

N.B.— Parts I(III) and IV(A) of the *Gazette* No. 1,768 of 20.07.2012 were not published.

The Catalogue of Books printed quarterly in July–September, 2008 has been published in Part V of this *Gazette*.

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අංක 1,769 - 2012 ජූලි 27 වැනි සිකුරාදා - 2012.07.27

No. 1,769 - FRIDAY, JULY 27, 2012

(Published by Authority)

PART IV (B) — LOCAL GOVERNMENT

(Separate paging is given to each language of every Part in order that it may be filed separately)

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IMPORTANT NOTICE REGARDING ACCEPTANCE OF NOTICES FOR PUBLICATION IN THE WEEKLY “GAZETTE”

ATTENTION is drawn to the Notification appearing in the 1st week of every month, regarding the latest dates and times of acceptance of Notices for publication in the weekly *Gazettes*, at the end of every weekly *Gazette* of Democratic Socialist Republic of Sri Lanka.

All Notices to be published in the weekly *Gazettes* shall close at 12.00 noon of each Friday, two weeks before the date of publication. All Government Departments, Corporations, Boards, etc. are hereby advised that Notifications fixing closing dates and times of applications in respect of Post-vacancies, Examinations, Tender Notices and dates and times of Auction Sales, etc. should be prepared by giving adequate time both from the date of despatch of notices to Govt. Press and from the date of publication, thereby enabling those interested in the contents of such notices to actively and positively participate please note that inquiries and complaints made in respect of corrections pertaining to notification will not be entertained after **three months** from the date of publication.

All Notices to be published in the weekly *Gazette* should reach Government Press two weeks before the date of publication *i.e.* Notices for publication in the weekly *Gazette* of 17th August, 2012 should reach Government Press on or before 12.00 noon on 03rd August, 2012.

B. K. S. RAVINDRA,
Acting Government Printer.

Department of Govt. Printing,
Colombo 08,
June 23, 2012.

Local Government Notifications

HAKMANA PRADESHIYA SABHA

Accepting Sub Statutes

AS per the powers vested in this Pradeshiya Sabhas by Sections Nos. 122 and 126 of Pradeshiya Sabha Act, No. 15 of 1987 and as per Section 2(3) of Local Government (related procedures) Act, No. 12 of 1989 prepared by Hon. Minister of Local Government under Section 02 (Sub Statute) of Local Government Act, No. 06 of 1952, published in the *Gazette Extraordinary* No. 520/07 dated 23.08.1988 and accepted by Southern Provincial Council by the notice published in the *Gazette* No. 1,162 dated 08.12.2000.

It is hereby notified that at the meeting held on 27.03.2012 under decision No. 12-1 it was proposed by Hon. Chairman C. P. H. Halpage to accept businesses mentioned in the following schedule of Sub-statute Schedule and to take effect from the date of publishing in the *Gazette* and it was seconded by Hon. Deputy Chairman W. S. P. K. Amarasekara.

C. G. H. HALPAGE,
Chairman,
Hakmana Pradeshiya Sabha.

Office of Hakmana Pradeshiya Sabha,
09th April, 2012.

01. Maintenance of a metal quarry or matle crusher operated by machines.
02. Maintenance of a place of crushing and selling metal.
03. Maintenance of a rice mill.
04. Maintenance of a place of storing and selling petrol, diesel or kerosene oil.
05. Maintenance of a blacksmith's workshop.
06. Maintenance of a coconut oil mill/place of storing coconut oil.
07. Maintenance of a press (digital).
08. Maintenance of a press operated by hand machines.

09. Maintenance of a place of storing timber.
10. Maintenance of a motor vehicle garage.
11. Maintenance of a motor vehicle service center.
12. Maintenance of a service center of motor cycle and three wheelers.
13. Maintenance of a storing and selling LP gas.
14. Maintenance of a place of storing and selling agro chemicals and fertilizer.
15. Maintenance of a place of gem mining or mining.
16. Maintenance of a lathe machine.
17. Maintenance of a welding workshop.
18. Maintenance of a welding workshop operated by gas.
19. Maintenance of a place of grinding, packing or selling spices operated by machines.
20. Maintenance of a carpenter workshop operated by machines.
21. Maintenance of a carpenter workshop.
22. Maintenance of a place of producing, processing and selling copra.
23. Maintenance of a place of manufacturing boxes of matches.
24. Maintenance of a place of cutting and selling glasses.
25. Maintenance of a place of storing and selling plants, varnish, distemper.
26. Maintenance of a place of storing and selling asbestos sheet.
27. Maintenance of a place of weaving cloths by machines.
28. Maintenance of a place of storing tea powder at whole sale level for selling.
29. Maintenance of a place of collecting rubber latex or fumigating room.
30. Maintenance of a place of raring animals.
31. Maintenance of a place of raring chicks.
32. Maintenance of a place of storing perishable food item for whole sale.
33. Maintenance of a place of manufacturing furniture.
34. Maintenance of a place of vulcanizing tyre and tubes.
35. Maintenance of a place of producing cool drinks.
36. Maintenance of a place of producing ice cream or packets of drinks.

07-757

URBAN COUNCIL – KEGALLE

Act, No. 17 of 1975 for issue of license for a Social Club

IT is hereby informed that I have received an application to conduct a Social Club at the premises and the person mentioned below in the Sub-schedule for the year 2013, under Section 06 of the Act, No. 17 of 1975.

It is further informed that if any objections to issue a license to conduct such a Social Club at the said premises proposed, such objections by the neighbours or who lives near should be sent to me in writing with duplicate within a period of four (04) weeks time of the publication of this *gazette* notification.

G. K. SAMARASINGHE,
Chairman,
Urban Council, Kegalle.

Urban Council Office, Kegalle,
09th July, 2012.

SUB SCHEDULE

<i>Name of the Applicant and Address</i>	<i>Social Club President/ Secretary</i>	<i>Name of the Club</i>	<i>Place/Authority of the new activities of the Social Club</i>
Vidana Henayalage Cyril, No. 167/28, Olagama, Kegalle.	President	Blue Light Traders and Restaurant	No. 152, Kalugalla Mawatha, Kegalle

07-758

By-laws

EASTERN PROVINCE PROVINCIAL COUNCIL

I, Sivanethurai Santhirakanthan, the Chief Minister and the Minister of Finance and Planning, Local Government, Rehabilitation, Resettlement, Rural Development, Manpower, Law and Order, Regional Administration, Tourism and Environment of the Eastern Province do hereby grant approval to the By-law on Solid Waste Management of the Thirukkivil Pradeshiya Sabha under and by virtue of power vested in me under Section 123(1) and (2) of the Pradeshiya Sabha Act, No. 15 of 1987 read with the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 and order publish effective from the date hereof.

SIVANETHURAI SANTHIRAKANTHAN,
Chief Minister and Minister of Finance and
Planning, Local Government, Rehabilitation,
Resettlement, Rural Development, Man power,
Law and Order, Regional Administration,
Tourism and Environment of the
Eastern Province.

Chief Minister's Secretariat,
Eastern Province,
Varothayanagar,
Trincomalee.

On this 25th day of June Two Thousand and Twelve.

Thirukkivil Pradeshiya Sabha

BY-LAWS ON SOLID WASTE MANAGEMENT

A By-law for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, at streets, thoroughfares within Thirukkivil Pradeshiya Sabha limits.

In order to fulfill its duty as required by Section 93 of the Pradeshiya Sabha Act, No. 15 of 1987, the Pradeshiya Sabha formulated these By-laws and have passed same under resolution No. 06/07 resolved at the meeting of the Thirukkivil Pradeshiya Sabha held on 28th December, 2011 in terms of Section 122 and

126(ix) item (b) of the Pradeshiya Sabha Act, No. 15 of 1987 read with Section 2(1) of Provincial Councils (Consequential Provisions) Act, No. 12 of 1989.

General :

- These By-laws are cited as By-laws relating to Solid Waste Management.
- These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, on streets, thoroughfares within Thirukkivil Pradeshiya Sabha limits and all other incidental activities thereto.
- Every owner or occupier of any premises situated within the Pradeshiya Sabha area shall keep the premises free of waste and in a healthy and pleasant condition.
- Owner or occupier of any premises situated within the area of the Pradeshiya Sabha shall collect, segregate, store for collection, transport and remove the waste within the premises or cause to do so in accordance with the provision of these By-laws.
 - Every owner or occupier of premises shall collect solid waste generated within his premises daily or in lesser intervals if required, by sweeping or using any other method.
 - Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding sub-section of this By-law in accordance with the provisions of By-law No. 8 to 21.
 - Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put for collection under the provisions of By-laws 8 to 20 shall be in accordance to the standard and specification approved by the Pradeshiya Sabha from time to time and maintain them in good condition and not put for collection, if they are torn, punctured, broken or softened

- by prolonged exposure to misture or if for any other reason, they are likely to collapse or spilt when reasonably handled.
- (iv) Pradeshiya Sabha may provide such receptacles to owners or occupiers if they so wish subsidizing the cost in part or in full according to a decision made by the Pradeshiya Sabha.
- (v) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time Schedule, operated in a Pradeshiya Sabha area, as determined and publicly notified from time to time by the Pradeshiya Sabha.
- (vi) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental or injurious to health of occupants, visitors or neighbours or to the sanitary conditions in that area.
- (vii) The owners or occupiers described under By-laws 8, 9, 10, 11, 12, 13, 15, 18 and 19 shall pay their Service Searches as described under Schedule hereof as follows :
- (a) On or before 15th of the following month, those who pay monthly,
- (b) On or before 28th of February of the respective year, those who pay yearly in advance.
6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue, or any other public place or premises, or a drain or a waterway, water reservoir or the sea.
- (ii) No person shall burn waste in an open space within the Pradeshiya Sabha area and thereby pollute the environment.
- (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-laws No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
- (iv) Waste not processed, treated or disposed of under the provisions of By-laws No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-laws Nos. 8 to 20.
7. (i) The owner or occupier of any premises may dispose the waste within such premises except –
- (a) In areas where disposal of such waste is prohibited by the Pradeshiya Sabha ; or
- (b) Certain types of waste specified by the Pradeshiya Sabha.
- (ii) The owner or occupier of any premises may burn waste in an incinerator or burner constructed in accordance with a plan and standards approved by the Secretary of the Pradeshiya Sabha or treat, process or bury waste in the manner approved by the Secretary.
- (iii) The owner or occupier of any premises shall process or treat the solid waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Pradeshiya Sabha waste collector any solid waste on payment of a Service Charge specified as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the waste disposed.
- (iv) Any person who cuts any part of a tree or plant within his premises, by the roadside of a street or thoroughfare shall by prior arrangement with the Secretary hand over that waste to the Pradeshiya Sabha waste collector on the payment of a Service Charge as determined by the Secretary considering the volume of waste to be removed of.
- (v) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.
- (vi) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Pradeshiya Sabha area.
- (vii) Any application to Pradeshiya Sabha for construction or renovation of a house or any other premises shall include in that application the details of solid waste generated during the construction and the programme of storing, treating or processing of discharged materials.
8. *Residential Premises :*
- (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by other method as follows :–
- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.
- (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for that purpose until removal. The waste specified in items (a) and (b) of Sub-section

- (i) shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Pradeshiya Sabha waste collector without delay.
- (iii) Every occupier may handover to an authorized collector types of waste specified in items (a) and (b) of paragraph (i). If failed to do so, he shall together with the type of waste specified in item (c) and (d) hand over to the Pradeshiya Sabha waste collector.
9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows :
- (a) Food waste and other bio-degradable waste ;
(b) Reusable and recyclable waste ;
(c) Residual waste ;
(d) Special waste.
- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
- (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii) the Secretary has the power to require the owner or occupier of that building, to provide such bins or receptacles on or before a notified date and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.
- (iv) Every owner or occupier of a floor or a storey shall put segregated waste in to the appropriate bin or receptacle.
- (v) It shall be the duty of an authorized collector to remove types of waste specified in items (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste (c) and (d) shall be handed over to a Pradeshiya Sabha waste collector.
- (iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a), (b), (c) and (d) of sub-section (i) of this By-law to an authorized waste collector.
- (iv) The owner or occupier of a shopping or an office complex with several stories and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shops or offices.
- (v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this By-law shall put segregated waste into separate bins or receptacles.
- (vi) Every owner or occupier has the right to hand over to an authorized waste collector the types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law and that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may to a Pradeshiya Sabha waste collector.
- (vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbours or persons engaged in services in such shop or office.
- For the purpose of this By-law, unless the context otherwise requires –
- "Occupier" means the owner of a shop or occupier or caretaker of a business or an office.
- "Office" has the same meaning given in the Shops and Office Employees Act, No. 19 of 1954 (Chapter 129).
- "Shop" means a place where goods are kept for wholesale or retail and includes a place where food or beverages are kept for sale and a place where a barber shop or beauty salon is operated.

10. Shops and Offices :

- (i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :
- (a) Food waste and other bio-degradable waste ;
(b) Reusable and recyclable waste ;
(c) Residual waste ;
(d) Special waste.
- (ii) Segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.

11. Hotels :

- (i) Any owner or any person authorized shall segregate waste collected at the hotel premises or cause it to be segregated as follows :-
- (a) Food waste and other bio-degradable waste ;
(b) Reusable and recyclable waste ;
(c) Residual waste ;
(d) Special waste.
- (ii) Every hotelier or any person authorized by him shall put in suitable bins or receptacles the segregated waste

and store in a suitable place until removal from the allotted space.

- (iii) Every hotelier or any person shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.
- (iv) Types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law may be handed over to authorized collector.
- (v) any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to a Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires,

"Hotel" means a place with or without sleeping facilities where food or beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim's rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

12. Vegetable and Fruit Stores :

- (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :—
 - (a) Food waste and other bio-degradable wastes ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Types of waste specified in item (a) of Sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals. Other waste shall be put into any suitable bin or other receptacle.
- (iii) Types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over shall be handed over to the Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires,

"Vegetable and fruit store" means a place where vegetable and fruit are stored and kept or exposed for sale.

13. Fish, Poultry and Egg stalls :

- (i) The owner or person who carries out the business of a stall for the sale of fish or poultry or egg shall segregate their waste as follows :—
 - (a) Carcasses or parts of carcasses or eggs not suitable for human consumption ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Segregated waste specified in item (a) shall be placed in a separate bin or other receptacle, types of waste specified in item (b), (c) and (d) of Sub-section (i) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (iii) Types of waste specified in items (a) of Sub-section (i) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, together with type of waste specified in items (c) and (d) of Sub-section (i) of this By-law, shall be handed over to a Pradeshiya Sabha collector.

For the purpose of this By-law, unless the context otherwise requires ;

"Fish or egg stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

14. Pavement Hawking :

- (i) No hawker shall carry out a pavement business other than a written permission obtained from the Pradeshiya Sabha.
- (ii) The Secretary may charge a fee as determined by the Pradeshiya Sabha from time to time for the purpose of issuance of a temporary license under Sub-section (i) of this By-law and require the licensed pavement hawker to pay a service charge in advance to the Pradeshiya Sabha taking the days of business and the volume of waste to be generated.
- (iii) At the expiry of the licensed period the Secretary shall refund the balance money after having set off the actual service charge against the advance paid by the licensed hawker as per Sub-section (ii).
- (iv) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. No such waste shall be put on the pavement or highway or in a public place.

(v) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrians.

(vi) Every pavement hawker shall segregate waste generated by reason of his business as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste (plastics, glass, tin, paper) ;
- (c) Residual waste ;
- (d) Special waste.

(vii) Segregated waste shall be put into a separate bin or other receptacle. The waste specified in item (a) of Sub-section (vi) of this By-law shall be placed inside a secured receptacle preventing the entries of insects, rats or animals and shall be kept closed except when required to place additional waste inside.

(viii) Every pavement hawker shall hand over daily such types of waste as specified in items (a), (b), (c) and (d) of Sub-section (vi) of this By-law to an authorized collector or together with such types of waste to the a Pradeshiya Sabha waste collector.

(ix) No pavement hawker shall keep the receptacles with waste shall not be kept on a pavement or roadside or highway, when the business is not in operation.

For the purpose of this By-law, unless the context otherwise requires ;

"Pavement Hawker" means a person who sells goods or provides a service on the pavement or roadside temporarily.

15. *Factories :*

(i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows :—

- (a) Bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous waste.

(ii) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Pradeshiya Sabha waste collector, except item (d) of Sub-section (i) this By-law.

(iii) Hazardous waste as specified in item (d) shall be removed according to the conditions set out in the Environmental

Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.

For the purpose of this By-law, unless the context otherwise requires ;

"Factory" has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

16. *Excavation, Construction and Demolition :*

(i) Every person who excavates any street, road or any public place or constructs or demolishes any structure for providing gas, electricity, water, telephone facilities or any other public amenities shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.

(iii) The waste referred to in Sub-section (i) of this By-law may be handed over to a Pradeshiya Sabha waste collector on a payment of a service charge to the Secretary as determined by the Pradeshiya Sabha from time to time.

In this By-law, unless the context otherwise requires for the purpose of this By-law ;

"Every person engaged in an act of excavation, construction or demolition" includes any person engaged for such service by an Employer.

"Waste" includes earth, mud, dust, waste generated in construction from the use of building materials and waste generated during demolition or any construction.

17. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, water, telephone facilities or any other public amenities by making an application shall obtain prior approval from the Secretary for the purpose of this By-law and the Pradeshiya Sabha shall taking, the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job and the cost of removal of such waste into consideration determine a sum of money being the waste disposal deposit which the applicant to pay to the Secretary.

(ii) The Secretary shall, if the applicant neglects to do so prior to giving approval under Sub-section (i) the applicant shall be required to pay an amount equivalent to the estimated cost as a deposit before approval is granted.

(iii) Where any person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the

Secretary and the resulting expenditure incurred may be set off from the waste disposal deposit.

taken for human consumption and other conditions the Pradeshiya Sabha may think fit.

18. Hospitals :

- (i) Every hospital shall be registered with the Pradeshiya Sabha and the owner of the hospital shall segregate or cause to be segregated waste generated within the premises as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous healthcare waste.

- (ii) Types of waste as specified in items (a), (b) and (c) of Sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste as specified in items (d) of Sub-section (i) shall be deposited in a bin or any other receptacles specially made for that purpose, and kept in a place set apart for that purpose and shall be treated and/or removed in accordance with the conditions set out in the Environmental Protection License issued to that hospital under the National Environmental Act, No. 47 of 1980.

- (iii) The waste as specified in items (a), (b) and (c) of Sub-section (i) shall be handed over to an authorized collector or to the Pradeshiya Sabha Waste Collector.

In this by-law, unless the context otherwise requires –

“Hospital” means any premises (howsoever described) used or intended to be used for the reception, nursing and treatment of persons or animals suffering from any illness or infirmity and includes a nursing home, clinic, medical centre, medical laboratory, maternity home and veterinary hospital.

“Hazardous healthcare waste” means clinical waste, body parts, placentas, infectious and highly infectious waste and sharps.

19. Slaughterhouses and sale of meat :

- (i) No person shall slaughter animal and carry on trade of a butcher unless issued a license by the Pradeshiya Sabha for that purpose in accordance to the provisions provided under the Butchers Ordinance (Chapter 272).
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the slaughter house permitted to slaughter animals, type of animals that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not

- (iii) Every person to whom a license has been issued under Sub-section (1) or person authorized (hereinafter the licensee) shall segregate their solid wastes as follows :—

- (a) Offal, hair, hoofs, bones, undigested materials ;
- (b) Reusable and recyclable waste ;
- (c) Residual wastes.

- (iv) Segregated wastes shall be placed in a separate bin or other receptacles, types of wastes specified in items (a), (b) and (c) of Sub-section (iii) of this by-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.

- (v) Types of waste specified in items (a), (b) and (c) of Sub-section (iii) of this by-law, may be handed over to an authorized collector. Any such waste not so handed over, shall be handed over to a Pradeshiya Sabha Collector.

- (vi) Waste water generated through the operations of the slaughterhouses and meat stall shall be treated as per the provisions of the National Environment Act, No. 56 of 1980.

For the purpose of this by-law, unless the context otherwise requires –

“Slaughterhouse” means as provided in the Butchers Ordinance (Chapter 272) ;

“Meat stall” means a place where such items are stored for purpose of sale or kept or exposed for sale.

20. Other premises :

- (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Any organizer of any activity specified in Sub-section (i) shall inform the Pradeshiya Sabha in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a service charge as determined by the Pradeshiya Sabha from time to time.

(iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.

(iv) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this by-law shall be handed over to an authorized collector or to a Pradeshiya Sabha Waste Collector subject to a service charge as determined by the Pradeshiya Sabha from time to time.

21. Streets and Public Places :

(i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall take steps to plan, supervise, control and administer the following :—

(a) to maintain in a clean and sanitary condition, the streets, public places, thoroughfares, public drains, watercourses and public markets situated within the Pradeshiya Sabha area ;

(b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places ;

(c) to provide mobile waste bins for use in public places, at festivals, special events or any other event as determined by the Pradeshiya Sabha where the Pradeshiya Sabha decides to do so, or following a request from the organizers of such festival on special events ;

(d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents ;

(e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.

(ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Pradeshiya Sabha specifically for litter.

22. Duties of the Pradeshiya Sabha :

(i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall plan, supervise, control and administer followings :—

(a) to encourage people to reduce, reuse and recycle waste,

(b) to conduct awareness programmes or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,

(c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,

(d) to offer incentives to those involved in the reduction, reuse and recycle activities,

(e) to regulate different types of waste discharge systems,

(f) to issue the bag, sack, bind or other receptacle to the owner or occupier in compliance to the standard and specification that have been approved by the Pradeshiya Sabha according to the requirements in order to ensure that effective and efficient segregation, collection and store of waste,

(g) to prepare a waste collection schedule, setting out collection days, times, methods and service charges as determined by the Pradeshiya Sabha for different types of waste in different areas of Pradeshiya Sabha. It may include conditions for collection on public holidays and make people aware,

(h) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to schedule,

(i) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors in compliance to provisions of law,

(j) to hand over to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places, and waste collected from public bins and waste collected by Pradeshiya Sabha labourers, except for hazardous waste or other types of waste specified by the Secretary,

(k) to take appropriate measures to deal with segregated waste collected by Pradeshiya Sabha Waste Collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste of these types in a manner, approved by the Secretary,

(l) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,

(m) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or

environmental protection license to burn waste or to maintain a sanitary landfill,

- (n) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,
- (o) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Pradeshiya Sabha for the construction or renovation of a house or other premises,
- (p) to prepare an internal Waste Management Plan for the Pradeshiya Sabha,
- (q) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually by the Pradeshiya Sabha,
- (r) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

23. *Permits :*

- (i) The Pradeshiya Sabha may issue a permit to any person who re-uses or recycles waste material or manufactures compost, biogas or any other product where any person –
 - (a) carries out any business within the Pradeshiya Sabha area or in any other local authority area, in terms of this by-law, as approved by the Pradeshiya Sabha,
 - (b) possesses an Environmental Protection License, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980,
 - (c) designates storage place for collected waste constructed in accordance with the standards approved by the Pradeshiya Sabha,
 - (d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Pradeshiya Sabha and without causing nuisance to people,

(e) agrees to hand over residual or reject waste or any other waste created as by products during processing or treatment, to the Pradeshiya Sabha as approved by the Pradeshiya Sabha on payment of a service charge to the Secretary for collection of such waste as determined by the Pradeshiya Sabha from time to time, where the business is carried out within the Pradeshiya Sabha limits,

(f) where the Pradeshiya Sabha refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons of such refusal or rejection within thirty days of receipt of the application for the permit,

(g) the Secretary shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and other appropriate conditions,

(h) the Secretary shall revoke the permit issued under this by-law in event of non-compliance of the provision of Sub-section (i) of this by-law.

- (ii) No person shall collect or receive waste when a permit is revoked under the provision of (h). In such event the Secretary shall give sufficient publicity through media in order to bring awareness to the people of the revocation of such permit.

24. *Waste Disposal Areas :*

- (i) No unauthorized person shall enter loiter, deposit, disturb or remove any article, material or refuse from a waste disposal area reserved by the Pradeshiya Sabha for that purpose to deposit any prohibited refuse which the Pradeshiya Sabha from time to time may stipulate unless authorized by the Pradeshiya Sabha subject to certain specified conditions.
- (ii) No person shall provide, operate or use any land or facility for the deposit of waste originating from a place outside the land or facility within the Pradeshiya Sabha limits except with the prior written approval of the authorized officer and the Central Environmental Authority subject to any conditions of approval.

25. *Others :*

- (i) The Secretary or any person authorized by him in writing shall have the power at all reasonable times to enter any premises and inspect as to whether the owner or occupier acts in conformity with the provisions of these by-laws.
- (ii) The owner, occupier, caretaker, manager or any person residing or serving in that premises shall furnish the

information required by the Secretary or any authorized officer.

(iii) No person shall obstruct the Secretary or an authorized officer or assistant authorized officer in the exercise of his powers under these By-laws.

(iv) Any authorized officer or any assistant of the authorized officer who implements and enforce these By-laws may be offered incentives according to the decisions made by the Pradeshiya Sabha from time to time.

(v) Any person who contravenes any provisions of these By-laws shall be guilty of an offence as per the Pradeshiya Sabha Act.

26. Violations and Penalties :

(i) If any person within the limits of the Pradeshiya Sabha contravenes or violates any provisions provided under this By-laws from 3 to 20 and from 23 to 25 shall be an offence punishable with fines as described hereunder after the service of a written notice from the Secretary and conviction thereof by a Magistrate's Court.

(a) For any one of such contravention or violation the penalty of a fine shall be Rupees Seven Hundred and Fifty (Rs. 750).

(b) In the case of continuing contravention or violation, an additional fine Rupees Two Hundred and Fifty (Rs. 250) for every day during which the contravention or violation is continued.

27. Interpretation :

Unless context otherwise requires, for the purpose of these By-laws :-

“Authorized Collector” means a person who obtains a permit from the Secretary to collect and receive waste under the provision of these By-laws.

“Authorized Officer” means a person who has been authorized in writing by the Secretary to execute or carry out such duties under these By-laws.

“Bin or other receptacles” means any bin, sack, bag or other container used for waste storage, discharge, collection or transportation that complies with the requirements set out in these By-laws.

“Bio-degradable waste” means waste that may be degraded or decomposed by micro-organisms.

“Collection” means the receipt of waste by an authorized collector or Pradeshiya Sabha waste collector for

transportation for re-using, recycling, processing, treatment or disposal facilities.

“Compost” means the final product of the degradation of waste by microorganisms and it is a humus that could be functioned as soil conditioner.

“Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Pradeshiya Sabha waste collectors.

“Disposal” means the placement of all waste that is neither re-used, recycled, processed nor treated, on or in land where it is intended to stay permanently.

“Fee” means some fee determined by the Pradeshiya Sabha from time to time.

“Food Waste” means all meat, fish, eggs, vegetable, fruits and other edible materials that cannot be used for consumption.

“Garden Waste” means parts removed from trees or plants. Removed from a home garden.

“Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature.

“Infectious waste” means equipment, instruments, utensils and disposable things that may carry communicable diseases including pathological specimens.

“Special waste” waste which is not regulated hazardous waste, which has physical or chemical characteristics or both, that are different from municipal, demolition, construction and wood wastes and which potentially requires special handling.

“Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person.

“Pradeshiya Sabha” means Thirukkivil Pradeshiya Sabha.

“Pradeshiya Sabha Area” means the area declared under the authority of the Pradeshiya Sabha Act, No. 15 of 1987.

“Pradeshiya Sabha Waste Collector” means an employee engaged by the Pradeshiya Sabha for sweeping, collection, receipt or removal of waste from bins or

receptacles or a person who has entered in to a contract with the Pradeshiya Sabha to perform such duties.

“Public place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public.

“Recyclable waste” means by-waste that can be used to produce new goods by changing their form in the process so that they are no longer recognizable as waste.

“Residual waste” means waste not considered as biodegradable and re-usable/recyclable wastes.

“Reusable waste” means waste that can be utilized after washing disinfection or cleaning by other means.

“Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in Sri Lanka to minimize the associated social, health and environmental impacts.

“Secretary” means the Secretary of the Pradeshiya Sabha constituted under the Pradeshiya Sabha Act, No. 15 of 1987 for that Pradeshiya Sabha and any person appointed to act as such Secretary or any officer of such Pradeshiya Sabha empowered by or under this Act, to exercise, perform or discharge any of the powers, duties or functions of the Secretary to the extent to which such officer is so empowered.

“Segregation” means separating waste into different types according to the categories used in these By-laws.

“Service charge” means fees to be charged to users of the waste management services of the Pradeshiya Sabha.

“Solid waste” means substances which have no consumer value to person who abandoned them and includes rubbish, garbage, litter, street sweepings, drain cleanings and ash.

“Special Waste” means wastes that may pose danger to the environment and may require special handling, transportation, treatment and disposal.

“Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.

“Transfer station” means any place specified by the Pradeshiya Sabha for this purpose where waste is transferred from smaller to larger vehicles for the purpose of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility.

“Transport” means transporting waste from the collection point to processing, treatment or disposal facilities using some form of human or animal or mechanically powered vehicle.

“Treat” means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment.

SCHEDULE I

Service Charges :

Description of Service Charge	Classification of owner of occupier under By-laws 8 and 9			Category of owner or occupier under By-laws 10, 11, 12, 13, 15, 18 and 19
	Category of owner or occupier under By-law 8	Category of owner or occupier under By-law 9	Category of owner or occupier under By-law 8 and 9 (Samurdhi)	
	Rs.	Rs.	Rs.	
Service Charge for one month	50	75	30	*_
Service Charge for one year	600	900	360	*_
10% discount in cash of paying Service Charge for whole year before March of the respective year	540	810	325	*_

*_ Pradeshiya Sabha shall from time to time determine the service charge on average basistaking the volume of waste disposed of.

Unless the context otherwise requires, for the purpose of these By-laws ;

“Samurdhi” means and includes the families who have been categorized under Samurdhi assisted families by the Divisional Secretary of the division and assisted by the Government under the poverty alleviation programme.

07-644/1

EASTERN PROVINCE PROVINCIAL COUNCIL

I, Sivanethurai Santhirakanthan, the Chief Minister and the Minister of Finance and planning, Local Government, Rehabilitation, Resettlement, Rural Development, Manpower, Law and Order, Regional Administration, Tourism and Environment of the Eastern Province do hereby grant approval to the By-law on Solid Waste Management of the Sammanthurai Pradeshiya Sabha under and by virtue of power vested in me under Section 123(1) and (2) of the Pradeshiya Sabha Act, No. 15 of 1987 read with the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 and order publish effective from the date hereof.

SIVANETHURAI SANTHIRAKANTHAN,
Chief Minister and Minister of Finance and
Planning, Local Government, Rehabilitation,
Resettlement, Rural Development, Man power,
Law and Order, Regional Administration,
Tourism and Environment of the
Eastern Province.

Chief Minister's Secretariat,
Eastern Province,
Varothayanagar,
Trincomalee.
On this 25th day of June 2012.

Sammanthurai Pradeshiya Sabha

BY-LAWS ON SOLID WASTE MANAGEMENT

A By-law for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, at streets, thoroughfares within Sammanthurai Pradeshiya Sabha limits.

In order to fulfill its duty as required by Section 93 of the Pradeshiya Sabha Act, No. 15 of 1987, the Pradeshiya Sabha formulated these By-laws and have passed same under resolution No. 01 resolved at the 07th meeting of the Sammanthurai Pradeshiya Sabha held on 24th October, 2011 in terms of Section 122 and 126(ix) item (b) of the Pradeshiya

Sabha Act, No. 15 of 1987 read with Section 2(1) of Provincial Councils (Consequential Provisions) Act, No. 12 of 1989.

General :

1. These By-laws are cited as By-laws relating to Solid Waste Management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, on streets, thoroughfares within Sammanthurai Pradeshiya Sabha limits and all other incidental activities thereto.
3. Every owner or occupier of any premises situated within the Pradeshiya Sabha area shall keep the premises free of waste and in a healthy and pleasant condition.
4. Owner or occupier of any premises situated within the area of the Pradeshiya Sabha shall collect, segregate, store for collection, transport and remove the waste within the premises or cause to do so in accordance with the provision of these By-laws.
5. (i) Every owner or occupier of premises shall collect solid waste generated within his premises daily or in lesser intervals if required, by sweeping or using any other method.
(ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding sub-section of this By-law in accordance with the provisions of By-law No. 8 to 21.
(iii) Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put for collection under the provisions of By-laws 8 to 20 shall be in accordance to the standard and specification approved by the Pradeshiya Sabha from time to time and maintain them in good condition and not put for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely to collapse or spilt when reasonably handled.
(iv) Pradeshiya Sabha may provide such receptacles to owners or occupiers if they so wish subsidizing the cost in part or in full according to a decision made by the Pradeshiya Sabha.
(v) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time Schedule, operated in a Pradeshiya Sabha area, as determined and publicly notified from time to time by the Pradeshiya Sabha.
(vi) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental or injurious to health of occupants, visitors or neighbours or to the sanitary conditions in that area.

(vii) The owners or occupiers described under By-laws 8, 9, 10, 11, 12, 13, 15, 18 and 19 shall pay their Service Searches as described under Schedule hereof as follows :

(a) On or before 15th of the following month, those who pay monthly,

(b) On or before 28th of February of the respective year, those who pay yearly in advance.

6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue, or any other public place or premises, or a drain or a waterway, water reservoir or the sea.

(ii) No person shall burn waste in an open space within the Pradeshiya Sabha area and thereby pollute the environment.

(iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-laws No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.

(iv) Waste not processed, treated or disposed of under the provisions of By-laws No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-laws Nos. 8 to 20.

7. (i) The owner or occupier of any premises may dispose the waste within such premises except –

(a) In areas where disposal of such waste is prohibited by the Pradeshiya Sabha ; or

(b) Certain types of waste specified by the Pradeshiya Sabha.

(ii) The owner or occupier of any premises may burn waste in an incinerator or burner constructed in accordance with a plan and standards approved by the Secretary of the Pradeshiya Sabha or treat, process or bury waste in the manner approved by the Secretary.

(iii) The owner or occupier of any premises shall process or treat the solid waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Pradeshiya Sabha waste collector any solid waste on payment of a Service Charge specified as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the waste disposed.

(iv) Any person who cuts any part of a tree or plant within his premises, by the roadside of a street or thoroughfare shall by prior arrangement with the Secretary hand over that waste to the Pradeshiya Sabha waste collector on

the payment of a Service Charge as determined by the Secretary considering the volume of waste to be removed of.

(v) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.

(vi) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Pradeshiya Sabha area.

(vii) Any application to Pradeshiya Sabha for construction or renovation of a house or any other premises shall include in that application the details of solid waste generated during the construction and the programme of storing, treating or processing of discharged materials.

8. Residential Premises

(i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by other method as follows :–

(a) Food waste and other bio-degradable waste ;

(b) Reusable and recyclable waste ;

(c) Residual waste ;

(d) Special waste.

(ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for that purpose until removal. The waste specified in terms (a) and (b) of Sub-section (i) shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Pradeshiya Sabha waste collector without delay.

(iii) Every occupier may handover to an authorized collector types of waste specified in term (a) and (b) of paragraph (i). If failed to do so, he shall together with the type of waste specified in item (c) and (d) hand over to the Pradeshiya Sabha waste collector.

9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows :

(a) Food waste and other bio-degradable waste ;

(b) Reusable and recyclable waste ;

(c) Residual waste ;

(d) Special waste.

- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
- (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii) the Secretary has the power to require the owner or occupier of that building, to provide such bins or receptacles on or before a notified date and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.
- (iv) Every owner or occupier of a floor or a storey shall put segregated waste in to the appropriate bin or receptacle.
- (v) It shall be the duty of an authorized collector to remove types of waste specified in terms (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste (c) and (d) shall be handed over to a Pradeshiya Sabha waste collector.

10. Shops and Offices

- (i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :–
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.
- (iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a), (b), (c) and (d) of sub-section (i) of this By-law to an authorized waste collector.
- (iv) The owner or occupier of a shopping or an office complex with several stories and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shops or offices.
- (v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this by-law shall put segregated waste into separate bins or receptacles.
- (vi) Every owner or occupier has the right to hand over to an authorized waste collector the types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this by-law and that are not collected by an authorized collector

shall be handed over by the owner or occupier as the case may to a Pradeshiya Sabha waste collector.

- (vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this by-law so as not to cause any health hazard or sanitation problem to neighbours or persons engaged in services in such shop or office.

For the purpose of this By-law, unless the context otherwise requires –

"Occupier" means the owner of a shop or occupier or caretaker of a business or an office.

"Office" has the same meaning given in the Shops and Office Employees Act, No. 19 of 1954 (Chapter 129).

"Shop" means a place where goods are kept for wholesale or retail and includes a place where food or beverages are kept for sale and a place where a barber shop or beauty salon is operated.

11. Hotels

- (i) Any owner or any person authorized shall segregate waste collected at the hotel premises or cause it to be segregated as follows :-
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Every hotelier or any person authorized by him shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.
- (iii) Every hotelier or any person shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.
- (iv) Types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this by-law may be handed over to authorized collector.
- (v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to a Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires,

"Hotel" means a place with or without sleeping facilities where food or beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim's rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

12. Vegetable and Fruit Stores

- (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Types of waste specified in item (a) of Sub-section (i) of this by-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals - other waste shall be put into any suitable bin or other receptacle.

- (iii) Types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this by-law may be handed over to an authorized collector. Any waste not so handed over shall be handed over to the Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires.

"Vegetable and fruit store" means a place where vegetable and fruit are stored and kept or exposed for sale.

13. Fish, Poultry and Egg stalls

- (i) The owner or person who carries out the business of a stall for the sale of fish or poultry or egg shall segregate their waste as follows :-

- (a) Carcasses or parts of carcasses or eggs not suitable for human consumption ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Segregated waste specified in item (a) shall be placed in a separate bin or other receptacle, types of waste specified in item (b), (c) and (d) of Sub-section (i) of this by-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.

- (iii) Types of waste specified in items (a) of Sub-section (i) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, together with type of waste specified in items (c) and (d) of Sub-section (i) of this by-law, shall be handed over to a Pradeshiya Sabha collector.

For the purpose of this by-law, unless the context otherwise requires ;

"Fish or egg stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

14. Pavement Hawking

- (i) No hawker shall carry out a pavement business other than a written permission obtained from the Pradeshiya Sabha.

- (ii) The Secretary may charge a fee as determined by the Pradeshiya Sabha from time to time for the purpose of issuance of a temporary license under Sub-section (i) of this by-law and require the licensed pavement hawker to pay a service charge in advance to the Pradeshiya Sabha taking the days of business and the volume of waste to be generated.

- (iii) At the expiry of the licensed period the Secretary shall refund the balance money after having set off the actual service charge against the advance paid by the licensed hawker as per Sub-section (ii).

- (iv) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. No such waste shall be put on the pavement or highway or in a public place.

- (v) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrians.

- (vi) Every pavement hawker shall segregate waste generated by reason of his business as follows :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste (plastics, glass, tin, paper) ;
- (c) Residual waste ;
- (d) Special waste.

- (vii) Segregated waste shall be put into a separate bin or other receptacle. The waste specified in item (a) of Sub-section (vi) of this by-law shall be placed inside a secured receptacle preventing the entries of insects, rats or animals and shall be kept closed except when required to place additional waste inside.

(viii) Every pavement hawker shall hand over daily such types of waste as specified in items (a), (b), (c) and (d) of Sub-section (vi) of this By-law to an authorized collector or together with such types of waste to the a Pradeshiya Sabha waste collector.

(ix) No pavement hawker shall keep the receptacles with waste shall not be kept on a pavement or roadside or highway, when the business is not in operation.

For the purpose of this By-law, unless the context otherwise requires ;

"Pavement Hawker" means a person who sells goods or provides a service on the pavement or roadside temporarily.

15. *Factories :*

(i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows :-

- (a) Bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous waste.

(ii) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Pradeshiya Sabha waste collector, except item (d) of Sub-section (i) this By-law.

(iii) Hazardous waste as specified in item (d) shall be removed according to the conditions set out in the Environmental Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.

For the purpose of this By-law, unless the context otherwise requires ;

"Factory" has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

16. *Excavation, Construction and Demolition :*

(i) Every person who excavates any street, road or any public place or constructs or demolishes any structure for providing gas, electricity, water, telephone facilities or any other public amenities shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.

(iii) The waste referred to in Sub-section (i) of this By-law may be handed over to a Pradeshiya Sabha waste

collector on a payment of a service charge to the Secretary as determined by the Pradeshiya Sabha from time to time.

In this By-law, unless the context otherwise requires for the purpose of this By-law ;

"Every person engaged in an act of excavation, construction or demolition" includes any person engaged for such service by an Employer.

"Waste" includes earth, mud, dust, waste generated in construction from the use of building materials and waste generated during demolition or any construction.

17. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, waster, telephone facilities or any other public amenities by making an application shall obtain prior approval from the Secretary for the purpose of this By-law and the Pradeshiya Sabha shall taking, the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job and the cost of removal of such waste into consideration determine a sum of money being the waste disposal deposit which the applicant to pay to the Secretary.

(ii) The Secretary shall, if the applicant neglects to do so prior to giving approval under Sub-section (i) the appcliant shall be required to pay an amount equivalent to the estimated cost as a deposit before approval is granted.

(iii) Where any person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Secretary and the resulting expenditure incurred may be set off from the waste disposal deposit.

18. *Hospitals :*

(i) Every hospital shall be registered with the Pradeshiya Sabha and the owner of the hospital shall segregate or cause to be segregated waste generated within the premises as following :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous healthcare waste.

(ii) Types of waste as specified in items (a), (b) and (c) of Sub-section (i) shall be deptsited in separate receptacles and stored in a suitable place until removal. Types of waste as specified in items (d) of Sub-section (i) shall be deposited in a bin or any other receptacles specially

made for that purpose and kept in a place set apart for that purpose and shall be treated and/or removed in accordance with the conditions set out in the Environmental Protection License issued to that hospital under the National Environmental Act, No. 47 of 1980.

- (iii) The waste as specified in items (a), (b) and (c) of Sub-section (i) shall be handed over to an authorized collector or to the Pradeshiya Sabha waste collector.

In this By-law, unless the context otherwise requires ;

"Hospital" means any premises (howsoever described) used or intended to be used for the reception, nursing and treatment of persons or animals suffering from any illness or infirmity and includes a nursing home, clinic, medical centre, medical laboratory, maternity home and veterinary hospital.

"Hazardous healthcare waste" means clinical waste, body parts, placentas, infectious and highly infectious waste and sharps.

19. Slaughterhouses and sale of meat :

- (i) No person shall slaughter animal and carry on trade of a butcher unless issued a license by the Pradeshiya Sabha for that purpose in accordance to the provisions provided under the Butchers Ordinance (Chapter 272).
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the slaughterhouse permitted to slaughter animals, type of animals that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other conditions the Pradeshiya Sabha may think fit.
- (iii) Every person to whom a license has been issued under Sub-section (1) or person authorized (hereinafter the licensee) shall segregate their solid wastes as follows :—
 - (a) Offal, hair, hoofs, bones, undigested materials ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste.
- (iv) Segregated wastes shall be placed in a separate bin or other receptacles, types of wastes specified in items (a), (b) and (c) of sub-section (iii) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (v) Types of waste specified in items (a), (b) and (c) of Sub-section (iii) of this By-law, may be handed over to an

authorized collector. Any such waste not so handed over, shall be handed over to a Pradeshiya Sabha collector.

- (vi) Waste water generated through the operations of the slaughterhouses and meat stall shall be treated as per the provisions of the National Environment Act, No. 56 of 1980.

For the purpose of this By-law, unless the context otherwise requires.

"Slaughterhouse" means as provided in the Butchers Ordinance (Chapter 272).

"Meat stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

20. Other premises :

- (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :—
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Any organizer of any activity specified in Sub-section (i) shall inform the Pradeshiya Sabha in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a service charge as determined by the Pradeshiya Sabha from time to time.
- (iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.
- (iv) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to a Pradeshiya Sabha waste collector subject to a service charge as determined by the Pradeshiya Sabha from time to time.

21. Streets and Public Places :

- (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall take steps to plan, supervise, control and administer the following :—
 - (a) to maintain in a clean and sanitary condition, the streets, public places, thoroughfares, public drains, watercourses and public markets situated within the Pradeshiya Sabha area.

- (b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places.
- (c) to provide mobile waste bins for use in public places, at festivals, special events or any other event as determined by the Pradeshiya Sabha where the Pradeshiya Sabha decides to do so, or following a request from the organizers of such festival on special events.
- (d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents.
- (e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.

- (ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Pradeshiya Sabha specifically for litter.

22. *Duties of the Pradeshiya Sabha :*

- (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall plan, supervise, control and administer followings :-
 - (a) to encourage people to reduce, reuse and recycle waste,
 - (b) to conduct awareness programmes or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,
 - (c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,
 - (d) to offer incentives to those involved in the reduction, reuse and recycle activities,
 - (e) to regulate different types of waste discharge systems,
 - (f) to issue the bag, sack, bind or other receptacle to the owner or occupier in compliance to the standard and specification that have been approved by the Pradeshiya Sabha according to the requirements in order to ensure that effective and efficient segregation, collection and store of waste,
 - (g) to prepare a waste collection schedule, setting out collection days, times, methods and service charges as determined by the Pradeshiya Sabha for different types of waste in different areas of Pradeshiya

Sabha. it may include conditions for collection on public holidays and make people aware,

- (h) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to schedule,
- (i) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors in compliance to provisions of law,
- (j) to hand over to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places and waste collected from public bins and waste collected by Pradeshiya Sabha labourers, except for hazardous waste or other types of waste specified by the Secretary,
- (k) to take appropriate measures to deal with segregated waste collected by Pradeshiya Sabha waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste of these types in a manner, approved by the Secretary,
- (l) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,
- (m) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or environmental protection license to burn waste or to maintain a sanitary landfill,
- (n) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,
- (o) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Pradeshiya Sabha for the construction or renovation of a house or other premises,
- (p) to prepare an internal Waste Management Plan for the Pradeshiya Sabha,

- (q) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually by the Pradeshiya Sabha,
- (r) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

23. Permits :

- (i) The Pradeshiya Sabha may issue a permit to any person who re-uses or recycles waste material or manufactures compost, biogas or any other product where any person –
 - (a) carries out any business within the Pradeshiya Sabha area or in any other local authority area, in terms of this By-laws, as approved by the Pradeshiya Sabha,
 - (b) possesses an Environmental Protection License, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980,
 - (c) designates storage place for collected waste constructed in accordance with the standards approved by the Pradeshiya Sabha,
 - (d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Pradeshiya Sabha and without causing nuisance to people,
 - (e) agrees to hand over residual or reject waste or any other waste created as by products during processing or treatment, to the Pradeshiya Sabha as approved by the Pradeshiya Sabha on payment of a service charge to the Secretary for collection of such waste as determined by the Pradeshiya Sabha from time to time, where the business is carried out within the Pradeshiya Sabha limits.
 - (f) where the Pradeshiya Sabha refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons of such refusal or rejection within thirty days of receipt of the application for the permit.
 - (g) the Secretary shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and other appropriate conditions,

(h) the Secretary shall revoke the permit issued under this By-law in event of non-compliance of the provisions of Sub-section (i) of this By-law.

- (ii) No person shall collect or receive waste when a permit is revoked under the provision of (h). In such event the Secretary shall give sufficient publicity through media in order to bring awareness in the people of the revocation of such permit.

24. Waste Disposal Areas :

- (i) No unauthorized person shall enter loiter, deposit, disturb or remove any article, material or refuse from a waste disposal area reserved by the Pradeshiya Sabha for that purpose to deposit any prohibited refuse which the Pradeshiya Sabha from time to time may stipulate unless authorized by the Pradeshiya Sabha subject to certain specified conditions.
- (ii) No person shall provide, operate or use any land or facility for the deposit of waste originating from a place outside the land or facility within the Pradeshiya Sabha limits except with the prior written approval of the authorized officer and the Central Environmental Authority subject to any conditions of approval.

25. Others :

- (i) The Secretary or any person authorized by him in writing shall have the power at all reasonable times to enter any premises and inspect as to whether the owner or occupier acts in conformity with the provisions of these By-laws.
- (ii) The owner, occupier, caretaker, manager or any person residing or serving in that premises shall furnish the information required by the Secretary or any authorized officer.
- (iii) No person shall obstruct the Secretary or an authorized officer or assistant authorized officer in the exercise of his powers under these By-laws.
- (iv) Any authorized officer or any assistant of the authorized officer who implements and enforce these By-laws may be offered incentives according to the decisions made by the Pradeshiya Sabha from time to time.
- (v) Any person who contravenes any provisions of these By-laws shall be guilty of an offence as per the Pradeshiya Sabha Act.

26. Violations and Penalties :

- (i) If any person within the limits of the Pradeshiya Sabha contravenes or violates any provisions provided under this By-laws from 3 to 20 and from 23 to 25 shall be an

offence punishable with fines as described hereunder after the service of a written notice from the Secretary and conviction thereof by a Magistrate's Court.

(a) For any one of such contravention or violation the penalty of a fine shall be Rupees Seven Hundred and Fifty (Rs. 750).

(b) In the case of continuing contravention or violation, an additional fine Rupees Two Hundred and Fifty (Rs. 250) for every day during which the contravention or violation is continued.

27. Interpretation :

Unless context otherwise requires, for the purpose of these By-laws :-

“Authorized Collector” means a person who obtains a permit from the Secretary to collect and receive waste under the provision of these By-laws.

“Authorized Officer” means a person who has been authorized in writing by the Secretary to execute or carry out such duties under these By-laws.

“Bin or other receptacles” means any bin, sack, bag or other container used for waste storage, discharge, collection or transportation that complies with the requirements set out in these By-laws.

“Bio-degradable waste” means waste that may be degraded or decomposed by micro-organisms.

“Collection” means the receipt of waste by an authorized collector or Pradeshiya Sabha waste collector for transportation for re-using, recycling, processing, treatment or disposal facilities.

“Compost” means the final product of the degradation of waste by microorganisms and it is a humus that could be functioned as soil conditioner.

“Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Pradeshiya Sabha waste collectors.

“Disposal” means the placement of all waste that is neither re-used, recycled, processed nor treated, on or in land where it is intended to stay permanently.

“Fee” means some fee determined by the Pradeshiya Sabha from time to time.

“Food Waste” means all meat, fish, eggs, vegetable, fruits and other edible materials that cannot be used for consumption.

“Garden Waste” means parts removed from trees or plants. Removed from a home garden.

“Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature.

“Infectious waste” means equipment, instruments, utensils and disposable things that may carry communicable diseases including pathological specimens.

“Special waste” waste which is not regulated hazardous waste, which has physical or chemical characteristics or both, that are different from municipal, demolition, construction and wood wastes and which potentially requires special handling.

“Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person.

“Pradeshiya Sabha” means Sammanthurai Pradeshiya Sabha.

“Pradeshiya Sabha Area” means the area declared under the Authority of the Pradeshiya Sabha Act, No. 15 of 1987.

“Pradeshiya Sabha Waste Collector” means an employee engaged by the Pradeshiya Sabha for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered in to a contract with the Pradeshiya Sabha to perform such duties.

“Public place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public.

“Recyclable waste” means by-waste that can be used to produce new goods by changing their form in the process so that they are no longer recognizable as waste.

“Residual waste” means waste not considered as biodegradable and re-usable/recyclable wastes.

“Reusable waste” means waste that can be utilized after washing disinfection or cleaning by other means.

“Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in Sri Lanka to minimize the associated social, health and environmental impacts.

“Secretary” means the Secretary of the Pradeshiya Sabha constituted under the Pradeshiya Sabha Act, No. 15 of 1987 for that Pradeshiya Sabha and any person appointed to act as such Secretary or any officer of such Pradeshiya Sabha empowered by or under this Act, to exercise, perform or discharge any of the powers, duties or functions of the Secretary to the extent to which such officer is so empowered.

“Segregation” means separating waste into different types according to the categories used in these By-laws.

“Service charge” means fees to be charged to users of the waste management services of the Pradeshiya Sabha.

“Solid waste” means substances which have no consumer value to person who abandoned them and includes

rubbish, garbage, litter, street sweepings, drain cleanings and ash.

“Special Waste” means wastes that may pose danger to the environment and may require special handling, transportation, treatment and disposal.

“Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.

“Transfer station” means any place specified by the Pradeshiya Sabha for this purpose where waste is transferred from smaller to larger vehicles for the purpose of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility.

“Transport” means transporting waste from the collection point to processing, treatment or disposal facilities using some form of human or animal or mechanically powered vehicle.

“Treat” means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment.

SCHEDULE I

Service Charges :

Description of Service Charge	Classification of owner or occupier under By-laws 8 and 9			Category of owner or occupier under By-laws 10, 11, 12, 13, 15, 18 and 19
	Category of owner or occupier under By-law 8	Category of owner or occupier under By-law 9	Category of owner or occupier under By-law 8 and 9 (Samurdhi)	
	Rs.	Rs.	Rs.	
Service Charge for one month	50	75	30	*—
Service Charge for one year	600	900	360	*—
10% discount in cash of paying Service Charge for whole year before March of the respective year	540	810	325	*—

*— Pradeshiya Sabha shall from time to time determine the service charge on average basis taking the volume of waste disposed of.

Unless the context otherwise requires, for the purpose of these By-laws ;

“Samurdhi” means and includes the families who have been categorized under Samurdhi assisted families by the Divisional Secretary of the division and assisted by the Government under the poverty alleviation programme.

EASTERN PROVINCE PROVINCIAL COUNCIL

I, Sivanethurai Santhirakanthan, the Chief Minister and the Minister of Finance and Planning, Local Government, Rehabilitation, Resettlement, Rural Development, Manpower, Law and Order, Regional Administration, Tourism and Environment of the Eastern Province do hereby grant approval to the By-law on Solid Waste Management of the Addalaichenai Pradeshiya Sabha under and by virtue of power vested in me under Section 123(1) and (2) of the Pradeshiya Sabha Act, No. 15 of 1987 read with the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 and order publish effective from the date hereof.

SIVANETHURAI SANTHIRAKANTHAN,
Chief Minister and Minister of Finance and
Planning, Local Government, Rehabilitation,
Resettlement, Rural Development, Man power,
Law and Order, Regional Administration,
Tourism and Environment of the
Eastern Province.

Chief Minister's Secretariat,
Eastern Province,
Varothayanagar,
Trincomalee.

On this 25th day of June Two Thousand and Twelve.

Addalaichenai Pradeshiya Sabha

BY-LAWS ON SOLID WASTE MANAGEMENT

A By-law for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, at streets, thoroughfares within Addalaichenai Pradeshiya Sabha limits.

In order to fulfill its duty as required by Section 93 of the Pradeshiya Sabha Act, No. 15 of 1987, the Pradeshiya Sabha formulated these By-laws and have passed same under resolution No. 73 resolved at the meeting of the Addalaichenai Pradeshiya Sabha held on 24th November, 2011 in terms of Section 122 and 126(ix) item (b) of the Pradeshiya Sabha Act, No. 15 of 1987 read with Section 2(1) of Provincial Councils (Consequential Provisions) Act, No. 12 of 1989.

General :

1. These By-laws are cited as By-laws relating to Solid Waste Management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, on streets, thoroughfares within Addalaichenai Pradeshiya Sabha limits and all other incidental activities thereto.

3. Every owner or occupier of any premises situated within the Pradeshiya Sabha area shall keep the premises free of waste and in a healthy and pleasant condition.
4. Owner or occupier of any premises situated within the area of the Pradeshiya Sabha shall collect, segregate, store for collection, transport and remove the waste within the premises or cause to do so in accordance with the provision of these By-laws.
5. (i) Every owner or occupier of premises shall collect solid waste generated within his premises daily or in lesser intervals if required, by sweeping or using any other method.
(ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding sub-section of this By-law in accordance with the provisions of By-law No. 8 to 21.
(iii) Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put for collection under the provisions of By-laws 8 to 20 shall be in accordance to the standard and specification approved by the Pradeshiya Sabha from time to time and maintain them in good condition and not put for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely to collapse or spilt when reasonably handled.
(iv) Pradeshiya Sabha may provide such receptacles to owners or occupiers if they so wish subsidizing the cost in part or in full according to a decision made by the Pradeshiya Sabha.
(v) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time Schedule, operated in a Pradeshiya Sabha area, as determined and publicly notified from time to time by the Pradeshiya Sabha.
(vi) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental or injurious to health of occupants, visitors or neighbours or to the sanitary conditions in that area.
(vii) The owners or occupiers described under By-laws 8, 9, 10, 11, 12, 13, 15, 18 and 19 shall pay their Service Searches as described under Schedule hereof as follows :
(a) On or before 15th of the following month, those who pay monthly,
(b) On or before 28th of February of the respective year, those who pay yearly in advance.

6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue, or any other public place or premises, or a drain or a waterway, water reservoir or the sea.
 - (ii) No person shall burn waste in an open space within the Pradeshiya Sabha area and thereby pollute the environment.
 - (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-laws No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
 - (iv) Waste not processed, treated or disposed of under the provisions of By-laws No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-laws Nos. 8 to 20.
 7. (i) The owner or occupier of any premises may dispose the waste within such premises except –
 - (a) In areas where disposal of such waste is prohibited by the Pradeshiya Sabha ; or
 - (b) Certain types of waste specified by the Pradeshiya Sabha.
 - (ii) The owner or occupier of any premises may burn waste in an incinerator or burner constructed in accordance with a plan and standards approved by the Secretary of the Pradeshiya Sabha or treat, process or bury waste in the manner approved by the Secretary.
 - (iii) The owner or occupier of any premises shall process or treat the solid waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Pradeshiya Sabha waste collector any solid waste on payment of a Service Charge specified as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the waste disposed.
 - (iv) Any person who cuts any part of a tree or plant within his premises, by the roadside of a street or thoroughfare shall by prior arrangement with the Secretary hand over that waste to the Pradeshiya Sabha waste collector on the payment of a Service Charge as determined by the Secretary considering the volume of waste to be removed of.
 - (v) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.
 - (vi) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Pradeshiya Sabha area.
 - (vii) Any application to Pradeshiya Sabha for construction or renovation of a house or any other premises shall include in that application the details of solid waste generated during the construction and the programme of storing, treating or processing of discharged materials.
8. *Residential Premises :*
- (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by other method as follows :–
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
 - (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for that purpose until removal. The waste specified in terms (a) and (b) of Sub-section (i) shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Pradeshiya Sabha waste collector without delay.
 - (iii) Every occupier may handover to an authorized collector types of waste specified in item (a) and (b) of paragraph (i). If failed to do so, he shall together with the type of waste specified in item (c) and (d) hand over to the Pradeshiya Sabha waste collector.
9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows :
- (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
- (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii) the Secretary has the power to require the owner or occupier of that building, to provide such

bins or receptacles on or before a notified date and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.

(iv) Every owner or occupier of a floor or a storey shall put segregated waste in to the appropriate bin or receptacle.

(v) It shall be the duty of an authorized collector to remove types of waste specified in items (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste (c) and (d) shall be handed over to a Pradeshiya Sabha waste collector.

10. Shops and Offices :

(i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

(ii) Segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.

(iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a), (b), (c) and (d) of sub-section (i) of this By-law to an authorized waste collector.

(iv) The owner or occupier of a shopping or an office complex with several stories and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shops or offices.

(v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this By-law shall put segregated waste into separate bins or receptacles.

(vi) Every owner or occupier has the right to hand over to an authorized waste collector the types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law and that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may to a Pradeshiya Sabha waste collector.

(vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbours or persons engaged in services in such shop or office.

For the purpose of this By-law, unless the context otherwise requires –

“Occupier” means the owner of a shop or occupier or caretaker of a business or an office.

“Office” has the same meaning given in the Shops and Office Employees Act, No. 19 of 1954 (Chapter 129).

“Shop” means a place where goods are kept for wholesale or retail and includes a place where food or beverages are kept for sale and a place where a barber shop or beauty salon is operated.

11. Hotels :

(i) Any owner or any person authorized shall segregate waste collected at the hotel premises or cause it to be segregated as follows :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

(ii) Every hotelier or any person authorized by him shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.

(iii) Every hotelier or any person shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.

(iv) Types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law may be handed over to authorized collector.

(v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to a Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires,

“Hotel” means a place with or without sleeping facilities where food of beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim’s rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

12. *Vegetable and Fruit Stores :*

- (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :—

- (a) Food waste and other bio-degradable wastes ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Types of waste specified in item (a) of Sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals. Other waste shall be put into any suitable bin or other receptacle.

- (iii) Types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over shall be handed over to the Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires.

"Vegetable and fruit store" means an place where vegetable and fruit are stored and kept or exposed for sale.

13. *Fish, Poultry and Egg Stalls :*

- (i) The owner or person who carries out the business of a stall for the sale of fish or poultry or egg shall segregate their waste as follows :—

- (a) Carcasses or parts of carcasses or eggs not suitable for human consumption ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Segregated waste specified in item (a) shall be placed in a separate bin or other receptacle, types of waste specified in item (b), (c) and (d) of Sub-section (i) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.

- (iii) Types of waste specified in items (a) of Sub-section (i) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, together with type of waste specified in items (c) and (d) of Sub-section (i) of this By-law, shall be handed over to a Pradeshiya Sabha collector.

For the purpose of this By-law, unless the context otherwise requires ;

"Fish or egg stall" means a place where such items are sotred for purpose of sale or kept or exposed for sale.

14. *Pavement Hawking :*

- (i) No hawker shall carry out a pavement business other than a written permission obtained from the Pradeshiya Sabha.

- (ii) The Secretary may charge a fee as determined by the Pradeshiya Sabha from time to time for the purpose of issuance of a temporary license under Sub-section (i) of this By-law and require the licensed pavement hawker to pay a service charge in advance to the Pradeshiya Sabha taking the days of business and the volume of waste to be generated.

- (iii) At the expiry of the licensed period the Secretary shall refund the balance money after having set off the actual service charge against the advance paid by the licensed hawker as per Sub-section (ii).

- (iv) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. No such waste shall be put on the pavement or highway or in a public place.

- (v) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrians.

- (vi) Every pavement hawker shall segregate waste generated by reason of his business as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste (plastics, glass, tin, paper) ;
- (c) Residual waste ;
- (d) Special waste.

- (vii) Segregated waste shall be put into a separate bin or other receptacle. The waste specified in item (a) of Sub-section (vi) of this By-law shall be placed inside a secured receptacle preventing the entries of insects, rats or animals and shall be kept closed except when required to place additional waste inside.

- (viii) Every pavement hawker shall hand over daily such types of waste as specified in items (a), (b), (c) and (d) of Sub-section (vi) of this By-law to an authorized collector or together with such types of waste to the a Pradeshiya Sabha waste collector.

- (ix) No pavement hawker shall keep the receptacles with waste shall not be kept on a pavement or roadside or highway, when the business is not in operation.

For the purpose of this By-law, unless the context otherwise requires ;

"Pavement Hawker" means a person who sells goods or provides a service on the pavement or roadside temporarily.

15. *Factories :*

- (i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows :-

- (a) Bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous waste.

- (ii) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Pradeshiya Sabha waste collector, except item (d) of Sub-section (i) this By-law.

- (iii) Hazardous waste as specified in item (d) shall be removed according to the conditions set out in the Environmental Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.

For the purpose of this By-law, unless the context otherwise requires ;

"Factory" has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

16. *Excavation, Construction and Demolition :*

- (i) Every person who excavates any street, road or any public place or constructs or demolishes any structure for providing gas, electricity, water, telephone facilities or any other public amenities shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.
- (iii) The waste referred to in Sub-section (i) of this By-law may be handed over to a Pradeshiya Sabha waste collector on a payment of a service charge to the Secretary as determined by the Pradeshiya Sabha from time to time.

In this By-law, unless the context otherwise requires for the purpose of this By-law ;

"Every person engaged in an Act of excavation, construction or demolition" includes any person engaged for such service by an Employer.

"Waste" includes earth, mud, dust, waste generated in construction from the use of building materials and waste generated during demolition or any construction.

17. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, water, telephone facilities or any other public amenities by making an application shall obtain prior approval from the Secretary for the purpose of this By-law and the Pradeshiya Sabha shall taking, the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job and the cost of removal of such waste into consideration determine a sum of money being the waste disposal deposit which the applicant to pay to the Secretary.

- (ii) The Secretary shall, if the applicant neglects to do so prior to giving approval under Sub-section (i) the applicant shall be required to pay an amount equivalent to the estimated cost as a deposit before approval is granted.

- (iii) Where any person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Secretary and the resulting expenditure incurred may be set off from the waste disposal deposit.

18. *Hospitals :*

- (i) Every hospital shall be registered with the Pradeshiya Sabha and the owner of the hospital shall segregate or cause to be segregated waste generated within the premises as following :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous healthcare waste.

- (ii) Types of waste as specified in items (a), (b) and (c) of Sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste as specified in items (d) of Sub-section (i) shall be deposited in a bin or any other receptacles specially made for that purpose and kept in a place set apart for that purpose and shall be treated and/or removed in accordance with the conditions set out in the Environmental Protection License issued to that hospital under the National Environmental Act, No. 47 of 1980.

- (iii) The waste as specified in items (a), (b) and (c) of Sub-section (i) shall be handed over to an authorized collector or to the Pradeshiya Sabha waste collector.

In this By-law, unless the context otherwise requires ;

"Hospital" means any premises (howsoever described) used or intended to be used for the reception, nursing and treatment of persons or animals suffering from any illness or infirmity and includes a nursing home, clinic, medical centre, medical laboratory, maternity home and veterinary hospital.

"Hazardous healthcare waste" means clinical waste, body parts, placentas, infectious and highly infectious waste and sharps.

19. Slaughterhouses and sale of meat :

- (i) No person shall slaughter animal and carry on trade of a butcher unless issued a license by the Pradeshiya Sabha for that purpose in accordance to the provisions provided under the Butchers Ordinance (Chapter 272).
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the slaughterhouse permitted to slaughter animals, type of animals that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other conditions the Pradeshiya Sabha may think fit.
- (iii) Every person to whom a license has been issued under Sub-section (1) or person authorized (hereinafter the licensee) shall segregate their solid wastes as follows :-
 - (a) Offal, hair, hoofs, bones, undigested materials ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste.
- (iv) Segregated wastes shall be placed in a separate bin or other receptacles, types of wastes specified in items (a), (b) and (c) of sub-section (iii) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (v) Types of waste specified in items (a), (b) and (c) of Sub-section (iii) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, shall be handed over to a Pradeshiya Sabha collector.
- (vi) Waste water generated through the operations of the slaughterhouses and meat stall shall be treated as per the provisions of the National Environment Act, No. 56 of 1980.

For the purpose of this By-law, unless the context otherwise requires.

"Slaughterhouse" means as provided in the Butchers Ordinance (Chapter 272).

"Meat stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

20. Other premises :

- (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :-
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Any organizer of any activity specified in Sub-section (i) shall inform the Pradeshiya Sabha in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a service charge as determined by the Pradeshiya Sabha from time to time.
- (iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.
- (iv) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to a Pradeshiya Sabha waste collector subject to a service charge as determined by the Pradeshiya Sabha from time to time.

21. Streets and Public Places :

- (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall take steps to plan, supervise, control and administer the following :-
 - (a) to maintain in a clean and sanitary condition, the streets, public places, thoroughfares, public drains, watercourses and public markets situated within the Pradeshiya Sabha area.
 - (b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places.
 - (c) to provide mobile waste bins for use in public places, at festivals, special events or any other event as determined by the Pradeshiya Sabha where the

Pradeshiya Sabha decides to do so, or following a request from the organizers of such festival on special events.

(d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents.

(e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.

(ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Pradeshiya Sabha specifically for litter.

22. Duties of the Pradeshiya Sabha :

(i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall plan, supervise, control and administer followings :-

(a) to encourage people to reduce, reuse and recycle waste,

(b) to conduct awareness programmes or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,

(c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,

(d) to offer incentives to those involved in the reduction, reuse and recycle activities,

(e) to regulate different types of waste discharge systems,

(f) to issue the bag, sack, bind or other receptacle to the owner or occupier in compliance to the standard and specification that have been approved by the Pradeshiya Sabha according to the requirements in order to ensure that effective and efficient segregation, collection and store of waste,

(g) to prepare a waste collection schedule, setting out collection days, times, methods and service charges as determined by the Pradeshiya Sabha for different types of waste in different areas of Pradeshiya Sabha. it may include conditions for collection on public holidays and make people aware,

(h) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to schedule,

(i) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors in compliance to provisions of law,

(j) to hand over to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places and waste collected from public bins and waste collected by Pradeshiya Sabha labourers, except for hazardous waste or other types of waste specified by the Secretary,

(k) to take appropriate measures to deal with segregated waste collected by Pradeshiya Sabha waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste of these types in a manner, approved by the Secretary,

(l) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,

(m) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or environmental protection license to burn waste or to maintain a sanitary landfill,

(n) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,

(o) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Pradeshiya Sabha for the construction or renovation of a house or other premises,

(p) to prepare an internal Waste Management Plan for the Pradeshiya Sabha,

(q) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually by the Pradeshiya Sabha,

(r) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

23. Permits :

- (i) The Pradeshiya Sabha may issue a permit to any person who re-uses or recycles waste material or manufactures compost, biogas or any other product where any person –
 - (a) carries out any business within the Pradeshiya Sabha area or in any other local authority area, in terms of this By-laws, as approved by the Pradeshiya Sabha,
 - (b) possesses an Environmental Protection License, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980,
 - (c) designates storage place for collected waste constructed in accordance with the standards approved by the Pradeshiya Sabha,
 - (d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Pradeshiya Sabha and without causing nuisance to people,
 - (e) agrees to hand over residual or reject waste or any other waste created as by products during processing or treatment, to the Pradeshiya Sabha as approved by the Pradeshiya Sabha on payment of a service charge to the Secretary for collection of such waste as determined by the Pradeshiya Sabha from time to time, where the business is carried out within the Pradeshiya Sabha limits.
 - (f) where the Pradeshiya Sabha refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons of such refusal or rejection within thirty days of receipt of the application for the permit.
 - (g) the Secretary shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and other appropriate conditions,
 - (h) the Secretary shall revoke the permit issued under this By-law in event of non-compliance of the provisions of Sub-section (i) of this By-law.

(ii) No person shall collect or receive waste when a permit is revoked under the provision of (h). In such event the Secretary shall give sufficient publicity through media in order to bring awareness to the people of the revocation of such permit.

24. Waste Disposal Areas :

- (i) No unauthorized person shall enter loiter, deposit, disturb or remove any article, material or refuse from a waste disposal area reserved by the Pradeshiya Sabha for that purpose to deposit any prohibited refuse which the Pradeshiya Sabha from time to time may stipulate unless authorized by the Pradeshiya Sabha subject to certain specified conditions.
- (ii) No person shall provide, operate or use any land or facility for the deposit of waste originating from a place outside the land or facility within the Pradeshiya Sabha limits except with the prior written approval of the authorized officer and the Central Environmental Authority subject to any conditions of approval.

25. Others :

- (i) The Secretary or any person authorized by him in writing shall have the power at all reasonable times to enter any premises and inspect as to whether the owner or occupier acts in conformity with the provisions of these By-laws.
- (ii) The owner, occupier, caretaker, manager or any person residing or serving in that premises shall furnish the information required by the Secretary or any authorized officer.
- (iii) No person shall obstruct the Secretary or an authorized officer or assistant authorized officer in the exercise of his powers under these By-laws.
- (iv) Any authorized officer or any assistant of the authorized officer who implements and enforce these By-laws may be offered incentives according to the decisions made by the Pradeshiya Sabha from time to time.
- (v) Any person who contravenes any provisions of these By-laws shall be guilty of an offence as per the Pradeshiya Sabha Act.

26. Violations and Penalties :

- (i) If any person within the limits of the Pradeshiya Sabha contravenes or violates any provisions provided under

this By-laws from 3 to 20 and from 23 to 25 shall be an offence punishable with fines as described hereunder after the service of a written notice from the Secretary and conviction thereof by a Magistrate's Court.

(a) For any one of such contravention or violation the penalty of a fine shall be Rupees Seven Hundred and Fifty (Rs. 750).

(b) In the case of continuing contravention or violation, an additional fine Rupees Two Hundred and Fifty (Rs. 250) for every day during which the contravention or violation is continued.

27. Interpretation :

Unless context otherwise requires, for the purpose of these By-laws :-

“Authorized Collector” means a person who obtains a permit from the Secretary to collect and receive waste under the provision of these By-laws.

“Authorized Officer” means a person who has been authorized in writing by the Secretary to execute or carry out such duties under these By-laws.

“Bin or other receptacles” means any bin, sack, bag or other container used for waste storage, discharge, collection or transportation that complies with the requirements set out in these By-laws.

“Bio-degradable waste” means waste that may be degraded or decomposed by micro-organisms.

“Collection” means the receipt of waste by an authorized collector or Pradeshiya Sabha waste collector for transportation for re-using, recycling, processing, treatment or disposal facilities.

“Compost” means the final product of the degradation of waste by microorganisms and it is a humus that could be functioned as soil conditioner.

“Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Pradeshiya Sabha waste collectors.

“Disposal” means the placement of all waste that is neither re-used, recycled, processed nor treated, on or in land where it is intended to stay permanently.

“Fee” means some fee determined by the Pradeshiya Sabha from time to time.

“Food Waste” means all meat, fish, eggs, vegetable, fruits and other edible materials that cannot be used for consumption.

“Garden Waste” means parts removed from trees or plants. Removed from a home garden.

“Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature.

“Infectious waste” means equipment, instruments, utensils and disposable things that may carry communicable diseases including pathological specimens.

“Special waste” waste which is not regulated hazardous waste, which has physical or chemical characteristics or both, that are different from municipal, demolition, construction and wood wastes and which potentially requires special handling.

“Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person.

“Pradeshiya Sabha” means Addalaichenai Pradeshiya Sabha.

“Pradeshiya Sabha Area” means the area declared under the authority of the Pradeshiya Sabha Act, No. 15 of 1987.

“Pradeshiya Sabha Waste Collector” means an employee engaged by the Pradeshiya Sabha for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered in to a contract with the Pradeshiya Sabha to perform such duties.

“Public place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public.

“Recyclable waste” means by-waste that can be used to produce new goods by changing their form in the

- process so that they are no longer recognizable as waste.
- “Residual waste” means waste not considered as biodegradable and re-usable/recyclable wastes.
- “Reusable waste” means waste that can be utilized after washing disinfection or cleaning by other means.
- “Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in Sri Lanka to minimize the associated social, health and environmental impacts.
- “Secretary” means the Secretary of the Pradeshiya Sabha constituted under the Pradeshiya Sabha Act, No. 15 of 1987 for that Pradeshiya Sabha and any person appointed to act as such Secretary or any officer of such Pradeshiya Sabha empowered by or under this Act, to exercise, perform or discharge any of the powers, duties or functions of the Secretary to the extent to which such officer is so empowered.
- “Segregation” means separating waste into different types according to the categories used in these By-laws.
- “Service charge” means fees to be charged to users of the waste management services of the Pradeshiya Sabha.
- “Solid waste” means substances which have no consumer value to person who abandoned them and includes rubbish, garbage, litter, street sweepings, drain cleanings and ash.
- “Special Waste” means wastes that may pose danger to the environment and may require special handling, transportation, treatment and disposal.
- “Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.
- “Transfer station” means any place specified by the Pradeshiya Sabha for this purpose where waste is transferred from smaller to larger vehicles for the purpose of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility.
- “Transport” means transporting waste from the collection point to processing, treatment or disposal facilities using some form of human or animal or mechanically powered vehicle.
- “Treat” means taking any step or process to reduce the potential harm or damage they may cause to people or the environment.

SCHEDULE I

Service Charges

Description of Service Charge	Classification of owner of occupier under By-laws 8 and 9			Category of owner or occupier under By-laws 10, 11, 12, 13, 15, 18 and 19
	Category of owner or occupier under By-law 8	Category of owner occupier under By-law 9	Category of owner occupier under By-law 8 and 9 (Samurdhi)	
	Rs.	Rs.	Rs.	
Service Charge for one month	50	75	30	*
Service Charge for one year	600	900	360	*
10% discount in cash of paying Service Charge for whole year before March of the respective year	540	810	325	*

* Pradeshiya Sabha shall from time to time determine the service charge on average basis taking the volume of waste disposed of.

Unless the context otherwise requires, for the purpose of these By-laws –

“Samurdhi” means and includes the families who have been categorized under Samurdhi assisted families by the Divisional Secretary of the division and assisted by the Government under the poverty alleviation programme.

EASTERN PROVINCE PROVINCIAL COUNCIL

I, Sivanesathurai Santhirakanthan, the Chief Minister and the Minister of Finance and planning, Local Government, Rehabilitation, Resettlement, Rural Development, Manpower, Law and Order, Regional Administration, Tourism and Environment of the Eastern Province do hereby grant approval to the By-law on Solid Waste Management of the Karaitivu Pradeshiya Sabha under and by virtue of power vested in me under Section 123(1) and (2) of the Pradeshiya Sabha Act, No. 15 of 1987 read with the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 and order published effective from the date hereof.

SIVANESATHURAI SANTHIRAKANTHAN,
Chief Minister and Minister of Finance and
Planning, Local Government, Rehabilitation,
Resettlement, Rural Development, Man power,
Law and Order, Regional Administration,
Tourism and Environment of the
Eastern Province.

Chief Minister's Secretariat,
Eastern Province,
Varothayanagar,
Trincomalee.
On this 25th day of June 2012.

Karaitvu Pradeshiya Sabha

BY-LAWS ON SOLID WASTE MANAGEMENT

A By-law for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, at streets, thoroughfares within Karaitivu Pradeshiya Sabha limits.

In order to fulfill its duty as required by Section 93 of the Pradeshiya Sabha Act, No. 15 of 1987, the Pradeshiya Sabha formulated these By-laws and have passed same under resolution No. 29/03 resolved at the meeting of the Karaitivu Pradeshiya Sabha held on 28th October, 2011 in terms of Section 122 and 126(ix) item (b) of the Pradeshiya Sabha Act, No. 15 of 1987 read with Section 2(1) of Provincial Councils (Consequential Provisions) Act, No. 12 of 1989.

General :

1. These By-laws are cited as By-laws relating to Solid Waste Management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, on streets, thoroughfares within Karaitivu Pradeshiya Sabha limits and all other incidental activities thereto.

3. Every owner or occupier of any premises situated within the Pradeshiya Sabha area shall keep the premises free of waste and in a healthy and pleasant condition.
4. Owner or occupier of any premises situated within the area of the Pradeshiya Sabha shall collect, segregate, store for collection, transport and remove the waste within the premises or cause to do so in accordance with the provision of these By-laws.
5. (i) Every owner or occupier of premises shall collect solid waste generated within his premises daily or in lesser intervals if required, by sweeping or using any other method.
(ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding sub-section of this By-law in accordance with the provisions of By-law No. 8 to 21.
(iii) Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put for collection under the provisions of By-laws 8 to 20 shall be in accordance to the standard and specification approved by the Pradeshiya Sabha from time to time and maintain them in good condition and not put for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely to collapse or spilt when reasonably handled.
(iv) Pradeshiya Sabha may provide such receptacles to owners or occupiers if they so wish subsidizing the cost in part or in full according to a decision made by the Pradeshiya Sabha.
(v) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time Schedule, operated in a Pradeshiya Sabha area, as determined and publicly notified from time to time by the Pradeshiya Sabha.
(vi) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental or injurious to health of occupants, visitors or neighbours or to the sanitary conditions in that area.
(vii) The owners or occupiers described under By-laws 8, 9, 10, 11, 12, 13, 15, 18, 19 and 20 shall pay their Service Searches as described under Schedule hereof as follows :-
 - (a) On or before the 15th of the following month, those who pay monthly ;
 - (b) On or before the 28th of February of the respective year, those who pay yearly in advance.

6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue, or any other public place or premises, or a drain or a waterway, water reservoir or the sea.
 - (ii) No person shall burn waste in an open space within the Pradeshiya Sabha area and thereby pollute the environment.
 - (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-laws No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
 - (iv) Waste not processed, treated or disposed of under the provisions of By-laws No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-laws Nos. 8 to 20.
 7. (i) The owner or occupier of any premises may dispose the waste within such premises except –
 - (a) in areas where disposal of such waste is prohibited by the Pradeshiya Sabha ; or
 - (b) certain types of waste specified by the Pradeshiya Sabha.
 - (ii) The owner or occupier of any premises may burn waste in an incinerator or burner constructed in accordance with a plan and standards approved by the Secretary of the Pradeshiya Sabha or treat, process or bury waste in the manner approved by the Secretary.
 - (iii) The owner or occupier of any premises shall process or treat the solid waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Pradeshiya Sabha waste collector any solid waste on payment of a Service Charge specified as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the waste disposed.
 - (iv) Any person who cuts any part of a tree or plant within his premises, by the roadside of a street or thoroughfare shall by prior arrangement with the Secretary hand over that waste to the Pradeshiya Sabha waste collector on the payment of a Service Charge as determined by the Secretary considering the volume of waste to be removed of.
 - (v) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.
 - (vi) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Pradeshiya Sabha area.
 - (vii) Any application to Pradeshiya Sabha for construction or renovation of a house or any other premises shall include in that application the details of solid waste generated during the construction and the programme of storing, treating or processing of discharged materials.
- 8. Residential Premises :**
- (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by other method as follows :–
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
 - (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for that purpose until removal. The waste specified in terms (a) and (b) of Sub-section (i) shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Pradeshiya Sabha waste collector without delay.
 - (iii) Every occupier may handover to an authorized collector types of waste specified in term (a) and (b) of paragraph (i). If failed to do so, he shall together with the type of waste specified in item (c) and (d) hand over to the Pradeshiya Sabha waste collector.
9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows :–
- (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
- (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii) the Secretary has the power to require the owner or occupier of that building, to provide such

bins or receptacles on or before a notified date and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.

(iv) Every owner or occupier of a floor or a storey shall put segregated waste in to the appropriate bin or receptacle.

(v) It shall be the duty of an authorized collector to remove types of waste specified in terms (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste (c) and (d) shall be handed over to a Pradeshiya Sabha waste collector.

10. Shops and Offices :

(i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

(ii) Segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.

(iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a), (b), (c) and (d) of sub-section (i) of this By-law to an authorized waste collector.

(iv) The owner or occupier of a shopping or an office complex with several stories and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shops or offices.

(v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this By-law shall put segregated waste into separate bins or receptacles.

(vi) Every owner or occupier has the right to hand over to an authorized waste collector the types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law and that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may to a Pradeshiya Sabha waste collector.

(vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbours or persons engaged in services in such shop or office.

For the purpose of this By-law, unless the context otherwise requires –

"Occupier" means the owner of a shop or occupier or caretaker of a business or an office.

"Office" has the same meaning given in the Shops and Office Employees Act, No. 19 of 1954 (Chapter 129).

"Shop" means a place where goods are kept for wholesale or retail and includes a place where food or beverages are kept for sale and a place where a barber shop or beauty salon is operated.

11. Hotels :

(i) Any owner or any person authorized shall segregate waste collected at the hotel premises or cause it to be segregated as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

(ii) Every hotelier or any person authorized by him shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.

(iii) Every hotelier or any person shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.

(iv) Types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law may be handed over to authorized collector.

(v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to a Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires –

"Hotel" means a place with or without sleeping facilities where food or beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim's rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

12. *Vegetable and Fruit Stores :*

- (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Types of waste specified in item (a) of Sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals - other waste shall be put into any suitable bin or other receptacle.

- (iii) Types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over shall be handed over to the Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires –

"Vegetable and fruit store" means place where vegetable and fruit are stored and kept or exposed for sale.

13. *Fish, Poultry and Egg stalls :*

- (i) The owner or person who carries out the business of a stall for the sale of fish or poultry or egg shall segregate their waste as follows :—

- (a) Carcasses or parts of carcasses or eggs not suitable for human consumption ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Segregated waste specified in item (a) shall be placed in a separate bin or other receptacle, types of waste specified in item (b), (c) and (d) of Sub-section (i) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.

- (iii) Types of waste specified in items (a) of Sub-section (i) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, together with type of waste specified in items (c) and (d) of Sub-section (i) of this By-law, shall be handed over to a Pradeshiya Sabha collector.

For the purpose of this By-law, unless the context otherwise requires –

"Fish or egg stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

14. *Pavement Hawking :*

- (i) No hawker shall carry out a pavement business other than a written permission obtained from the Pradeshiya Sabha.

- (ii) The Secretary may charge a fee as determined by the Pradeshiya Sabha from time to time for the purpose of issuance of a temporary license under Sub-section (i) of this By-law and require the licensed pavement hawker to pay a service charge in advance to the Pradeshiya Sabha taking the days of business and the volume of waste to be generated.

- (iii) At the expiry of the licensed period the Secretary shall refund the balance money after having set off the actual service charge against the advance paid by the licensed hawker as per Sub-section (ii).

- (iv) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. No such waste shall be put on the pavement or highway or in a public place.

- (v) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrians.

- (vi) Every pavement hawker shall segregate waste generated by reason of his business as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste (plastics, glass, tin, paper) ;
- (c) Residual waste ;
- (d) Special waste.

- (vii) Segregated waste shall be put into a separate bin or other receptacle. The waste specified in item (a) of Sub-section (vi) of this By-law shall be placed inside a secured receptacle preventing the entries of insects, rats or animals and shall be kept closed except when required to place additional waste inside.

- (viii) Every pavement hawker shall hand over daily such types of waste as specified in items (a), (b), (c) and (d) of Sub-section (vi) of this By-law to an authorized collector or together with such types of waste to the a Pradeshiya Sabha waste collector.

- (ix) No pavement hawker shall keep the receptacles with waste shall not be kept on a pavement or roadside or highway, when the business is not in operation.

For the purpose of this By-law, unless the context otherwise requires ;

"Pavement Hawker" means a person who sells goods or provides a service on the pavement or roadside temporarily.

15. *Factories :*

- (i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows :-

- (a) Bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous waste.

- (ii) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Pradeshiya Sabha waste collector, except item (d) of Sub-section (i) this By-law.

- (iii) Hazardous waste as specified in item (d) shall be removed according to the conditions set out in the Environmental Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.

For the purpose of this By-law, unless the context otherwise requires ;

"Factory" has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

16. *Excavation, Construction and Demolition :*

- (i) Every person who excavates any street, road or any public place or constructs or demolishes any structure for providing gas, electricity, water, telephone facilities or any other public amenities shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.
- (iii) The waste referred to in Sub-section (i) of this By-law may be handed over to a Pradeshiya Sabha waste collector on a payment of a service charge to the Secretary as determined by the Pradeshiya Sabha from time to time.

In this By-law, unless the context otherwise requires for the purpose of this By-law ;

"Every person engaged in an act of excavation, construction or demolition" includes any person engaged for such service by an Employer.

"Waste" includes earth, mud, dust, waste generated in construction from the use of building materials and waste generated during demolition or any construction.

17. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, water, telephone facilities or any other public amenities by making an application shall obtain prior approval from the Secretary for the purpose of this By-law and the Pradeshiya Sabha shall taking, the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job and the cost of removal of such waste into consideration determine a sum of money being the waste disposal deposit which the applicant to pay to the Secretary.

- (ii) The Secretary shall, if the applicant neglects to do so prior to giving approval under Sub-section (i) the applicant shall be required to pay an amount equivalent to the estimated cost as a deposit before approval is granted.

- (iii) Where any person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Secretary and the resulting expenditure incurred may be set off from the waste disposal deposit.

18. *Hospitals :*

- (i) Every hospital shall be registered with the Pradeshiya Sabha and the owner of the hospital shall segregate or cause to be segregated waste generated within the premises as following :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous healthcare waste.

- (ii) Types of waste as specified in items (a), (b) and (c) of Sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste as specified in items (d) of Sub-section (i) shall be deposited in a bin or any other receptacles specially made for that purpose and kept in a place set apart for that purpose and shall be treated and/or removed in accordance with the conditions set out in the Environmental Protection License issued to that hospital under the National Environmental Act, No. 47 of 1980.

- (iii) The waste as specified in items (a), (b) and (c) of Sub-section (i) shall be handed over to an authorized collector or to the Pradeshiya Sabha waste collector.

In this By-law, unless the context otherwise requires ;

"Hospital" means any premises (howsoever described) used or intended to be used for the reception, nursing and treatment of persons or animals suffering from any illness or infirmity and includes a nursing home, clinic, medical centre, medical laboratory, maternity home and veterinary hospital.

"Hazardous healthcare waste" means clinical waste, body parts, placentas, infectious and highly infectious waste and sharps.

19. Slaughterhouses and sale of meat :

- (i) No person shall slaughter animal and carry on trade of a butcher unless issued a license by the Pradeshiya Sabha for that purpose in accordance to the provisions provided under the Butchers Ordinance (Chapter 272).
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the slaughterhouse permitted to slaughter animals, type of animals that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other conditions the Pradeshiya Sabha may think fit.
- (iii) Every person to whom a license has been issued under Sub-section (1) or person authorized (hereinafter the licensee) shall segregate their solid wastes as follows :-
 - (a) Offal, hair, hoofs, bones, undigested materials ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste.
- (iv) Segregated wastes shall be placed in a separate bin or other receptacles, types of wastes specified in items (a), (b) and (c) of sub-section (iii) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (v) Types of waste specified in items (a), (b) and (c) of Sub-section (iii) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, shall be handed over to a Pradeshiya Sabha collector.
- (vi) Waste water generated through the operations of the slaughterhouses and meat stall shall be treated as per the provisions of the National Environment Act, No. 56 of 1980.

For the purpose of this By-law, unless the context otherwise requires.

"Slaughterhouse" means as provided in the Butchers Ordinance (Chapter 272).

"Meat stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

20. Other premises :

- (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :-
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Any organizer of any activity specified in Sub-section (i) shall inform the Pradeshiya Sabha in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a service charge as determined by the Pradeshiya Sabha from time to time.
- (iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.
- (iv) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to a Pradeshiya Sabha waste collector subject to payment of a service charge as determined by the Pradeshiya Sabha from time to time.

21. Streets and Public Places :

- (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall take steps to plan, supervise, control and administer the following :-
 - (a) to maintain in a clean and sanitary condition, the streets, public places, thoroughfares, public drains, watercourses and public markets situated within the Pradeshiya Sabha area.
 - (b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places.
 - (c) to provide mobile waste bins for use in public places, at festivals, special events or any other event as determined by the Pradeshiya Sabha where the

Pradeshiya Sabha decides to do so, or following a request from the organizers of such festival on special events.

(d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents.

(e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.

(ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Pradeshiya Sabha specifically for litter.

22. Duties of the Pradeshiya Sabha :

(i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall plan, supervise, control and administer followings :-

(a) to encourage people to reduce, reuse and recycle waste,

(b) to conduct awareness programmes or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,

(c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,

(d) to offer incentives to those involved in the reduction, reuse and recycle activities,

(e) to regulate different types of waste discharge systems,

(f) to issue the bag, sack, bind or other receptacle to the owner or occupier in compliance to the standard and specification that have been approved by the Pradeshiya Sabha according to the requirements in order to ensure that effective and efficient segregation, collection and store of waste,

(g) to prepare a waste collection schedule, setting out collection days, times, methods and service charges as determined by the Pradeshiya Sabha for different types of waste in different areas of Pradeshiya Sabha. it may include conditions for collection on public holidays and make people aware,

(h) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to schedule,

(i) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors in compliance to provisions of law,

(j) to hand over to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places and waste collected from public bins and waste collected by Pradeshiya Sabha labourers, except for hazardous waste or other types of waste specified by the Secretary,

(k) to take appropriate measures to deal with segregated waste collected by Pradeshiya Sabha waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste of these types in a manner, approved by the Secretary,

(l) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,

(m) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or environmental protection license to burn waste or to maintain a sanitary landfill,

(n) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,

(o) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Pradeshiya Sabha for the construction or renovation of a house or other premises,

(p) to prepare an internal Waste Management Plan for the Pradeshiya Sabha,

(q) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually by the Pradeshiya Sabha,

(r) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

23. Permits :

- (i) The Pradeshiya Sabha may issue a permit to any person who re-uses or recycles waste material or manufactures compost, biogas or any other product where any person –
 - (a) carries out any business within the Pradeshiya Sabha area or in any other local authority area, in terms of this By-laws, as approved by the Pradeshiya Sabha,
 - (b) possesses an Environmental Protection License, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980,
 - (c) designates storage place for collected waste constructed in accordance with the standards approved by the Pradeshiya Sabha,
 - (d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Pradeshiya Sabha and without causing nuisance to people,
 - (e) agrees to hand over residual or reject waste or any other waste created as by products during processing or treatment, to the Pradeshiya Sabha as approved by the Pradeshiya Sabha on payment of a service charge to the Secretary for collection of such waste as determined by the Pradeshiya Sabha from time to time, where the business is carried out within the Pradeshiya Sabha limits.
 - (f) where the Pradeshiya Sabha refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons of such refusal or rejection within thirty days of receipt of the application for the permit.
 - (g) the Secretary shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and other appropriate conditions,
 - (h) the Secretary shall revoke the permit issued under this By-law in event of non-compliance of the provisions of Sub-section (i) of this By-law.

(ii) No person shall collect or receive waste when a permit is revoked under the provision of (h). In such event the Secretary shall give sufficient publicity through media in order to bring awareness to the people of the revocation of such permit.

24. Waste Disposal Areas :

- (i) No unauthorized person shall enter loiter, deposit, disturb or remove any article, material or refuse from a waste disposal area reserved by the Pradeshiya Sabha for that purpose to deposit any prohibited refuse which the Pradeshiya Sabha from time to time may stipulate unless authorized by the Pradeshiya Sabha subject to certain specified conditions.
- (ii) No person shall provide, operate or use any land or facility for the deposit of waste originating from a place outside the land or facility within the Pradeshiya Sabha limits except with the prior written approval of the authorized officer and the Central Environmental Authority subject to any conditions of approval.

25. Others :

- (i) The Secretary or any person authorized by him in writing shall have the power at all reasonable times to enter any premises and inspect as to whether the owner or occupier acts in conformity with the provisions of these By-laws.
- (ii) The owner, occupier, caretaker, manager or any person residing or serving in that premises shall furnish the information required by the Secretary or any authorized officer.
- (iii) No person shall obstruct the Secretary or an authorized officer or assistant authorized officer in the exercise of his powers under these By-laws.
- (iv) Any authorized officer or any assistant of the authorized officer who implements and enforce these By-laws may be offered incentives according to the decisions made by the Pradeshiya Sabha from time to time.
- (v) Any person who contravenes any provisions of these By-laws shall be guilty of an offence as per the Pradeshiya Sabha Act.

26. Violations and Penalties :

- (i) If any person within the limits of the Pradeshiya Sabha contravenes or violates any provisions provided under this By-laws from 3 to 20 and from 23 to 25 shall be an offence punishable with fines as described hereunder

after the service of a written notice from the Secretary and conviction thereof by a Magistrate's Court.

(a) For any one of such contravention or violation the penalty of a fine shall be Rupees Seven Hundred and Fifty (Rs. 750).

(b) In the case of continuing contravention or violation, an additional fine Rupees Two Hundred and Fifty (Rs. 250) for every day during which the contravention or violation is continued.

27. Interpretation :

Unless context otherwise requires, for the purpose of these By-laws :-

“Authorized Collector” means a person who obtains a permit from the Secretary to collect and receive waste under the provision of these By-laws.

“Authorized Officer” means a person who has been authorized in writing by the Secretary to execute or carry out such duties under these By-laws.

“Bin or other receptacles” means any bin, sack, bag or other container used for waste storage, discharge, collection or transportation that complies with the requirements set out in these By-laws.

“Bio-degradable waste” means waste that may be degraded or decomposed by micro-organisms.

“Collection” means the receipt of waste by an authorized collector or Pradeshiya Sabha waste collector for transportation for re-using, recycling, processing, treatment or disposal facilities.

“Compost” means the final product of the degradation of waste by micro-organisms and it is a humus that could be functioned as soil conditioner.

“Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Pradeshiya Sabha waste collectors.

“Disposal” means the placement of all waste that is neither re-used, recycled, processed nor treated, on or in land where it is intended to stay permanently.

“Fee” means some fee determined by the Pradeshiya Sabha from time to time.

“Food Waste” means all meat, fish, eggs, vegetable, fruits and other edible materials that cannot be used for consumption.

“Garden Waste” means parts removed from trees or plants. Removed from a home garden.

“Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radio active or infectious in nature.

“Infectious waste” means equipment, instruments, utensils and disposable things that may carry communicable diseases including pathological specimens.

“Special waste” means waste which is not regulated hazardous waste, which has physical or chemical characteristics or both, that are different from municipal, demolition, construction and wood wastes and which potentially requires special handling.

“Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person.

“Pradeshiya Sabha” means Pottuvil Pradeshiya Sabha.

“Pradeshiya Sabha Area” means the area declared under the authority of the Pradeshiya Sabha Act, No. 15 of 1987.

“Pradeshiya Sabha Waste Collector” means an employee engaged by the Pradeshiya Sabha for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered in to a contract with the Pradeshiya Sabha to perform such duties.

“Public place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public.

“Recyclable waste” means by-waste that can be used to produce new goods by changing their form in the process so that they are no longer recognizable as waste.

“Residual waste” means waste not considered as biodegradable and re-usable/recyclable wastes.

- “Reusable waste” means waste that can be utilized after washing disinfection or cleaning by other means.
- “Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in Sri Lanka to minimize the associated social, health and environmental impacts.
- “Secretary” means the Secretary of the Pradeshiya Sabha constituted under the Pradeshiya Sabha Act, No. 15 of 1987 for that Pradeshiya Sabha and any person appointed to act as such Secretary or any officer of such Pradeshiya Sabha empowered by or under this Act, to exercise, perform or discharge any of the powers, duties or functions of the Secretary to the extent to which such officer is so empowered.
- “Segregation” means separating waste into different types according to the categories used in these By-laws.
- “Service charge” means fees to be charged to users of the waste management services of the Pradeshiya Sabha.
- “Solid waste” means substances which have no consumer value to person who abandoned them and includes rubbish, garbage, litter, street sweepings, drain cleanings and ash.
- “Special Waste” means wastes that may pose danger to the environment and may require special handling, transportation, treatment and disposal.
- “Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.
- “Transfer station” means any place specified by the Pradeshiya Sabha for this purpose where waste is transferred from smaller to larger vehicles for the purpose of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility.
- “Transport” means transporting waste from the collection point to processing, treatment or disposal facilities using some form of human or animal or mechanically powered vehicle.
- “Treat” means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment.

SCHEDULE I

Service Charges :

Description of Service Charge	Classification of owner or occupier under By-laws 8 and 9			Category of owner or occupier under By-laws 10, 11, 12, 13, 15, 18 and 19
	Category of owner or occupier under By-law 8	Category of owner or occupier under By-law 9	Category of owner or occupier under By-laws 8 and 9 (Samurdhi)	
	Rs.	Rs.	Rs.	
Service Charge for one month	50	75	30	*_
Service Charge for one year	600	900	360	*_
10% discount in cash of paying Service Charge for whole year before March of the respective year	540	810	325	*_

*_ Pradeshiya Sabha shall from time to time determine the service charge on average basis taking the volume of waste disposed of.

Unless the context otherwise requires, for the purpose of these By-laws –

“Samurdhi” means and includes the families who have been categorized under Samurdhi assisted families by the Divisional Secretary of the division and assisted by the Government under the poverty alleviation programme.

EASTERN PROVINCE PROVINCIAL COUNCIL

I, Sivanethurai Santhirakanthan, the Chief Minister and the Minister of Finance and Planning, Local Government, Rehabilitation, Resettlement, Rural Development, Manpower, Law and Order, Regional Administration, Tourism and Environment of the Eastern Province, do hereby grant approval to the By-law on Solid Waste Management of the Dehiattakandiya Pradeshiya Sabha under and by virtue of power vested in me under Section 123(1) and (2) of the Pradeshiya Sabha Act, No. 15 of 1987, read with the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 and order publish effective from the date hereof.

SIVANETHURAI SANTHIRAKANTHAN,
Chief Minister and Minister of Finance and
Planning, Local Government, Rehabilitation,
Resettlement, Rural Development, Man Power,
Law and Order, Regional Administration,
Tourism and Environment of the
Eastern Province.

Chief Minister's Secretariat,
Eastern Province,
Varothayanagar,
Trincomalee,

On this 25th day of June Two Thousand and Twelve.

Dehiattakandiya Pradeshiya Sabha

BY-LAWS ON SOLID WASTE MANAGEMENT

A By-law for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, at streets, thoroughfares within Dehiattakandiya Pradeshiya Sabha limits.

In order to fulfill its duty as required by Section 93 of the Pradeshiya Sabha Act, No. 15 of 1987, the Pradeshiya Sabha formulated these By-laws and have passed same under resolution No. 10/03/i resolved at the meeting of the Dehiattakandiya Pradeshiya Sabha held on 30th March, 2012 in terms of Section 122 and 126(ix) item (b) of the Pradeshiya Sabha Act, No. 15 of 1987 read with Section 2(1) of Provincial Councils (Consequential Provisions) Act, No. 12 of 1989.

General :

1. These By-laws are cited as By-laws relating to Solid Waste Management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, on streets, thoroughfares within Dehiattakandiya Pradeshiya Sabha limits and all other incidental activities thereto.

3. Every owner or occupier of any premises situated within the Pradeshiya Sabha area shall keep the premises free of waste and in a healthy and pleasant condition.
4. Owner or occupier of any premises situated within the area of the Pradeshiya Sabha shall collect, segregate, store for collection, transport and remove the waste within the premises or cause to do so in accordance with the provisions of these By-laws.
5. (i) Every owner or occupier of premises shall collect solid waste generated within his premises daily or in lesser intervals if required, by sweeping or using any other method.
(ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding sub-section of this By-law in accordance with the provisions of By-law No. 8 to 21.
(iii) Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put for collection under the provisions of By-laws 8 to 20 shall be in accordance to the standard and specification approved by the Pradeshiya Sabha from time to time and maintain them in good condition and not put for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely to collapse or spilt when reasonably handled.
(iv) Pradeshiya Sabha may provide such receptacles to owners or occupiers if they so wish subsidizing the cost in part or in full according to a decision made by the Pradeshiya Sabha.
(v) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time Schedule, operated in a Pradeshiya Sabha area, as determined and publicly notified from time to time by the Pradeshiya Sabha.
(vi) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental or injurious to health of occupants, visitors or neighbours or to the sanitary conditions in that area.
(vii) The owners or occupiers described under By-laws 8, 9, 10, 11, 12, 13, 15, 18 and 19 shall pay their Service Searches as described under Schedule hereof as follows :
(a) On or before 15th of the following month, those who pay monthly,
(b) On or before 28th of February of the respective year, those who pay yearly in advance.

6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue, or any other public place or premises, or a drain or a waterway, water reservoir or the sea.
 - (ii) No person shall burn waste in an open space within the Pradeshiya Sabha area and thereby pollute the environment.
 - (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-laws No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
 - (iv) Waste not processed, treated or disposed of under the provisions of By-laws No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-laws Nos. 8 to 20.
 7. (i) The owner or occupier of any premises may dispose the waste within such premises except –
 - (a) in areas where disposal of such waste is prohibited by the Pradeshiya Sabha ; or
 - (b) certain types of waste specified by the Pradeshiya Sabha.
 - (ii) The owner or occupier of any premises may burn waste in an incinerator or burner constructed in accordance with a plan and standards approved by the Secretary of the Pradeshiya Sabha or treat, process or bury waste in the manner approved by the Secretary.
 - (iii) The owner or occupier of any premises shall process or treat the solid waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Pradeshiya Sabha waste collector any solid waste on payment of a Service Charge specified as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the waste disposed.
 - (iv) Any person who cuts any part of a tree or plant within his premises, by the roadside of a street or thoroughfare shall by prior arrangement with the Secretary hand over that waste to the Pradeshiya Sabha waste collector on the payment of a Service Charge as determined by the Secretary considering the volume of waste to be removed of.
 - (v) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.
 - (vi) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Pradeshiya Sabha area.
 - (vii) Any application to Pradeshiya Sabha for construction or renovation of a house or any other premises shall include in that application the details of solid waste generated during the construction and the programme of storing, treating or processing of discharged materials.
8. *Residential Premises :*
- (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by other method as follows :–
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
 - (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for that purpose until removal. The waste specified in items (a) and (b) of Sub-section (i) shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Pradeshiya Sabha waste collector without delay.
 - (iii) Every occupier may handover to an authorized collector types of waste specified in item (a) and (b) of paragraph (i). If failed to do so, he shall together with the type of waste specified in items (c) and (d) hand over to the Pradeshiya Sabha waste collector.
9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows :
- (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
- (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii) the Secretary has the power to require the owner or occupier of that building, to provide such

bins or receptacles on or before a notified date and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.

- (iv) Every owner or occupier of a floor or a storey shall put segregated waste in to the appropriate bin or receptacle.
- (v) It shall be the duty of an authorized collector to remove types of waste specified in items (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste (c) and (d) shall be handed over to a Pradeshiya Sabha waste collector.

10. *Shops and Offices :*

- (i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.
- (iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law to an authorized waste collector.
- (iv) The owner or occupier of a shopping or an office complex with several stories and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shops or offices.
- (v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this By-law shall put segregated waste into separate bins or receptacles.
- (vi) Every owner or occupier has the right to hand over to an authorized waste collector the types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law and that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may to a Pradeshiya Sabha waste collector.
- (vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbours or persons engaged in services in such shop or office.

For the purpose of this By-law, unless the context otherwise requires –

"Occupier" means the owner of a shop or occupier or caretaker of a business or an office.

"Office" has the same meaning given in the Shops and Office Employees Act, No. 19 of 1954 (Chapter 129).

"Shop" means a place where goods are kept for wholesale or retail and includes a place where food or beverages are kept for sale and a place where a barber shop or beauty salon is operated.

11. *Hotels :*

- (i) Any owner or any person authorized shall segregate waste collected at the hotel premises or cause it to be segregated as follows :-
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Every hotelier or any person authorized by him shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.
- (iii) Every hotelier or any person shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.
- (iv) Types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law may be handed over to authorized collector.
- (v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to a Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires –

"Hotel" means a place with or without sleeping facilities where food of beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim's rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

12. *Vegetable and Fruit Stores :*

- (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Types of waste specified in item (a) of Sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals. Other waste shall be put into any suitable bin or other receptacle.

- (iii) Types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over shall be handed over to the Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires –

“Vegetable and fruit store” means an place where vegetable and fruit are stored and kept or exposed for sale.

13. *Fish, Poultry and Egg Stalls :*

- (i) The owner or person who carries out the business of a stall for the sale of fish or poultry or egg shall segregate their waste as follows :—

- (a) Carcasses or parts of carcasses or eggs not suitable for human consumption ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Segregated waste specified in item (a) shall be placed in a separate bin or other receptacle, types of waste specified in items (b), (c) and (d) of Sub-section (i) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.

- (iii) Types of waste specified in item (a) of Sub-section (i) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, together with type of waste specified in items (c) and (d) of Sub-section (i) of this By-law, shall be handed over to a Pradeshiya Sabha collector.

For the purpose of this By-law, unless the context otherwise requires –

“Fish or egg stall” means a place where such items are sotred for purpose of sale or kept or exposed for sale.

14. *Pavement Hawking :*

- (i) No hawker shall carry out a pavement business other than a written permission obtained from the Pradeshiya Sabha.

- (ii) The Secretary may charge a fee as determined by the Pradeshiya Sabha from time to time for the purpose of issuance of a temporary license under Sub-section (i) of this By-law and require the licensed pavement hawker to pay a service charge in advance to the Pradeshiya Sabha taking the days of business and the volume of waste to be generated.

- (iii) At the expiry of the licensed period the Secretary shall refund the balance money after having set off the actual service charge against the advance paid by the licensed hawker as per Sub-section (ii).

- (iv) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. No such waste shall be put on the pavement or highway or in a public place.

- (v) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrians.

- (vi) Every pavement hawker shall segregate waste generated by reason of his business as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste (plastics, glass, tin, paper) ;
- (c) Residual waste ;
- (d) Special waste.

- (vii) Segregated waste shall be put into a separate bin or other receptacle. The waste specified in item (a) of Sub-section (vi) of this By-law shall be placed inside a secured receptacle preventing the entries of insects, rats or animals and shall be kept closed except when required to place additional waste inside.

- (viii) Every pavement hawker shall hand over daily such types of waste as specified in items (a), (b), (c) and (d) of Sub-section (vi) of this By-law to an authorized collector or together with such types of waste to the Pradeshiya Sabha waste collector.

- (ix) No pavement hawker shall keep the receptacles with waste shall not be kept on a pavement or roadside or highway, when the business is not in operation.

For the purpose of this By-law, unless the context otherwise requires ;

“Pavement Hawker” means a person who sells goods or provides a service on the pavement or roadside temporarily.

15. *Factories :*

- (i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows :-

- (a) Bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous waste.

- (ii) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Pradeshiya Sabha waste collector, except item (d) of Sub-section (i) this By-law.

- (iii) Hazardous waste as specified in item (d) shall be removed according to the conditions set out in the Environmental Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.

For the purpose of this By-law, unless the context otherwise requires ;

“Factory” has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

16. *Excavation, Construction and Demolition :*

- (i) Every person who excavates any street, road or any public place or constructs or demolishes any structure for providing gas, electricity, water, telephone facilities or any other public amenities shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.
- (iii) The waste referred to in Sub-section (i) of this By-law may be handed over to a Pradeshiya Sabha waste collector on a payment of a service charge to the Secretary as determined by the Pradeshiya Sabha from time to time.

In this By-law, unless the context otherwise requires for the purpose of this By-law ;

“Every person engaged in an act of excavation, construction or demolition” includes any person engaged for such service by an Employer.

“Waste” includes earth, mud, dust, waste generated in construction from the use of building materials and waste generated during demolition or any construction.

17. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, water, telephone facilities or any other public amenities by making an application shall obtain prior approval from the Secretary for the purpose of this By-law and the Pradeshiya Sabha shall taking, the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job and the cost of removal of such waste into consideration determine a sum of money being the waste disposal deposit which the applicant to pay to the Secretary.

- (ii) The Secretary shall, if the applicant neglects to do so prior to giving approval under Sub-section (i) the applicant shall be required to pay an amount equivalent to the estimated cost as a deposit before approval is granted.

- (iii) Where any person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Secretary and the resulting expenditure incurred may be set off from the waste disposal deposit.

18. *Hospitals :*

- (i) Every hospital shall be registered with the Pradeshiya Sabha and the owner of the hospital shall segregate or cause to be segregated waste generated within the premises as following :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous healthcare waste.

- (ii) Types of waste as specified in items (a), (b) and (c) of Sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste as specified in items (d) of Sub-section (i) shall be deposited in a bin or any other receptacles specially made for that purpose and kept in a place set apart for that purpose and shall be treated and/or removed in accordance with the conditions set out in the Environmental Protection License issued to that hospital under the National Environmental Act, No. 47 of 1980.

- (iii) The waste as specified in items (a), (b) and (c) of Sub-section (i) shall be handed over to an authorized collector or to the Pradeshiya Sabha waste collector.

In this By-law, unless the context otherwise requires ;

“Hospital” means any premises (howsoever described) used or intended to be used for the reception, nursing and treatment of persons or animals suffering from any illness or infirmity and includes a nursing home, clinic, medical centre, medical laboratory, maternity home and veterinary hospital.

“Hazardous healthcare waste” means clinical waste, body parts, placentas, infectious and highly infectious waste and sharps.

19. Slaughter houses and sale of meat :

- (i) No person shall slaughter animal and carry on trade of a butcher unless issued a license by the Pradeshiya Sabha for that purpose in accordance to the provisions provided under the Butchers Ordinance (Chapter 272).
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the slaughterhouse permitted to slaughter animals, type of animals that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other conditions the Pradeshiya Sabha may think fit.
- (iii) Every person to whom a license has been issued under Sub-section (1) or person authorized (hereinafter the licensee) shall segregate their solid wastes as follows :-
 - (a) Offal, hair, hoofs, bones, undigested materials ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste.
- (iv) Segregated wastes shall be placed in a separate bin or other receptacles, types of wastes specified in items (a), (b) and (c) of sub-section (iii) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (v) Types of waste specified in items (a), (b) and (c) of Sub-section (iii) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, shall be handed over to a Pradeshiya Sabha collector.
- (vi) Waste water generated through the operations of the slaughterhouses and meat stall shall be treated as per the provisions of the National Environment Act, No. 56 of 1980.

For the purpose of this By-law, unless the context otherwise requires.

“Slaughterhouse” means as provided in the Butchers Ordinance (Chapter 272).

“Meat stall” means a place where such items are stored for purpose of sale or kept or exposed for sale.

20. Other premises :

- (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :-
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Any organizer of any activity specified in Sub-section (i) shall inform the Pradeshiya Sabha in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a service charge as determined by the Pradeshiya Sabha from time to time.
- (iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.
- (iv) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to a Pradeshiya Sabha waste collector subject to a service charge as determined by the Pradeshiya Sabha from time to time.

21. Streets and Public Places :

- (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall take steps to plan, supervise, control and administer the following :-
 - (a) to maintain in a clean and sanitary condition, the streets, public places, thoroughfares, public drains, watercourses and public markets situated within the Pradeshiya Sabha area.
 - (b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places.
 - (c) to provide mobile waste bins for use in public places, at festivals, special events or any other event as determined by the Pradeshiya Sabha where the

Pradeshiya Sabha decides to do so, or following a request from the organizers of such festival on special events.

(d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents.

(e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.

(ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Pradeshiya Sabha specifically for litter.

22. Duties of the Pradeshiya Sabha :

(i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall plan, supervise, control and administer followings :-

(a) to encourage people to reduce, reuse and recycle waste,

(b) to conduct awareness programmes or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,

(c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,

(d) to offer incentives to those involved in the reduction, reuse and recycle activities,

(e) to regulate different types of waste discharge systems,

(f) to issue the bag, sack, bind or other receptacle to the owner or occupier in compliance to the standard and specification that have been approved by the Pradeshiya Sabha according to the requirements in order to ensure that effective and efficient segregation, collection and store of waste,

(g) to prepare a waste collection schedule, setting out collection days, times, methods and service charges as determined by the Pradeshiya Sabha for different types of waste in different areas of Pradeshiya Sabha, it may include conditions for collection on public holidays and make people aware,

(h) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to schedule,

(i) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors in compliance to provisions of law,

(j) to hand over to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places and waste collected from public bins and waste collected by Pradeshiya Sabha labourers, except for hazardous waste or other types of waste specified by the Secretary,

(k) to take appropriate measures to deal with segregated waste collected by Pradeshiya Sabha waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste of these types in a manner, approved by the Secretary,

(l) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,

(m) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or environmental protection license to burn waste or to maintain a sanitary landfill,

(n) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,

(o) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Pradeshiya Sabha for the construction or renovation of a house or other premises,

(p) to prepare an internal Waste Management Plan for the Pradeshiya Sabha,

(q) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually by the Pradeshiya Sabha,

(r) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

23. Permits :

(i) The Pradeshiya Sabha may issue a permit to any person who re-uses or recycles waste material or manufactures compost, biogas or any other product where any person –

(a) carries out any business within the Pradeshiya Sabha area or in any other local authority area, in terms of this By-laws, as approved by the Pradeshiya Sabha,

(b) possesses an Environmental Protection License, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980,

(c) designates storage place for collected waste constructed in accordance with the standards approved by the Pradeshiya Sabha,

(d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Pradeshiya Sabha and without causing nuisance to people,

(e) agrees to hand over residual or reject waste or any other waste created as by products during processing or treatment, to the Pradeshiya Sabha as approved by the Pradeshiya Sabha on payment of a service charge to the Secretary for collection of such waste as determined by the Pradeshiya Sabha from time to time, where the business is carried out within the Pradeshiya Sabha limits.

(f) where the Pradeshiya Sabha refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons of such refusal or rejection within thirty days of receipt of the application for the permit.

(g) the Secretary shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and other appropriate conditions,

(h) the Secretary shall revoke the permit issued under this By-law in event of non-compliance of the provision of Sub-section (i) of this By-law.

(ii) No person shall collect or receive waste when a permit is revoked under the provision of (h). In such event the Secretary shall give sufficient publicity through media in order to bring awareness to the people of the revocation of such permit.

24. Waste Disposal Areas :

(i) No unauthorized person shall enter loiter, deposit, disturb or remove any article, material or refuse from a waste disposal area reserved by the Pradeshiya Sabha for that purpose to deposit any prohibited refuse which the Pradeshiya Sabha from time to time may stipulate unless authorized by the Pradeshiya Sabha subject to certain specified conditions.

(ii) No person shall provide, operate or use any land or facility for the deposit of waste originating from a place outside the land or facility within the Pradeshiya Sabha limits except with the prior written approval of the authorized officer and the Central Environmental Authority subject to any conditions of approval.

25. Others :

(i) The Secretary or any person authorized by him in writing shall have the power at all reasonable times to enter any premises and inspect as to whether the owner or occupier acts in conformity with the provisions of these By-laws.

(ii) The owner, occupier, caretaker, manager or any person residing or serving in that premises shall furnish the information required by the Secretary or any authorized officer.

(iii) No person shall obstruct the Secretary or an authorized officer or assistant authorized officer in the exercise of his powers under these By-laws.

(iv) Any authorized officer or any assistant of the authorized officer who implements and enforce these By-laws may be offered incentives according to the decisions made by the Pradeshiya Sabha from time to time.

(v) Any person who contravenes any provisions of these By-laws shall be guilty of an offence as per the Pradeshiya Sabha Act.

26. Violations and Penalties :

(i) If any person within the limits of the Pradeshiya Sabha contravenes or violates any provision provided under this By-laws from 3 to 20 and from 23 to 25 shall be an

offence punishable with fines as described hereunder after the service of a written notice from the Secretary and conviction thereof by a Magistrate's Court.

(a) For any one of such contravention or violation the penalty of a fine shall be Rupees Seven Hundred and Fifty (Rs. 750).

(b) In the case of continuing contravention or violation, an additional fine Rupees Two Hundred and Fifty (Rs. 250) for every day during which the contravention or violation is continued.

27. Interpretation :

Unless context otherwise requires, for the purpose of these By-laws :-

“Authorized Collector” means a person who obtains a permit from the Secretary to collect and receive waste under the provision of these By-laws.

“Authorized Officer” means a person who has been authorized in writing by the Secretary to execute or carry out such duties under these By-laws.

“Bin or other receptacles” means any bin, sack, bag or other container used for waste storage, discharge, collection or transportation that complies with the requirements set out in these By-laws.

“Bio-degradable waste” means waste that may be degraded or decomposed by micro-organisms.

“Collection” means the receipt of waste by an authorized collector or Pradeshiya Sabha waste collector for transportation for re-using, recycling, processing, treatment or disposal facilities.

“Compost” means the final product of the degradation of waste by microorganisms and it is a humus that could be functioned as soil conditioner.

“Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Pradeshiya Sabha waste collectors.

“Disposal” means the placement of all waste that is neither re-used, recycled, processed *nor* treated, on or in land where it is intended to stay permanently.

“Fee” means some fee determined by the Pradeshiya Sabha from time to time.

“Food Waste” means all meat, fish, eggs, vegetable, fruits and other edible materials that cannot be used for consumption.

“Garden Waste” means parts removed from trees or plants removed from a home garden.

“Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature.

“Infectious waste” means equipment, instruments, utensils and disposable things that may carry communicable diseases including pathological specimens.

“Special waste” waste which is not regulated hazardous waste, which has physical or chemical characteristics or both, that are different from municipal, demolition, construction and wood wastes and which potentially requires special handling.

“Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person.

“Pradeshiya Sabha” means Dehiattakandiya Pradeshiya Sabha.

“Pradeshiya Sabha Area” means the area declared under the authority of the Pradeshiya Sabha Act, No. 15 of 1987.

“Pradeshiya Sabha Waste Collector” means an employee engaged by the Pradeshiya Sabha for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered in to a contract with the Pradeshiya Sabha to perform such duties.

“Public place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public.

“Recyclable waste” means by-waste that can be used to produce new goods by changing their form in the process so that they are no longer recognizable as waste.

“Residual waste” means waste not considered as biodegradable and re-usable/recyclable wastes.

“Reusable waste” means waste that can be utilized after washing disinfection or cleaning by other means.

“Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in Sri Lanka to minimize the associated social, health and environmental impacts.

“Secretary” means the Secretary of the Pradeshiya Sabha constituted under the Pradeshiya Sabha Act, No. 15 of 1987 for that Pradeshiya Sabha and any person appointed to act as such Secretary or any officer of such Pradeshiya Sabha empowered by or under this Act, to exercise, perform or discharge any of the powers, duties or functions of the Secretary to the extent to which such officer is so empowered.

“Segregation” means separating waste into different types according to the categories used in these By-laws.

“Service charge” means fees to be charged to users of the waste management services of the Pradeshiya Sabha.

“Solid waste” means substances which have no consumer value to person who abandoned them and includes

rubbish, garbage, litter, street sweepings, drain cleanings and ash.

“Special Waste” means wastes that may pose danger to the environment and may require special handling, transportation, treatment and disposal.

“Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.

“Transfer station” means any place specified by the Pradeshiya Sabha for this purpose where waste is transferred from smaller to larger vehicles for the purpose of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility.

“Transport” means transporting waste from the collection point to processing, treatment or disposal facilities using some form of human or animal or mechanically powered vehicle.

“Treat” means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment.

SCHEDULE I

Service Charges :

Description of Service Charge	Classification of owner or occupier under By-laws 8 and 9			Category of owner or occupier under By-laws 10, 11, 12, 13, 15, 18 and 19
	Category of owner or occupier under By-law 8	Category of owner or occupier under By-law 9	Category of owner or occupier under By-law 8 and 9 (Samurdhi)	
	Rs.	Rs.	Rs.	
Service Charge for one month	50	75	30	*
Service Charge for one year	600	900	360	*
10% discount in cash of paying Service Charge for whole year before March of the respective year	540	810	325	*

* Pradeshiya Sabha shall from time to time determine the service charge on average basis taking the volume of waste disposed of.

Unless the context otherwise requires, for the purpose of these By-laws ;

“Samurdhi” means and includes the families who have been categorized under Samurdhi assisted families by the Divisional Secretary of the division and assisted by the Government under the poverty alleviation programme.

EASTERN PROVINCE PROVINCIAL COUNCIL

I, Sivanethurai Santhirakanthan, the Chief Minister and the Minister of Finance and planning, Local Government, Rehabilitation, Resettlement, Rural Development, Manpower, Law and Order, Regional Administration, Tourism and Environment of the Eastern Province do hereby grant approval to the By-law on Solid Waste Management of the Alayadiwembu Pradeshiya Sabha under and by virtue of power vested in me under Section 123(1) and (2) of the Pradeshiya Sabha Act, No. 15 of 1987 read with the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 and order publish effective from the date hereof.

SIVANETHURAI SANTHIRAKANTHAN,
Chief Minister and Minister of Finance and
Planning, Local Government, Rehabilitation,
Resettlement, Rural Development, Man power,
Law and Order, Regional Administration,
Tourism and Environment of the
Eastern Province.

Chief Minister's Secretariat,
Eastern Province,
Varothayanagar,
Trincomalee.
On this 25th day of June 2012.

Alayadiwembu Pradeshiya Sabha

BY-LAWS ON SOLID WASTE MANAGEMENT

A By-law for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, at streets, thoroughfares within Alayadiwembu Pradeshiya Sabha limits.

In order to fulfill its duty as required by Section 93 of the Pradeshiya Sabha Act, No. 15 of 1987, the Pradeshiya Sabha formulated these By-laws and have passed same under resolution No. 06 resolved at the meeting of the Alayadiwembu Pradeshiya Sabha held on 24th November, 2011 in terms of Section 122 and 126(ix) item (b) of the Pradeshiya Sabha Act, No. 15 of 1987 read with Section 2(1) of Provincial Councils (Consequential Provisions) Act, No. 12 of 1989.

General :

1. These By-laws are cited as By-laws relating to Solid Waste Management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, on streets, thoroughfares within Alayadiwembu Pradeshiya Sabha limits and all other incidental activities thereto.

3. Every owner or occupier of any premises situated within the Pradeshiya Sabha area shall keep the premises free of waste and in a healthy and pleasant condition.
4. Owner or occupier of any premises situated within the area of the Pradeshiya Sabha shall collect, segregate, store for collection, transport and remove the waste within the premises or cause to do so in accordance with the provision of these By-laws.
5. (i) Every owner or occupier of premises shall collect solid waste generated within his premises daily or in lesser intervals if required, by sweeping or using any other method.
(ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding sub-section of this By-law in accordance with the provisions of By-law No. 8 to 21.
(iii) Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put for collection under the provisions of By-laws 8 to 20 shall be in accordance to the standard and specification approved by the Pradeshiya Sabha from time to time and maintain them in good condition and not put for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely to collapse or spilt when reasonably handled.
(iv) Pradeshiya Sabha may provide such receptacles to owners or occupiers if they so wish subsidizing the cost in part or in full according to a decision made by the Pradeshiya Sabha.
(v) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time Schedule, operated in a Pradeshiya Sabha area, as determined and publicly notified from time to time by the Pradeshiya Sabha.
(vi) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental or injurious to health of occupants, visitors or neighbours or to the sanitary conditions in that area.
(vii) The owners or occupiers described under By-laws 8, 9, 10, 11, 12, 13, 15, 18 and 19 shall pay their Service Searches as described under Schedule hereof as follows :
(a) On or before 15th of the following month, those who pay monthly,
(b) On or before 28th of February of the respective year, those who pay yearly in advance.

6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue, or any other public place or premises, or a drain or a waterway, water reservoir or the sea.
 - (ii) No person shall burn waste in an open space within the Pradeshiya Sabha area and thereby pollute the environment.
 - (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-laws No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
 - (iv) Waste not processed, treated or disposed of under the provisions of By-laws No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-laws Nos. 8 to 20.
 7. (i) The owner or occupier of any premises may dispose the waste within such premises except –
 - (a) In areas where disposal of such waste is prohibited by the Pradeshiya Sabha ; or
 - (b) Certain types of waste specified by the Pradeshiya Sabha.
 - (ii) The owner or occupier of any premises may burn waste in an incinerator or burner constructed in accordance with a plan and standards approved by the Secretary of the Pradeshiya Sabha or treat, process or bury waste in the manner approved by the Secretary.
 - (iii) The owner or occupier of any premises shall process or treat the solid waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Pradeshiya Sabha waste collector any solid waste on payment of a Service Charge specified as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the waste disposed.
 - (iv) Any person who cuts any part of a tree or plant within his premises, by the roadside of a street or thoroughfare shall by prior arrangement with the Secretary hand over that waste to the Pradeshiya Sabha waste collector on the payment of a Service Charge as determined by the Secretary considering the volume of waste to be removed of.
 - (v) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.
 - (vi) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Pradeshiya Sabha area.
 - (vii) Any application to Pradeshiya Sabha for construction or renovation of a house or any other premises shall include in that application the details of solid waste generated during the construction and the programme of storing, treating or processing of discharged materials.
8. *Residential Premises :*
- (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by other method as follows :–
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
 - (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for that purpose until removal. The waste specified in terms (a) and (b) of Sub-section (i) shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Pradeshiya Sabha waste collector without delay.
 - (iii) Every occupier may handover to an authorized collector types of waste specified in term (a) and (b) of paragraph (i). If failed to do so, he shall together with the type of waste specified in item (c) and (d) hand over to the Pradeshiya Sabha waste collector.
9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows :
- (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
 - (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii) the Secretary has the power to require

the owner or occupier of that building, to provide such bins or receptacles on or before a notified date and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.

- (iv) Every owner or occupier of a floor or a storey shall put segregated waste in to the appropriate bin or receptacle.
- (v) It shall be the duty of an authorized collector to remove types of waste specified in terms (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste (c) and (d) shall be handed over to a Pradeshiya Sabha waste collector.

10. *Shops and Offices :*

- (i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.
- (iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a), (b), (c) and (d) of sub-section (i) of this By-law to an authorized waste collector.
- (iv) The owner or occupier of a shopping or an office complex with several stories and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shops or offices.
- (v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this By-law shall put segregated waste into separate bins or receptacles.
- (vi) Every owner or occupier has the right to hand over to an authorized waste collector the types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law and that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may to a Pradeshiya Sabha waste collector.
- (vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbours or persons engaged in services in such shop or office.

For the purpose of this By-law, unless the context otherwise requires –

“Occupier” means the owner of a shop or occupier or caretaker of a business or an office.

“Office” has the same meaning given in the Shops and Office Employees Act, No. 19 of 1954 (Chapter 129).

“Shop” means a place where goods are kept for wholesale or retail and includes a place where food or beverages are kept for sale and a place where a barber shop or beauty salon is operated.

11. *Hotels :*

- (i) Any owner or any person authorized shall segregate waste collected at the hotel premises or cause it to be segregated as follows :-
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Every hotelier or any person authorized by him shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.
- (iii) Every hotelier or any person shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.
- (iv) Types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law may be handed over to authorized collector.
- (v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to a Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires,

“Hotel” means a place with or without sleeping facilities where food or beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim’s rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

12. *Vegetable and Fruit Stores :*

- (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :—

- (a) Food waste and other biodegradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Types of waste specified in item (a) of Sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals - other waste shall be put into any suitable bin or other receptacle.

- (iii) Types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over shall be handed over to the Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires.

"Vegetable and fruit store" means an place where vegetable and fruit are stored and kept or exposed for sale.

13. *Fish, Poultry and Egg stalls :*

- (i) The owner or person who carries out the business of a stall for the sale of fish or poultry or egg shall segregate their waste as follows :—

- (a) Carcasses or parts of carcasses or eggs not suitable for human consumption ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Segregated waste specified in item (a) shall be placed in a separate bin or other receptacle, types of waste specified in item (b), (c) and (d) of Sub-section (i) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.

- (iii) Types of waste specified in items (a) and (b) of Sub-section (i) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, together with type of waste specified in items (c) and (d) of Sub-section (i) of this By-law, shall be handed over to a Pradeshiya Sabha collector.

For the purpose of this By-law, unless the context otherwise requires ;

"Fish or egg stall" means a place where such items are sotred for purpose of sale or kept or exposed for sale.

14. *Pavement Hawking :*

- (i) No hawker shall carry out a pavement business other than a written permission obtained from the Pradeshiya Sabha.

- (ii) The Secretary may charge a fee as determined by the Pradeshiya Sabha from time to time for the purpose of issuance of a temporary license under Sub-section (i) of this By-law and require the licensed pavement hawker to pay a service charge in advance to the Pradeshiya Sabha taking the days of business and the volume of waste to be generated.

- (iii) At the expiry of the licensed period the Secretary shall refund the balance money after having set off the actual service charge against the advance paid by the licensed hawker as per Sub-section (ii).

- (iv) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. No such waste shall be put on the pavement or highway or in a public place.

- (v) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrians.

- (vi) Every pavement hawker shall segregate waste generated by reason of his business as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste (plastics, glass, tin, paper) ;
- (c) Residual waste ;
- (d) Special waste.

- (vii) Segregated waste shall be put into a separate bin or other receptacle. The waste specified in item (a) of Sub-section (vi) of this By-law shall be placed inside a secured receptacle preventing the entries of insects, rats or animals and shall be kept closed except when required to place additional waste inside.

- (viii) Every pavement hawker shall hand over daily such types of waste as specified in items (a), (b), (c) and (d) of Sub-section (vi) of this By-law to an authorized collector or together with such types of waste to the a Pradeshiya Sabha waste collector.

- (ix) No pavement hawker shall keep the receptacles with waste shall not be kept on a pavement or roadside or highway, when the business is not in operation.

For the purpose of this By-law, unless the context otherwise requires ;

"Pavement Hawker" means a person who sells goods or provides a service on the pavement or roadside temporarily.

15. *Factories :*

- (i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows :-

- (a) Bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous waste.

- (ii) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Pradeshiya Sabha waste collector, except item (d) of Sub-section (i) this By-law.

- (iii) Hazardous waste as specified in item (d) shall be removed according to the conditions set out in the Environmental Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.

For the purpose of this By-law, unless the context otherwise requires ;

"Factory" has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

16. *Excavation, Construction and Demolition :*

- (i) Every person who excavates any street, road or any public place or constructs or demolishes any structure for providing gas, electricity, water, telephone facilities or any other public amenities shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.

- (iii) The waste referred to in Sub-section (i) of this By-law may be handed over to a Pradeshiya Sabha waste collector on a payment of a service charge to the Secretary as determined by the Pradeshiya Sabha from time to time.

In this By-law, unless the context otherwise requires for the purpose of this By-law ;

"Every person engaged in an act of excavation, construction or demolition" includes any person engaged for such service by an Employer.

"Waste" includes earth, mud, dust, waste generated in construction from the use of building materials and waste generated during demolition or any construction.

17. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, waster, telephone facilities or any other public amenities by making an application shall obtain prior approval from the Secretary for the purpose of this By-law and the Pradeshiya Sabha shall taking, the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job and the cost of removal of such waste into consideration determine a sum of money being the waste disposal deposit which the applicant to pay to the Secretary.

- (ii) The Secretary shall, if the applicant neglects to do so prior to giving approval under Sub-section (i) the applicant shall be required to pay an amount equivalent to the estimated cost as a deposit before approval is granted.

- (iii) Where any person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Secretary and the resulting expenditure incurred may be set off from the waste disposal deposit.

18. *Hospitals :*

- (i) Every hospital shall be registered with the Pradeshiya Sabha and the owner of the hospital shall segregate or cause to be segregated waste generated within the premises as following :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous healthcare waste.

- (ii) Types of waste as specified in items (a), (b) and (c) of Sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste as specified in items (d) of Sub-section (i) shall be deposited in a bin or any other receptacles specially made for that purpose and kept in a place set apart for that purpose and shall be treated and/or removed in accordance with the conditions set out in the Environmental Protection License issued to that hospital under the National Environmental Act, No. 47 of 1980.

- (iii) The waste as specified in items (a), (b) and (c) of Sub-section (i) shall be handed over to an authorized collector or to the Pradeshiya Sabha waste collector.

In this By-law, unless the context otherwise requires ;

"Hospital" means any premises (howsoever described) used or intended to be used for the reception, nursing and treatment of persons or animals suffering from any illness or infirmity and includes a nursing home, clinic, medical centre, medical laboratory, maternity home and veterinary hospital.

"Hazardous healthcare waste" means clinical waste, body parts, placentas, infectious and highly infectious waste and sharps.

19. *Slaughterhouses and sale of meat :*

- (i) No person shall slaughter animal and carry on trade of a butcher unless issued a license by the Pradeshiya Sabha for that purpose in accordance to the provisions provided under the Butchers Ordinance (Chapter 272).
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the slaughterhouse permitted to slaughter animals, type of animals that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other conditions the Pradeshiya Sabha may think fit.
- (iii) Every person to whom a license has been issued under Sub-section (1) or person authorized (hereinafter the licensee) shall segregate their solid wastes as follows :-
 - (a) Offal, hair, hoofs, bones, undigested materials ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste.
- (iv) Segregated wastes shall be placed in a separate bin or other receptacles, types of wastes specified in items (a), (b) and (c) of sub-section (iii) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (v) Types of waste specified in items (a), (b) and (c) of Sub-section (iii) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, shall be handed over to a Pradeshiya Sabha collector.
- (vi) Waste water generated through the operations of the slaughterhouses and meat stall shall be treated as per the provisions of the National Environment Act, No. 56 of 1980.

For the purpose of this By-law, unless the context otherwise requires.

"Slaughterhouse" means as provided in the Butchers Ordinance (Chapter 272).

"Meat stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

20. *Other premises :*

- (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :-
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Any organizer of any activity specified in Sub-section (i) shall inform the Pradeshiya Sabha in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a service charge as determined by the Pradeshiya Sabha from time to time.
- (iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.
- (iv) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to a Pradeshiya Sabha waste collector subject to a service charge as determined by the Pradeshiya Sabha from time to time.

21. *Streets and Public Places :*

- (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall take steps to plan, supervise, control and administer the following :-
 - (a) to maintain in a clean and sanitary condition, the streets, public places, thoroughfares, public drains, watercourses and public markets situated within the Pradeshiya Sabha area.
 - (b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places.
 - (c) to provide mobile waste bins for use in public places, at festivals, special events or any other event as determined by the Pradeshiya Sabha where the

Pradeshiya Sabha decides to do so, or following a request from the organizers of such festival on special events.

(d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents.

(e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.

(ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Pradeshiya Sabha specifically for litter.

22. Duties of the Pradeshiya Sabha :

(i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall plan, supervise, control and administer followings :-

(a) to encourage people to reduce, reuse and recycle waste,

(b) to conduct awareness programmes or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,

(c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,

(d) to offer incentives to those involved in the reduction, reuse and recycle activities,

(e) to regulate different types of waste discharge systems,

(f) to issue the bag, sack, bind or other receptacle to the owner or occupier in compliance to the standard and specification that have been approved by the Pradeshiya Sabha according to the requirements in order to ensure that effective and efficient segregation, collection and store of waste,

(g) to prepare a waste collection schedule, setting out collection days, times, methods and service charges as determined by the Pradeshiya Sabha for different types of waste in different areas of Pradeshiya Sabha. it may include conditions for collection on public holidays and make people aware,

(h) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to schedule,

(i) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors in compliance to provisions of law,

(j) to hand over to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places and waste collected from public bins and waste collected by Pradeshiya Sabha labourers, except for hazardous waste or other types of waste specified by the Secretary,

(k) to take appropriate measures to deal with segregated waste collected by Pradeshiya Sabha waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste of these types in a manner, approved by the Secretary,

(l) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,

(m) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or environmental protection license to burn waste or to maintain a sanitary landfill,

(n) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,

(o) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Pradeshiya Sabha for the construction or renovation of a house or other premises,

(p) to prepare an internal Waste Management Plan for the Pradeshiya Sabha,

(q) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually by the Pradeshiya Sabha,

(r) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

23. Permits :

(i) The Pradeshiya Sabha may issue a permit to any person who re-uses or recycles waste material or manufactures compost, biogas or any other product where any person –

(a) carries out any business within the Pradeshiya Sabha area or in any other local authority area, in terms of this By-laws, as approved by the Pradeshiya Sabha,

(b) possesses an Environmental Protection License, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980,

(c) designates storage place for collected waste constructed in accordance with the standards approved by the Pradeshiya Sabha,

(d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Pradeshiya Sabha and without causing nuisance to people,

(e) agrees to hand over residual or reject waste or any other waste created as by products during processing or treatment, to the Pradeshiya Sabha as approved by the Pradeshiya Sabha on payment of a service charge to the Secretary for collection of such waste as determined by the Pradeshiya Sabha from time to time, where the business is carried out within the Pradeshiya Sabha limits.

(f) where the Pradeshiya Sabha refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons of such refusal or rejection within thirty days of receipt of the application for the permit.

(g) the Secretary shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and other appropriate conditions,

(h) the Secretary shall revoke the permit issued under this By-law in event of non-compliance of the provisions of Sub-section (i) of this By-law.

(ii) No person shall collect or receive waste when a permit is revoked under the provision of (h). In such event the Secretary shall give sufficient publicity through media in order to bring awareness to the people of the revocation of such permit.

24. Waste Disposal Areas :

(i) No unauthorized person shall enter loiter, deposit, disturb or remove any article, material or refuse from a waste disposal area reserved by the Pradeshiya Sabha for that purpose to deposit any prohibited refuse which the Pradeshiya Sabha from time to time may stipulate unless authorized by the Pradeshiya Sabha subject to certain specified conditions.

(ii) No person shall provide, operate or use any land or facility for the deposit of waste originating from a place outside the land or facility within the Pradeshiya Sabha limits except with the prior written approval of the authorized officer and the Central Environmental Authority subject to any conditions of approval.

25. Others :

(i) The Secretary or any person authorized by him in writing shall have the power at all reasonable times to enter any premises and inspect as to whether the owner or occupier acts in conformity with the provisions of these By-laws.

(ii) The owner, occupier, caretaker, manager or any person residing or serving in that premises shall furnish the information required by the Secretary or any authorized officer.

(iii) No person shall obstruct the Secretary or an authorized officer or assistant authorized officer in the exercise of his powers under these By-laws.

(iv) Any authorized officer or any assistant of the authorized officer who implements and enforce these By-laws may be offered incentives according to the decisions made by the Pradeshiya Sabha from time to time.

(v) Any person who contravenes any provisions of these By-laws shall be guilty of an offence as per the Pradeshiya Sabha Act.

26. Violations and Penalties :

(i) If any person within the limits of the Pradeshiya Sabha contravenes or violates any provisions provided under this By-laws from 3 to 20 and from 23 to 25 shall be an

offence punishable with fines as described hereunder after the service of a written notice from the Secretary and conviction thereof by a Magistrate's Court.

(a) For any one of such contravention or violation the penalty of a fine shall be Rupees Seven Hundred and Fifty (Rs. 750).

(b) In the case of continuing contravention or violation, an additional fine Rupees Two Hundred and Fifty (Rs. 250) for every day during which the contravention or violation is continued.

27. Interpretation :

Unless context otherwise requires, for the purpose of these By-laws :-

“Authorized Collector” means a person who obtains a permit from the Secretary to collect and receive waste under the provision of these By-laws.

“Authorized Officer” means a person who has been authorized in writing by the Secretary to execute or carry out such duties under these By-laws.

“Bin or other receptacles” means any bin, sack, bag or other container used for waste storage, discharge, collection or transportation that complies with the requirements set out in these By-laws.

“Bio-degradable waste” means waste that may be degraded or decomposed by micro-organisms.

“Collection” means the receipt of waste by an authorized collector or Pradeshiya Sabha waste collector for transportation for re-using, recycling, processing, treatment or disposal facilities.

“Compost” means the final product of the degradation of waste by microorganisms and it is a humus that could be functioned as soil conditioner.

“Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Pradeshiya Sabha waste collectors.

“Disposal” means the placement of all waste that is neither re-used, recycled, processed nor treated, on or in land where it is intended to stay permanently.

“Fee” means some fee determined by the Pradeshiya Sabha from time to time.

“Food Waste” means all meat, fish, eggs, vegetable, fruits and other edible materials that cannot be used for consumption.

“Garden Waste” means parts removed from trees or plants. Removed from a home garden.

“Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature.

“Infectious waste” means equipment, instruments, utensils and disposable things that may carry communicable diseases including pathological specimens.

“Special waste” waste which is not regulated hazardous waste, which has physical or chemical characteristics or both, that are different from municipal, demolition, construction and wood wastes and which potentially requires special handling.

“Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person.

“Pradeshiya Sabha” means Alayadiwembu Pradeshiya Sabha.

“Pradeshiya Sabha Area” means the area declared under the authority of the Pradeshiya Sabha Act, No. 15 of 1987.

“Pradeshiya Sabha Waste Collector” means an employee engaged by the Pradeshiya Sabha for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered in to a contract with the Pradeshiya Sabha to perform such duties.

“Public place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public.

“Recyclable waste” means by-waste that can be used to produce new goods by changing their form in the process so that they are no longer recognizable as waste.

“Residual waste” means waste not considered as biodegradable and re-usable/recyclable wastes.

“Reusable waste” means waste that can be utilized after washing disinfection or cleaning by other means.

“Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in Sri Lanka to minimize the associated social, health and environmental impacts.

“Secretary” means the Secretary of the Pradeshiya Sabha constituted under the Pradeshiya Sabha Act, No. 15 of 1987 for that Pradeshiya Sabha and any person appointed to act as such Secretary or any officer of such Pradeshiya Sabha empowered by or under this Act, to exercise, perform or discharge any of the powers, duties or functions of the Secretary to the extent to which such officer is so empowered.

“Segregation” means separating waste into different types according to the categories used in these By-laws.

“Service charge” means fees to be charged to users of the waste management services of the Pradeshiya Sabha.

“Solid waste” means substances which have no consumer value to person who abandoned them and includes

rubbish, garbage, litter, street sweepings, drain cleanings and ash.

“Special waste” means wastes that may pose danger to the environment and may require special handling, transportation, treatment and disposal.

“Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.

“Transfer station” means any place specified by the Pradeshiya Sabha for this purpose where waste is transferred from smaller to larger vehicles for the purpose of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility.

“Transport” means transporting waste from the collection point to processing, treatment or disposal facilities using some form of human or animal or mechanically powered vehicle.

“Treat” means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment.

SCHEDULE I

Service Charges :

Description of Service Charge	Classification of owner of occupier under By-laws 8 and 9			Category of owner or occupier under By-laws 10, 11, 12, 13, 15, 18 and 19
	Category of owner or occupier under By-law 8	Category of owner or occupier under By-law 9	Category of owner or occupier under By-laws 8 and 9 (Samurdhi)	
	Rs.	Rs.	Rs.	
Service Charge for one month	50	75	30	*
Service Charge for one year	600	900	360	*
10% discount in cash of paying Service Charge for whole year before March of the respective year	540	810	325	*

* Pradeshiya Sabha shall from time to time determine the service charge on average basistaking the volume of waste disposed of.

Unless the context otherwise requires, for the purpose of these By-laws ;

“Samurdhi” means and includes the families who have been categorized under Samurdhi assisted families by the Divisional Secretary of the Division and assisted by the Government under the poverty alleviation programme.

EASTERN PROVINCE PROVINCIAL COUNCIL

I, Sivanethurai Santhirakanthan, the Chief Minister and the Minister of Finance and Planning, Local Government, Rehabilitation, Resettlement, Rural Development, Manpower, Law and Order, Regional Administration, Tourism and Environment of the Eastern Province do hereby grant approval to the By-law on Solid Waste Management of the Pottuvil Pradeshiya Sabha under and by virtue of power vested in me under Section 123(1) and (2) of the Pradeshiya Sabha Act, No. 15 of 1987 read with the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 and Order publish effective from the date hereof.

SIVANETHURAI SANTHIRAKANTHAN,
Chief Minister and Minister of Finance and
Planning, Local Government, Rehabilitation,
Resettlement, Rural Development, Man power,
Law and Order, Regional Administration,
Tourism and Environment of the
Eastern Province.

Chief Minister's Secretariat,
Eastern Province,
Varothayanagar,
Trincomalee,

On this 25th day of June Two Thousand and Twelve.

Pottuvil Pradeshiya Sabha

BY-LAWS ON SOLID WASTE MANAGEMENT

A By-law for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, at streets, thoroughfares within Pottuvil Pradeshiya Sabha Limits.

In order to fulfill its duty as required by Section 93 of the Pradeshiya Sabha Act, No. 15 of 1987, the Pradeshiya Sabha formulated these By-laws and have passed same under resolution No. 89/2011 resolved at the meeting of the Pottuvil Pradeshiya Sabha held on 24th November, 2011 in terms of Section 122 and 126(ix) item (b) of the Pradeshiya Sabha Act, No. 15 of 1987 read with Section 2(1) of Provincial Councils (Consequential Provisions) Act, No. 12 of 1989.

General :

1. These By-laws are cited as By-laws relating to Solid Waste Management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "Solid Waste" generated in public places, private premises, on streets, thoroughfares within Pottuvil Pradeshiya Sabha Limits and all other incidental activities thereto.

3. Every owner or occupier of any premises situated within the Pradeshiya Sabha area shall keep the premises free of waste and in a healthy and pleasant condition.
4. Owner or occupier of any premises situated within the area of the Pradeshiya Sabha shall collect, segregate, store for collection, transport and remove the waste within the premises or cause to do so in accordance with the provision of these By-laws.
5. (i) Every owner or occupier of premises shall collect solid waste generated within his premises daily or in lesser intervals if required, by sweeping or using any other method.
(ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding Sub-section of this By-law in accordance with the provisions of By-law No. 8 to 21.
(iii) Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put for collection under the provisions of By-laws 8 to 20 shall be in accordance to the standard and specification approved by the Pradeshiya Sabha from time to time and maintain them in good condition and not put for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely to collapse or spilt when reasonably handled.
(iv) Pradeshiya Sabha may provide such receptacles to owners or occupiers if they so wish subsidizing the cost in part or in full according to a decision made by the Pradeshiya Sabha.
(v) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time Schedule, operated in a Pradeshiya Sabha area, as determined and publicly notified from time to time by the Pradeshiya Sabha.
(vi) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental or injurious to health of occupants, visitors or neighbours or to the sanitary conditions in that area.
(vii) The owners or occupiers described under By-laws 8, 9, 10, 11, 12, 13, 15, 18 and 19 shall pay their Service Searches as described under Schedule hereof as follows :
(a) On or before 15th of the following month, those who pay monthly,
(b) On or before 28th of February of the respective year, those who pay yearly in advance.

6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue, or any other public place or premises, or a drain or a waterway, water reservoir or the sea.
 - (ii) No person shall burn waste in an open space within the Pradeshiya Sabha area and thereby pollute the environment.
 - (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-law No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
 - (iv) Waste not processed, treated or disposed of under the provisions of By-law No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-laws Nos. 8 to 20.
 7. (i) The owner or occupier of any premises may dispose the waste within such premises except –
 - (a) In areas where disposal of such waste is prohibited by the Pradeshiya Sabha ; or
 - (b) Certain types of waste specified by the Pradeshiya Sabha.
 - (ii) The owner or occupier of any premises may burn waste in an incinerator or burner constructed in accordance with a plan and standards approved by the Secretary of the Pradeshiya Sabha or treat, process or bury waste in the manner approved by the Secretary.
 - (iii) The owner or occupier of any premises shall process or treat the solid waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Pradeshiya Sabha waste collector any solid waste on payment of a Service Charge specified as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the waste disposed.
 - (iv) Any person who cuts any part of a tree or plant within his premises, by the roadside of a street or thoroughfare shall by prior arrangement with the Secretary hand over that waste to the Pradeshiya Sabha waste collector on the payment of a Service Charge as determined by the Secretary considering the volume of waste to be removed of.
 - (v) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-laws Nos. 8 to 20.
 - (vi) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Pradeshiya Sabha area.
 - (vii) Any application to Pradeshiya Sabha for construction or renovation of a house or any other premises shall include in that application the details of solid waste generated during the construction and the programme of storing, treating or processing of discharged materials.
8. *Residential Premises :*
- (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by other method as follows :–
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
 - (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for that purpose until removal. The waste specified in terms (a) and (b) of Sub-section (i) shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Pradeshiya Sabha waste collector without delay.
 - (iii) Every occupier may handover to an authorized collector types of waste specified in item (a) and (b) of paragraph (i). If failed to do so, he shall together with the type of waste specified in item (c) and (d) hand over to the Pradeshiya Sabha waste collector.
9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows :
- (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
- (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii) the Secretary has the power to require the owner or occupier of that building, to provide such

bins or receptacles on or before a notified date and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.

(iv) Every owner or occupier of a floor or a storey shall put segregated waste in to the appropriate bin or receptacle.

(v) It shall be the duty of an authorized collector to remove types of waste specified in terms (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste (c) and (d) shall be handed over to a Pradeshiya Sabha waste collector.

10. Shops and Offices :

(i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

(ii) Segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.

(iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law to an authorized waste collector.

(iv) The owner or occupier of a shopping or an office complex with several stories and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shops or offices.

(v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this By-law shall put segregated waste into separate bins or receptacles.

(vi) Every owner or occupier has the right to hand over to an authorized waste collector the types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law and that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may to a Pradeshiya Sabha waste collector.

(vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbours or persons engaged in services in such shop or office.

For the purpose of this By-law, unless the context otherwise requires –

"Occupier" means the owner of a shop or occupier or caretaker of a business or an office ;

"Office" has the same meaning given in the Shops and Office Employees Act, No. 19 of 1954 (Chapter 129) ;

"Shop" means a place where goods are kept for wholesale or retail and includes a place where food or beverages are kept for sale and a place where a barber shop or beauty salon is operated.

11. Hotels :

(i) Any owner or any person authorized shall segregate waste collected at the hotel premises or cause it to be segregated as follows :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

(ii) Every hotelier or any person authorized by him shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.

(iii) Every hotelier or any person shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.

(iv) Types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law may be handed over to authorized collector.

(v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to a Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires –

"Hotel" means, a place with or without sleeping facilities where food or beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim's rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

12. *Vegetable and Fruit Stores :*

- (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Types of waste specified in item (a) of Sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals. Other waste shall be put into any suitable bin or other receptacle.

- (iii) Types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over shall be handed over to the Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires –

"Vegetable and fruit store" means a place where vegetable and fruit are stored and kept or exposed for sale.

13. *Fish, Poultry and Egg Stalls :*

- (i) The owner or person who carries out the business of a stall for the sale of fish or poultry or egg shall segregate their waste as follows :—

- (a) Carcasses or parts of carcasses or eggs not suitable for human consumption ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Segregated waste specified in item (a) shall be placed in a separate bin or other receptacle, types of waste specified in item (b), (c) and (d) of Sub-section (i) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.

- (iii) Types of waste specified in items (a) of Sub-section (i) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, together with type of waste specified in items (c) and (d) of Sub-section (i) of this By-law, shall be handed over to a Pradeshiya Sabha collector.

For the purpose of this By-law, unless the context otherwise requires –

"Fish or Egg Stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

14. *Pavement Hawking :*

- (i) No hawker shall carry out a pavement business other than a written permission obtained from the Pradeshiya Sabha.

- (ii) The Secretary may charge a fee as determined by the Pradeshiya Sabha from time to time for the purpose of issuance of a temporary license under Sub-section (i) of this By-law and require the licensed pavement hawker to pay a service charge in advance to the Pradeshiya Sabha taking the days of business and the volume of waste to be generated.

- (iii) At the expiry of the licensed period the Secretary shall refund the balance money after having set off the actual service charge against the advance paid by the licensed hawker as per Sub-section (ii).

- (iv) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. No such waste shall be put on the pavement or highway or in a public place.

- (v) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrians.

- (vi) Every pavement hawker shall segregate waste generated by reason of his business as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste (plastics, glass, tin, paper) ;
- (c) Residual waste ;
- (d) Special waste.

- (vii) Segregated waste shall be put into a separate bin or other receptacle. The waste specified in item (a) of Sub-section (vi) of this By-law shall be placed inside a secured receptacle preventing the entries of insects, rats or animals and shall be kept closed except when required to place additional waste inside.

- (viii) Every pavement hawker shall hand over daily such types of waste as specified in items (a), (b), (c) and (d) of Sub-section (vi) of this By-law to an authorized collector or together with such types of waste to the a Pradeshiya Sabha waste collector.

- (ix) No pavement hawker shall keep the receptacles with waste shall not be kept on a pavement or roadside or highway, when the business is not in operation.

For the purpose of this By-law, unless the context otherwise requires –

"Pavement Hawker" means a person who sells goods or provides a service on the pavement or roadside temporarily.

15. *Factories :*

- (i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows :-

- (a) Bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous waste.

- (ii) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Pradeshiya Sabha waste collector, except item (d) of Sub-section (i) of this By-law.

- (iii) Hazardous waste as specified in item (d) shall be removed according to the conditions set out in the Environmental Protection Licence issued under the National Environmental Act, No. 47 of 1980, for that business.

For the purpose of this By-law, unless the context otherwise requires –

"Factory" has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

16. *Excavation, Construction and Demolition :*

- (i) Every person who excavates any street, road or any public place or constructs or demolishes any structure for providing gas, electricity, water, telephone facilities or any other public amenities shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.
- (iii) The waste referred to in Sub-section (i) of this By-law may be handed over to a Pradeshiya Sabha waste collector on a payment of a service charge to the Secretary as determined by the Pradeshiya Sabha from time to time.

In this By-law, unless the context otherwise requires for the purpose of this By-law ;

"Every person engaged in an act of excavation, construction or demolition" includes any person engaged for such service by an Employer.

"Waste" includes earth, mud, dust, waste generated in construction from the use of building materials and waste generated during demolition or any construction.

17. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, water, telephone facilities or any other public amenities by making an application shall obtain prior approval from the Secretary for the purpose of this By-law and the Pradeshiya Sabha shall taking, the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job and the cost of removal of such waste into consideration determine a sum of money being the waste disposal deposit which the applicant to pay to the Secretary.

- (ii) The Secretary shall, if the applicant neglects to do so prior to giving approval under Sub-section (i) the applicant shall be required to pay an amount equivalent to the estimated cost as a deposit before approval is granted.

- (iii) Where any person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Secretary and the resulting expenditure incurred may be set off from the waste disposal deposit.

18. *Hospitals :*

- (i) Every hospital shall be registered with the Pradeshiya Sabha and the owner of the hospital shall segregate or cause to be segregated waste generated within the premises as following :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous healthcare waste.

- (ii) Types of waste as specified in items (a), (b) and (c) of Sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste as specified in item (d) of Sub-section (i) shall be deposited in a bin or any other receptacles specially made for that purpose and kept in a place set apart for that purpose and shall be treated and/or removed in accordance with the conditions set out in the Environmental Protection Licence issued to that hospital under the National Environmental Act, No. 47 of 1980.

- (iii) The waste as specified in items (a), (b) and (c) of Sub-section (i) shall be handed over to an authorized collector or to the Pradeshiya Sabha waste collector.

In this By-law, unless the context otherwise requires ;

"Hospital" means any premises (howsoever described) used or intended to be used for the reception, nursing and treatment of persons or animals suffering from any illness or infirmity and includes a nursing home, clinic, medical centre, medical laboratory, maternity home and veterinary hospital.

"Hazardous healthcare waste" means clinical waste, body parts, placentas, infectious and highly infectious waste and sharps.

19. Slaughterhouses and sale of meat :

- (i) No person shall slaughter animal and carry on trade of a butcher unless issued a license by the Pradeshiya Sabha for that purpose in accordance to the provisions provided under the Butchers Ordinance (Chapter 272).
- (ii) Every licence issued under Sub-section (i) of this By-law shall specify the slaughterhouse permitted to slaughter animals, type of animals that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other conditions the Pradeshiya Sabha may think fit.
- (iii) Every person to whom a licence has been issued under Sub-section (1) or person authorized (hereinafter the licensee) shall segregate their solid wastes as follows :-
 - (a) Offal, hair, hoofs, bones, undigested materials ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste.
- (iv) Segregated wastes shall be placed in a separate bin or other receptacles, types of wastes specified in items (a), (b) and (c) of sub-section (iii) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (v) Types of waste specified in items (a), (b) and (c) of Sub-section (iii) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, shall be handed over to a Pradeshiya Sabha collector.
- (vi) Waste water generated through the operations of the slaughterhouses and meat stall shall be treated as per the provisions of the National Environment Act, No. 56 of 1980.

For the purpose of this By-law, unless the context otherwise requires.

"Slaughterhouse" means as provided in the Butchers Ordinance (Chapter 272).

"Meat stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

20. Other premises :

- (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :-
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Any organizer of any activity specified in Sub-section (i) shall inform the Pradeshiya Sabha in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a service charge as determined by the Pradeshiya Sabha from time to time.
- (iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.
- (iv) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to a Pradeshiya Sabha waste collector subject to a service charge as determined by the Pradeshiya Sabha from time to time.

21. Streets and Public Places :

- (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall take steps to plan, supervise, control and administer the following :-
 - (a) to maintain in a clean and sanitary condition, the streets, public places, thoroughfares, public drains, watercourses and public markets situated within the Pradeshiya Sabha area.
 - (b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places.
 - (c) to provide mobile waste bins for use in public places, at festivals, special events or any other event as determined by the Pradeshiya Sabha where the

Pradeshiya Sabha decides to do so, or following a request from the organizers of such festival on special events.

(d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents.

(e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.

(ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Pradeshiya Sabha specifically for litter.

22. Duties of the Pradeshiya Sabha :

(i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall plan, supervise, control and administer followings :-

(a) to encourage people to reduce, reuse and recycle waste,

(b) to conduct awareness programmes or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,

(c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,

(d) to offer incentives to those involved in the reduction, reuse and recycle activities,

(e) to regulate different types of waste discharge systems,

(f) to issue the bag, sack, bind or other receptacle to the owner or occupier in compliance to the standard and specification that have been approved by the Pradeshiya Sabha according to the requirements in order to ensure that effective and efficient segregation, collection and store of waste,

(g) to prepare a waste collection schedule, setting out collection days, times, methods and service charges as determined by the Pradeshiya Sabha for different types of waste in different areas of Pradeshiya Sabha. it may include conditions for collection on public holidays and make people aware,

(h) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to schedule,

(i) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors in compliance to provisions of law,

(j) to hand over to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places and waste collected from public bins and waste collected by Pradeshiya Sabha labourers, except for hazardous waste or other types of waste specified by the Secretary,

(k) to take appropriate measures to deal with segregated waste collected by Pradeshiya Sabha waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste of these types in a manner, approved by the Secretary,

(l) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,

(m) to obtain a licence or Environmental Protection Licence in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the licence or Environmental Protection Licence to burn waste or to maintain a sanitary landfill,

(n) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,

(o) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Pradeshiya Sabha for the construction or renovation of a house or other premises,

(p) to prepare an internal Waste Management Plan for the Pradeshiya Sabha,

(q) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually by the Pradeshiya Sabha,

(r) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

23. Permits :

(i) The Pradeshiya Sabha may issue a permit to any person who re-uses or recycles waste material or manufactures compost, biogas or any other product where any person –

(a) carries out any business within the Pradeshiya Sabha area or in any other local authority area, in terms of this By-law, as approved by the Pradeshiya Sabha,

(b) possesses an Environmental Protection Licence, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980,

(c) designates storage place for collected waste constructed in accordance with the standards approved by the Pradeshiya Sabha,

(d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Pradeshiya Sabha and without causing nuisance to people,

(e) agrees to hand over residual or reject waste or any other waste created as by products during processing or treatment, to the Pradeshiya Sabha as approved by the Pradeshiya Sabha on payment of a service charge to the Secretary for collection of such waste as determined by the Pradeshiya Sabha from time to time, where the business is carried out within the Pradeshiya Sabha limits.

(f) where the Pradeshiya Sabha refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons of such refusal or rejection within thirty days of receipt of the application for the permit.

(g) the Secretary shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and other appropriate conditions,

(h) the Secretary shall revoke the permit issued under this By-law in event of non-compliance of the provisions of Sub-section (i) of this By-law.

(ii) No person shall collect or receive waste when a permit is revoked under the provision of (h). In such event the Secretary shall give sufficient publicity through media

in order to bring awareness in the people of the revocation of such permit.

24. Waste Disposal Areas :

(i) No unauthorized person shall enter loiter, deposit, disturb or remove any article, material or refuse from a waste disposal area reserved by the Pradeshiya Sabha for that purpose to deposit any prohibited refuse which the Pradeshiya Sabha from time to time may stipulate unless authorized by the Pradeshiya Sabha subject to certain specified conditions.

(ii) No person shall provide, operate or use any land or facility for the deposit of waste originating from a place outside the land or facility within the Pradeshiya Sabha limits except with the prior written approval of the authorized officer and the Central Environmental Authority subject to any conditions of approval.

25. Others :

(i) The Secretary or any person authorized by him in writing shall have the power at all reasonable times to enter any premises and inspect as to whether the owner or occupier acts in conformity with the provisions of these By-laws.

(ii) The owner, occupier, caretaker, manager or any person residing or serving in that premises shall furnish the information required by the Secretary or any authorized officer.

(iii) No person shall obstruct the Secretary or an authorized officer or assistant authorized officer in the exercise of his powers under these By-laws.

(iv) Any authorized officer or any assistant of the authorized officer who implements and enforce these By-laws may be offered incentives according to the decisions made by the Pradeshiya Sabha from time to time.

(v) Any person who contravenes any provisions of these By-laws shall be guilty of an offence as per the Pradeshiya Sabha Act.

26. Violations and Penalties :

(i) If any person within the limits of the Pradeshiya Sabha contravenes or violates any provisions provided under this By-laws from 3 to 20 and from 23 to 25 shall be an offence punishable with fines as described hereunder after the service of a written notice from the Secretary and conviction thereof by a Magistrate's Court.

(a) For any one of such contravention or violation the penalty of a fine shall be Rupees Seven Hundred and Fifty (Rs. 750).

(b) In the case of continuing contravention or violation, an additional fine Rupees Two Hundred and Fifty (Rs. 250) for every day during which the contravention or violation is continued.

27. Interpretation :

Unless context otherwise requires, for the purpose of these By-laws :-

“Authorized Collector” means a person who obtains a permit from the Secretary to collect and receive waste under the provision of these By-laws.

“Authorized Officer” means a person who has been authorized in writing by the Secretary to execute or carry out such duties under these By-laws.

“Bin or other receptacles” means any bin, sack, bag or other container used for waste storage, discharge, collection or transportation that complies with the requirements set out in these By-laws.

“Bio-degradable waste” means waste that may be degraded or decomposed by micro-organisms.

“Collection” means the receipt of waste by an authorized collector or Pradeshiya Sabha waste collector for transportation for re-using, recycling, processing, treatment or disposal facilities.

“Compost” means the final product of the degradation of waste by micro-organisms and it is a humus that could be functioned as soil conditioner.

“Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Pradeshiya Sabha waste collectors.

“Disposal” means the placement of all waste that is neither re-used, recycled, processed nor treated, on or in land where it is intended to stay permanently.

“Fee” means some fee determined by the Pradeshiya Sabha from time to time.

“Food Waste” means all meat, fish, eggs, vegetable, fruits and other edible materials that cannot be used for consumption.

“Garden Waste” means parts removed from trees or plants. Removed from a home garden.

“Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature.

“Infectious waste” means equipment, instruments, utensils and disposable things that may carry communicable diseases including pathological specimens.

“Special waste” waste which is not regulated hazardous waste, which has physical or chemical characteristics or both, that are different from municipal, demolition, construction and wood wastes and which potentially requires special handling.

“Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person.

“Pradeshiya Sabha” means Pottuvil Pradeshiya Sabha.

“Pradeshiya Sabha Area” means the area declared under the authority of the Pradeshiya Sabha Act, No. 15 of 1987.

“Pradeshiya Sabha Waste Collector” means an employee engaged by the Pradeshiya Sabha for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered in to a contract with the Pradeshiya Sabha to perform such duties.

“Public place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public.

“Recyclable waste” means by-waste that can be used to produce new goods by changing their form in the process so that they are no longer recognizable as waste.

“Residual waste” means waste not considered as biodegradable and re-usable/recyclable wastes.

“Reusable waste” means waste that can be utilized after washing disinfection or cleaning by other means.

“Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in

Sri Lanka to minimize the associated social, health and environmental impacts.

“Secretary” means the Secretary of the Pradeshiya Sabha constituted under the Pradeshiya Sabha Act, No. 15 of 1987 for that Pradeshiya Sabha and any person appointed to act as such Secretary or any officer of such Pradeshiya Sabha empowered by or under this Act, to exercise, perform or discharge any of the powers, duties or functions of the Secretary to the extent to which such officer is so empowered.

“Segregation” means separating waste into different types according to the categories used in these By-laws.

“Service charge” means fees to be charged to users of the waste management services of the Pradeshiya Sabha.

“Solid waste” means substances which have no consumer value to person who abandoned them and includes rubbish, garbage, litter, street sweepings, drain cleanings and ash.

“Special Waste” means wastes that may pose danger to the environment and may require special handling, transportation, treatment and disposal.

“Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.

“Transfer station” means any place specified by the Pradeshiya Sabha for this purpose where waste is transferred from smaller to larger vehicles for the purpose of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility.

“Transport” means transporting waste from the collection point to processing, treatment or disposal facilities using some form of human or animal or mechanically powered vehicle.

“Treat” means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment.

SCHEDULE I

Service Charges :

Description of Service Charge	Classification of owner or occupier under By-laws 8 and 9			Category of owner or occupier under By-laws 10, 11, 12, 13, 15, 18 and 19
	Category of owner or occupier under By-law 8	Category of owner or occupier under By-law 9	Category of owner or occupier under By-laws 8 and 9 (Samurdhi)	
	Rs.	Rs.	Rs.	
Service Charge for one month	50	75	30	*
Service Charge for one year	600	900	360	*
10% discount in cash of paying Service Charge for whole year before March of the respective year	540	810	325	*

* Pradeshiya Sabha shall from time to time determine the service charge on average basis taking the volume of waste disposed of.

Unless the context otherwise requires, for the purpose of these By-laws ;

“Samurdhi” means and includes the families who have been categorized under Samurdhi assisted families by the Divisional Secretary of the division and assisted by the Government under the poverty alleviation programme.

EASTERN PROVINCE PROVINCIAL COUNCIL

I, Sivanethurai Santhirakanthan, the Chief Minister and the Minister of Finance and Planning, Local Government, Rehabilitation, Resettlement, Rural Development, Manpower, Law and Order, Regional Administration, Tourism and Environment of the Eastern Province do hereby grant approval to the By-law on Solid Waste Management of the Nintavur Pradeshiya Sabha under and by virtue of power vested in me under Section 123(1) and (2) of the Pradeshiya Sabha Act, No. 15 of 1987 read with the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 and order publish effective from the date hereof.

SIVANETHURAI SANTHIRAKANTHAN,
Chief Minister and Minister of Finance and
Planning, Local Government, Rehabilitation,
Resettlement, Rural Development, Man power,
Law and Order, Regional Administration,
Tourism and Environment of the
Eastern Province.

Chief Minister's Secretariat,
Eastern Province,
Varothayanagar,
Trincomalee.

On this 25th day of June Two Thousand and Twelve.

Nintavur Pradeshiya Sabha

BY-LAWS ON SOLID WASTE MANAGEMENT

A By-law for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, at streets, thoroughfares within Nintavur Pradeshiya Sabha limits.

In order to fulfill its duty as required by Section 93 of the Pradeshiya Sabha Act, No. 15 of 1987, the Pradeshiya Sabha formulated these By-laws and have passed same under resolution No. 27 resolved at the meeting of the Nintavur Pradeshiya Sabha held on 22nd March, 2012 in terms of Section 122 and 126(ix) item (b) of the Pradeshiya Sabha Act, No. 15 of 1987 read with Section 2(1) of Provincial Councils (Consequential Provisions) Act, No. 12 of 1989.

General :

1. These By-laws are cited as By-laws relating to Solid Waste Management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transfer, transportation, processing, treatment and disposal of "solid waste" generated in public places, private premises, on streets, thoroughfares within Nintavur Pradeshiya Sabha limits and all other incidental activities thereto.

3. Every owner or occupier of any premises situated within the Pradeshiya Sabha area shall keep the premises free of waste and in a healthy and pleasant condition.
4. Owner or occupier of any premises situated within the area of the Pradeshiya Sabha shall collect, segregate, store for collection, transport and remove the waste within the premises or cause to do so in accordance with the provision of these By-laws.
5. (i) Every owner or occupier of premises shall collect solid waste generated within his premises daily or in lesser intervals if required, by sweeping or using any other method.
(ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding sub-section of this By-law in accordance with the provisions of By-law No. 8 to 21.
(iii) Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put for collection under the provisions of By-laws 8 to 20 shall be in accordance to the standard and specification approved by the Pradeshiya Sabha from time to time and maintain them in good condition and not put for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely to collapse or spilt when reasonably handled.
(iv) Pradeshiya Sabha may provide such receptacles to owners or occupiers if they so wish subsidizing the cost in part or in full according to a decision made by the Pradeshiya Sabha.
(v) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time Schedule, operated in a Pradeshiya Sabha area, as determined and publicly notified from time to time by the Pradeshiya Sabha.
(vi) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental or injurious to health of occupants, visitors or neighbours or to the sanitary conditions in that area.
(vii) The owners or occupiers described under By-laws 9, 10, 11, 12, 13, 15, 18 and 19 shall pay their Service Searches as described under Schedule hereof as follows :—
(a) On or before 15th of the following month, those who pay monthly ;
(b) On or before 28th of February of the respective year, those who pay yearly in advance.

6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue, or any other public place or premises, or a drain or a waterway, water reservoir or the sea.
 - (ii) No person shall burn waste in an open space within the Pradeshiya Sabha area and thereby pollute the environment.
 - (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-laws No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
 - (iv) Waste not processed, treated or disposed of under the provisions of By-laws No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-laws Nos. 8 to 20.
 7. (i) The owner or occupier of any premises may dispose the waste within such premises except –
 - (a) In areas where disposal of such waste is prohibited by the Pradeshiya Sabha ; or
 - (b) Certain types of waste specified by the Pradeshiya Sabha.
 - (ii) The owner or occupier of any premises may burn waste in an incinerator or burner constructed in accordance with a plan and standards approved by the Secretary of the Pradeshiya Sabha or treat, process or bury waste in the manner approved by the Secretary.
 - (iii) The owner or occupier of any premises shall process or treat the solid waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Pradeshiya Sabha waste collector any solid waste on payment of a Service Charge specified as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the waste disposed.
 - (iv) Any person who cuts any part of a tree or plant within his premises, by the roadside of a street or thoroughfare shall by prior arrangement with the Secretary hand over that waste to the Pradeshiya Sabha waste collector on the payment of a Service Charge as determined by the Secretary considering the volume of waste to be removed of.
 - (v) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.
 - (vi) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Pradeshiya Sabha area.
 - (vii) Any application to Pradeshiya Sabha for construction or renovation of a house or any other premises shall include in that application the details of solid waste generated during the construction and the programme of storing, treating or processing of discharged materials.
- 8. Residential Premises :**
- (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by other method as follows :–
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
 - (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for that purpose until removal. The waste specified in terms (a) and (b) of Sub-section (i) shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Pradeshiya Sabha waste collector without delay.
 - (iii) Every occupier may handover to an authorized collector types of waste specified in term (a) and (b) of paragraph (i). If failed to do so, he shall together with the type of waste specified in term (c) and (d) hand over to the Pradeshiya Sabha waste collector.
9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows :–
- (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
- (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii) the Secretary has the power to require the owner or occupier of that building, to provide such

bins or receptacles on or before a notified date and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.

(iv) Every owner or occupier of a floor or a storey shall put segregated waste in to the appropriate bin or receptacle.

(v) It shall be the duty of an authorized collector to remove types of waste specified in terms (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste (c) and (d) shall be handed over to a Pradeshiya Sabha waste collector.

10. Shops and Offices :

(i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

(ii) Segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.

(iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a), (b), (c) and (d) of sub-section (i) of this By-law to an authorized waste collector.

(iv) The owner or occupier of a shopping or an office complex with several stories and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shops or offices.

(v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this By-law shall put segregated waste into separate bins or receptacles.

(vi) Every owner or occupier has the right to hand over to an authorized waste collector the types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law and that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may be to a Pradeshiya Sabha waste collector.

(vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbors or persons engaged in services in such shop or office.

For the purpose of this By-law, unless the context otherwise requires –

"Occupier" means the owner of a shop or occupier or caretaker of a business or an office ;

"Office" has the same meaning given in the Shops and Office Employees Act, No. 19 of 1954 (Chapter 129) ;

"Shop" means a place where goods are kept for wholesale or retail and includes a place where food or beverages are kept for sale and a place where a barber shop or beauty salon is operated.

11. Hotels :

(i) Any owner or any person authorized shall segregate waste collected at the hotel premises or cause it to be segregated as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

(ii) Every hotelier or any person authorized by him shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.

(iii) Every hotelier or any person shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.

(iv) Types of waste specified in items (a), (b), (c) and (d) in Sub-section (i) of this By-law may be handed over to authorized collector.

(v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to a Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires –

"Hotel" means a place with or without sleeping facilities where food or beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim's rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

12. Vegetable and Fruit Stores :

- (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Types of waste specified in item (a) of Sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals - other waste shall be put into any suitable bin or other receptacle.

- (iii) Types of waste specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over shall be handed over to the Pradeshiya Sabha waste collector.

For the purpose of this By-law, unless the context otherwise requires.

"Vegetable and fruit store" means an place where vegetable and fruit are stored and kept or exposed for sale.

13. Fish, Poultry and Egg stalls :

- (i) The owner or person who carries out the business of a stall for the sale of fish or poultry or egg shall segregate their waste as follows :—

- (a) Carcasses or parts of carcasses or eggs not suitable for human consumption ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Special waste.

- (ii) Segregated waste specified in item (a) shall be placed in a separate bin or other receptacle, types of waste specified in item (b), (c) and (d) of Sub-section (i) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.

- (iii) Types of waste specified in items (a) and (b) of Sub-section (i) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, together with type of waste specified in items (c) and (d) of Sub-section (i) of this By-law, shall be handed over to a Pradeshiya Sabha collector.

For the purpose of this By-law, unless the context otherwise requires ;

"Fish or egg stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

14. Pavement Hawking :

- (i) No hawker shall carry out a pavement business other than a written permission obtained from the Pradeshiya Sabha.

- (ii) The Secretary may charge a fee as determined by the Pradeshiya Sabha from time to time for the purpose of issuance of a temporary license under Sub-section (i) of this By-law and require the licensed pavement hawker to pay a service charge in advance to the Pradeshiya Sabha taking the days of business and the volume of waste to be generated.

- (iii) At the expiry of the licensed period the Secretary shall refund the balance money after having set off the actual service charge against the advance paid by the licensed hawker as per Sub-section (ii).

- (iv) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. No such waste shall be put on the pavement or highway or in a public place.

- (v) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrians.

- (vi) Every pavement hawker shall segregate waste generated by reason of his business as follows :—

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste (plastics, glass, tin, paper) ;
- (c) Residual waste ;
- (d) Special waste.

- (vii) Segregated waste shall be put into a separate bin or other receptacle. The waste specified in item (a) of Sub-section (vi) of this By-law shall be placed inside a secured receptacle preventing the entries of insects, rats or animals and shall be kept closed except when required to place additional waste inside.

- (viii) Every pavement hawker shall hand over daily such types of waste as specified in items (a), (b), (c) and (d) of Sub-section (vi) of this By-law to an authorized collector or together with such types of waste to the a Pradeshiya Sabha waste collector.

- (ix) No pavement hawker shall keep the receptacles with waste shall not be kept on a pavement or roadside or highway, when the business is not in operation.

For the purpose of this By-law, unless the context otherwise requires ;

"Pavement Hawker" means a person who sells goods or provides a service on the pavement or roadside temporarily.

15. *Factories :*

- (i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows :-

- (a) Bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous waste.

- (ii) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Pradeshiya Sabha waste collector, except item (d) of Sub-section (i) this By-law.

- (iii) Hazardous waste as specified in item (d) shall be removed according to the conditions set out in the Environmental Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.

For the purpose of this By-law, unless the context otherwise requires ;

"Factory" has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

16. *Excavation, Construction and Demolition :*

- (i) Every person who excavates any street, road or any public place or constructs or demolishes any structure for providing gas, electricity, water, telephone facilities or any other public amenities shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.
- (iii) The waste referred to in Sub-section (i) of this By-law may be handed over to a Pradeshiya Sabha waste collector on a payment of a service charge to the Secretary as determined by the Pradeshiya Sabha from time to time.

In this By-law, unless the context otherwise requires for the purpose of this By-law ;

"Every person engaged in an act of excavation, construction or demolition" includes any person engaged for such service by an Employer.

"Waste" includes earth, mud, dust, waste generated in construction from the use of building materials and waste generated during demolition or any construction.

17. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, water, telephone facilities or any other public amenities by making an application shall obtain prior approval from the Secretary for the purpose of this By-law and the Pradeshiya Sabha shall taking, the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job and the cost of removal of such waste into consideration determine a sum of money being the waste disposal deposit which the applicant to pay to the Secretary.

- (ii) The Secretary shall, if the applicant neglects to do so prior to giving approval under Sub-section (i) the applicant shall be required to pay an amount equivalent to the estimated cost as a deposit before approval is granted.

- (iii) Where any person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Secretary and the resulting expenditure incurred may be set off from the waste disposal deposit.

18. *Hospitals :*

- (i) Every hospital shall be registered with the Pradeshiya Sabha and the owner of the hospital shall segregate or cause to be segregated waste generated within the premises as follows :-

- (a) Food waste and other bio-degradable waste ;
- (b) Reusable and recyclable waste ;
- (c) Residual waste ;
- (d) Hazardous healthcare waste.

- (ii) Types of waste as specified in items (a), (b) and (c) of Sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste as specified in items (d) of Sub-section (i) shall be deposited in a bin or any other receptacles specially made for that purpose and kept in a place set apart for that purpose and shall be treated and/or removed in accordance with the conditions set out in the Environmental Protection License issued to that hospital under the National Environmental Act, No. 47 of 1980.

- (iii) The waste as specified in items (a), (b) and (c) of Sub-section (i) shall be handed over to an authorized collector or to the Pradeshiya Sabha waste collector.

In this By-law, unless the context otherwise requires ;

"Hospital" means any premises (howsoever described) used or intended to be used for the reception, nursing and treatment of persons or animals suffering from any illness or infirmity and includes a nursing home, clinic, medical centre, medical laboratory, maternity home and veterinary hospital.

"Hazardous healthcare waste" means clinical waste, body parts, placentas, infectious and highly infectious waste and sharps.

19. Slaughterhouses and sale of meat :

- (i) No person shall slaughter animal and carry on trade of a butcher unless issued a license by the Pradeshiya Sabha for that purpose in accordance to the provisions provided under the Butchers Ordinance (Chapter 272).
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the slaughterhouse permitted to slaughter animals, type of animals that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other conditions the Pradeshiya Sabha may think fit.
- (iii) Every person to whom a license has been issued under Sub-section (1) or person authorized (hereinafter the licensee) shall segregate their solid wastes as follows :-
 - (a) Offal, hair, hoofs, bones, undigested materials ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual wastes.
- (iv) Segregated wastes shall be placed in a separate bin or other receptacles, types of wastes specified in items (a), (b) and (c) of Sub-section (iii) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (v) Types of waste specified in items (a), (b) and (c) of Sub-section (iii) of this By-law, may be handed over to an authorized collector. Any such waste not so handed over, shall be handed over to a Pradeshiya Sabha collector.
- (vi) Waste water generated through the operations of the slaughterhouses and meat stall shall be treated as per the provisions of the National Environment Act, No. 56 of 1980.

For the purpose of this By-law, unless the context otherwise requires.

"Slaughterhouse" means as provided in the Butchers Ordinance (Chapter 272).

"Meat stall" means a place where such items are stored for purpose of sale or kept or exposed for sale.

20. Other Premises :

- (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :-
 - (a) Food waste and other bio-degradable waste ;
 - (b) Reusable and recyclable waste ;
 - (c) Residual waste ;
 - (d) Special waste.
- (ii) Any organizer of any activity specified in Sub-section (i) shall inform the Pradeshiya Sabha in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a service charge as determined by the Pradeshiya Sabha from time to time.
- (iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.
- (iv) Types of waste as specified in items (a), (b), (c) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to a Pradeshiya Sabha waste collector subject to a service charge as determined by the Pradeshiya Sabha from time to time.

21. Streets and Public Places :

- (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall take steps to plan, supervise, control and administer the following :-
 - (a) to maintain in a clean and sanitary condition, the streets, public places, thoroughfares, public drains, watercourses and public markets situated within the Pradeshiya Sabha area.
 - (b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places.
 - (c) to provide mobile waste bins for use in public places, at festivals, special events or any other event as determined by the Pradeshiya Sabha where the

Pradeshiya Sabha decides to do so, or following a request from the organizers of such festival on special events.

(d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents.

(e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.

(ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Pradeshiya Sabha specifically for litter.

22. Duties of the Pradeshiya Sabha :

(i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall plan, supervise, control and administer followings :-

(a) to encourage people to reduce, reuse and recycle waste,

(b) to conduct awareness programmes or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,

(c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,

(d) to offer incentives to those involved in the reduction, reuse and recycle activities,

(e) to regulate different types of waste discharge systems,

(f) to issue the bag, sack, bind or other receptacle to the owner or occupier in compliance to the standard and specification that have been approved by the Pradeshiya Sabha according to the requirements in order to ensure that effective and efficient segregation, collection and store of waste,

(g) to prepare a waste collection schedule, setting out collection days, times, methods and service charges as determined by the Pradeshiya Sabha for different types of waste in different areas of Pradeshiya Sabha. It may include conditions for collection on public holidays and make people aware,

(h) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to schedule,

(i) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors in compliance to provisions of law,

(j) to hand over to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places and waste collected from public bins and waste collected by Pradeshiya Sabha labourers, except for hazardous waste or other types of waste specified by the Secretary,

(k) to take appropriate measures to deal with segregated waste collected by Pradeshiya Sabha waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste of these types in a manner, approved by the Secretary,

(l) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,

(m) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or environmental protection license to burn waste or to maintain a sanitary landfill,

(n) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,

(o) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Pradeshiya Sabha for the construction or renovation of a house or other premises,

(p) to prepare an internal Waste Management Plan for the Pradeshiya Sabha,

(q) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually by the Pradeshiya Sabha,

(r) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

23. Permits :

(i) The Pradeshiya Sabha may issue a permit to any person who re-uses or recycles waste material or manufactures compost, biogas or any other product where any person –

(a) carries out any business within the Pradeshiya Sabha area or in any other local authority area, in terms of this By-law, as approved by the Pradeshiya Sabha,

(b) possesses an Environmental Protection License, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980,

(c) designates storage place for collected waste constructed in accordance with the standards approved by the Pradeshiya Sabha,

(d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Pradeshiya Sabha and without causing nuisance to people,

(e) agrees to hand over residual or reject waste or any other waste created as by products during processing or treatment, to the Pradeshiya Sabha as approved by the Pradeshiya Sabha on payment of a service charge to the Secretary for collection of such waste as determined by the Pradeshiya Sabha from time to time, where the business is carried out within the Pradeshiya Sabha limits.

(f) where the Pradeshiya Sabha refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons of such refusal or rejection within thirty days of receipt of the application for the permit.

(g) the Secretary shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and other appropriate conditions,

(h) the Secretary shall revoke the permit issued under this By-law in event of non-compliance of the provisions of Sub-section (i) of this By-law.

(ii) No person shall collect or receive waste when a permit is revoked under the provision of (h). In such event the Secretary shall give sufficient publicity through media

in order to bring awareness to the people of the revocation of such permit.

24. Waste Disposal Areas :

(i) No unauthorized person shall enter loiter, deposit, disturb or remove any article, material or refuse from a waste disposal area reserved by the Pradeshiya Sabha for that purpose to deposit any prohibited refuse which the Pradeshiya Sabha from time to time may stipulate unless authorized by the Pradeshiya Sabha subject to certain specified conditions.

(ii) No person shall provide, operate or use any land or facility for the deposit of waste originating from a place outside the land or facility within the Pradeshiya Sabha limits except with the prior written approval of the authorized officer and the Central Environmental Authority subject to any conditions of approval.

25. Others :

(i) The Secretary or any person authorized by him in writing shall have the power at all reasonable times to enter any premises and inspect as to whether the owner or occupier acts in conformity with the provisions of these By-laws.

(ii) The owner, occupier, caretaker, manager or any person residing or serving in that premises shall furnish the information required by the Secretary or any authorized officer.

(iii) No person shall obstruct the Secretary or an authorized officer or assistant authorized officer in the exercise of his powers under these By-laws.

(iv) Any authorized officer or any assistant of the authorized officer who implements and enforce these By-laws may be offered incentives according to the decisions made by the Pradeshiya Sabha from time to time.

(v) Any person who contravenes any provisions of these By-laws shall be guilty of an offence as per the Pradeshiya Sabha Act.

26. Violations and Penalties :

(i) If any person within the limits of the Pradeshiya Sabha contravenes or violates any provisions provided under this By-laws from 3 to 20 and from 23 to 25 shall be an offence punishable with fines as described hereunder after the service of a written notice from the Secretary and conviction thereof by a Magistrate's Court.

(a) For any one of such contravention or violation the penalty of a fine shall be Rupees Seven Hundred and Fifty (Rs. 750).

(b) In the case of continuing contravention or violation, an additional fine Rupees Two Hundred and Fifty (Rs. 250) for every day during which the contravention or violation is continued.

27. Interpretation :

Unless context otherwise requires, for the purpose of these By-laws :-

“Authorized Collector” means a person who obtains a permit from the Secretary to collect and receive waste under the provision of these By-laws.

“Authorized Officer” means a person who has been authorized in writing by the Secretary to execute or carry out such duties under these By-laws.

“Bin or other receptacles” means any bin, sack, bag or other container used for waste storage, discharge, collection or transportation that complies with the requirements set out in these By-laws.

“Bio-degradable waste” means waste that may be degraded or decomposed by micro-organisms.

“Collection” means the receipt of waste by an authorized collector or Pradeshiya Sabha waste collector for transportation for re-using, recycling, processing, treatment or disposal facilities.

“Compost” means the final product of the degradation of waste by microorganisms and it is a humus that could be functioned as soil conditioner.

“Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Pradeshiya Sabha waste collectors.

“Disposal” means the placement of all waste that is neither re-used, recycled, processed nor treated, on or in land where it is intended to stay permanently.

“Fee” means some fee determined by the Pradeshiya Sabha from time to time.

“Food Waste” means all meat, fish, eggs, vegetable, fruits and other edible materials that cannot be used for consumption.

“Garden Waste” means parts removed from trees or plants. Removed from a home garden.

“Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature.

“Infectious waste” means equipment, instruments, utensils and disposable things that may carry communicable diseases including pathological specimens.

“Special waste” waste which is not regulated hazardous waste, which has physical or chemical characteristics or both, that are different from municipal, demolition, construction and wood wastes and which potentially requires special handling.

“Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person.

“Pradeshiya Sabha” means Nintavur Pradeshiya Sabha.

“Pradeshiya Sabha Area” means the area declared under the authority of the Pradeshiya Sabha Act, No. 15 of 1987.

“Pradeshiya Sabha Waste Collector” means an employee engaged by the Pradeshiya Sabha for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered in to a contract with the Pradeshiya Sabha to perform such duties.

“Public place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public.

“Recyclable waste” means by-waste that can be used to produce new goods by changing their form in the process so that they are no longer recognizable as waste.

“Residual waste” means waste not considered as biodegradable and re-usable/recyclable wastes.

“Reusable waste” means waste that can be utilized after washing disinfection or cleaning by other means.

“Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in Sri Lanka to minimize the associated social, health and environmental impacts.

“Secretary” means the Secretary of the Pradeshiya Sabha constituted under the Pradeshiya Sabha Act, No. 15 of 1987 for that Pradeshiya Sabha and any person appointed to act as such Secretary or any officer of such Pradeshiya Sabha empowered by or under this

Act, to exercise, perform or discharge any of the powers, duties or functions of the Secretary to the extent to which such officer is so empowered.

“Segregation” means separating waste into different types according to the categories used in these By-laws.

“Service charge” means fees to be charged to users of the waste management services of the Pradeshiya Sabha.

“Solid waste” means substances which have no consumer value to person who abandoned them and includes rubbish, garbage, litter, street sweepings, drain cleanings and ash.

“Special Waste” means wastes that may pose danger to the environment and may require special handling, transportation, treatment and disposal.

“Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.

“Transfer station” means any place specified by the Pradeshiya Sabha for this purpose where waste is transferred from smaller to larger vehicles for the purpose of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility.

“Transport” means transporting waste from the collection point to processing, treatment or disposal facilities using some form of human or animal or mechanically powered vehicle.

“Treat” means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment.

SCHEDULE I

Service Charges :

Description of Service Charge	Classification of owner or occupier under By-laws 8 and 9			Category of owner or occupier under By-laws 10, 11, 12, 13, 15, 18 and 19
	Category of owner or occupier under By-law 8	Category of owner or occupier under By-law 9	Category of owner or occupier under By-laws 8 and 9 (Samurdhi)	
	Rs.	Rs.	Rs.	
Service Charge for one month	50	75	30	*
Service Charge for one year	600	900	360	*
10% discount in cash of paying Service Charge for whole year before March of the respective year	540	810	325	*

* Pradeshiya Sabha shall from time to time determine the service charge on average basis taking the volume of waste disposed of.

Unless the context otherwise requires, for the purpose of these By-laws ;

“Samurdhi” means and includes the families who have been categorized under Samurdhi assisted families by the Divisional Secretary of the division and assisted by the Government under the poverty alleviation programme.