways or any other drainage systems constructed adjoining thoroughfares, buildings and public places for easy flowing of water.
18. No person shall resist any action taken by the Pradeshiya Sabha, the Medical Officer of Health in the region or any other authority or an authorized officer for the purpose of control and prevention of spreading the diseases such as malaria and dengue and preventing the breeding of mosquitoes and disease carrying insects or perform any act to reduce the efficiency of such activities.
19. No person shall resist the entry, inspection, instruction or imposition of conditions of the Chairman or an authorized officer or Medical Officer of Health or Public Health Inspector to any premises to take necessary action for the prevention of the breeding of mosquitoes and other disease carrying insects.

20. The chairman or an authorized officer of the Pradeshiya Sabha may enter into any place at any time between 6.00 am and 6.00 pm in order to ascertain whether the directions of this by-law have been observed.

21. Chairman or the authorized officer subsequent to an inspection under section 20 above may direct the resident to perform the following actions within a stipulated time.

(1) To repair the roof, gutters, down pipes, drains and canopies;

(2) Reconstruct the water tanks, ponds, and reservoirs to be enable to deplete them from time to time;

(3) Cleaning or closing of wells, water tanks and ponds;

(4) Close of Pits, unused wells, cesspits, or water accumulating places by earth filling or arrange so as to drain water out;

(5) Filling of marshy lands and water collecting places and control mosquitoes and other disease carrying insects by using insecticide;

(6) Destroy the aquatic plants susceptible to mosquito breeding and prevent such plants being floated in water ways;

(7) Perform any specific action to prevent the breeding of mosquitoes and insects;

22. The Chairman by way of a written notice may direct any identified person deemed to have contained malaria or dengue parasites or viruses in blood, to obtain preventive treatment for a period specified by authorities of a specific hospital or a clinic.

23. Whenever a new well, a pond, a water tank, a lake, a water sprinkler or any other creation for water collection is constructed without formally approved by the Chairman, the owner, resident or the lessee of such a place may be directed to close, fill or to demolish

such construction within a specific period of time. The said notice may be delivered to any resident or pasted prominently in such place.

24. Whenever the owner, the resident or the lessee had defaulted to carry out the directions of the notice delivered under section 22 above it shall be lawful for the Chairman or an authorized officer to enter into such place at any time between 6.00 am to 6.00 pm with necessary machinery and equipment and perform the work so directed.
25. The owner, resident or the lessee of the place shall pay the expenses that had been incurred by the council for the action taken as per section 24 above. Upon failure of such payment to the council within 14 days of written notice of the chairman by the owner, the resident or the lessee it shall be charged as a rent chargeable to the council.
26. The Chairman shall on recommendations of the Medical Officer of Health of the region for the purpose of eliminating mosquitoes and disease carrying insects, have power to carry out community awareness programs on the required cleanings, clearings, leveling of ground, filling of water collecting places, removal of waste and take action for promotion of public sanitation consequential to above.
27. Any person who violates any of the sections of this by-law or acts contrary to the directions of the Chairman is an offence under this by-law and every person who commits such an offence, shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court on that offence.
28. In these by-laws unless the context otherwise requires:

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha;

“authorized officer” means any officer of the council authorized in writing by the Chairman of the Pradeshiya Sabha;

“place” includes any land, house, building or construction and a pond, a tank, a lake, a water way, a drain established thereof and a boat on or not on the surface of water;

“diseases communicable by mosquitoes” means malaria, dengue, filarial, meningitis (Japanese encephalitis) and all other diseases communicable by mosquitoes.

## **XI. By Law relating to imposition and recovery of rates and costs**

1. Pradeshiya Sabhas are vested with powers to formulate these by-laws by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with sub section (v) of Section 126 the said Act.
2. This by-law is imposed to make provisions for the imposition, recovery of rates and to obtain relevant reports and information on immovable property situated within the area of authority of the Pradeshiya Sabha
3. This by-law is cited as the “By Law relating to imposition and recovery of rates and costs”.
4. (1) Any person who acquired an immovable property within an area proclaimed as a developed area by the Pradeshiya Sabha under section 134 of the Pradeshiya Sabha Act No.15 of 1987 should within six months of such acquisition submit an application prepared as per the first schedule of this by-law to the secretary of the Pradeshiya Sabha for the purpose of registration of the information of such immovable property.  
(2) Any person who submit an application in paragraph (1) above should with that application submit Photostat copies of the following documents certified by an Notary Public:-

- (a) title deed of such property;
  - (b) plan of such property drawn by a licensed surveyor; and
  - (c) building plan of any building or condominium building within such property.
5. Every person who had already acquired any immovable property within the area of authority of the Pradeshiya Sabha at the date of implementation of this by-law should take action as prescribed in section 4 above within six months of the implementation of this by-law.
6. (1) Every owner who submits an application to register any immovable property in the Pradeshiya Sabha under the provisions of this by-law should pay a fee prescribed by the Pradeshiya Sabha.
- (2) The fee payable by the immovable property owner for registration of any immovable property under paragraph (1) above shall be in accordance with the decisions taken and published annually in the government gazette by the Pradeshiya Sabha.
7. Provided any owner who registered his immovable property as prescribed in this by-law has:
- (a) mortgaged or let or leased such property to any other person or several persons; or
  - (b) assigned under a power of attorney to any other person or several persons;
- the ownership of any of his immovable property it shall be the function of such immovable property owner to inform in writing to the secretary of the Pradeshiya Sabha within one month of such incident.
8. Provided any owner who registered his immovable property as prescribed in this by-law has changed the use of any immovable property such as a building, it shall be the function of such owner of immovable property to inform the secretary of the Pradeshiya Sabha in writing within a month of such change.
9. Prior to subject to sub-division of an immovable property registered in the Pradeshiya Sabha as prescribed in this by-law or prior to perform any function mentioned hereunder within a land situated in that property it shall be the function of owner of such immovable property to obtain approval from the Chairman as per the by-law relating to building construction of the Pradeshiya Sabha.
- (a) Construction of a new building;

- (b) Change of existing building structure and new addition;
- (c) Demolish an existing part;
- (d) Demolish and existing part and add a new part;
- (e) Demolish the entire building and construction of another.

10. In the event of address change of the owner of any immovable property it shall be the function of such owner of the immovable property to inform in writing to the secretary of the Pradeshiya Sabha within seven days of such change and it shall be the function of the secretary to forthwith amend accordingly the register of the immovable property owners and inform the immovable property owner to such effect in writing.

11. It shall be the function of the secretary in relation to the applications received under sections 4 and 5 of this by-law to prepare and maintain a “register for the registration of immovable property” in conformity with the format in the second schedule of this by-law.

12. It shall be the function of the secretary to allow any person required to search the register maintained by the Pradeshiya Sabha in respect of the owners of immovable property and the immovable property possessed by them within working hours of any working day of the week without any charge.

13. In recovery of any fee imposed by the Pradeshiya Sabha relating to any business or industry or trade in the 3<sup>rd</sup> schedule in this by-law carrying on within the area of authority of the Pradeshiya Sabha or any fee chargeable on any license issued by the Pradeshiya Sabha, it shall be lawful for the secretary to call upon in writing a certified revenue statement on :-

- (a) the total receipts within a period of one year; or
- (b) the total turnover within a period of one year; or
- (c) profit can be earned within a period of one year; or
- (d) amount received for any sale;

in the course of carrying on the business or industry or trade, from the owner or the manager of such industry or the business for the purpose of calculation of such fees or license fees chargeable for the Pradeshiya Sabha.

14. Every person upon receipt of such a notice should provide the relevant revenue statement to the secretary before the date specified in such notice.
15. Every person carrying out any business, industry or trade in the paragraph 13 above in this by-law should within fourteen days from the date of receipt of the information sheet sent by the secretary of the Pradeshiya Sabha provide the information so requested to the secretary.
16. It shall be the function of the secretary to record every revenue statement and the information sheet received under sections 13 and 15 in this by-law in a formal register and acknowledge in writing to such provider the receipt of such statements and information sheets.
17. Any person who violates any of the sections of this by-law or acts contrary to the directions of the Chairman is an offence under this by-law and every person who commits such an offence, shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court on that offence.
18. these by-laws unless the context otherwise requires:

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha;

‘immovable property’ means any land or building or any condominium building;

“property owner” means any sole proprietor of any immovable property or whenever there are more than one owner for such immovable property each owner having the ownership severally or collectively and holding the trusteeship or any person carrying out a business, industry or trade within such property;

“secretary” means the person who currently holds the position of secretary of the Pradeshiya Sabha.

Application for registration of immovable property

- (1) Name/s of the property owner/s :-
- (2) Address of the property owner/s :-
- (3) Name and the registered No. of the company  
( if a company owns the property)
- (4) Village/town where property is situated :- .....  
..... Street or road .....
- (5) Assessment No. .... Postal Address  
.....
- (6) Extent of Property :- A ..... R ..... P ..... / Hectares .....
- (7) Deed No :- ..... Date registered : .....
- (8) Name of the Notary :- ..... Address .....
- (9) Nature of property :- With/without buildings
- (10) Purpose of the use of buildings and property :- residential / business / non- use
- (11) Name of the business (if business) ..... Nature of  
business .....
- (12) Name of the tenant / lessee (if used on lease or rent) ....  
..... Address .....
- (13) Residents name(if a dwelling house) .....  
Address .....
- (14) Other details :- .....

Date .....

Signature of the property holder

Property Register

(Section 11)

(left folio)

Grama Niladhari Division .....

Village .....

Street .....

| Date registered | No. | Property holder's |         | Tenent/lessee's |         | Assessment No. |
|-----------------|-----|-------------------|---------|-----------------|---------|----------------|
|                 |     | Name              | Address | Name            | Address |                |
|                 |     |                   |         |                 |         |                |

(Right Folio)

|                     |                           |                    |                |               |                       |
|---------------------|---------------------------|--------------------|----------------|---------------|-----------------------|
| Details of the deed | Particulars of the Notary | Extent of property | Purpose of use | Business done | Secretary's signsture |
|---------------------|---------------------------|--------------------|----------------|---------------|-----------------------|

| No. | Date registered | Name | Address |  |  |  |  |
|-----|-----------------|------|---------|--|--|--|--|
|     |                 |      |         |  |  |  |  |

Third Schedule

(Section 13)

Business / industries or trade

(1) Bakery, hotels, restaurants

- (2) Canteens, coffee or tea kiosks
- (3) Dairies and dairy product businesses
- (4) Sale of Meat, chicken or fish
- (5) Businesses identified in the by-laws as harmful and dangerous
- (6) Businesses of coconut husk pits
- (7) Alcohol, soft drinks industry
- (8) All manufacturing factories disposing industrial wastes
- (9) Businesses of cattle, horses, goats, sheep and sty
- (10) Private markets, super markets
- (11) Drinking water industries
- (12) Barber saloons , salons, beauty parlors
- (13) Billiards sports clubs
- (14) Smithies
- (15) Brokerage businesses
- (16) Money lending businesses
- (17) Land auctioneers
- (18) Tourist hotels

## **XII. By Law relating to operation of loud speaker equipment**

1. Pradeshiya Sabhas are vested with powers to formulate these by-laws by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with the paragraph (f) of sub section (ix) of Section 126 the said Act.
2. This by-law is imposed to regularize and control the operation of gramophones, loud speakers, amplifiers and automatically or mechanically sound generating or reverberating equipment and to prevent nuisance due to operation of such equipment for the purpose of public sanitation and comfort of the people.
3. This by-law is cited as the “By Law relating to operation of loud speaker equipment”.
4. No person shall within the area of authority generate or reverberate any annoying sound for the residents or the pedestrians walking on the road due to its magnitude or reverberation or continuity by way of operation, caused to be operated or allow any other person to do so of any gramophone, loud

speaker, amplifier or any automatic or mechanically operated sound generating or reverberating equipment.

5. Whenever performing the said actions in section 4 above the chairman has the power to direct by way of a written order to cease such generation or reverberation of sound or to suspend the use of such sound generation or reverberation equipment.
6. Any person upon receipt of such order should forthwith comply with the order.
7. However when more than three residents of the area informs the Chairman in writing that an annoyance is caused them as a result of the magnitude or its reverberation or continuity through operation or cause to be operated of any machine or equipment in section 4 above in any place not being a thoroughfare, public place, business place, religious place, or a common place open for the public, the Chairman shall have power by issuing a written order to suspend the operation of such machines or equipment after inspection of such place by the Chairman himself or an authorized officer,
8. Any person received an order in section 7 above should carry out the directions mentioned therein within the specified time.
9. Any person who violates any of the sections of this by-law or acts contrary to the directions of the Chairman is an offence under this by-law and every person who commits such an offence, shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court on that offence.
10. In these by-laws unless the context otherwise requires:

“Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha;

“authorized officer” means any officer of the council authorized in writing by the Chairman of the Pradeshiya Sabha.

### **XIII. By Law relating to itinerant vendors**

1. Pradeshiya Sabhas are vested with powers to formulate these by-laws by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read sub section (x) of Section 126 the said Act.
2. This by-law is imposed to supervise, regularize, control and administer the itinerant within the Pradeshiya Sabha in fulfillment of its role for the promotion of comfortable life, comfort and welfare of the general public.
3. This by-law is cited as “By Law relating to itinerant vendors”.
4. Every person engaged in itinerant vending within the area of authority of the Pradeshiya Sabha should perfect an application obtainable from the office of the Pradeshiya Sabha and submit to the Chairman of the Pradeshiya Sabha with two copies of photographs 2<sup>1/2</sup>x2 in size clearly depicting the bust of the applicant and a copy of the national identity card and obtain a formal license relevant to the itinerant vending.
5. Provided the itinerant vending is carried out in a motor vehicle registered under the motor traffic act, prescribed fees under the provisions in the by-law for vehicle parking imposed by the Pradeshiya Sabha should be paid for the purpose of itinerant vending in places specified for vehicle parking.
6. Every person carrying out itinerant vending in a public transport vehicle owned by the Sri Lanka Transport Board or the private sector whether stationary in a bus station or running in or across the area of authority of the Pradeshiya Sabha should obtain the permission of the public transport authority or the private bus owners in addition to the license in section 5 of this by-law.
7. Every person engaged in itinerant vending should attire in clean dresses washed daily and should maintain private sanitation conducive for public health.

8. Any person engaged in itinerary vending in any street, pavement, thoroughfare, public place or close to a religious place should walk off forthwith from such place upon the directions of any authorized officer of the Pradeshiya Sabha or any police officer on any reason.
9. Any itinerary vendor if carrying out itinerary vending should adhere to the following directions at every time :-
  - (a) Foods or beverages intended for sale should be kept under cover in a container or a box so as to protect them from insects, flies and in the manner not polluted from dust or water.
  - (b) The box or the container used to store foods should be kept closed at every time with a permanent lid made of some permanent material.
  - (c) A stainless holder should be used for offering foods to the consumer in the process of sale.
  - (d) In sale of foods it should be given to the consumer in a clean cover or a wrapper.
  - (e) Provided foods are offered for instant partaking by the customer separate clean bowls should be used.
  - (f) A separate bowl should be used for disposal of unused parts of foods and the waste generated in trade and the disposal of all of such foods should be done as directed by the Pradeshiya Sabha.
10. Every itinerary vendor should keep in his possession the license issued by the Pradeshiya Sabha at every time he engaged in trade and submit same for inspection to any authorized officer of the Pradeshiya Sabha or any police officer or an officer in the consumer Protection Authority or any Public Health Inspector when requested.
11. Any person having a valid license for itinerary vending issued by the Chairman of the Pradeshiya Sabha when performing the itinerary vending within the area of authority should not carry out such itinerary vending in a hotel, shop, market or any other authorized business, industrial or a market place.
12. Any person carrying out itinerary vending should not engage in trade in the manner that would cause hindrance or any harm to the vehicles running on the highways or by-roads or pedestrians.

13. Even though a license has been obtained for itinerary vending no person suffering or has suffered recently by any infectious, contagious or any skin disease or attended on such a person shall engage in trade of foods and beverages unless the incubation period has been lapsed.
14. No person engaged in itinerary vending shall not enter into schools, hospitals, government offices or an official quarter premises.
15. The box or the container used for carrying goods on head, hands, a bicycle or a motor bicycle by an itinerary should not exceed 0.75m in length or width in one side.
16. No person engaged in itinerary vending at any time shall use megaphones, loud speakers, amplifiers or bright and illuminated electric appliances for advertising purposes of his business.
17. No person engaged in itinerary vending shall carry out trade –
  - (a) in any place other than the place mentioned in the license; or,
  - (b) assign or alienate the license issued in his favor; or
  - (c) to sell illicit goods that are prohibited by law using the license issued.
18. It shall be lawful for the chairman of the Pradeshiya Sabha to -
  - (a) suspend for a specific period of time the license issued to any person engaged in itinerary vending;
  - (b) Prohibit the in itinerary vending in any division of the area of authority;
  - (c) direct to surrender the license issued on itinerary vending;provided on the report to the effect that a risk of spreading of epidemic situation or infectious disease or any other kind of diseases by the Medical Officer of Health of the region.
19. Medical Officer of Health or the Chairman of the Pradeshiya Sabha shall be indemnified of being responsible to any loss or damage caused to any person due to the suspension or the taking into custody of the license under section 18 above.

20. It shall be lawful to purchase any quantity of the foods and beverages or any other good offered for sale paying its price by the Chairman or any authorized officer from any person engaged in the sale of foods and beverages and no licensed vendor shall refuse the sale of such goods.
21. Whenever any person submits an application to the Chairman under section 5 of this by-law the Chairman may refuse to issue a license on the ground that it would hinder or not suitable for the public comfort considering the equipment, vehicles, and the division for which the license is requested.
22. Every person who applies for a license for the itinerary vending under section 5 of this by-law at the time the chairman approves the application suitable to receive such license a license fee shall be charged as decided to be chargeable annually or for a specific period of time for each kind of itinerary vending by a resolution and published in the government gazette and issue the license.
23. Every license issued under section 22 of this by-law shall cease on the 31<sup>st</sup> day of December in the year of issue of such license and in case of a temporary license on the date specifically mentioned therein.
24. Temporary licenses restricting for a specific period of time shall be issued for specific periods of cultural, religious, or any other functions, meetings, exhibitions, competitions and activities of public gatherings are taken place.
25. Whenever any function, display, procession or any other occasion of public gathering a temporary license shall only be issued for itinerary vending within such premises with the recommendation the administrative authority of such premises.
26. The Chairman shall have power to cancel the license at any time and suspend trade provided the Chairman decides to the effect that the license holder has violated the directions in this by-law.
27. Any person who violates any of the sections of this by-law or acts contrary to the directions of the Chairman under this by-law is an offence under this by-law and every person who commits such an offence, shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court on that offence.

28. In these by-laws unless the context otherwise requires:

“Chairman” shall mean the person who currently holds the office of the chairman of the Urban Council;

“itinerary vending” means the sale or display for sale of foods and beverages or the consumable materials and goods used by people carrying in a container, a box, a stand, a stall or on a bicycle, motor bicycle or a vehicle being stationary or travelling from place to place.

“Foods and beverages” means meat, fish, chicken, vegetables, cooked food, foods made of wheat flour, rice, or any other kind of flour, sweets or sweet meats, fried foods, fruits, processed fruits; peeled, skinned or processed fruits or vegetables in any other way, sherbet, leaf porridge, soft drinks, milk, yogurt, curd or any perishable foods and beverages processed for human consumption; and

“authorised person” means an officer of the council authorized in writing by the Chairman of the Urban Council.

#### **XIV. By-Laws Relating to Latrines**

1. Any Pradeshiya Sabha is authorized to make these by-laws under section 126 (viii)(e) read with section 122 of the Pradeshiya Sabha Act ,No.15 of 1987.
2. These by-laws provides for the construction and maintenance of latrines within the area of authority of any Pradeshiya Sabha.
3. These by-laws shall be cited as by-laws relating to the construction and maintenance of latrines.

4. Every latrine constructed in any premises within the area of authority of any Pradeshiya Sabha, for the use of the residents of such premises shall be made according to a plan approved by the Chairman.

5. The owner or occupant of any privy (shed) or a latrine ,built prior to the coming in to operation of these by-laws and without obtaining the approval of the Chairman, may be required, by a written notice of the Chairman , to maintain such privy or latrine in accordance with an approved plan specified in such notice.

6. In approving plans for the construction of latrines within the area of authority of any Pradeshiya Sabha by its residents, the provisions of Housing and Town Improvement Ordinance (No.----) or the provisions of the Urban Development Authority Act (No----) shall as the case may be applicable in respect of such construction.

7. It shall be the duty of the owner or occupant of any premises within the area of authority of any Pradeshiya Sabha, to keep each latrine built for the purpose of such premises in clean and hygienic condition.

8. The Chairman may, by any notice issued to the owner or occupant of any premises within his area of authority, require such owner or occupant to maintain the latrines in such premises in good and proper condition or otherwise to repair such latrine within a specified period or shut them down.

9. The owner, occupant or the custodian of any premises shall always take necessary measures to use the latrines in such premises hygienically and without causing nuisance to the neighbors.

10. Whenever the Chairman is confirmed that any latrine built in any premises –

- (a) has not built in accordance with the required specifications;
- (b) is not hygienically maintained;
- (c) in need of repair; or

(d) is causing a nuisance to the neighbors,

it shall be lawful for the Chairman to require the owner, occupant or the custodian of such premises, by an order in writing ,to affect repairs to the latrines or to demolish same and build a new latrine .

11. Any person who acts in contravention of any provision of these by-laws or fails to comply with any order made by the Chairman under these by-laws, shall commit an offence under these by-laws and shall on conviction by a court with competent jurisdiction be liable to any punishment under section 122 of the Pradeshiya Sabha Act, No. 15 of 1987.

12. Unless the context otherwise requires in these by-laws-

“Chairman” means, the Chairman of any Pradeshiya Sabha;

“any person” means, the owner, occupant, lessee, or the custodian of any premises;

“latrine means a water sealed latrine ,water closet, or any other form of latrine which is used in a premises.

## **XV.By Law relating to prevention of cruelty to animals**

1. Pradeshiya Sabhas are vested with powers to formulate these by-laws by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with the paragraph (g) of sub section (ix) of Section 126 the said Act.
2. This by-law is imposed to prevent cruelty to animals.
3. This by-law is cited as “By Law relating to prevention of cruelty to animals”.

4. No person within the area of authority of the Pradeshiya Sabha shall not:
  - (a) Cruelly beat or hurt any animal, lead or drive beyond normal speed or to an extraordinary distance, mounting on an animal making an over-load or over laden, wrong use of animals or allow wrong use or cause any of such wrong use or act;
  - (b) Perform any act to have undue pain, suffering or hurt to any animal or neglect;
  - (c) Display any animal for the purpose of sale or making money in the manner to have undue pain, hurt to any animal; and
  - (d) transport any animal on a in a canoe, boat, vehicle, cage, box or any package in a manner giving the animal undue pain or hurt.
5. No person within the area of authority of the Pradeshiya Sabha shall:
  - (a) Keep any animal in starvation or torture by mutilation or by any other manner;
  - (b) Kill any animal by cruel beating, using weaponry or equipment in a cruel manner or using chemicals or any toxin; and
  - (c) Use in work or let others to use in work any animal not suitable for work due to suffering from any disease, being handicapped , being wounded or disabled as a result of aging.
6. Any owner of animals shall not allow any animal owned by him to die as a result of being ill or disability on any thoroughfare, in a public place or in a place open to the public.
7. In any circumstance the Chairman in his opinion decides that sections 4, 5 and 6 are violated the Chairman shall have power to make an order to stop or to suspend such action immediately by himself or through an authorized officer appointed by him.

8. Provided any person does not comply with such order in the section 7 above the chairman shall have power to take all necessary steps to stop or prevent such action by using his equipment and employees.
9. Any person who violates any of the sections of this by-law or acts contrary to the directions of the Chairman is an offence under this by-law and every person who commits such an offence, shall be liable for a punishment under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court on that offence.
10. In these by-laws unless the context otherwise requires:
  - “Chairman” means the person who currently holds the office of the chairman in the Pradeshiya Sabha;
  - ‘animal’ means such interpretation given in the Animals Ordinance;
  - “authorized officer” means any officer of the council authorized in writing by the Chairman of the Pradeshiya Sabha.

## **XVI.By-Laws Relating To Sale of Articles of Food**

- 1 .Pradeshiya Sabha is empowered to make these by-laws under section 126(ix)(j) read with section122 of the Pradeshiya Sabh Act,No.15 of 1987.
- 2.These by-laws are enacted for the purpose of inspection, regulation and control of shops and places used for the sale of meat, poultry,fish,fruit,vegetables,or other perishable articles of food or the sale of provisions including cooked or processed food, and the licensing of shops and

places in order to promote the public health and amenities within the area of authority of any Pradeshiya Sabha.

3. These by-laws are cited as” the by-laws relating to sale of articles of food”.

4. Any person who sells or have in the possession for the purpose of selling or display for sale any fish, meat, poultry, vegetables, cooked food, food made of maize flour, rice flour or any other flour, sweets and sweet meat, sherbert, soft drinks ,processed fruit, skinned or peeled, fruit or any other fruit or vegetable prepared in other manner for human consumption or any porridge and all forms of provisions including perishable articles of food, in any place other than the public markets or fairs belonging to the Pradeshiya Sabha shall, comply with the provisions of these by-laws.

5. For the purpose of engaging in any activity referred to in the preceding by-law 4 at any place within the area of authority of any Pradeshiya Sabha ,a licence shall be obtained annually from the Chairman by the payment of a prescribed fee to the Pradeshiya Sabha in accordance with by-law 24.

6. Any person who carries on any activity referred to in by-law 4, referred to above in any place shall, keep such articles of food in a box, almirah ,or container made of firm material so as to protect the food from dust , flies ,or other insects which cause diseases.

7. The box, almirah, or the container which contains articles of food shall have a permanent lid with which such box, almirah or the container can be kept firmly closed .

8. The place where the articles of food are sold shall be kept immaculately clean by sweeping off the dust and removing dirt and other waste material.

9The place where articles of food are sold ,shall be a permanent building constructed in such a way so as to protect the food from the wind, rain, sun and the dust.

10.When selling articles of food, a ladle or a spoon made of stainless metal shall be used when serving food to the customers.

11.The food meant to be sold shall be sold in a clean wrapper or a bag.

12.If food is served to customers to consume at the place of sale of such food ,a clean plate or the like shall be provided which shall be used only for that purpose.

13.Every place where articles of food are offered to customers for consumption ,a water tap or a water tank shall be installed and shall be supplied with a cake of soap or a liquid soap to use in washing hands.

14.A bin with a lid or cover shall be kept at the place for the purpose of disposing the food remained after consumption and all other waste generated at the place of sale shall be disposed of as directed by the Pradeshiya sabha .

15.No person shall engage in the sale of any article of food in a place within the area of authority of a Pradeshiya Sabha other than any public market owned by such Sabha, without a licence issued by such Sabha under by-law 5.

16.Artcles of food shall not be kept in any open place near any street or thorough fare,on any wooden rap, structure or scaffold .

17.No dirty wrapping material shall be used to wrap food or bag them.

18. Even if any valid licence issued under by-law 5 of these by-laws is available with him, no person who is suffering from any infectious, contagious or skin disease or who has recently been suffering from such disease or who has been in attendance to any such person shall, unless the period of incubation has lapsed, shall not engage in the sale of articles of food under the authority of such licence.

19. No person shall, with or without the intention of selling any articles of food in its natural state or in a more attractive way mix it or, colour it with, soak it in, inject in to it, or pound it with or spray on to it any solid or liquid substance which is injurious to health and shall not sell any such article of food .

20. No person shall store in a refrigerator or preserve by mixing it with ice or salt or process it in any other manner or keep it either by mixing it with fresh food or in any other manner any stale food for the purpose of selling such food to the public.

21 .The dogs, cats ,cattle, pigs, fowl ,crows or any other birds or rats or any other creatures shall not be allowed within the place where any articles of food are sold or in the vicinity thereof.

22. It shall be the duty of the Chairman of any Pradeshiya Sabhha , on receiving complaints made by the general public, civil organizations, officers or by any other organisations in relation to the selling of articles of food, to record such complaints in a register and ,take appropriate measures in accordance with the provisions of these by-laws.

23.The Pradeshiya Sabha shall inspect the places ,at least once in every three(3) months,where articles of food are sold within an area of authority of any Pradeshiya Sabha, through an authorized officer and take appropriate measures regarding same.

24.Any person who makes an application under by-law 5 for a licence to sell articles of food shall pay as licence fee to the Pradeshiya Sabha an amount as determined by the Pradeshiya Sabha from time to time under section 149 of the Pradeshiya Sabha Act and published annually in the Government Gazette.

25.Every licence issued under by-law 5 of these by-laws shall ,unless cancelled earlier ,expire on the 31<sup>st</sup> day of December of the year of issue of such licence.

27.Every licensee who is engaged in the selling of articles of food shall have in his possession ,the licence obtained under by-law 5 of these by-laws and shall make it available for inspection when requested by the Chairman or any officer authorized by him.

28.The Chairman of the Pradeshiya Sabha or any officer authorized by him may at any time enter the premises where any person is engaged in selling articles of food ,for the purpose of examining whether the provisions of these by-laws are complied with.

29.It shall be lawful for the Chairman or any authorized officer to buy any sample or any quantity of food which is being sold by any person or which is been offered for sale and no seller shall refuse to sell any of such articles .

30.Where the Chairman or the authorized officer is of the opinion that the articles of food examined under by-law 29 is not suitable for human consumption,it shall be lawful for the

Chairman or the authorized officer to seize such articles of food and send same to the health medical officer .(for inspection.).

31.If the medical officer certifies that the articles of food or drinks seized and sent to him for inspection under preceding by-law 30 are not suitable for human consumption, ,such articles of food or drinks shall be destroyed without paying any compensation or damages to the owner of such articles.

32.Where any seller of any articles of food who contravene the provisions of these by-laws, does not have any previous convictions for contravention of the provisions of these by-laws,the Chairman shall, upon request made by such seller, settle the matter, under section122(3) of the Pradeshiya Sabha Act.

33.Any person who contravenes the provisions of these by-laws or fails to comply with any order made by the Chairman under these by-laws, shall commit an offence under these bylaws and on conviction by a court of competent jurisdiction be liable to punishment under section 122 of the Pradeshiya Sabha Act,No. 15 of 1987.

34.In these by-laws ,unless the context otherwise requires:

“authorized officer” shall mean, any officer authorized in writing by the Chairman of the Pradeshiya Sabha;

“Chairman” shall mean, the Chairman of any Pradeshiya Sabha.

## **XVII.By-laws relating to Dairies and sale of milk**

1. The Pradeshiya Sabha is empowered to make these by-laws under section 126 (ix)(i) read with section 122 of the Pradeshiya Sabha Act, No.15 of 1987.
2. These by-laws makes provisions for the regulation, supervision, inspection and control of the maintenance of Dairies and sale of milk within the area of authority of any Pradeshiya Sabha.
3. These by-laws shall be called and known as “by-laws relating to Dairies and Sale of Milk within the area of authority of any Pradeshiya Sabha.
4. No person shall carry on a Dairy or engage in the sale of milk within the area of authority of any Pradeshiya Sabha, without the authority of a license issued for such purpose by the Chairman of that Sabha.
5. Any license issued by the Chairman under these by-laws shall, unless it is cancelled earlier by the Chairman, shall be terminated on the 31<sup>st</sup> of December of the year in which it was issued .
6. The Chairman shall not issue any license to any person for the purpose of carrying on a Dairy unless the following requirements, specified in these by-laws are fulfilled:-
  - (a) in the Dairy, the place where animals are kept shall have –

- (i) adequate number of buildings sufficient to accommodate the animals.  
Atleast 3 meters shall be allocated to each animal.
  
- (ii) durable roofing shall be used for the roof of the building where animals are housed and roof shall be made of strong timber. The edge of the roof shall be at least 2.14 meters above the ground level.
  
- (iii) the walls of the buildings where animals are housed shall be strong and shall be made of bricks, concrete slabs or kabok and shall be plastered with cement. Both sides of the walls shall be plastered with cement and the walls of the building shall be not less than 1.83 meters in height.
  
- (iv) the buildings shall be adequately ventilated and lighted.
  
- (v) the poles erected from the upper end of the wall up to the roof shall be made of timber, iron or concrete so as to make them strong. The height of the poles on the side where the roof is at its maximum height, shall be 3 meters from the floor level and they should be painted and kept very clean.
  
- (vi) the floor of the building where animals are housed shall be cemented.
  
- (vii) the building where animals are housed shall be repaired and kept well maintained.

- (viii) the parts of the building required by these by-laws to be colour washed shall be colour washed atleast once every year.
- (ix) the receptacles or containers used in milking the cows and to transport milk, shall be made of glazed earth ,galvanized iron, tin, enamel, coated iron glazed aluminium, glass or porcelain and such vessels shall not be stored or kept in the building where animals are housed.
- (x) the dairy and its surroundings ,the drains ,wooden furniture and other equipment shall be kept well cleaned and well maintained.
- (xi) a separate building shall be built at least ----meters away from the building where animals are housed for the purpose of keeping the sick animals and in its constructions, the specifications used in the construction of the first mentioned building shall be followed.
- (xii) the drain shall be constructed in such a way so as to prevent the flow of the polluted water coming from the building where sick animals are housed, reaching the cattle shed or milk rooms .

**(b) Location of the milking area and rooms where milk is stored –**

- (i) the area where cows are milked and the place where milk is stored shall be within a distance of not less than 7.62 Meters from the cow sheds.
- (ii) the building where cows are milked shall be kept immaculately clean and shall be made of bricks ,cement blocks or kabok and the walls on either side shall be plastered in cement. The height of the walls shall be at least 2.14 Meters in height and the posts which connect the upper edge of the wall to the roof shall be made of strong timber or concrete and shall be painted.
- (iii) the walls of the milking shed shall be cemented and the meeting point of the floor and the walls shall be curved. The edge of the roof shall be at least 2.14 Meters above the ground level.
- (iv) in the milking shed there shall be kept a table, the surface of which shall be made of porcelain tiles or any other approved non absorbent material.
- (v) a waste bin shall be kept within the milking room.
- (vi) the milking sheds shall be at least 30.5 meters away from any waste pit, latrine, heap of fertilizer or cess pit or an open waste water drain.

(vii)the receptacles in which milk is collected shall be kept immaculately clean and shall be sterilized daily.

(viii) If milking is done using machines, the machines shall be sterilized daily and the equipment necessary therefor shall be supplied.

c. The general requirements for the issue of a license for the carrying on of a Dairy

(i) a separate place shall be provided for the disposal of animal dung and remains of grass and other food and shall be located at least 30.5 meters away from the buildings where animals are housed, milking sheds and milk rooms. The place shall be at least 12 meters away from the place where water is taken for the use of the animals.

ii) sufficient pure water facilitates shall be provided to meet the drinking and bathing requirements of the animals and for the washing of the buildings.

iii)the water used for the animals shall be disposed of into a pit which can absorb it easily and the urine and the dung of animals shall also be disposed of in a similar manner. There shall be a system of drains made of cement to ensure easy carriage of such polluted water.

7. (i) No person who is suffering from or who has been suffering in the recent past from any infectious contagious,or any skin disease or any person who has been in attendance to any such person in the recent past shall not ,unless the communicable period of such disease is lapsed, be employed or cause to be employed in any work whatsoever or shall not be allowed

or cause to be allowed to engage in any such work as an assistant to any such person in any such place which is been operated under a license issued under these by-laws.

(ii) No persons who is engaged in any such work in a place in respect of which a license has been issued under these by-laws shall be allowed or cause to be allowed to engage as such in such place unless dressed in well washed and cleaned clothes.

(iii) It shall be the duty of the Licensee to subject annually, all the employees (workers) employed in the licensed premises at least once a month to a medical test.

8. It shall be the duty of the Licensee to supply every employee (worker) who works in the Dairy, with protective mouth covers, gloves, and other safety paraphernalia and to make certain that they wear such items when on duty and also to ensure that they wash and clean their bodies properly prior to commence milking the cows.

9. The dung that gets collected in the place where animals are housed and the left over from the grass shall be disposed of at least once every day and the place shall be washed properly using water.

10. The building where the animals are housed, the floor of the milk room, and the surface of the tables therein shall be washed and cleaned at least once daily.

11. If in the licensed premises milking is done using machines, it shall be the duty of the Licensee to ensure that all the utensils used in that work are sterilized at least once daily and all other equipments shall be cleaned daily.

12. The Licensee shall make certain that the vessels and other utensils used in the Licensed premises are not used for any purpose other than the purpose for which they are meant.

13. Before commencing the milking, unless –

- i. the udder of the cow is washed and cleaned with pure water;
- ii. the person who does milking has washed and cleaned his hands using soap or soap water; and
- iii. where milking is done using machines, the equipment used in the process are sterilised,

milking shall not be allowed.

14. It shall be the duty of the Licensee to ensure that the animals in the Dairy, are subject to the examination by a veterinary surgeon or any of his representatives as is named by him ,at least three times per year and obtain necessary medical advice and act according to such advice.

15. It shall be the duty of the Licensee on receipt of any information to the effect that any animal in the Dairy is suffering from any disease, to remove such animal from the building where

they are housed to the building where sick animals are housed and to cause the veterinary surgeon in charge of the relevant area aware of such fact.

16. No person shall sell or cause to be sold or mix or cause to be mixed with milk which is meant for human consumption with any milk of any other animal which is afflicted with tuberculosis of the udder or any other area of the body or any disease affecting the hoofs or the mouth or afflicted with anthrax or actinomycosis of the udder or is suffering from brucellosis as determined by a veterinary surgeon.

17. All the animal food in the Licensed premises shall be kept in suitable containers and out of reach of rats and similar creatures.

18. The Licensee shall make sure that the milk room is not used or allowed to be used for any purpose other than for the purpose of storing or processing milk.

19. No person shall either by adding water or any other foreign material or materials ,adulterate the milk.

20. (i) All the waste that gets generated within the licensed premises shall, unless it is being re - used shall be categorized as :-

(a) biodegraded waste;

(b)glass;

(a) paper or any material associate with paper;

- (b) polythene and plastic or any material associate with polythene or Plastic;
- (c) iron or any other metals or any other substance which has iron as one of its constituents;
- (d) remains of other raw materials used in the production or by-products generated in the process of production or parts of such by-products;
- (e) dangerous waste

(ii) .The waste categorized and put into separate containers under paragraph (i) shall unless disposed of in accordance with the waste management programme of the relevant Divisional Secretariat, be finally disposed of as directed by the Chairman;

(iii)Notwithstanding anything contained in paragraph (ii) above, such direction shall not be a bar to use the dung and left over grass which can be considered as bio degraded waste under sub paragraph (a) of paragraph(i) as fertilizer. However, such waste shall unless it is properly covered shall not be taken out of the Dairy to be transported to an appropriate place.

21. There shall be a separate room to keep the milk that is being milked in the Dairy. Such room shall be adequately ventilated and shall receive adequate light and shall be properly protected in order to keep it out of reach of insects or other animals.

22. No person shall use a place which has been issued with a license under these by-laws, for sleeping purposes. No articles or equipments which are not being used in assisting the work in the Dairy shall be kept or stored in the Dairy. However, there shall be a room having sufficient space to use as a leisure room as well as a dining room within the licensed premises.
23. There shall be built latrines in the Dairy premises, for the male employees and female employees separately and there shall be at least one latrine per ten persons. The latrines shall be located at least fifteen (15) Meters away from the buildings where animals are housed milking area and rooms where milk is stored.
24. If the water used for the purposes of the Dairy is stored in a earthen tank no waste pit, compost pit or ash pit shall be located within a distance of 15 Meters therefrom.
25. Clean water, clean towels, brushes to clean nails, soap, and liquid soap shall be supplied to every worker employed in the Dairy. Sufficient number of wash rooms shall also be provided for the purpose.
26. No supply of milk obtained from any Dairy shall be allowed to be taken out of the licensed premises unless they are carried in containers or vessels properly covered to ensure that no dust, germs or any other pollutant could adulterate the milk.

27. Every Licensee shall display or fix a board outside the Dairy in a conspicuous place with his name and the words "Licensed Dairy" clearly written thereon.

28. Every licensee shall make available in the Dairy premises a copy of these by-laws relating to Dairies, for inspection. A list which carries the names and addresses of all the employees employed in the Dairy for the inspection of the Chairman or his authorized representative at any reasonable time of the day.

### **Sale of milk brought from outside**

29. A person who intends to sell, within the area of authority of any Pradeshiya Sabha any milk obtained from outside the Pradeshiya Sabha limits shall obtain a license as specified in Rule 4, from the Chairman of the Pradeshiya Sabha for the purpose.

30. No person shall, unless he has a license issued by the Chairman for that purpose, sell milk at any place within the area of authority of the Pradeshiya Sabha.

31. No person shall be entitled to obtain a license under by-law 29 unless the Dairy from which he intends to obtain milk for sale has been issued with a license either by the Chairman or the Mayor of the local authority within whose area of authority such Dairy situates or by the Veterinary Surgeon of that area.

32. A person who has been authorized to sell milk on a valid license, within the area of authority of any Pradeshiya Sabhal shall register the employees or the agents employed by him to sell his milk with such Pradeshiya Sabha and have obtained a document of registration.

33. The said document of registration shall contain the following;-

(a) the name and the registration number of the employer; and

(b) the name and the signature or the left thumb impression of the employee or the agent.

34. An agent who has been authorized to sell milk within the area of authority of any Pradeshiya Sabha or, any person who carries milk for the purpose of sale or any itinerant vendor who sells milk within the area of authority of any Pradeshiya Sabha shall, when required at any time by the Chairman of such Pradeshiya Sabha or an authorized agent of him, to produce his document of registration for inspection, be bound to produce same to such Chairman or his authorized agent as the case may be.

35. It shall be lawful for the Chairman or his authorized representative to buy a sample of milk from the milk produced in a Dairy or the milk kept for sale. No Licensee shall refuse or obstruct such sale of such sample.

36. In any event where the place where the Dairy in respect of which a license has been issued under these by-laws fails to be maintained in accordance with the requirements specified in

Rule 6 or where there is any contravention of any other requirement of these by-laws, the Chairman shall take necessary steps to issue a notice to the Licensee requiring him to bring such place to the condition required by such notice within the period specified in such notice .Such notice shall be deemed to have been duly served if it is affixed at the place where such Dairy is carried on or delivered to a person who is employed at such place.

37. Any licensee who is in receipt of a notice as specified in by-law 36,shall comply with such notice before the date specified in such notice.The Chairman has the power to extend the date specified in such notice for reasons that could be acceptable to him which reasons shall be submitted to him in writing.However,such extended period shall not shall not exceed thirty days.

38. Where a licensee who has been served with a notice specified in by-law 36 fails to comply with such notice before the date specified in such notice or before such extended date ,it shall be lawful for the Chairman to cancel the licence issued in respect of such premises.

39. The Chairman or any authorized officer shall have the power to into any matter specified in by these by-laws and for that purpose he may enter the Dairy at any reasonable time and inspect such place.

In this by-law," reasonable time" shall mean, any time during which production activities are carried out in the licensed premises.

40 .The licensee shall give such Chairman or the authorized officer every assistance in conducting such inspection.

41. The contravention of any of these by-laws shall be an offence and any person who is guilty of such offence shall, on conviction by a magistrate shall be liable to a punishment specified under section 122 of the Pradeshiya Sabha Act, No.15 of 1987.

42. In these by-laws, unless the context otherwise requires-

“authorized officer shall mean, any officer of the Pradeshiya Sabha authorized in writing by the Chairman of such Sabha;

“Chairman” shall mean, the Chairman of the Pradeshiya Sabha;

“Dairy” shall mean ,the buildings where animals belonging to one category or more than one category are housed for the purpose of obtaining milk and for the sale of such milk, and the premises where such buildings are standing on, with the inclusion of all such animals;

“veterinary surgeon” shall mean, the Government Veterinary Surgeon appointed for the relevant area of authority.

“animal” shall mean, any cow, buffalo, sheep, goat, or any other animal belonging to such category of animals.

## **XVIII. By-Laws Relating to living in lodging houses**

1. The Pradeshiya Sabha has the authority to make these by-laws under section 126(ix)(e) read with section 122 of the Pradeshiya Sabha Act, No. 15 of 1987.
2. These by-laws are enacted for the regulation, supervision, inspection and control of living in tenement buildings and lodging houses which are given on rent for the purpose of lodging on payment of a fee, within the area of authority of any Pradeshiya Sabha.
3. These by-laws shall be cited as the by-laws relating to lodging houses and tenement buildings.
4. The Chairman of any Pradeshiya Sabha shall have the authority to make an order specifying the number of persons who can reside in a building within the area of authority of a Pradeshiya Sabha.
5. The Chairman shall, when making such order, take into consideration –
  - (a) the area of the building;
  - (b) the height of the building;
  - (c) passage of air to the building;
  - (d) passage of light to the building;
  - (e) suitability for living, within the building and its surroundings;

- (f) volume of water facility provided to the building; and
- (g) sanitary facilities provided to the building.

6. Where the Chairman has reasonable grounds to satisfy himself that in a particular building more people than it can accommodate reside, it shall be lawful for him to order the excess number of people to vacate the building.

7. If at any time after such order as is referred to in by-law 6 is made by the Chairman, such building accommodates more people than the number fixed by the Chairman in his order, the owner of the building shall become guilty of an offence under these by-laws.

8. Where it appears to the Chairman that any owner of any building which has become a health hazard as a consequence of it being occupied by more people than it can rightfully accommodate continues to commit the said offence, the Magistrate may, on a report submitted to him by the Chairman or any officer authorized by him make a final order.

9. If the owner of any building has sublet his building, the sub lessee shall, as far as the lodgers or other boarders are concerned, be considered ,for the purpose of by-law 8, as the owner of the building .

10. Whereas per any order made under these by-laws any owner or lessee requires any lodger or boarder to leave the building, such lodger or boarder shall vacate such building forthwith.

11. A person who becomes guilty of an offence under these by-laws be liable to any punishment under section 122 of the Pradeshiya Sabha Act, No.15 of 1987.

12. In these by-laws, unless the context otherwise requires-

“authorized officer” shall mean, any officer of the Pradeshiya Sabha, authorized by

The Chairman of such Sabha;

“building” shall mean any house, building or any tenement building which provides

lodging on rental basis;

“Chairman” shall mean, the person who, for the time being holding the office of the

Chairman of any Pradeshiya Sabha;

### **XIX. By-laws relating to Libraries**

1. The Pradeshiya Sabha is empowered to make these by-laws under section 126(xiv) read with section 122 of the Pradeshiya Sabha Act, No. 15 of 1987.

2. The Pradeshiya Sabha makes these by-laws for the purpose of carrying on a library service within the area of authority of such Pradeshiya Sabha.

3. These by-laws shall be referred to as by-laws relating to Libraries.

4. The libraries run by any Pradeshiya Sabha shall be consisted of the following:-

- 1) Lending section;
- 2) Associate section;
- 3) Reading section;
- 4) Children's section;
- 5) Electronic section.

5. The Library -

(1) The supervision and administration of the library shall be vested with a Library Committee of the Pradeshiya Sabha and such Committee shall be comprised of :-

- (a) the Chairman of the Pradeshiya Sabha;
- (b) members of the Sabha not exceeding two, as determined by the Council;
- (c) two dignified persons residing within the area of authority of the Pradeshiya Sabha , as nominated by the Sabha at a general meeting of the Sabha.
- (d) President of any readers club of the relevant Library;
- (e) the librarian of the relevant library.

(2) The Chairman of the Pradeshiya Sabha shall be the Chairman of the relevant library Committee.

(3) The authorities may appoint any competent person to be in charge of the library and the librarian so appointed and his/her staff shall be responsible for the orderly conduct of the library and its assets.

6. The Chairman shall preside at the meetings of the library Committee and where the Chairman fails to be present at any such meeting, a member elected from among the members present at such meeting shall preside at such meeting. The person presiding at any meeting shall have the right to vote at any such meeting and in the event of an equality of votes the Chairman shall have a casting vote.

7. The quorum for any meeting of such committee shall be three members and unless there is no quorum, the committee shall not conduct any business at such meeting.

### **Lending Section**

8. (1) Every member of the library who is less than twelve years of age shall be registered as a child and above twelve years of age shall be registered as an adult.

(2) No person shall –

(a) unless he is a resident within the area of authority of the Pradeshiya Sabha or is a member of any Institution, office, school, business enterprise or any people's organization within the area of authority of such Pradeshiya Sabha; and

(b) unless he has been recognized as a member of the library by the payment of the library membership fee as determined by the Pradeshiya Sabha,

shall be considered as been permitted to use the Lending section of the library.

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(3) A person who intends to become a member of the Lending section of the library shall make an application (to the librarian) in the form approved by the library committee, which form shall be available with the librarian.

(4) The membership of the library shall not be granted to a person unless such person has fulfilled all the requirements contained in the application and has paid in full the fee to be paid in respect of the membership fee as determined by the Pradeshiya Sabha.

9. Every person admitted as a member of the library shall be issued with a card which carries his identity certified by the librarian and such person may obtain a specified number of books using such card from the Lending Section.

10. The member shall be responsible personally for each book he obtains from the library under the card issued to him.

11. Where a member of the Lending Section issued with a membership card issued under by-law 8, misplaces it, he shall inform such fact to the librarian. If the librarian can be satisfied that no book has been taken from the library using such card by a person other than such member, the member shall be issued with another card. The librarian shall not use a new card unless a period of at least 30 days has lapsed from the date on which the misplacement of the card was reported.

12. A book taken by a member of the Lending Section shall be returned to the librarian within fourteen(14) from the date of issuing of the book. If any other member has not requested for the same book and the member who was issued with the book requested for more time, another fourteen (14) days can be granted to him by the librarian as the date of return.

13. Where a book taken from the Lending Section is not returned on the due date or before the extended date, it shall be lawful to impose a fine as determined by the Pradeshiya Sabha for such a period until the book is returned to the library.

14. Where any member fails to return a book taken from the Lending Section of the library within thirty (30) days from the date of its issue, such book is considered as lost.

15. Where a book issued to a member is lost or considered as lost, such member shall pay the cost of replacement of such book with an additional fee of 25% of the price of the book.

If such book is a bound volume, the binding cost shall be charged separately.

16. No member shall damage or disfigure a book taken from the Lending Section of the library.

17. It shall be the duty of every member to inform the librarian, if any damage or disfiguration is found in a book which he expects to take from the Lending Section. If any member fails to inform of such damage or disfiguration it is deemed that when such book was issued, there weren't any damage or disfiguration.

18. Where the librarian is satisfied that a book returned by any member has been damaged or disfigured to such an extent that it cannot be issued again to another, such member shall be bound to bear the cost of replacement of such book. After such replacement, the damaged or disfigured book shall be returned to the member with the endorsement "the public library has sold this damaged book".

19. No person shall alienate the possession of a book taken from the Lending Section to another.

20. No person shall return to the Lending Section a book which he knows has been used by a person suffering from any infectious or contagious disease and such member shall pay the replacement cost of such book to the library.

21. Where there is a difference of opinion as to which member among many, shall be issued with a particular book, the decision of the librarian shall prevail.

22. Where any member wishes to get for himself, a book issued to another member, he shall write his name and the title of the book in a record book kept for the purpose. Thereafter, upon

such book is returned by the said member, librarian shall issue it to the member whose name is entered in the said record book. Where two or more persons have written their names in the said record book, the book shall be issued to each of them in the order according to which their names were entered in such record book.

23. A person who becomes disentitled to the qualifications needed to get the membership of the Lending Section shall return his membership card to the lending section of the library.

24. The Pradeshiya Sabha may determine from time to time the dates and times on which the Lending Section is open to the members and shall obtain recommendations from the library committee. Further it shall be the duty of the Librarian to make all the members aware of that fact.

25. Where any book issued by the Lending section of the library has not been returned due to following reasons, namely :-,

- (i) death of the member;
- (ii) natural disasters such as floods, fire, land slide etc; or
- (iii) where it is confirmed that the member has changed his permanent residence or no information about the members whereabouts can be obtained or no further steps can be taken to recover such book, the Pradeshiya Sabha's approval, upon recommendation of the library

committee shall be obtained in determining the method of recovery or removal of such book from the register

### **Reference Section**

26. The Pradeshiya Sabha I shall determine the times during which the Reference section of the library shall be kept open and such times shall be properly informed. No person shall use the Reference section unless the librarian's permission has been taken to use the Reference section and has signed the register by him.

27. No person shall take out of the library any book which has been issue to him for reading.

28. The following categories of books shall be included in the Reference section –

- (i) the books for the time being recommended by the library Service Board as suitable for the Reference section;
- (ii) valuable rare books other than novels and short story books;
- (iii) books written on subjects and subjects recommended for higher education and other specialized areas; and
- (iv) books approved by the library committee and recommended by the librarian to be included in the Reference section.

### **Reading Hall**

29. Any person not less than eight (8) years old can be permitted to use the Reading Hall. However, no one can make use of the Reading Hall unless he has obtained prior permission by the librarian or any authorized officer for the purpose and signed the register kept in the library.

30. No person shall remove from the Reading Hall any newspaper, periodical, magazine, map, gazette, paper or any part of it, or any other document or writing which is kept in the Reading Hall for reading. However if any reader wants to take a photocopy of any document kept in the Reading Hall, he may do so by paying any fee as determined by the Pradeshiya Sabha.

### **Children's Section**

31. A Children's Section shall be maintained separately in the library for reading purposes of children under twelve (12) years of age.

32. Children's books shall be provided in this section so as to develop their interest in reading.

33 Special programmes may be conducted on the recommendation of the library committee for the improvement of the Children's section.

### **Electronic Section.**

34. The Pradeshiya Sabha may, with the recommendation of the library committee, make provisions for the conduct and regulation of Electronic Library service facilities within the library from time to time.

35. Provisions shall be made by the Pradeshiya sabha to facilitate, using information technology, the, internet facilities, access to information and the like on payment on a fee as determined by such Sabha.

### **Mobile Library.**

36. The Pradeshya sabha may conduct a Mobile Library service ,having community centers as their objective.

37. The Pradeshiya Sabhs shall in implementing the Mobile service , be subject to the recommendations of the library committee and such service may be based on community centers. electronic and reference areas.

38. When conducting community center based Mobile library service programmes, there has to be a person to be in charge of such service who shall be appointed by the community centres and act under the supervision of such community centres.

39. It shall be the duty of the person in charge of the library service, to submit to the library committee the Annual Report relating to the activities of the Mobile Library and the issuing of and receiving of books.

40. The Pradeshiya Sabha shall make an assessment of the assets of the library annually.

41. Appointment of members to the Board of Management and submission of reports after the making of assessments shall be made in accordance with the Pradeshiya Sabha Rules 1988(Finance and Administration).

42. Upon the receipt of the report of the Board of Assessment it shall be the duty of the librarian to refer it to the approval of the Council and to implement the recommendation of the Board of Assessment within three(3) months from the date of such reference and to report such fact to the Commissioner of Local Government.

43. No person who is suffering from or who has suffered recently from any contagious or infectious disease or has recently been in attendance to any such person shall enter the library premises until the expiration of the infectious period or the egg maturity period of such disease.

44. No person shall,-

- (i) conduct himself in such away in the library premises or in its vicinity so as to cause a nuisance to any person;

- (ii) cause loss or damage to or disfigure in any manner the library or the Pradeshiya Sabha building situated in close proximity or any part of the library or the Pradeshiya Sabha building;
- (iii) mark time in the library or in its surroundings having no acceptable reason for his presence therein ,after the library is closed to the public;
- (iv) consume liquor or use drugs or smoke or spit within the library premises;
- (v) play dice within the library premises;
- (vi) engage in gambling or play cards within the library premises;
- (vii) disturb the users of the library by shouting, singing, or making any other loud noises;
- (viii) enter the library uncleaned;
- (ix) bring dogs or any other animals to the library;
- (x) sleep or take meals within any part of the library;

(xi) obstruct the librarian or any person acting on his directions from exercising the powers conferred on him under these by-laws.

45. The breach of any of the provisions of by-law 43 of these by-law shall be an offence and any person who commits such offence shall upon conviction by a court of competent jurisdiction be liable to any punishment under section 122 of the Pradeshiya Sabha Act,15 of 1987.

46. In these by-laws, unless the context otherwise requires-

“authorized officer” means any officer duly authorized by the librarian;

“Chairman” means the Chairman of the Pradeshiya Sabha; and

“library” means any central library, public library or any other library maintained by the Pradeshiya Sabha.

## **XX. By-Laws Relating to public bathing places**

1. The Pradeshiya Sabha is empowered to make these by-laws under section 126 read with section 122 (ix)( ) of the Pradeshiya Sabha Act, No.15 of 1987.

2. These by-laws are enacted for the construction, promotion, regulation and control of Public bathing places for the purpose of promotion and protection of public health and amenities and the provision of infrastructure necessary in relation thereto.

3. These by-laws shall be cited as the by-laws relating to public bathing places.

4. Every well used for bathing purposes and is open to the public shall be covered with a protective wall, the height of which shall not be less than 75 centimeters, and both sides of the well shall be plastered with cement.

5. When erecting a protective wall as is referred to in by-law 4, around any well which is to be used by both males and females, a dividing wall shall also be built enabling people of both gender to use the well simultaneously.

6. In any approved bathing area in a bank of a river, culvert, lake, bund, water course or a water fall, there shall be built a line of steps using cement and cobbles or concrete, to help people to get into the water.

7. Every construction referred to in by-law 4, 5, and 6 shall be built on a concrete foundation which shall have an underground depth of not less than 75 centimeters from the ground level.

8. Every public bathing area shall have a permanent name board displaying the words “public bathing place” which shall be clearly written on it using ink which is not washable, in both Sinhala and Tamil languages.

9. The area around any well used for the purpose of bathing on which the water, when bathing gets dropped shall be done using concrete and plastered with cement. Around every well, there shall be an arrangement made using concrete and plastered with cement which arrangement shall be sprayed.

10. Every public bathing place and its surroundings shall be kept clean and tidy and devoid of dirt and bushes and shall be well maintained and in the case of wells, water in the well shall be emptied at least once in every six months.

11. In any public bathing place, the bucket kept for the purpose of bathing shall be painted once in every six months and it shall be cleaned everyday.

12. Where a bathing place is allocated only for males or only for females, no one belonging to the other sex shall use water in such place for bathing, washing or for any other purpose.

13. No person shall build a latrine either public or private, within a distance of thirty (30) meters from a public bathing place.

14. Where the public bathing place is a bathing ford located in a flowing river, canal, dam or water fall, no drain, duct or embankment shall be built at a place 500 meters above such bathing ford which would result in pollutants or waste water flowing in to such waters.

15. No person who is suffering from any infectious, contagious or skin disease or who has recently recovered from any such disease shall bathe, wash or use the water otherwise ,at any public bathing place.

16. The water from any public bathing place shall not be taken for or used for drinking purposes.

17. The water from a place used as a public bathing place shall not be used for cultivation purposes or to pump water to fulfill any water requirements in respect of any agricultural or commercial activity.

18. No person shall, at or in the vicinity of any public bathing place, engage in-

- (a) driving the cattle, buffalo, goat, dog, elephant or any other animal to such place to get them to drink water;
- (b) washing vehicles; machinery tractors or any other mechanical equipments;
- (c) washing pots and pans and any other accessories and equipments used in the preparation or processing of food and beverages; or
- (d) any other activity.

19. No person shall dump waste, pass stools or, heap up manure, cow dung or chemicals at or near any public bathing place.

20. No person shall shut down or prohibit the use of any public bathing place without the authority of a resolution adopted by the Pradeshiya Sabha for the purpose.

21. It shall be lawful for the Chairman or any officer authorized by him to inspect at any time of the day any public bathing place situated within the area of authority of the Pradeshiya Sabha and to take any action necessary for the carrying out of the provisions of these by-laws.

22. The Pradeshiya Sabha shall maintain a list which contains the location, condition and other particulars of public bathing places situated within the area of authority of any Pradeshiya Sabha and shall update such list from time to time.

23. No person shall charge any fee or collect any money from the users of any place declared as a public bathing place by the Pradeshiya Sabha, without obtaining permission therefor by such Sabha.

24. If the Pradeshiya Sabha has determined by way of a resolution, that a service charge shall be charged from the users of any public bathing place by employing a servant or any lessee, such amount of costs shall be published annually in the Government Gazette.

25. The owner or lessee of any public bathing place shall comply with the provisions of these by-laws.

26. Where any person who has contravened any of the provisions of these by-laws is a person who has not committed any offence under these by-laws on any previous occasion, the Chairman may, on any request made by such person, settle the matter under section 122(3) of these by-laws.

27. Any person who contravenes the provisions of these by-laws, commits an offence under these by-laws, and on conviction by a court of competent jurisdiction , be liable to any punishment under section 122 of the Pradeshiya Sabha Act.

28. In these by-laws, unless the context otherwise requires-

“authorized officer” shall mean, any person authorized in writing by the Chairman;

“Chairman” shall mean, the Chairman for the time being of any Pradeshiya Sabha;

“employee” shall mean, any person employed as such by any such Sabha or any person to whom power has been delegated by such Sabha.

## **XXI. By- Laws Relating To Use of and Regulation of Traffic**

1. The Pradeshiya Sabha is empowered to make these by-laws under section 126 (vii) (c) read with section 122 of the Pradeshiya Act, No. 15 of 1987.
2. These by-laws make provision for the use of the road when driving, cycling, pushing or pulling a motor vehicle, motor cycle, bicycle, tricycle, cart or hand cart or when riding on the back of any animal on roads, within the area of authority of any Pradeshiya Sabha.
3. These by-laws shall be cited as the by-laws relating to driving etc of motor vehicles etc on roads within the area of authority of any Pradeshiya Sabha.
4. Where on any road within the area of any Pradeshiya Sabha any person is driving, cycling, pushing or pulling any motor vehicle, motor cycle, bicycle, tricycle, cart or hand cart or is riding on the back of any animal, he shall, unless when overtaking each other, confine himself to the left side of the road or be closer to the left side of the road.
5. Any person while driving, cycling, pushing or pulling or pulling any motor vehicle, motor cycle, bicycle, tricycle or any cart or hand cart or while riding on the back of any animal on any road, passes another road user, such overtaking shall be done from the right side of the road or the right track and after such overtaking, he shall get on to the left side of the road or to the left track as the case may be.

6. No vehicle shall be parked or stopped on the part of the road or strip of the road reserved for the passing of the vehicular traffic except for the time required for a person to get on to or get off from a vehicle.
7. When moving a cart or a hand cart on the road in one direction, the rider shall not overtake another cart or hand cart moving in the same direction unless the second cart is a one stopped on the road for any reason whatsoever
8. When driving, cycling, pushing or pulling any relevant vehicle etc on the road or when riding on the back of any animal, the person engage in such driving ect shall comply with any appropriate signal given by any police officer and shall also follow the color light signals which controls the vehicular traffic, in the manner specified by the following by-laws.
9. A white line (hereinafter referred to as the “stop line”), is drawn across the road at any particular point and traffic light is fixed facing the white line.
10. In front of the vehicular traffic moving in a particular direction, one or more of the following traffic light signals can be used for purpose of giving appropriate signals :-
  - I. red or yellow light on the lenses of the signal lamp, with or without the word “stop”,

II. green light on the lenses of the signal lamp, with or without the word “stop”.

11. The aforementioned lamps or signal lamps or signals which emanates color lights may be fixed either horizontally or vertically.

12. The order of giving the traffic light signals in controlling vehicular traffic shall be as follows :-

- I. Red or green arrow and the red light simultaneously;
- II. Yellow colour and red colour simultaneously ;
- III. Green colour;
- IV. Yellow colour.

13. The significance of the signal lights referred to above shall be as follows :-

- I. Red signal signifies that no vehicle shall cross the “stop line” referred to in by-law 9;
- II. Illumination of the yellow and the red light simultaneously indicates that the vehicle shall be ready to move;
- III. Green light indicates that the vehicle shall be moved forward;

IV. Illumination of the yellow light indicates that the vehicle shall be stopped.

14. In these by-laws, unless the context otherwise requires:

“motor vehicle” shall have the same meaning as in the Motor Traffic Act, No—of--;

“Police officer” shall mean, any police officer belocription as is rening to any description as is referred to in the Police Ordinance (Chapter-53).

## **XXII. By-laws relating to Eating Houses**

1. The Pradeshiya Sabha is empowered to make these by-laws under section 126(ix)(h) read with section122 Of the Pradeshiya Sabha Act,No.15 of 1987.
2. These by-laws are imposed for the regulation, supervision and control of eating houses within the area of authority of any Pradeshiya Sabha. .
3. These by-laws shall be cited as the by-laws relating to eating houses.

4. No person shall carry on any eating house within the area of authority of any Pradeshiya Sabha unless he has a valid licence issued by the Chairman under these by-laws.

5. Every licence issued under these by-laws shall unless it is not cancelled earlier be terminated on the thirty first day of December of the year for which it has been issued.

6. The Chairman shall not issue a licence to any eating house unless the following conditions of these by-laws are fulfilled-

(1) the roof shall made of durable material;

(2) the floor of the eating house shall be plastered with cement or tiled with ceramic tile;

(3) bins shall be kept ,to collect the refuse generated within the eating house premises and such bins shall have lids to prevent flies or any other insects entering them;

(4) provisions shall have been made under these by-laws, enabling to act as provided in foregoing provisions for the disposal of waste generated in the eating house premises.

(5) furniture and utensils used in the eating house shall have a good finish and the tables and chairs shall be made of either wood or metal and shall be polished or affixed with a glass pad;

(6) a separate area shall be maintained to wash and clean the utensils used by the customers;

(7) there shall be sufficient number of latrines and urinals for men and women separately for the use of customers as well as employees of the eating house;

(8) the area allocated for the customers shall be provided with sufficient water facilities and shall be provided with wash basins made of stainless steel or porcelain and shall be provided with water facilities;

- (9) there shall be sufficient number of fire extinguishers stalled in the premises;
- (10) there shall be a proper drainage system to facilitate the easy disposal of waste water that gets collected from every part of the building. Drains carrying waste water shall, under no circumstances be opened to a common access;
- (11) the area used in the eating house for the preparation of tea, coffee or milk shall be made of stainless steel or metal plates or fitted with porcelain tiles or be covered with any other – similar suitable matter.
7. All permanent constructions meant for the purposes of the eating house shall be constructed in accordance with a plan approved by the Chairman.
8. The premises shall always be kept properly maintained.
9. The walls of every room shall be not less than 2.5 meters in height.
10. Every room in the interior of the eating house shall be fixed with a ceiling and shall be not less than 2.5 meters in height from the floor level.
11. Every room shall be provided with windows that can be opened and once opened, the area of the opening shall not be less than one fifteenth of the floor area of the room. However where any room is air conditioned these rules may not be applicable in strict compliance with the above.
12. It shall be the duty of the owner of the eating house/hotel to keep the premises in good condition by colour washing the premises in its entirety.

13. The licensed premises shall be swept at least twice a day and the sewers used to divert sewerage shall be cleaned using clean water, at least twice a day.

14. Dogs ,cats and the like shall not be allowed within the premises of the eating house and all precautions shall be taken to prevent such creatures from entering such premises. The lavatories and latrines in the eating house premises shall be cleaned at least twice daily and shall be properly maintained and they should not be stinking.

15 .The latrines and lavetories within the eating house premises shall be washed and cleaned at least twice daily and sprayed with a disinfectant and be devoid of stinking.

16. Specific utensils shall be used, to keep food and serve food and such utensils shall be properly cleaned and dried.

17. (a) all the waste matter generated within the eating house premises shall be collected separately as-

- (i) bio degradable waste;
- (ii) glass;
- (iii) paper or paper related waste;
- (iv) polythene and plastic or polythene or plastic related waste; and
- (v) iron and other metals or ionic or metallic substance.

(b) Measures shall be taken for the final disposal of the waste, generated within the eating house premises, in the aforesaid manner in accordance with any waste management strategy implemented within the relevant waste management area of authority.

18. (a) Any person suffering from any infectious, contagious or skin disease or who has recently suffered from any such disease or any person who had recently been in attendance to a person who had been suffering from any such disease shall not be engaged in or shall not be engaged to assist any person who is engaged in or shall not cause to be engaged in any work in any eating house unless the communicable period of the disease has lapsed.

(b) No person shall be employed or cause to be employed in any capacity within the eating house premises unless such person is properly dressed in clean clothes.

(c) It shall be the duty of the licensee to subject every employee employed in the licensed premises to a medical test at least once, every year.

19 . It shall be the duty of the licensee to provide aprons to each employee who is engaged in the preparation of food and to make sure that such employees wear such aprons whenever they are on duty.

20. It is lawful for the Chairman or any officer authorized by the Chairman to buy any food prepared in any eating house or any food displayed for sale therein and no licensee shall refuse to sell or prevent or obstruct such selling.

21. It shall be lawful for the Chairman or any officer authorized by the Chairman for such purpose, enter and inspect any eating house and, the licensee or any person in charge of the licensed premises shall permit such officer to enter and shall give him every assistance for such inspection.

22. Where any person is carrying on any eating house in contravention of any of the provisions of these by-laws and where the Chairman has informed him of any such contravention , fails to

correct himself within the period specified for him to correct the position, it shall be lawful for the Chairman to cancel the license issued to such person.

23. Any person who commits any act in contravention of the provisions of these by-laws or fails to comply with any order made by the Chairman under these by-laws shall commit an offence under these by-laws and shall on conviction by any court with competent jurisdiction be liable to any punishment under section 122 of the Pradeshiya Sabha Act, No. 15 of 1987

24. In these by-laws, unless the context otherwise requires-

“authorized officer “ shall mean, any officer authorized in writing for any purpose by the Chairman;

“Chairman” means, the Chairman of any Pradeshiya Sabha;

“eating house” means any eating house, restaurant, tea or coffee boutique situate within the area of authority of any Pradeshiya Sabha where provisions have been made for the purchase of any processed food or food prepared therein, by payment of money but no lodging facilities are provided.

### **XXIII. BY-LAWS RELATING TO WILD ANIMALS AND WILD BIRDS**

1. The Pradeshiya Sabha is empowered to make these by-laws under section 126(xi)(e) read with section 122 of the Pradeshiya Sabha Act, No. 15 of 1987.

2. These by-laws make provision for the caring and protection of wild animals and wild birds for the purpose of contributing towards Pradeshiya Sabha's duty in ensuring the maintenance and promotion of good living by the protection and preservation of scenic beauty and environmental equilibrium.
3. These by-laws are enacted for the prevention of killing, catching, raring or causing harm to wild animals and wild birds and to prevent causing damage and disturb their living and livelihood.
4. These by-laws shall be cited as by-laws relating to wild animals and wild birds.
5. No person shall take, kill, catch, torture or disturb any wild animal or wild bird without the authority of a licence issued by the Director General of Wild Life in terms of the provisions of Fauna and Flora Act, No.-----as amended by Act,No.22 of 2009.
6. It shall be lawful for the Chairman or any authorized officer to report to the Director General of Wild Life, any person who does any act under by-law 5,and take appropriate action in respect thereof.
7. No person shall destroy or have in his possession any nest, litter, or eggs of any wild animal or wild bird.
8. No person shall fire or use any fire arm, catapult or any other weapon so as to cause damage to any wild animal or wild bird.
9. If any wild animal or wild bird is wandering about in any home garden, public premises canal, water course, lake or agricultural land in a manner which is damaging or threatening to the inhabitants of the area, it is the duty of every person to report that fact to any officer in the Department of Wild Life, enabling him to take appropriate action regarding same.

10. It is an offence to act in contravention of any of the provisions of these by-laws and any person who commits any such contravention shall, on conviction by a court of competent jurisdiction, be liable to any punishment under section 122 of the Pradeshiya Sabha Act.

11. In these by-laws, unless the context otherwise requires-

“authorized officer” shall mean, any officer authorized in writing by the Chairman of any Pradeshiya Sabha;

“Chairman” shall mean, the Chairman for the time being of any Pradeshiya Sabha.

#### **XXIV. By-Laws Relating to Epidemics and Contagious diseases**

1. The Pradeshiya Sabha is empowered to make these by laws under section 126 (ix)(r) read with section 122 of the Pradedeshiya Sabha Act, No. 15 of 1987.

2. These by-laws, in carrying out the Pradeshiya Sabha’s duty towards the promotion and protection of public health and amenities, provide for the prevention and mitigation of the epidemic, infectious, endemic or contagious, diseases and the speedy interment of the dead during the prevalence of such diseases.

3. These by laws shall be cited as the “by-laws relating to Epidemics and Contagious Diseases”.

4. Where any person who has been confirmed by a medical officer to be suffering from any Epidemic or Contagious disease has been ordered by any health medical officer or any Government Medical officer to be removed to a hospital or any other treatment center, the owner or occupier of the house in which such patient was residing shall carry out such order forth with.

5. Such hospitals or treatment centers referred to in Rule 4 above shall be kept under quarantine.

6. No person who does not belong to the staff of the Department of Health or the staff of the hospital shall enter any hospital or treatment center which is specified under Rule 4, without the approval of the Chief Medical Officer of such hospital or the medical centre as the case may be.

7. The patients suffering from or convalescing after any Epidemic or Contagious disease shall not be allowed to have their baths in any place other than the places which are allocated to them for the purpose.

8. No person suffering from or convalescing after any contagious disease shall bathe or wash clothes or use water in a public bathing place.

9. No person who is suffering from any Epidemic or Contagious disease and is taking treatment from any hospital or any treatment center shall be discharged or be allowed to leave such place unless the prior recommendation of the medical officer of such hospital or the treatment center as the case may be, had been taken therefor.

10. The Chairman or, the health medical officer of the area shall have the power to keep under quarantine, any house or building within such area from which a person suffering from any Epidemic or contagious disease had been removed, under quarantine for a period of not less than seven days in order to clean such house or building.

11. (1) No person shall enter, without the authority of a health medical officer of the area, any place kept under quarantine, in accordance with the preceding by-law 10 .

(2) The Chairman or the health medical officer has the authority to cover such area kept under quarantine with a fence or, close the paths or roads leading to such places in order to prevent people from entering to such places.

12. The cost of maintenance of people residing in places which are subject to quarantine under by-law 10 shall be borne by the Pradeshiya Sabha as determined by such Sabha.

13. The Chairman has the authority to prohibit any public meetings or assemblies in a place which is subject to quarantine under Rule 5 or Rule 10 above.

14. The body of a person whose death is caused by an Epidemic or contagious disease shall be buried or funeral rites relating thereto shall be carried out, within 24 hours from the death of such person.

15. A body buried under the preceding Rule 14 shall not be buried in a pit, the depth of which is less than 2 meters from the ground level.

16. No person who has been suffering from any Epidemic or Contagious disease or has recently recovered from any such disease shall within a period which has been recommended for him as the period within which he shall not leave his place of abode, enter or visit or stay or engage in any activity in a public bathing place, hotel, trading store, eating house, religious center, school or any place where the public assemble until such recommended period is over.

17. The Chairman or the health medical officer may order the closure for any definite period of time any restaurant, bakery, hotel, eating house or tea or coffee boutique or any place where processed or unprocessed food is sold or may prohibit the sale of any meat, poultry or fish or any other named food at such place for a specified period.

18. The Chairman or the health medical officer shall have the power to make the public aware of the manner of spreading of any Epidemic or Contagious disease and the manner of minimizing or mitigating the spreading of such disease and the steps to be taken to subject such places to quarantine in respect thereof and to make orders relevant to the protection of public health.

19. Every person who acts in contravention of these by-laws or every person who fails to comply with any order issued by the Chairman under these by-laws shall commits an offence under these by-laws and upon conviction by a court of competent jurisdiction shall be liable to any punishment under section 122 of the Pradeshiya Sabha Act, No. 15 of 1987.

20. In these by-laws, unless the context otherwise requires-

“Chairman shall mean the Chairman of the Pradeshiya Sabha;

“authorized officer” shall mean any officer duly authorized by the Chairman of the Pradeshiya Sabha.

### **XXV. By-laws relating to construction of private wells**

1. Pradeshiya Sabha is empowered to make these by-laws under section 126 (Xiii)(c) read with section 122 of Pradeshiya Sabha Act.No.15 of 1987.
2. These By-Laws are enacted for the regulation of the construction and maintenance of Private Wells for the purpose of safeguarding the public health and safety.
3. These by-laws are cited as the by-laws relating to construction of private wells.
4. These by-laws are enacted for the regulation of construction and maintenance of wells on private lands for the purpose of obtaining water for drinking, bathing or any other domestic purpose or for any commercial purpose which is not domestic and for issuance of license for same.
5. Any person who digs wells or does any related constructions within the area of authority of a Pradeshiya Sabha for the purpose of obtaining water for drinking, bathing or any house hold activity or any commercial or business purpose which are non-agricultural shall comply with the provisions of the following by-laws.

6. Any person who engages in digging wells and doing related constructions shall obtain the permission of the Chairman of the relevant Pradeshiya Sabha by submitting duly filled application obtained from the Pradeshiya Sabha.
7. If the land on which the proposed well is to be constructed situates within an area not declared as an developed area under section 134 of the Pradeshiya Sabha Act, a sketch plan depicting all existing constructions including existing houses, buildings wells, and factories and the proposed wells shall be attached to the application specified in Regulation 6.
8. Documents which show the applicant's entitlement to the land where the proposed well is to be constructed or a letter of consent given by the owner of the land for the construction of the proposed well, shall be submitted along with the application specified in Regulation 6. Also the technical knowhow, specification and quantity papers shall be submitted along with the application.
9. Any owner, lessee, or occupier of any land where a well which is used to obtain water for drinking. Washing or any other domestic purpose is located shall make provision to prevent –
  - (a) Direct flow of surface rain water or waste water in to the well from any distance;
  - (b) Surface rain water seeping in to the well from a distance of less than 5 meters from the brink of the well;
  - (c) Seeping of underground water into the well from a depth of less than 3 meters, measured from the ground level of the land where the well is located.
10. Any owner, lessee or occupier of any land where a well which is used to obtain water for the purpose of technical or business purposes other than for drinking, bathing or domestic requirements is located shall make provisions-
  - (a) To prevent the surface rain water or industrial waste water from flowing in to the well from any distance whatsoever, and
  - (b) To construct a permanent parapet, height of which shall not be less than one meter in height measured from the ground level and, to cover the well fully with a concrete slab.

11. All the drains which carry polluted water and found within a distance of 30 meters from a well shall be kept clean on a regular basis.
12. Every well which supply drinking water shall have a protective parapet, which shall be at least 1.5 meters in height and in the case of wells that supply water for bathing purposes, each such well shall be surrounded by a protective fence so that children and animals cannot reach the well.
13. Every well shall be emptied and cleaned at least once in every six months.
14. No person shall construct or maintain or allow to remain –
  - (a) Any place where organic or chemical or decayed matter is heaped;
  - (b) An open drain which is damaged or broken,  
  
Within a distance of 30 meters from a well which supplies water for drinking, bathing or any other domestic purpose.
15. No person shall use any dirty bucket or any other similar vessel to draw water from a well.
16. No person shall wash clothes or bathe animals within a distance of 4.5 meters from a well which is used to obtain water for drinking purposes.
17. The well shall not be kept open so as to enable the dry leaves, flowers or fruits to fall in to it.
18. Where an application is made by any person under by-law 6 of these by-laws, the Chairman of the Pradeshiya sabha, shall within 21 days of the receipt thereof, inspect the relevant area and, either allow the application or reject it.
19. No Pradeshiya sabha shall approve any plan for the construction of any well or permit the construction of any well within 30 meters distance from a cess pit, dirty water pit, waste water pit, a pigsty, a cattle shed or a drain which carries polluted water.
20. The Chairman or any officer authorized by him may, by a written notice; require the owner, custodian, lessee, or occupier of any land where any well which is used to take water for drinking purposes or any domestic purpose is located, to close any well or clean it or empty it by drawing the water out or repair it. Such owner, custodian or lessee or occupier shall take steps to act

according to the said notice within the time specified in such notice situations which resulted in floods, landslides or epidemics.

21. The owner, custodian lessee or occupier of any land where a well is located may be required to close such well or empty it by drawing the water out or clean or repair it in situations consequent to any floods, landslides, or any epidemic, by the Chairman, Medical Health officer or Public health Inspector and the person so required shall take steps to comply with it within the specified period of time.
22. Every person who makes an application for the construction of a well in accordance with these by-laws shall pay to the Pradeshiya sabha, an inspection fee as determined from time to time by the Pradeshiya sabha and published in the Gazette.
23. The provisions of these by-laws shall not apply to a well , which is constructed for agricultural or cultivation purposes.
24. In regard to wells to be constructed within the premises of any religious place, hospital, treatment Centre or any premises of a school or any Educational institute, any such institution or the owners lessees or occupants of such institution shall be exempted from paying the inspection fee specified in the by-law 22.
25. A person who contravenes any of the provisions of these by-laws or who fails comply with any order made by the Chairman under these by-laws commits an offence under these by-laws and on conviction by any court having competent jurisdiction, shall be subject to any punishment under section 122 of the Pradeshiya Sabha Act, No. 15 of 1987.
26. In these by-laws, unless the context otherwise requires –  
“ Chairman” shall mean the Chairman of the Pradeshiya Sabha;  
“Authorized officer” shall mean, an officer authorized in writing by the Chairman.

## **XXVI. By Law realting to maintenace of the public market**

1. Phradeshiya Sabhas are vested with powers to formulate these by- laws by virtue of Section 122 of Phradeshiya Sabha Act No. 15 of 1987 read with the paragraph of sub section (xii) of Section 126 of the said Act.
2. This by – law is imposed for the maintenance, streamlining, supervision of goods to be sold inside and inspection & control of goods to be sold inside the public market, in which it is being maintained by the Phradeshiya Sabha following its construction.
3. This by – law is cited as the “By Law realting to maintenace of the public market”
4. Concerning any building of the public market that is being maintained by the Phradeshiya Sabha following the construction -

(1) In order to use any of the shop,

- I. He shall be a person who has signed a lease agreement with the Phradeshiya Sabha under the orders of the by-law in this Section or an employee or representative of him.
- II. He shall be adhered to orders and conditions of the by-law in this Section and the said lease agreement.
- III. If the said person is an employee or representative, his name shall be registered in the Phradeshiya Sabha Office.

(2) In order to use any market stall or floor that have been built outside the shops,

I. The person, who shall be a valid permit holder prepared incidentally to the format given in this shedule 1 issued upon or under the Phradeshiya Sabha Authority subject to the orders of this by-law, or an employee or representative of him.

11. He shall be adhered to orders and conditions of this by-law.

111. If the said person is an employee or representative, his name shall be registered in the Phradeshiya Sabha Office.

5. It shall be lawfull for the Phradeshiya Sabha to adhere following orders in connection with the public market maintained by the Phradeshiya Sabha following its construction. :-

In the said public market -

(1) All permanent buildings should be built up with bricks, concrete blocks or laterite blocks and minimum height of the wall shall be at least 3 meters from the ground level.

(2) The roof shall be constructed with some permanent roofing material

(3) Ceilling shall be installed in the roofing of inside shops and the said Ceilling shall be above of 2.85 meters from the ground level.

(4) Front of the inside shops of the building shall have a corridor of width 2.5 meters and there shall be a door that can be opened by way of removing a half or a bifold door at the place that evey shop is connected to the corridor.

(5) Stage wall and rain water flowing drains shall be consructed in the outside of the buildings with shops and in the outside of the corridor of at least width 1 meter.

- (6) Temporarily shops and market stall shall be not built up outside the section in which the shops have been constructed in the building.
- (7) Every market stall, which is constructed inside, shall be of a plate completed with a concrete plate or a non rust metal plate upon the wall that is built up with bricks or concrete block or laterite blocks. Whenever the plate has been built up with concrete plate, the said plate, having plastered, shall be polished with cement or tiles shall be fixed on it.

Whenever the market stall is unable to be built in such way, land lots shall be evenly prepared on the ground and it shall be built up with bricks or concrete block or laterite blocks on the said land and shall be plastered with cement. Stripe marks shall be marked in white colour for separating each section.

- (8) Area of every market stall shall be not less than at least two square meters.
- (9) A roof as to cover all market stall shall be constructed on the pillars using bricks or concrete block or laterite blocks or galvanized iron pipes or strong aluminum pipes and of height at least 2.25 meters from the ground level. Backyard shall be at least 2.1 meters high from the ground level.

Further, if the said pillars are built up with bricks or concrete block or laterite blocks it shall be plastered and painted and if it is built up with galvanized iron pillars, those pillars shall be painted.

- (10) Every roof shall be constructed with some permanent roofing materials and adequate pipes shall be fixed to the rain gutters of a roof system which collects and diverts rainwater away from the roof edge. Required provisions shall be provided not to be collected dried leaves or other rubbish in the manner of collecting rain water in rain gutters.

- (11) Stage wall shall be built up around every market stall of height at least one meter from the ground level and adequate drains shall be built up to drain the rainwater.
- (12) Adequate drain system shall be built up for the properly drainage of the directly poured rain water inside, on roof and effluent water discharged from the place, where is allocated to wash vegetables and fruits in the public market under the Sub Section 14 of this Section and it shall be allowed to drain the said effluent water devoid of any encumbrance.
- (13) Public water tap shall be installed within the premises.
- (14) A place shall be allocated to wash vegetables or fruits.
- (15) Water connection shall be supplied to every shop which uses water as per the nature of the business.

Separate water meter shall be fixed to each such water connection and water meter per each place of common water tap and place allocated to wash vegetables and fruits shall be separately fixed.

- (16) Quality assurance certification shall be obtained from the National Water Supply and Drainage Board for the water as it is suitable for the human consumption and this quality assurance certification shall be obtained at least ones in every six months.

If the water, supplied by the National Water Supply and Drainage Board is used for the onsite usage, it shall be considered that said quality assurance certification has been obtained.

- (17) Adequate security provisions should be provided to prevent the pollution of water storage whether the water is stored for the onsite functions.

- (18) Adequate number of latrines and bathrooms should be separately constructed for both male and female. The tiles shall be fixed to every latrine floor and the wall of height at least two meters from the ground level.
- (19) It shall be duty of the Chairman to make arrangements to clean every latrines and bathrooms in the public market at least thrice a day using disinfectants and to clean drains, that have been built up to drain the effluent water, at least twice a day.
- (20) Adequate nightlight shall be provided to all common areas including shops, market stall inside of latrines & bath rooms and every electric circuit shall be covered by a material that is not an electrical conductor.
- (21) An electricity meter shall be installed to every shop and a separate meter shall be installed to read the number of units consumed for lightning of common places.
- (22) An adequate fire safety arrangement shall be in place and separate types of fire extinguishers shall be located throughout the market premises to stop fire from spreading by way of fire involving electrical equipment, fire involving flammable liquid and fire involving other ways.
- (23) It shall be duty of the Chairman to allow checking fire extinguishers at least once to make sure they are functioning properly and to install new fire extinguishers in place of the inactive.

(24) A standard weighing scales shall be placed somewhere in a way that makes the readout clearly visible to the customers who purchase the commodities.

(25) While concerning location of the shops of the public market, it shall be duty of the council to partition the public market into sections for selling meat, fish, vegetables, retail products and other trade materials and in the same manner described above to partition the market stall into sections. .

(26) A parking area shall be prepared to park foot bicycle and motor bicycle.

(27) An adequate parking area shall be reserved to park the consumer's vehicles and vehicles that transport goods.

(28) Waste generated in the premises -

- I. Biodegradable waste
- II. Glass
- III. Paper or Paper associated material
- IV. Ploythen or plastic or polythen & plastic associated materials and Rigifoam
- V. Iron & other metal or iron & other metals mixed materials
- VI. Dangerous waste

Buggies or containers or tanks shall be placed in the separate place of the said market enabling above waste to be separately collected and the buggy or the container or the tank made for putting biodegradable waste shall be closed properly by a lid means of avoiding rats, flies, other insects or any other bird to be entered into it.

(29) It shall be the duty of the Chairman, on behalf of the Phradeshiya Sabha enabling all wastes that are generated in the relevant area, to be dumped, to small sized containers, which are subject to the Sub Section 28 for easing disposal of waste by the persons, who come to the market, are to be kept by a lease holders of any shops in the public market or a ticket holder in the relevant shop or on the counter or any other appropriate place.

And such containers shall be allowed to dump into buggies or containers or tanks stimulated in the paragraph (28) in appropriate time duration.

(30) It shall be the duty of the Chairman to make the garbage collected in any buggy, container or tank in accordance with the orders stipulated in the Sub Section 28, to dispose at least once a day or more upon the requirements.

Moreover, it shall be allowed to transport the waste by a vehicle by way of fully covering the part to which the waste has been loaded, whenever the said waste is discarded from the said place.

(31) it shall be the duty of the Chairman to engage an authorized officer to check whether the trade materials that are kept in shops in the public market or on market stall for selling or exhibiting, are dangerous or harmful to the health of the people.

(32) it shall be the duty of the Chairman, on behalf of the Phradeshiya Sabha to allow to colour wash all other walls except inside walls of the shops in the public market, every market wall with cement plastering, other parts of the ceiling except the construction of galvanized iron and inner ceiling of the shops, at least once a year.

6. In connection with the public market that is being maintained by a Phradeshiya Sabha, a lease holder, permit holder to use or apply market stall for sale or a floor or his representative or general public shall adhere the following terms and conditions:-

(1) No person shall be allowed to perform the followings in the said public market -

- I. uncontrolled behavior or hurly-burly or use of indecent words or begging inside,
- II. Remaining within the premises after the closure of the market at the end of daily activities,
- III. Making loss & damage, distortion or defacement in any building, construction or fixation or any flower bush growing or keeping for ornamental purposes or name board or other objects,
- IV. Fraud and corruption connected with the obtaining the water supply from the main pipe line or any other pipe line laid inside the building to supply the water connection,
- V. Unless other than the chairman has given the formal way of permission, installing displaying notice boards, which is not a name board of his shop, drawing banners or performing any other displaying activity in his shop space ,
- VI. Place of goods & equipment near the main switch board of the electricity supply to make them as barriers to the board or damaging the main switch board ,

- VII. Fraud and corruption connected with the obtaining the electricity supply from the main line or any other line running through the building to supply the power connection ,
- VIII. Making water that supplied for the usages unclean or run to waste the water or allowing to waste or any other way of wasting water , or bathing in said water or washing clothes with said water or washing animals, washing vegetables and fruits outside the place allocated to wash those fruits and vegetables,
- IX. Place of goods & equipment near the fire extinguishers, which have been installed to the wall, to make those as barriers to the fire extinguishers or damaging the fire extinguishers
- X. Other than the place reserved for ad hoc activity, sale of any kind of vegetable, meat or fish or display for sale or allowing to do so,
- XI. Bringing cycle or motor bicycle into shops or allowing to do so ,
- XII. Dumping of garbage into any other place inside the public market excluding any buggy, container, tank provided by the Phradeshiya Sabha in compliance with the orders in the Section 5 of the disposal of refuse from any shop,

XIII. Dumping other than any waste that is categorized to dump into any container, baggy, or tanks that are located in the public market.

- (2) Other than occasion that the waste is dumped or taken out from the buggy or container or tank, made to dispose the biodegradable materials subject to the orders in the Paragraph (28) of the Section 5, the lid shall be properly closed in any occasion.
- (3) Every person who uses any shop or market stall in the public market shall sweep and clean the inside of said shop and its front corridor and stage wall or market stall and its surrounding in the morning that daily activities are being commencing and at end of day or if required once or more than once during the above time period and after sweeping, the collected waste shall be dumped to a buggy or a container or a tank provided by the Phradeshiya Sabha as stipulated in the Section 5.
- (4) At the end of daily activities, it shall be the duty of the person who performs the trade business in the place to clean or allow to clean every table, a bench, a board to be kept goods or /and an Almirah, on which the, things are displayed for the sale in every shop and a market stall that sell or display for sale vegetables, fruits, meats, fish or other food or drinks and every tea or coffee hut including a hotel, a rice shop and a restaurant in the public market.
- (5) No person shall be allowed to cook anywhere inside the public market other than in a hotel, rice shop, restaurant or tea or coffee hut.
- (6) No person shall be allowed to retain any waste in any container located in any market stall that has been constructed outside the shops of the public market, at the end of the daily activities.
- (7) Unless otherwise it is the flesh of any animal killed in a slaughterhouse, where it has been obtained a formal permit under the

orders made by the Cattle Slaughter Ordinance, no person shall be allowed to be sold or displayed for sale or stored in any meat shop in the public market.

(8) In any circumstance the appropriate authority has published an order in the Gazette Notification in terms of the provisions made by the Section 17 of the Cattle Slaughter Ordinance for prohibiting the killing of animals for meat purpose in a slaughter house in any day, it shall not be allowed meat to be sold or displayed for sale in any meat shop of the public market.

(9) No person shall bring or allowed to bring a dog or a cat or any other animal or a bird inside the public market premises. This order shall not be understood as an order preventing any Police Officer to be brought a police dog inside the public market for any inspectional activity

(10) In any circumstance the public market is completely closed following the completion of the trade practices in the public market and in circumstance, any shop in the public market is closed and left for out, it shall be duty of the lease holder to switch off all electric bulbs, electric fans and other electric appliances and to allow blow out the lighted fire and coconut oil lamps.

Provided however, refrigerators or deep freezers that are used to preserve the foods shall not be included here under.

Further, no person shall light or allow to light a fire flame or to light crackers anywhere in the public market premises by creating possibilities of threats to the security of the public market.

(11) No person shall dump outside waste in any buggy, container or tank that has been built up to dump the waste generated in the said public market.

(12) It shall be the duty of the lease holder to paint and colour wash other walls except inside walls of the shops, constructions done inside the shops with galvanized iron and inside ceiling of the shops at least once a year.

(13) Any person, who has obtained a permit to use and apply any market stall for sale under the provisions of the Section 4, shall not alienate the permit, or he shall not perform his trade in any market stall other than the market stall, in which, he has obtained the permit and in the event of the Chairman or the authorized officer convince that any person who perform his trade in such a way, the chairman or the authorized officer shall have power to bring him in the appropriate place for the trade or to prevent him doing business and remove him from the public market on the said day or to cancel the permit issued to him.

(14) Any person, who has taken a lease of a shop in any public market, or any person, who has obtained a permit for the use of any market stall shall not allow any other person to sell any kind of good or to display those for selling purpose or to perform any other activity in the said shop that has been allocated for the own business purposes or space in the market stall or any part of it.

(15) Unless other than the power has been made for the ad hoc activity upon the decision of the Phradeshiya Sabha in advance, no person shall do any construction or installation or change or cover by way of changing the due plan of any shop in the public market or damage to the said plan.

(16) Unless other than the power has been made for the ad hoc activity upon the decision of the Council in advance, no person shall do any

construction or installation or change and construction of a market stall or cover in any place inside the public market.

(17) In any circumstances, any material or good or any equipment used for the business or any kind of other thing to be brought to the public market for the sale, shall not be placed or allowed to place in any corridor or stage wall excluding in the event of those materials or goods to be brought to the public market or in the event of those are taken out from the premises.

(18) On any corridor or stage wall inside the public market, any form of business shall not be performed and any work that will disturb the persons moving along the said corridor or stage wall shall not be performed.

(19) No person shall sell or display whatever the thing, which has been prohibited by the Phradeshiya Sabha or is unsuitable or dangerous to the human health in any form or unfavorable in the individual's shop or market stall.

(20) Unless otherwise the infectious disease and the incubation period exceeded from any person who is suffering or has recently suffered from any infection or skin diseases or any person who is taking care of such kind of patients or has recently taken care of such patients, he shall not perform or not allowed to perform any form of business or to perform as an assistant of any a businessman in the public market.

(21) Unless otherwise properly washed clean clothes are being worn, no person shall engage or allow engaging in any form of a business.

7. Among of the space allocated for the business in any public market, it shall mean ,-

- (1) If it is a shop space, the part including from the back wall of the said shop to the boundary, where the door is connected as stipulated in the Sub Section (4) of the Section 5 and,
- (2) If it is a market stall, area of the said market stall and the sufficient space behind the said market stall enabling the person who does business to remain.

8. In the event of taking the lease of shop spaces in public market building;

- (1) Having selected a lease holder to use of a shop spaces other than the meat shop, it shall be the duty of the Phradeshiya Sabha to invite tender applications in public to offer the said shop space to the selected lease holder.
- (2) In the event of calling the tender, the monthly due rental for any shop space under this Sub Section (1) shall be decided in accordance with the valuation of the Chief Valuer.
- (3) As situations, tenders to be called to select the lease holders under this Sub Section (1) -

- I. A situation that the lease holder willingly canceled the lease agreement or
- II. A situation that the lease agreement is cancelled or considered as cancelled due to violation of the orders made in the by-laws of this section or violation of the condition of the lease agreement or
- III. A situation that any lease holder does not have a spouse or a child and he dies,

Should be considered and unless otherwise the lease agreement between the Phradeshiya Sabha and lease holder is not conceded as cancelled as per the Section 12, any lease holder rejected to make the said lease agreement valid for any coming year or he purposely avoided to make it valid.

9. Selected lease holder for the use of any shop space through the open tender procedure under Sub Section 8, shall enter to the lease agreement with the Phradeshiya Sabha.

10. Notwithstanding anything contained contrast to the Section 8, it shall be lawful for the lease holder, who signed the lease agreement with the Phradeshiya Sabha for the last time in connection with the each shop in any public market belongs to the Phradeshiya Sabha on the day this by-law comes to force, to be considered as the selected lease holder to use and apply said shop space for sale under the section 8 is effective from the said date. Further, any lease holder, who is relevant to this Section, shall enter a new lease agreement within three months duration from the effective date of this by-law as per the Section 9.

11. Any Lease agreement;

(1) Whenever an agreement is signed with the Phradeshiya Sabha under the Section 9 and 10, it shall only be valid to one year duration and having entered a new lease agreement with the Phradeshiya Sabha one month prior to the end of the said year, lease term is able to be extended for another one year for the said shop. In that manner, the lease holder shall claim to use and apply the said shop for sale by way of the validity of the lease term on said shop to be renewed annually for any sequential year.

(2) Under Sub Section 1, in the event of any lease agreement signed by any lease holder to make the lease term to be valid for the sequential year, and in circumstance the said shop is used under the said agreement, it shall be the duty for the chairman to decide the monthly rental to be paid during the sequential year as per the assessment of the chief assessor. .

12. Unless otherwise the lease term made to be valid for the next year in advance to one month for the end of lease term on any shop under the section 11, any lease holder shall not claim to use for the said shop after the last day of said month.
13. No person finds himself or herself to create a sublease on any shop in the public market. Because of the cancellation of the agreement which was between the lease holder of any shop and the Phradeshiya Sabha as someone has created a sub-lease on the said shop and any loss and damage occurred to sub lease holder because of taking over the possession of that shop, will not be the responsible for the Phradeshiya Sabha or Chairman or authorized officer.
14. The lease holder shall not create sub lease or rental on any shop in the public market that is maintained by the Phradeshiya Sabha and the Chairman in his opinion decides that any lease holder found himself to create sub lease or rental on the said shop or to violate the orders made by this by-law or lease agreement in connection with the said shop, it shall be duty of the chairman to inform the relevant lease holder in written notice to end that sub lease or rental.
15. Any person, who received a written notice as mentioned in the Section 14, has right to appeal to the Chairman within 14 days duration if he has any matters to make an objection or objections against the facts in the notice.

Further, it shall be the duty of the Chairman to conduct an inquiry on that objection or objections within 14 days from the day on when the chairman received notice including the written facts of the objection or objections sent by the lease holder.
16. As per the Section 15 here, in the event of the inquiry about objections conducted by the Chairman and in circumstances the matters denoted by the Chairman in his letter as per the Section 14 came to be proved or in circumstances the lease holder finds himself fail to correct the said sub lease or rental until the inquiry day about objections, it shall be considered that the lease agreement between that lease holder and the Phradeshiya Sabha is cancelled. Further, it shall be duty of the Chairman to act take over the possession of shop by the Council within 7 days of the inquiry day about objections. Furthermore, the Chairman shall follow orders made by the Sections 8 to lease again the shop that has been acquired.

17. Notwithstanding anything contrary contained from Section 13 to Section 16, upon the request of a lease holder of any shop belongs to the Phradeshiya Sabha or in the event of a lease holder died, orders made by above Sections shall not be a barrier in transferring leasehold possession either to a spouse or to an offspring of the said lease holder.

18.

(1) Upon Every lease holder who has been selected to use a shop in any public market maintained by the Phradeshiya Sabha shall deposit as follows ;

I. The deposit that may be the refundable amount of money decided by the Phradeshiya Sabha at the time the tenders are invited for selecting the lease holders ;  
and

II. The deposit equal three times of the monthly rental that cited in the signed agreement under the Section 9 and or 10 herein;

(2) Unless otherwise the orders made by this Sub Section (1) is complied as same manner, no person shall be allowed to used for a shop in any public market maintained by the Phradeshiya Sabha.

(3) Unless otherwise any lease holder,who has complied the orders made by the Sub Section (1) previous to six months from the date on when the agreement is signed with the Phradeshiya Sabha as stipulated in the said Section 10, it shall not be lawful for the use of the said shop after exceeding the said six months duration..

19. Any lease holder shall perform as follows;

(1) Due date for the rental ,which shall be paid to the Phradeshiya Sabha, for each month for any shop in the public market shall clearly mentioned in the relavent lease agreement. it shall be duty of the

lease holder to pay the said rental on or before the said date to the Phradeshiya Sabha.

(2) In the event of the monthly rental is not paid to the Phradeshiya Sabha on the agreed day or before thereto in keeping with the signed agreement by way of orders made by this Sub Section (1), he shall be liable to pay the ten percent of relevant monthly rental. An order made by this shall include the agreement.

(3) In the event of any body who neglects paying monthly due rental to the Phradeshiya Sabha and that arrears rental is exceeded more than 3 months, it shall be duty of the Secretary of the Phradeshiya Sabha to hand over a notice informing retributions as stipulated in this Sub Section (4) and therefore to make arrears payments and pay for delay cited in the Sub Section (2). Further, as per this notice, if he continues to commit the same offence over and over again, it shall be mentioned in the noticed that the shop may be sealed and goods and equipments inside the shop belongs to him would be subject to be sold in due course.

(4) It shall be duty of the Secretary of the Phradeshiya Sabha to sealed the relevant shop unless the said monthly due rental and the said arrears are not paid within 7 days from the day when that notice has been received under this Sub Section (3).

20. Having passed a day after acting under the orders made by the Section 19 of the Sub Section (4) and previous to exceed 7 days, It shall be lawful for the Secretary other than the power to deposit the excess money to the council fund after charging the arrears and pay for delay for lease rent by selling properties of the lease holder following the breaking of doors of the said shop if the relevant lease holder or any representative of him authorized in writing by the

lease holder has arrived to the said place in the presence of him or if the lease holder or his representative has not arrived in the presence any other two officers of the Phradeshiya Sabha.

21. Notwithstanding anything contrary contained hereunder Subsection 19 (4) and Section 20, In any circumstances to be readied by way of performing cited in those Sections or any circumstances engaged in between those two circumstances, the lease holder will not have any claim for withholding the performance related to the said arrears of lease payment, pay for delay and if there is any amount of money incurred due to acted so by way of citing in the Section 19 (4) or Section 20 and it shall be the duty of the Secretary to perform so following the charging of the sum of said money.
22. It shall not be understood that the cancellation of the agreement in connection with the lease on the said shop due to performance of here under the Sub Section 19 (3) and under Sections 20 and 21 or under some of these or under all Sections.
23. Notwithstanding anything contained contrast to the Sub Section 21, after sealing any shop twice in one year by way of order made by the Sub Section 19 (4) due to negligence of paying the rental by lease holder and if he continues to commit the same offence over and over again, the Secretary shall inform to the lease holder by way of a notice that make cancel the agreement signed with the Phradeshiya Sabha by the lease holder effective on the date on when the notice received to him.
24. Monthly payable bills for the consumption of water and elecricity units for the those connections obtained for each shop in the public market shall be paid by the said lease holder.
25. An electricity supply or a water supply can not be allowed to any shop from any electric circuit or public water tap used for public consumption purpose in the public market premises.
26. In the event of issuing the permits to use market stall or shop space for trade purpose and collecting rate of payments ;

Payable rate of payments for the market stalls which locate from outside the public market building where the shops have been built hereunder the Section 04, may be ordered by way of the decision made by the Phradeshiya Sabha in advance as cited in this second scheduled. In the same way, the rate of payments may be amended by the Council from time to time.

Any Officer of the Council authorized by the secretary may be occupied to issue permits and money to be charged for those permits for the persons who use market stall for trade purpose in the public market other than the shop spaces.

I. Further, it shall be the duty of any authorized officer to collect money daily on the issuance of permits and to make deposit to the Common Fund of Phradeshiya Sabha on the same day before Rupees 3.00.

II. After the said officer has deposited money that collected to the common fund of the Council on any day, if any money collected from the issuance of the permits in the public market, it shall be deposited to the Common Fund of Phradeshiya Sabha in the consequent working day.

(3) Unless any officer authorized by the Secretary is occupied by way of the order made by hereunder Sub Section for issuing tickets and collecting money to use market stall for trade purpose in the public market, the Phradeshiya Sabha shall have authority to vest the power in someone else (hereinafter referred to as the “money collector”) to be occupied through the open tender calling procedures.

(4) Devolution of the said work for any money collector selected under this Sub Section 3 shall be valid for one year and a money collector shall be selected through a new tender procedure for the consequent year. Provided that, it shall not understand that the orders made by this

Sub Section do not prevent any money collector who selected for the previous year, to submit tender application for the consequent year and to be selected as the money collector for the consequent year.

(5) In the event of a money collector who has been selected under this Sub Section 3, he shall perform -

- I. To deposit security deposit for that selection, refundable amount of money decided by the Phradeshiya Sabha at the time of calling tenders ;
- II. To enter an agreement with the Phradeshiya Sabha in connection with the issuance with the permits and collections of the rate of payments.;
- III. To deposit the money equal or more than to one third of the annual charge that agreed in the agreement under the order made by this paragraph II;
- IV. Unless otherwise any person who absolutely complies with the orders made by above paragraphs, no person shall be allowed to issue permit or collect for it for the persons who use market stall for trade purpose in the public market maintained by the Phradeshiya Sabha.

(6) The money collector shall not collect a rate of payment which exceeded the rate decided by the Phradeshiya Sabha relation to use or apply market stall for sale under this Sub Section (1).

(7) In accordance with this order made by this Sub Section (5), In the Agreement, which is between the money collector and the Phradeshiya Sabha -

- I. The way of issuing permit to use or apply market stall for sale;
- II. The way of charging the rate of payment for the permit and maximum rate to be charged;
- III. Total payable money to the Phradeshiya Sabha by the money collector for the agreed year ;
- IV. The said total (annual amount) is payable to the Phradeshiya Sabha in 12 equal installments and rate of the said installment;
- V. Due date to make the payments for each month to the Phradeshiya Sabha;
- VI. If, paying of monthly payment is neglected on the due day, the money collector shall subject to pay for the delay equal to ten percent of the said monthly payment ;
- VII. It shall be duty of the Phradeshiya Sabha to include followings as agreed conditions; if the money collector who neglects paying monthly due rental to the Phradeshiya Sabha, an agreement is subjected to cancel as per the orders made by the sub Section 8 and from the receipt of the notice by the Secretary, the authority vested in end by means of the issue or apply market stall for sale and charge money for use for it.

- (8) In circumstance, the money collector neglects to pay the due monthly total to the Phradeshiya Sabha and that arrears is exceeded that of three months, it shall be duty for the Secretary to inform by way of notice to him to pay the said arrears amount and the pay for delay.
- (9) It shall be lawful for cancellation of the agreement signed with the Phradeshiya Sabha by any money collector within 14 days of the receipt of such notice to whom under the under the Sub Section 8. Further, It shall be duty for the Secretary to inform by way of a notice to the said money collector on the same day that said agreement is considered as cancelled.
- (10) in any circumstance, the date after the cancellation of any agreement under the Sub Section 8, the person, who is responsible for collecting charges, being a party of said agreement, shall not issue a permit to any person to use for the martket stall in that public market.
- (11) It shall be the duty of the Secretary of the Council to engage any authorized officer of the Phradeshiya Sabha to issue permits to use market stall for trade purpose in the said public market from the day following the date of cancellation of any agreement under the orders made by the Sub Section 9.

Further, the Sectertary in his opinion decides that the authorized officers finds it difficult to continue the work again and again, he shall forward his opinion to the chairman as per the orders made by the Section. In the event of the opinion of the Secretary has been reported to the Phradeshiya Sabha by way of above, the Counsil may decide to perform in accordance with the Sub Section 3.

(12) In any circumstance, the Phradeshiya Sabha in its decision to perform in accordance with the Sub Section 3 by way of the Sub Section 11, the money collector being a party of said agreement that was cancelled, shall claim for submit a tender application for towards the invitation for tenders.

27. Unless otherwise the every permit, which has been issued under this by-law, is cancelled as per the provisions made by this by-law in advance, it shall be valid until December 31, in any year, in which, it has been issued.

27. It shall be lawful for the Chairman or any authorized officer to purchase any food sample that keeps for sale or displays for sale or stores and no person shall refuse or prevent such a purchase.

28. The Chairman or an authorized officer to check the orders made by this section of the by-laws, 'enabling inspection authority at the appropriate time means' any time that any public market is open for trade purposes.

29. In these by – laws unless the context otherwise requires;

“Spouse” means either member of a legally married pair in relation to the other; one's husband or wife,

“Public market” means any place which has been built and maintained by the urban council for the trade purpose in shop spaces or for the sale of other articles including vegetables or fruits that grow in home gardens and it further means any place which purchase or sale any product on the basis of retail or stock,

“Chief Valuer” means the Chief Valuer of the Department of Valuation and any officer appointed by the said Department for the administrative district belongs to the said Phradeshiya Sabha,

“Lease holder” means any person who enters an agreement with the Phradeshiya Sabha to use for any shop in any public market,

“ Market stall” includes usually an immobile temporary structure erected by merchants to display or shelter or box which is separated from shops in the public market and mean to continue day to today trading in the public market and places separated by marking strip lines for trade purposes.

“Chairman” means the person who currently holds the office of the Chairman in the Phradeshiya Sabha; and

“Authorized Officer” means any officer of the Council authorized in writing for a particular function by the Chairman of the Phradeshiya Sabha.

First Shedule

..... **Public Market** ..... **Council**

**Permit issued if market stall used for trade purpose**

Name of the permit holder .....

National Identity Card Number.....

Number of the allocated market stall / maked (strip lines)sections.....

Allocated time period from 20.....to 20.....

Number of days allocated : days 01 / days 07/ manths 01

Paid charge: Rs .....

Issued Date:.....

\* **Cut unnecessary words**

Signature of the person who is responsible for collecting charges

Second Shedule

**Pay cycle** that are eligible for payment in each period **for the use the market stall for trade purpose in a public market**

| Nature of the market stall                                  | Amount of rate payable per one day | Amount of rate payable per seven days | Amount of rate payable per one months |
|---|------------------------------------|---------------------------------------|---------------------------------------|
|   | Rs.                                | Rs.                                   | Rs.                                   |
| Market stall which is constructed above the floor           | .....                              | .....                                 | .....                                 |
| Sections which are seperated using strip lines on the floor | .....                              | .....                                 | .....                                 |

## **XXVII.By Law realting to parking of vehicles in the Pradeshiya Sabha area of authority**

1. Pradeshiya Sabhas are vested with powers to formulate these by-laws by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with the paragraph (h) of sub section (vii) of Section 126 of the said Act.
2. This by-law is imposed to provide parking area for motor vehicles within the Pradeshiya Sabha area of authority , impose chargers for parking vehicles in such areas, take payments for parking charges and control the parking of vehicles in the area of authority thereby.
3. This law is cited as “By law relating to parking of vehicles in the Pradeshiya Sabha area of authority”.
4. A notice to denote ‘Parking area for Vehicles’ should be displayed by way of seeing in public in a certain street, a part of a certain street or any other relevant area in which such spaces are allocated by the Chairman of the Pradeshiya Sabha (hereinafter referred to as the “Chairman”) for the parking of vehicles within the area of authority.
5. Unless otherwise anyone who possesses a valid parking permit issued by the Chairman, no person can park a vehicle in the place that has already been allocated by another person for parking vehicles.
6. A notice for prohibiting or limiting otherwise controlling of parking vehicles in a certain street or the portion of a street within the area of authority, may be displayed by the Chairman in a portion of such street to be viewed in public and whenever the parking is prohibited by such a notice, the driver shall not park the vehicle in any such street or a part of the street, excluding;
  - (1) Any officer or authority who performs in compliance with any traffic sign or notice displayed in such a street or a part of the street or ;
  - (2) duly following of any arrangement of the traffic flow prevails in that time in such street or part of the street or ;

(3) Allowing of any person to get in or get out of a vehicle and ;

(4) The time that is required for the loading or unloading of goods onto a vehicle

7. An amount of money, which is published in the Gazette Notification, having decided by the Council through confirming of suggestions, shall be charged for each parking permit that is issued under the Section 05 of this by-law.
8. The council shall decide the areas, which are reserved for paking of vehicles and publish in a notice under the Section 04 of above at time to time.
9. Having paid the monthly chages or annual charges, which shall be ordered by the Council at time to time for Government Department, Staturity body or Private Board that is not incorporated, monthly or annual parking permit shall be obtained as appropriate for motor vehicles belong to such Department or Private Board or an individual person.
10. Every parking permit issued under this by-law shall be contained the vehicle identification number to certify whether it is issued for a motor vehicle and such parking permit is valid only for the time period cited thereof.
11. Every person, who obtains a permit under this by-law, shall dispaly such permit face up on the dash board of the vehicle so they are clearly visible from the outside of the vehicle.
12. Whenever a Police Officer or Traffic Controller ask to examine the parking permit issued for the motor vehicle, from the driver or owner of that vehicle, which has been

parked in the common parking space, the owner or the driver of that vehicle shall immediately proceed such permit.

13. At an occasion that a public parking area for vehicles is reserved for any defined category or group of motor vehicles, no person shall park a motor vehicle that is not come under such category or group in such area.
14. No person shall park a motor vehicle in a public parking area by way of blocking the entrance or exit of the vehicles to the common parking area.
15. In any circumstance, it is shown in a notice or sign board that separate roads are provided for the entrance and exit at the public parking area for vehicles, any motor vehicle shall not be entered or exited to such area other than prescribed road.
16. All Motor vehicles parked in a common parking hut, which it is separated using chain or pillars or using both chain and pillars, shall be parked one behind other or facing to same direction in a side according to successive order of its' arrival.
17. Whenever the motor vehicle is parked in a common parking area for vehicles, no person shall wash / allow washing such vehicle.
18. Unless otherwise any person found the repair of vehicle is essential to take the vehicle away from the common parking area for vehicles, no person shall do any kind of repair for the vehicle that is parked in the common parking area for vehicles.
19. Any person who violates any of the section of this by-law or acts contrary to the direction of the Chairman is an offence under this by-law and every person who commits such an offence, shall be liable for a punishment under the Section 122 of the Pradeshiya Sabha Act No. 15 of 1987 on conviction by a competent court on that offence.
20. In these by – laws unless the context otherwise requires:  
“Chairman” means the person who currently holds the office of the Chairman in the Pradeshiya Sabha;

“Police Officer” means any officer of the Sri Lanka Police Service below the post of Inspector of Police;

“Traffic Controller” means any person of the Council authorized in writing by the Chairman to issue parking permits on behalf of the chairman in order to park the vehicles in common parking area.

“Motor vehicles” means any vehicle supplying the power mechanically and it has been prepared to use in roads; and

“Common parking area for vehicles” means any area reserved through the confirming of suggestions by the Pradeshiya Sabha.

### **XXVIII. By Law relating to soft drinks manufactories**

1. Pradeshiya Sabhas are vested with powers to formulate these by- laws by virtue of Section 122 of Pradeshiya Sabha Act No. 15 of 1987 read with the paragraph (m) of sub section (ix) of Section 126 of the said Act.
2. This by – law is imposed to streamline, supervise, inspect and control soft drinks manufactories in the Pradeshiya Sabha area of authority.
3. This by-law is cited as “By Law relating to soft drinks manufactories”.
4. No person shall run a soft drink manufactory unless he has obtained a valid permit issued for the relevant time by the Chairman.

5. Unless otherwise the every permit, which has been issued under this by-law, is cancelled as per the provisions made by this by-law in advance, it shall be valid until December 31, in the year, in which, it has been issued.
6. Unless otherwise the following orders are fulfilled, the Chairman shall not issue a permit to any soft drink manufactory either.
  - (1) Factory premises shall be cleanly maintained and properly renovated.
  - (2) Minimum wall height of a room in every building of the factory shall not be less than 2.14 meters and having built up with bricks, concrete blocks or laterite blocks, that wall shall be plastered and painted inside. In the event of walls are made up of aluminum or other metal with the board, surface of the board shall be painted.
  - (29) The roof shall be constructed with some permanent roofing material and roofing edge shall at least be of height 2 meters from the ground level. The lock shall be of at least 1 meter.
  - (3) Having painted using the Oil Based Paint or paint on the surface of the iron, other steel or wood on the roofing parts, it shall be maintained the roof in clean condition.
  - (4) If the floor is built up with cement, it shall properly be polished. If not tiles shall be fixed.
  - (5) Every building of the manufactory shall be constructed to get proper ventilation and sunlight. Windows, which are possible to be opened, shall be installed to every room and area of those windows, when its open shall not be less than one fifteenth of the surface area of that room.
  - (6) Water drainage system shall be prepared to freely drain the effluent water discharged from soft drinks productions rooms, effluent water discharged from places that will wash empty bottles and effluent water discharged from workers bathrooms.
  - (7) Seperate rooms shall be provided upon the requirement of the storage of types of syrups and other chemicals, bottles that store soft drinks or other storage products and safety provisions shall be provided to prevent rats and other insects from entering those rooms.
  - (8) Quality assurance certificate issued by the National Water Supply & Drainage Board shall be obtained for the water that is used for the soft drinks production to be fitted for the human consumption and this quality assurance certificate shall be renewed at least once in six months. If the water of the National Water Supply and Drainage

Board is used for the production of the soft drinks, it shall be considered that quality assurance certificate has already been received.

- (9) If the water, which is used for the soft drinks manufactory and related activities, stores in anyplace, adequate security provisions shall be provided to prevent it being contaminated.
- (10) Place that will wash empty bottles shall separately be located from the soft drinks manufacturing rooms and the only water that has been obtained a quality assurance certificate as stipulated in above paragraph (9) shall be used.
- (11) Separate containers or tanks shall be provided in the factory enabling waste, which is generated due to activities at the soft drinks manufactory, to be graded and dumped as stipulated in the Section 16.
- (12) Latrines shall be constructed by way of not less than one latrine for every ten workers for the workers in the soft drink manufactory and latrines shall be provided for male and female separately. Further, those latrines shall be located at least 15 meters away from the places that will wash empty bottles and soft drinks manufacturing rooms.
- (13) If the water that is used for the soft drink manufacturing, stores in the underground water tank, a waste pit or compost pit or ash dump area shall not be located in the place, where it is not less than 18 meters from the above underground water tank.

7. The permit holder shall take responsible for the followings;

- (1) Painting the parts, which are ordered to be painted at least once a year in the manner as stipulated in the Section 6 (2) and the Sub Section (2),
- (2) The floor of every room used for the manufacturing of soft drinks shall be washed every day at least once;
- (3) Cleaning and proper maintenance of rooms used for the manufacturing of soft drinks and its surroundings, drains, furniture & equipments

8. In the event of cleaning the bottles that store soft drinks manufactured at the manufactories; the permit holder shall use at least two tanks as following and eventually he shall be bear the responsibility to clean the effluent water that flows out;
  - (01) Removing the lebls which pasted on those bottles earlier and one tank for the preliminary level cleaning;
  - (02) Another tank for the final cleaning of those;
9. In the event of any kind of package or packages, excluding the bottles made up of glass are used for storing soft drinks, those packages shall be used only once and it shall be the duty for the permit holder to certify the hygiene package to be used. In this circumstance, a written certificate issued by the Chairman or the producer informing that packages are made up of hygiene materials shall be considered as valid document.
10. Unless otherwise in circumstance, the expiry date of any syrups and chemical substances that use for manufacturing soft drinks, adequately remains longer, those substances shall not be used for manufacturing soft drinks.
11. Permit holder shall allow the followings;
  - (1) Unless otherwise the infectious disease and the incubation period exceeded from any person who is suffering or has recently suffered from any infection or skin diseases or any person who is taking care of such kind of patients or has recently taken care of such patients, he shall not perform or not allowed to perform any form of activity or to perform as an assistant of any employee in the soft drink manufactory.
  - (2) Unless otherwise properly washed clean clothes are being worn, no person shall engage or allow engaging in any form activity in the soft drinks manufactory.
  - (3) It shall be responsible to allow the workers occupied in the soft drinks manufactory to undergo a medical test at least once year.
12. It shall be duty of the permit holder to provide the face Mask, glouse and required other wears to be provided for each worker engaged in the soft drink manufacturing and to certify that they are wearing those safety wears whenever they engage in the work.
13. It shall use the imperrmeabl and easily cleanable containers for storing syrups and chemical substances that use for manufacturing soft drinks and those subtances shall not

take out of the storage other than the occasions that these substances kept in the soft drinks manufacturing rooms for being manufacturing.

14. (1) All waste generated in the premises -

- VII. Biodegradable waste
- VIII. Glass
- IX. Paper or Paper associated material
- X. Polythene or plastic or polythene & plastic associated materials and Rigid foam
- XI. Iron & other metal or iron & other metals mixed materials
- XII. Remaining parts of any other inputs used for the production or by-product materials or parts;
- XIII. Dangerous waste

Shall allow to grade as mentioned above, and it shall be duty of the permit holder to take actions to dump such each waste in separate containers or tanks that prepared for this purpose.

In circumstance, the waste, having graded, dumped in containers or tanks as stipulated in the above Sub Section (1) and (2), is not disposed under the waste management programme of the Urban Council, the Chairman by way of a direction waste shall be disposed.

15. The Chairman or an authorized officer to check the orders made by this section of the by-laws, enabling inspection authority at the appropriate time means any time that the manufacturing is on the process.
16. It shall be lawful for the Chairman or any authorized officer to purchase any sample of the types of soft drink that manufactures in the soft drink manufactory or keeps for sale and no permit holder shall refuse or prevent such a purchase.
17. If the place, which is maintained the soft drinks manufacturing with the valid permit issued under this by-law ends in compliance with any order made by the Section 06 or if it remains in contrast to the orders made by any other section of this by-law, the chairman shall make an official order in writing to the permit holder to make all required arrangements to reach the aforesaid position in conformity with such order made by this by-laws not exceeding the date definite.

18. Any permit holder who has received a notice as stipulated in the Section 17 shall perform, by way of the order made by that notice, on a date prior to the definite date cited in the notice. If unable to do so and in circumstance, acceptable matters in this regard in writing is received, the chairman shall have power to extend the definite date mentioned in the notice. However extended time period in that manner shall not more than fourteen days.

19. In event of any permit holder, who has received a notice as stipulated in the Section 17, neglects performing by way of the order made by that notice, on the definite date cited in the notice or the extended date, it shall be lawful for the Chairman to cancel the permit issued for that place.

20. In these by – laws unless the context otherwise requires;

“Chairman” means the person who currently holds the office of the Chairman in the Pradeshiya Sabha;

“Authorized Officer” means any officer of the Pradeshiya Sabha authorized in writing for a particular function by the Chairman of the Pradeshiya Sabha; and

“ Soft drink” means a beverage that typically contains either some combination of sweeteners, natural or artificial flavorings. fruit juice, sugar substitutes, essence and syrup or one of these and that are stored in bottles or any other packages and further carbonated beverage (Soda water);

