

N. B.— Sinhala and Tamil versions of this *Gazette Extraordinary* will be published separately.



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# The Gazette of the Democratic Socialist Republic of Sri Lanka

## EXTRAORDINARY

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No. 1952/14 - TUESDAY FEBRUARY 02, 2016

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## PART IV (A) - PROVINCIAL COUNCILS

### Provincial Councils Notifications

#### NORTHERN PROVINCE PROVINCIAL COUNCIL

#### Local Authorities (Standard By-Laws) Act, No. 6 of 1952

#### DRAFT OF THE STANDARD BY-LAWS FOR MUNICIPAL COUNCILS

DRAFT By-Laws for the Municipal Councils Chapter I to VI made by me, C. V. WIGNESWARAN, as Chief Minister and the Minister of Finance and Planning, Law and Order, Land, Electricity, Housing and Construction, Industries and Enterprise Promotion, Tourism, Local Government and Provincial Administration of Northern Provincial Council by virtue of powers vested in the minister under whose purview the subject of Local Government of Provincial Council falls under Sub section 1 of Section 2 of Local Authorities (Standard By-Laws) Act, No. 6 of 1952 read with paragraph (a) of Sub section 1 of Section 2 of Provincial Council (Consequential Provisions) Act, No. 12 of 1989 are published hereby.

While the above draft By-Laws are approved by resolution passed by the Northern Province Provincial Council under Sub section 3 of Section 2 of above Local Authorities (Standard By-Laws) Act, Municipal Councils in Northern Province are hereby empowered to accept these draft By-Laws subject to the provision in the Sub section (2)(a) of Section 2 of the Local Authorities (Standard By-Laws) Act and the Municipal Councils in Northern Province are empowered to make By-Laws containing the provisions comprised in draft By-Laws by section 267 of the Municipal Councils Ordinance Chapter 252 read with Section 272 of that Ordinance.

C. V. WIGNESWARAN,  
Chief Minister and the Minister of Finance and Planning, Law and  
Order, Land, Electricity, Housing and Construction,  
Industries and Enterprise Promotion, Tourism, Local Government and  
Provincial Administration, Northern Province Provincial Council.

Chief Minister's Office,  
No. 26, Somasundaram Avenue,  
Chundukkuli,  
Jaffna,  
27th January, 2016.

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## CHAPTER - 1

PART I - STANDARD BY-LAWS RELATING TO CONDUCT OF BUSINESS AT THE MEETING OF  
THE COUNCIL OF MUNICIPAL COUNCIL

|   |   |
|---|---|
| Name of By-Laws.                            | (1) By-Laws in this part may be cited as the standard by-laws relating to conduct of business at the meetings of the Municipal Council.   |
| Objective.                                  | (2) By-Laws in this part are made for the purpose of making provisions for conducting of Council meeting according to the procedure and legal guidance.   |
| Legislative enactment for making By-Laws.   | (3) By-Laws are made by virtue of the powers vested in Municipal Councils by the Sub section 272 (1)(f) of Municipal Councils Ordinance, read with Section 267 (1) and 14 to 33 of Municipal Councils Ordinance.  |
| Ordinary Meeting and Special Meeting (4-5). | <p>(4) (i) A general Meeting of the Municipal Council shall be held at the Municipal Council Office on a previously designated date and there shall be twelve monthly meetings to be conducted for a year. It shall be conducted on the day in the first week or closed to first week previously determined by the Mayor accordance with section 17 of Municipal Council Ordinance 29 of 1947. In the event of such day falling on a day declared as a public holiday under the Holidays Act, No. 29 of 1971. It shall be considered that such meeting has been decided to be held on the next working day immediately following such public Holiday and the meeting shall be held on that day. The instruction shall be given to the Secretary through the Municipal Commissioner by the Mayor to send the notice of meeting to all members within the specified time.</p> <p>(ii) The notification summoning a general meeting or a special meeting of a Municipal Council shall be issued in Tamil or Sinhala in both these languages. The notice of meeting shall be forwarded by post with the meeting agenda to conduct the meeting to all members. Further draft meeting minute of previous month meeting also shall be sent with agenda as per this By-Laws. The secretary shall not refused or make delay to carry out any instruction given by Mayor as per this By-Laws. Summons shall be sent to a special meeting regarding any matter as per the discussion of the mayor or at the request of three members (at least) of the council in writing. The particular matter specified in the agenda shall be only discussed at the meeting and no other matters shall be discussed for some other reason. It shall be the duty of the Mayor to conduct a special meeting within seven days at the request according to the above provision.</p> <p>(iii) A notification on the summoning of a general meeting and on the programme for each of such meeting shall be delivered to each Member at least four days before the day of the meeting excluding Saturdays, Sundays and Public Holidays (As per section 8(3) of the interpretation Ordinance 21 of 1901 ). In case of special meeting it shall be delivered at least two days before meeting.</p> <p>(iv) In the event of the notification being placed in the premises usually occupied by the Member to whom it is being directed due to the inability to personally deliver the notification specified in paragraph (2) and (3) due to some reason it shall be considered that it has been properly delivered.</p> <p>(v) (a) In the event of a quorum being not available no proceedings shall be made. The quorum of a general meeting of a Municipal Council shall be one third the number of Members holding office on the date of the meeting. In the event of the one third of the Membership being a whole number and a fraction the next whole number higher than this whole number and fraction shall be considered as the one third for the purposes of this by-law.</p> |

(b) In the event of a quorum not being present even after the elapse of half an hour after the scheduled time of any meeting or any time after the commencement of the meeting the Mayor shall adjourn the meeting to a date not later than fifteen days after the particular meeting and considered to be suitable by him. The business that could have been presented at this adjourned meeting in the event of a quorum being present shall be presented at the subsequent meeting and suitable action shall be taken in that regard.

(vi) (a) The Mayor shall adjourn a general or special meeting of the Municipal Council having a quorum from time to time with the consent of the Council. No other business than that which is left unfinished after being included in the Order Paper of the Meeting which has been so adjourned shall be taken up at a subsequent meeting without the leave of the Council.

(b) Unless it has been decided at the earlier meeting to hold the adjourned meeting within twenty-four hours, the notification in respect of the adjourned meeting shall be delivered to the Members at least three days before the Scheduled time of the particular meeting.

(vii) While all members attending the Council meeting shall enter their names and the time of arrival in an attendance register maintained by the Secretary and sign it in the sequence of their arrival the Register shall be in the custody of the Secretary.

(viii) The guest including the media and public shall take seats allocated to them in the premises where the meeting of council is held .but if it is the declared view arrived at a majority decision of the members participating in the meeting of council that it is in the interests of the public to remove public from the council chamber the public shall leave the chamber when they are called upon to do so by the Mayor of the Council. No guest shall be connected with the council affairs and no member of the council shall be name any guest or point him out.

(5) The Business of the Meeting shall be conducted in the following sequence :

Meeting Agenda.

(a) confirm of the Minutes of the previous meeting;

(b) special announcements made by the Mayor;

(c) presentation of Memorandums, Petitions, Complaints and Communications addressed to the Municipal Council;

(d) questions that have been given due notice of;

(e) motions that have been given due notice of;

(f) Presentation of Reports of Committees. Unless the Council decides to consider these reports then and there the Council shall fix a date to consider them;

(g) presentation and consideration of monthly statements on receipts and expenditure, progress reports on revenue collected and other documents scheduled to be presented to the Municipal Council;

(h) In the event of notice being given of any other matters in the notification summoning the Meeting those matters shall be taken up in that sequence or in the sequence decided upon by the Municipal Council on special grounds.

(6) (i) The priority and the seniority of the Members of the Council shall be as follows:

Seniority of  
Members and  
Reservation of  
Seats.

(a) Mayor;

(b) Deputy Mayor;

(c) in the case of re-election of former Members of the Council the sequence of their Continual Membership shall be taken as the basis; and

(d) in the case of other Members the priority sequence followed by the Commissioner General of Elections in gazetting their appointments on election shall be followed.

(ii) In the event of the equality of the continual membership of any two or more Members of the Council indicated in sub section of Section (a) the priority and seniority shall be taken into consideration on the sequence followed by the Commissioner General of Elections in gazetting their appointments on their election to the Council at the latest election.

(iii) The political parties and independent groups belonging to the sequence of the members elected in accordance with the *Gazette* Notification being published by the Commissioner General of Elections in regard to election of Members to any Municipal Council after the election of members to such Council shall not be relevant to the purposes of this by-law.

Functions of  
Mayor (7-10)

(7) (i) While it is the duty of the Mayor to maintain discipline of the meeting his decision on all points of order contested by the members shall be final.

(ii) The Mayor shall order on his own opinion or on a point of order raised by any other member that any member acting in contravention of the provisions of the by-laws in this part should act according to the by-laws.

(8) Having invited the attention of a member on his conduct when he keeps on repeating irrelevant matters or keeps on repeating the arguments put forward by him or other members at the debate causing concern to the Council, the Mayor shall order such member to stop the speech.

(9) (i) In respect of members conducting themselves in serious violation of discipline the Mayor shall order them out of the chambers immediately and to remain outside till the proceedings of the day are over.

(ii) If the Mayor is of the view at any time that his powers under this by-law are not sufficient he shall act in accordance with provisions of paragraph (4) of by-law No. 27 in this part.

(10) A member shall at any time move that a debate on any question be suspended. If the motion is seconded a voting shall be taken immediately. When a serious breach of discipline has been caused at a meeting the Mayor shall without question put either suspend the proceedings for a duration ordered by him or adjourn it, if in his opinion it is necessary to suspend the proceedings of the meeting.

(11) The proceedings of the Meetings prepared in accordance with the by-law No. 5 in this part shall include all matters relevant to the sequence. The proceedings of the meetings shall be conducted in accordance with the sequence set out in by-law No. 5 unless any other sequence has been approved at any Meeting.

Functions of  
Municipal  
Secretary and  
Meeting Minutes  
(11-13).

(12) (i) Secretary shall maintain reports in record book in Tamil or Sinhala of proceedings, orders and decisions of the Meetings of the Municipal Council.

(ii) The meeting minute of council standing committee or administrative committee shall be recorded by Secretary and the Mayor or chair person shall sign the minute. Further printed minute shall be prepared by the Secretary early as possible.

(iii) The minute shall contain also names of members who have alternated the meeting and all discussions made by the council or the standing or administration committee.

- (iv) If any member has attended the meeting after the commencement of meeting, the time of his arrival shall be recorded in the minute.
- (v) If any member has left the meeting before the end of the meeting the time of departure shall be recorded in the minute.
- (vi) While the report of each meeting shall be distributed among the Members, the Mayor shall put the question in the next meeting that it shall be confirmed on the presumption that it has been read at the Meeting. If there are no protests or rectifications the Report shall be confirmed as it is. Otherwise, if there are protests or rectifications those amendments shall be included in the Report. The Mayor shall certify by placing his signature in the record book as to whether there are no amendments at the end of the Report or otherwise that the Report has been confirmed subject to amendments specified in the Report.
- (vii) The matters and statements made by the Members at the meeting of the Council shall not be included in the Council Report.

However, if the Municipal Council is of the view that it would be necessary to be aware of the views or statements made by any Member at the Council action may be taken to prepare voice recordings of such meeting or meetings and keep them securely in the Municipal Council and also distribute them among the Members.

- (13) While the Member who is not in agreement with any matter, question or motion shall have the right to get his dissent recorded in the Report of the Council the Secretary shall take action to record the reasons for the Member's dissent in the Report of the Proceedings of that Meeting in the event of such member handing over a written statement on his dissent to the Secretary within one week of the relevant meeting.
- (14)
  - (i) The Municipal Council shall transform itself into a committee at any time through a resolution. However, after the committee returns to the status of the house through a similar resolution the Council shall take a decision on the consequences of matters discussed at the committee Stage.
  - (ii) When any discussion of a Committee of the Council is in progress at any time any member shall have the right to propose that the Committee should revert back to a whole house. The Mayor shall put the question to the house and in the event of it being carried the Council should immediately revert back to the status of a General Council.
- (15)
  - (i) The quorum of all meetings of such standing Committees and special committees shall be one third of the number of members holding office on the day of that meeting. In the event of one third of the members being a whole number and a fraction the whole number immediately above such whole number and the fraction should be considered as the whole number for the purpose of this by-law.
  - (ii) When a special Committee has extended its consent for some report all the members shall sign that report, and it shall be presented to the Municipal Council together with the report of that special Committee.
  - (iii) The press reporters shall not be allowed to witness the proceedings of a standing Committee or special Committee meeting.
  - (iv) While the Secretary of the Municipal Council shall function as the Secretary of the standing Committee on finances and policies of the Municipal Council, it shall be the duty of the Mayor

Committees and  
Special  
committees.

or Municipal Commissioner to appoint some officer of the Municipal Council to function as the Secretary of other Consultative Committees.

(v) While it shall be the duty of the Secretary to a particular standing Committee to maintain records of the proceedings of each and every Consultative Committee of the Council, such Committee Reports shall be presented to the subsequent meeting of the Municipal Council.

(16) While all members of a standing committee or special Committee attending the meetings of such committee shall enter their names, the time of arrival and signature in an attendance register maintained by the Secretary of the committee and sign it, in the sequence of their arrival, the register shall be in the custody of the Secretary to the Committee.

Proposals  
(17-18).

(17) The following matters in regard to decisions or agreements arrived at in respect of proceedings of any Meeting shall be included in the report with each motion or matter.

(i) In case of a motion, the contents of such motion;

(ii) The name of the Member proposing the Motion and that of the Seconded;

(iii) The names of Members expressing their views for and against the motion;

(iv) Whether the motion was passed or rejected unanimously; or

(v) In the event of a division being called for a motion, the following matters in respect of that motion shall be recorded;

(a) the number and the identity of the Members voting for the Motion,

(b) the number and the identity of the Members voting against the Motion,

(c) the number and the identity of the Members abstaining from voting on the Motion,

(d) the number and identity of the Members present at the Meeting but have left the Chambers at the time of voting,

(e) In the event of the sequence of business of the Council being in respect of any other matter, the decision taken by the Council in regard to such matter.

(18) (i) While all notices in regard to presentation of motions shall be in writing the Member giving notice shall sign it. The Motion shall not be included in the Order Paper unless it has been in the custody of the Secretary for a period of seven days before the date of the Meeting, excluding Saturdays, Sundays and Public Holidays.

(ii) All notices in respect of motions shall be included in the Order paper by the Secretary in the sequence of their receipt and having entered the date of receipt and serial number.

(iii) While the Mayor shall be presented with any notice in regard to a Motion, before it is included in the Order Paper, he shall order that it be not included in the Order Paper if in his opinion it is contrary to rules, and action shall be taken to inform the Member making the notice about it.

(iv) All Motions given notice of shall be in respect of any question having an impact on the administration of the activities of the Municipal Council.

(v) The presentation of any motion to rescind any Motion approved during the period of past six months or of any other Motion causing similar consequences results to a Motion rejected during the past six months shall not be considered as agreeable with the by-laws of this part, unless a notice has been signed by one-fifth (1/5) of total Members at the time in addition to the Member who proposes that it would be presented and it has been specifically mentioned in the

Order Paper. After suitable action is taken in respect of that Motion no Member shall have the power to present a similar Motion during the period of next six months.

- (vi) Any Motion shall not be considered as being presented for debate until it is moved and seconded.
  - (vii) Any Member rising in his seat and saluting the Chair with a bow may formally second any Motion or Amendment without prejudice to his right to participate in the debate subsequently.
  - (viii) As soon as action has been taken in respect of Motions for which notice has been given already a member has the right to present a Motion seeking approval of the Council to present any Motion for which notice has not been given earlier. However, it should have been handed over to the Secretary by the member moving the motion having placed his signature to the motion.
  - (ix) After a motion has been presented to the meeting and seconded and the debate on it has been concluded the Mayor shall put the question in regard to approval of the motion.
  - (x) Any motion or Amendment presented by any member shall be withdrawn by that member with the approval of the Council. Approval shall be granted without debate. Unless granting of approval is rejected after a member presenting any motion asking for such approval no member shall have the power to speak on that motion.
  - (xi) Any motion withdrawn earlier shall be presented again at a subsequent Meeting. However, any motion substantially similar to any motion decided to be accepted or rejected during the period of past six months as stated in this by-law No. 11 shall not be presented.
  - (xii) (a) While all amendments to a Motion shall be presented in writing the member proposing it shall present the written amendment or amendments to the Secretary.  
(b) All amendments to a motion shall be relevant to the motion being discussed for the time being.  
(c) All amendments to a motion shall be read out to the Council before presentation.  
(d) Unless any amendment is seconded it shall not be discussed or presented to the Council.  
(e) A member seconding a motion formally shall have the right to speak on it later.  
(f) When an amendment to any motion being discussed has been presented and seconded, action shall not be taken to present a second or subsequent amendment until the first amendment is disposed of suitably. If an amendment is approved the amended motion shall take the place of the original Motion and if there are any further amendments they shall be amendments in respect of the amended motion.
- (19) (i) While the Mayor shall put the question in regard to approval of any matter, question or motion, it shall be considered to have being approved unanimously unless any member has not called for a voting on the motion after the question is put to the Council. However, in the event of any member calling for a voting in regard to the motion or calling for a secret vote on the matter the Mayor shall take action to hold a voting. Voting Procedure.
- (ii) When a voting is required in respect of any matter, question or motion in the manner set out in paragraph (1) above;
- (a) the Secretary shall take action to hold the voting by noting down the preference of each Member having inquired about it separately in accordance with the priority sequence of the Members indicated in by-law No. 6, when the voting is not a secret vote, or

(b) When the voting is held by secret voting, the Secretary shall take action to count the votes cast by each member who has noted their preference in a ballot paper issued to them separately.

(iii) At the conclusion of the voting taken by the Secretary in any manner set out in paragraph (2) above, the Mayor shall announce the approval arrived at by the Municipal Council in respect of the particular matter, question or motion.

(iv) When any question is put to the Municipal Council or to a Committee of the whole House, the Members present shall vote for or against the question, unless they abstain from voting.

(v) In the event of a Member abstaining from voting when a voting is called the Secretary shall take action to record his name as a member who has abstained from voting.

(vi) While the Mayor shall have an original vote with the other Members at the Meetings of the Council or at meetings of a committee of the whole House in respect of any matter, question or motion, in case of equality of votes taken on any motion he shall have a casting vote as well.

Duties of  
members  
(20-21).

(20) Members whose services have been suspended under paragraph (1) of by-law No. 27 or who have been ordered out of the chambers under paragraph (4) of by-law No. 27 shall leave the chamber immediately.

(21) The following rules shall strictly be adhered to when speeches are made in regard to any matter considered by the Municipal Council or by a committee of the whole House.

(i) While every member should address the Mayor when speaking at a meeting, he shall be on his feet except when participating in committee Stage debates.

(ii) Unless a member speaking violates the provisions of the by-laws in this part he shall not be interrupted.

(iii) Any member shall resume his seat after making the speech. Thereafter any other member wishing to speak shall address the Council.

(iv) A member shall not read out a prepared speech. However, he shall quote from written or printed articles in order to prove his arguments.

(v) In case of two members wishing to speak at the same time at a meeting the Mayor shall ask the member who caught his attention first to speak.

(vi) Every member shall limit his observations to the subject under discussion only.

(vii) No member shall impute undesirable motives to any other Member.

(viii) All speeches of private nature shall be avoided.

(ix) A member shall speak on the question before the Municipal Council or on any amendment of the question.

(x) No member shall speak more than once in regard to a matter before the Council except when it is required to make an explanation on a point or order or when the Council has transformed into a Committee.



(xi) Even in the absence of a question before the Council a member shall make an explanation of private nature with the approval of the Council. However, while the explanation should be limited to absolving his conduct, no debate shall be allowed on the matter.

(xii) A member moving any motion shall have the right to reply after all the members present have been given the opportunity of expressing their views on the motion and before the question is put to the House. However, while his speech should be limited to replying the speakers who has participated in the debate he shall not present new facts. The mover of any amendment shall not have the opportunity of replying any further.

- (22) (i) Questions pertaining to the activities of the Council shall be put to the Mayor.  
(ii) Notice of at least seven working days, excluding Sundays and Public Holidays shall be given in respect of any question.  
(iii) A written reply to each question shall be read out by the Mayor at the Meeting of the Council.  
(iv) While a Member shall not address the Council on any question the terms contained in any question shall not constitute any argument, or imputation of any motive or expression of any view or matter rather than limiting to explaining the question involved.  
(v) Any Member shall raise a supplementary question for the purpose of getting further explanation in regard to a matter or incident on which a reply has been given at a Meeting. However, the Mayor shall not allow raising of such question if in his opinion any supplementary question may violate the provisions set out above in this by-law and on any such occasion the relevant supplementary question shall not be included in the record of the Council meeting.

Questions and  
Answers.

- (23) (i) Any Member presenting a petition or memorandum to the Council shall briefly explain the objective of the petition or the memorandum.  
(ii) Any Member shall not present to the Council any petition, or memorandum or any other communication not being written in a respectable tone and not containing the name and address of the person writing it.  
(iii) Any member shall propose that a petition or memorandum be read out to the Council. When the proposal is made he shall briefly state the reasons as to why it is expected to read out the particular document.  
(iv) While no debate shall be allowed on the motion no member shall speak on the petition or the memorandum rather than formally seconding the motion.  
(v) When the motion is seconded the question shall be put as to whether the relevant petition or the memorandum should be read out.  
(vi) No members shall submit (proposal) any petition which have already (proposal) submitted at the council by other member.  
(vii) It shall be lawful for a member to propose that a petition or memorandum presented to the Municipal Council shall be directed to the Mayor for suitable action or to a Committee for report on final action to be taken in this regard.  
(viii) Administrative committee shall consist of three members.

Complaints  
and resolving  
mechanism.

- (ix) Administrative committee shall inquire and submit the inquiry report the general meeting of the council.
- (x) The council shall function as administrative committee and inquiry report shall be discussed and discussion shall be taken stun.
- (xi) In the event of any action being taken to examine the testimony of any witnesses the petitioner or the member requiring such witnesses shall forward to the Secretary a list containing the names, addresses and vocations of such witnesses at least three day before the Scheduled date of the inquiry and the Secretary shall inform the witnesses in writing to present themselves for the inquiry.
- (xii) Action shall be taken by the Secretary to hand over the summons or to the reached before three days of the date and time of arrival to witnesses.
- (xiii) The inquiry proceeding of the petition shall be completed within three months from the date of 1st discussion of the petition.

Tasks not to be  
carried out  
(24-27).

- (24) While a member raising a point of order should take his seat after raising the matter, no other member shall speak on the matter without approval of the Mayor until the question is resolved by the Mayor. Thereafter, the member who has been addressing the Council at the time the question was raised shall have the right to continue with his speech if he is in agreement with the decision of the Mayor, of the Council or the Committee of the Council. If he is not in agreement with the decision the Mayor shall deny him the opportunity of continuing with the speech.
- (25) The Municipal Council shall censure or act as it considers suitable in respect of a Member who has not made an explanation in regard to unsuitable words used by him or who has not withdrawn such words or who had not expressed his regret in using such words in a manner acceptable to the Council.
- (26) When the Mayor expresses his desire to speak the member on his feet at that moment shall take his seat.
- (27)
  - (i) The Mayor shall name a member who violates the provisions of the by-laws in this part by disregarding the authority of the Chair or purposely interrupting the proceedings over and over again. On a motion presented by some member or by the Mayor to the effect that “the Municipal Council Service of that Member shall be suspended” the Mayor shall put the question immediately. Such motion shall not be allowed to be amended, adjourned or debated.
  - (ii) If the Council service of any member were to be suspended under this by-law as a result of the approval of any such motion, the suspension shall be effective for duration of one month at the first instance, two months at the second and three months at the third or subsequent instances.
  - (iii) (iii) Unless a number of members present at a meeting have collectively disregarded the authority of the Mayor no more than one member shall be named at a time.
  - (iv) In the event of any member whose Council service has been suspended under this by-law or a number of members acting collectively, rejecting at any time during the course of such suspension, the acceptance of the orders made by the Mayor of a meeting to leave the chambers they shall be reported to the Minister by the Mayor for suitable action having named them as members who have not carried out his decision. Solidification.

(28) In this part, unless the context otherwise requires –

Interpretation  
and definition.

“The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.

“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such Council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.

“Municipal Council” means, the Municipal Council constituted under the ordinance of Municipal Council for Municipality.

“Chairperson of Meeting” means the Mayor presiding over meetings of the Council for the time being or the Deputy Mayor of the Council who takes the Chair in his absence and it also includes any other member elected on the vote of the members for the Chair in the absence of both the Mayor and the Deputy Mayor.

“Commissioner General of Elections” means the Commissioner General of the Elections Commission and it also includes the returning Officer of relevant Municipal Council.

“Voice Recordings” means a tape where voice recordings are made mechanically and it includes a compact disc where voice can be recorded or any other instrument where data can be stored.

PART II - STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, SUPERVISE AND CONTROL OF  
HAIR DRESSING SALOONS, BABER SHOPS AND BEAUTY CENTRES WITHIN THE AREA OF AUTHORITY OF THE  
MUNICIPAL COUNCIL

- |   |   |
|---|---|
| (1) By-Laws in this part may be cited as Standard By-Laws in relating to formulate, regularize, control and supervise of Hair Dressing Saloons, Baber Shops and Beauty Centres within the area of authority of the Municipal Council.               | Name of<br>By-Laws.                                 |
| (2) By-Laws in this part are made of the purpose of protecting sanitation and health of public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.  | Objective.  |
| (3) The By-Laws are made by virtue of the power vested in Municipal Councils by the Sub section 272 (14) of Municipal Councils Ordinance, read with Section 267 (1) of Municipal Councils Ordinance.  | Legislative<br>enactment for<br>making By-<br>Laws. |
| (4) Obtaining the annual licence by submitting the application form in schedule 01 is the duty and obligation of the licensee.  | Tasks to be<br>executed (4-17).                     |
| (5) The license shall be issued to any Hair Dressing Saloon, Barber shop or Beauty Center by the Mayor or Commissioner of Municipal Council, if only the following specified conditions are duly fulfilled.   |   |
| (i) The licensed premises shall be kept in clean and renewed condition.   |   |
| (ii) Walls of each room of the licensed place shall not be less than 3 metres in height.  |   |
| (iii) These walls shall be built with bricks, block stones or limestone or any other approved stones and plastered and painted in both sides.   |   |
| (iv) Each room of the licensed place shall be ceiled in height not less than 3 metres from floor level.   |   |
| (v) Windows which are capable being opened outward or sideways shall be installed to each room. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable. |   |

- (vi) The roof shall be made of some permanent solid material. Eaves of the roof shall be at least 2.5 metres from the ground level and the width of the eaves should be at least 1 metre.
  - (vii) The floor of the rooms shall have been finished off with cement or tiled and the place where the wall and the floor meets shall be built circular to facilitate cleaning.
  - (viii) Provide sufficient sitting space to any customer arriving at the premises expecting service on the basis of at least 1.5 meters away from the place where the customer getting service is located.
  - (ix) There shall be wash basins fixed and sufficient pipes fixed to drain waste water if water is used in providing services to customers.
  - (x) In the event of the Municipal Council maintaining a waste water drainage system arrangement may be made to divert waste water formed at the premises to the said drainage system in the manner prescribed by the Municipal Council. Otherwise, action shall be taken to divert such waste water to a soakage pit or waste water shall be treated and released to the public drainage. Further, soakage pit shall be covered without mixing with air and it shall be constructed at least fifteen metres away from the constructed well.
  - (xi) Lavatories shall be constructed for the use of customers and employees separately for males and females, at the ratio of one lavatory for every ten persons.
  - (xii) The licensed premises shall not be used as a residence and it shall be separated from the buildings used as a residence.
  - (xiii) At the licensed premises, general fire extinguishing equipment shall be maintained in working condition, and if electricity supply has been provided to the place, electrical fire-fighting appliances shall be provided in addition.
  - (xiv) Sufficient light shall be provided to the inside of building.
- (6) It is the duty of the licensee to ensure that every space where paints need to be applied as set out under section 5 in these By-Laws shall be applied with paints at least once a year.
  - (7) All those who have obtained licence under the by-laws in this part shall wash the floor of the licensed premises with disinfectants at least once in one month.
  - (8) At the licensed premises, sufficient water supply during the entire period when they are opened for the customers.
  - (9) At the licensed premises, enough facilities to boil water or a sterilization mechanism and a sufficient number of utensils used in sterilization in order to sterilize instruments and utensils used shall be provided.
  - (10) Wash basins with facilities to wash hands and soap or liquid soap shall be provided for the use of employees when they are providing services at the licensed premises.
  - (11) At the licensed premises, a sufficient number of towels and aprons in light colours (not in dark colors) shall be provided for the use of the customers.
  - (12) At the licensed premises, a movable receptacle with a tight lid to collect cut hair and other waste shall be kept.
  - (13) At the licensed premises, at least one safety plug shall be fixed to each table in the event of electrically controlled instruments are used.

- (14) At the licensed premises, a first aid box containing sufficient amount of first aid instruments and drugs as prescribed by the Municipal Medical Officer of Health shall be kept.
- (15) At the licensed premises, a sufficient number of spittoons shall be kept in such manner as to be readily available to customers and employees.
- (16) It is the duty of the licensee to ensure that all employees of the licensed centre —
  - (i) engage in their service daily only after a bath or body wash ;
  - (ii) maintain their clothes in a clean and healthy condition ;
  - (iii) keep their nails cut and without any dirt, and
  - (iv) Wash their hands with soap or liquid soap before serving each customer.
- (17) The licensee shall ensure that the,
  - (i) instruments used in the licensed centre are sterilized after each use ;
  - (ii) brushes and combs are sterilized after washing well before use on each day ;
  - (iii) Receptacles, cups, soap brushes and combs are washed in hot water after each use.
- (18) The licensee shall ensure —
  - (i). that cut hair and other waste material removed after cutting hair and beard of each customer obtaining service at the licensed centre are put into a receptacle having being collected by sweeping or through electrically operated mechanism ; and
  - (ii). that the blade of the barber's knife containing changeable blade is changed, after use of each customer.
- (19) It is the duty of the licensee to see that waste material in the receptacle containing pieces of cut hair are dumped in a pit at least one metre below the ground level at the end of daily activities or if necessary a number of times each day. Moreover, it is also the duty of the licensee to ensure that precautionary action is taken to prevent dispersal or scattering of cut hair disposed of.
- (20) In the event of the inability to dispose of the pieces of hair and other waste in the manner set out in By-law No. 19 action shall be taken to hand over such waste to the Municipal Council scavenging vehicle in the manner prescribed under the waste management programme of the Municipal Council
- (21) It shall be the duty of the licensee to ensure cleaning and disinfecting of the receptacle used to collect waste material produced at the licensed centre.
- (22) List of charges to be recovered shall be displayed at legible place within the shop
- (23) While every licensee shall maintain a register with names and address of the employees who are working at the licensed premise, it shall be the duty of the licensee to allow inspection of that register when it is so requested by the Mayor or Municipal Commissioner or Authorize officer.
- (24) Every licensee of a Hair Dressing Saloon, Baber Shop and Beauty Centre shall keep affixed a board with his name and the words "Licensed Hair Dressing Saloon, Baber Shop and Beauty Centre" legibly painted thereon in Tamil, Sinhala and English in a conspicuous position on the outside of his premises.
- (25) It shall be the duty of the licensee to refer all employed at the licensed place to a medical test at least once a year.

Tasks not to be  
carried out  
(26 – 34).

- (26) No person shall run a Hair Dressing Saloon, Barber Shop and Beauty Centre within the authority of the Municipal Council area, unless he or she has a valid license for the purpose of that, issued by the Mayor or Municipal Commissioner.
- (27) (i) Any person at the licensed Hair Dressing Saloon, Barber Shop and Beauty Centre shall not keep or causes to keep any pet.
- (ii) No permit holder shall use any kind of unauthorized chemicals or allergic item for washing clothes.
- (28) (i) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who has been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not be engaged in any work of the licensed place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed ;
- (ii) No person or persons shall be engaged or allowed to be engaged at the licensed place, unless they are dressed in clean clothes ;
- (29) The interior of a premises issued with a licence under the by-laws in this part shall not be used in the night or in the day time as a place for sleeping or eating meals and nobody else shall be allowed to do so.
- (30) The use of,
- (i) any type of blood clotting pencil or any other substance, or
- (ii) alum or any other substance in any other form rather than as a powder or a liquid, in respect of any customer shall not be made or allowed at licensed premises.
- (31) The licensee in any licensed centre shall not use an apron which is not washed or any towel that is not one used for the first time after being washed, in respect of any customer.
- (32) Unless written permission of the Mayor or Municipal Commissioner has been obtained no other activity shall be pursued in a licensed premises other than those prescribed in the licence issued under the provisions of the by-laws in this part.
- (33) No person shall expectorate within any hairdresser's or barber's shop or saloon except into a spittoon provided for that purpose.
- (34) No licensee shall use any articles banned by SriLankan Law or Medical Officer of Health of Municipal Council at licensed premises.

Function of the  
Local Authority.

- (35) In the event of the premises where any hair dressing saloon, Barber Shop and beauty centre is maintained under a licence issued under the By-Laws any licence contravenes any section of these By-Laws set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.

Charges and fees.

- (36) (i) Under the Sub section 247 A (2) of Municipal Council Ordinance, Municipal Council has the authority to charge for licence fees not exceeded the maximum amount stated to run any Hair Dressing Saloons, Barber Shops and Beauty Centres.

- (ii) Publishing of notice in Government Gazette regarding the licence fees for Hair Dressing Saloons, Barber Shops and Beauty Centres shall be the duty of Municipal Commissioner as specified in above sub section (i).
- (37) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council. Delegation of power.
- (38) The validity of every license issued under the provision of these By-Laws shall expire on 31st December of each year for which the license has been issued, unless its validity is cancelled earlier. Valid period of license or permit.
- (39) (i) The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at licensed premises. Procedure of inspection and powers (39-41).
- (ii) It shall be duty to co-operate the licensee who have received licence under the provisions, to the Municipal Mayor or Municipal Commissioner or any Authorized officer for inspection, and shall not make obstacle to stop such inspection.
- (40) Any licensee who receives such notice mentioned in By-Law No 35 in these By- Laws, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.
- (41) It shall be lawful for the Mayor or Municipal Commissioner to cancel the licence issued for the place when any licensee who received such notice mentioned in By-Law No 40 in these By-Laws fails to act as stipulated in the notice on or before the specified date.
- (42) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or Authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers. Complaints and resolving mechanism.
- (43) Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence. Violation of By-laws.
- (44) Contravention or breach of any of these by-laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the Municipal limits liable to the penalties in terms of Sub section (a) and (b) of Section 267(3) in Chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of Sub section (c) of Section 267(3). Fines and penalties.
- (45) In these By-Laws unless the context otherwise requires : Interpretation and definition.
- “The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.
- “Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such Council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.
- “Municipal Council” means, the Municipal Council constituted under the ordinance of Municipal Council for Municipality.

“Authorized officer” means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.

“Licensee” means any person whosoever obtained a license under provision of these by laws of the hair dressing saloon, Barber Shop and beauty centre and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.

“Licensed premise” means place for which is issued license to take all measure under this provision.

“The power to inspect within the specified period” means opportunity for take measures to make business or product at the specified place.

“apron” means any cloth used for covering the upper part of the body of a customer obtaining service from the licensed centre.

#### SCHEDULE -01

#### Application for Business tax / Licence 20..... For Hair Dressing Saloons, Barber Shops and Beauty Centres within the area of authority of Municipal Council

1. Name of the Business Centre :-
2. Place of the Business Centre:-
  - (i) Ward No.:-
  - (ii) Assessment No.:-
  - (iii) Name of the Road/Street:-
  - (iv) GN Division No. & Name:-
3. Name of the Applicant:-
  - (i) Full Name:-
  - (ii) Permanent Address:-
  - (iii) GN Division No. & Name:-
  - (iv) NIC No.:-
  - (v) Telephone No.:-
  - (vi) e-mail Address:-
4.
  - (i) Date of Beginning the Business
  - (ii) Name of the manager of the meat Stall:
  - (iii) Previous Business:-
5. If it is rented building,
  - (i) Name of the Owner:
  - (ii) Address:-
6. Whether last year licence was obtained:- Yes:No:  
If last year licence was obtained,  
Licence No.:  
Date:

I do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By-Law. I apply for the licence for the year 20..... to run the Industry/Business under the By-Law.

.....  
Signature of Applicant.

Date .....



**For office use**

For report as follows

.....  
Municipal commissioner / Authorized officer

**For the report of assessment section**

Ward: .....

Assessment No. : .....

Name of Street: .....

Name of the Owner: .....

Detail of Assessment: .....

Annual Value : .....

Arrears of the assessment tax : .....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

(i) Type of business: .....

(ii) Fees to be paid: ..... Under A/B/C

(iii) Remarks: .....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report:**

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons: .....

.....

.....

Date

.....

Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....

Date

.....

Accountant.

**Approved/Not Approved**

.....

Date

.....

Municipal Council Mayor/Commissioner/Authorized Officer.

**For the report of Revenue Branch**

Receipt No.:.....

Date of the Receipt:.....

License No.:.....

Date of the License:.....

Recommended to issue License.

.....

Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....

Date

.....

Accountant.

Signed

.....

Date

.....

Municipal Council Mayor/Commissioner/Authorized Officer.

PART III - STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, CONTROL AND ADMINSTRATE OF THE  
CREMATORIUMS OF THE MUNICIPAL COUNCIL AND CHARGING FEES WITHIN THE AREA OF AUTHORITY OF THE  
MUNICIPAL COUNCIL

- |     |  |   |
|-----|--|---|
| (1) | By-laws in this part may be cited as the standard By-Laws relating to regularize and control of the crematoriums of the Municipal Council and charging fees.   | Name of By-Laws.                          |
| (2) | By-Laws in this part are made for the purpose of protecting sanitation and Public health, public utilities services for the people residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance and maintaining and managing of immovable property.  | Objective.                                |
| (3) | By-Laws are made by virtue of the powers vested in Municipal Councils by the Sub section 272(28)(b) and (15) of Municipal Councils Ordinance, read with Section 267 (1) of Municipal Councils Ordinance and the Cemeteries and Burial Ground Ordinance.  | Legislative enactment for making By-Laws. |
| (4) | Anybody expecting to obtain a licence mentioned in By-law No. 8 (hereinafter referred to as “the applicant”) shall forward an application substantially prepared in accordance with the Second Schedule to this part together with the documents mentioned below to the Commissioner or the Authorized Officer.  | Tasks to be executed(4-7).                |
|     | <p>(i) (a) The birth certificate of the applicant, or</p> <p>(b) The birth certificate of the deceased, or</p> <p>(c) The marriage certificate of the applicant, or</p> <p>(d) The certificate issued by the Grama Niladhari of the Division where the deceased was living, in order to facilitate the establishment of the relationship between the deceased and the applicant;</p> <p>(ii) If an inquiry under the Criminal Procedure Code Act, No. 15 of 1979 had been made in respect of the death of the deceased, the certificate issued by the Magistrate or the Inquirer-into-Sudden Deaths under paragraph 41(e) of the Registration of Births and Deaths Ordinance giving permission to cremate the dead body or the certificate issued under paragraph 43(b) of the Registration of Birth and Deaths Ordinance, in the event of the dead body being of a still born person, and</p> <p>(iii) The death certificate of the deceased.</p> |   |
| (5) | Dead bodies shall be accepted for cremation and cremations shall be done between the periods 7.00 a.m. to 7.00 p.m. on all days of the week. If there is any cremation of a corpse in other time shall be obtained a special license from the Mayor or Municipal Commissioner. The maximum number of corpse which can cremate per day shall be decided by the Municipal Council and shall notice on a notice board of the crematorium.   |   |
| (6) | <p>(i) The applicant or any authorized representative of him shall take possession of the ashes of the body before the elapse of seventy two hours after the cremation of any dead body.</p> <p>(ii) However, on a written request made by the applicant the Mayor or Municipal Commissioner or the Authorized Officer shall extend the period during which the ash are is kept with the Crematorium Keeper.</p> <p>(iii) The period of extension for the ash to be kept in the custody of the Crematorium Keeper under paragraph (ii) shall not be more than six weeks from the date of the cremation.</p>  |   |

- (iv) The Mayor or Municipal Commissioner or the Authorized Officer or the Crematorium Keeper shall have the power to dispose of the ash that has not been removed even after the expiry of such period allowed for the removal of ashes.
- (v) It shall be the duty of the Mayor or Municipal Commissioner or the Authorized Officer to make arrangements to bury the ash not removed by any applicant or any authorized representative at the premises of the crematorium or in any cemetery.
- (7) Notwithstanding anything stated in By-Law-12 :
  - (i) any other person or persons who participate in the handing over of a dead body for cremation with the person who has obtained a licence to cremate it or with his authorized representative; and
  - (ii) any other person or persons who arrive at the crematorium on the specified date or earlier to receive ash, with the person who has obtained the licence or with his authorized representative, shall be considered as persons who have been allowed to enter the premises of the crematorium.
- (8) (i) No dead body shall be cremated in any crematorium owned by the Council without a licence issued by the Mayor or Municipal Commissioner or an Authorized Officer.
- (ii) It shall be able to discontinue the cremation a corpse permitted by a formal licence within the permitted time period only by a written order of the court or in-charge police officer. The Municipal Council will not responsible to offer an extra time for allocated time or repay the charges for that, and there is no any right to the applicant for request.
- (9) Unless a Magistrate or an Inquirer in to Sudden Deaths has granted permission to cremate a dead body on completion of an inquiry made in respect of it by the said Magistrate or the Inquirer into Sudden Deaths, under the Criminal Procedure Code Act, No. 15 of 1979, the Mayor or Municipal Commissioner or the Authorized Officer shall not accept it for cremation or issue a licence to cremate it.
- (10) Unless the relevant crematorium of the Municipal Council has been named in the 7th column of the Death Certificate of a deceased, under "cause of Death and the place of the burial or cremation" the Mayor or Municipal Commissioner or the Authorized Officer shall not accept the dead body for cremation or issue a licence to cremate it.
- (11) Nobody other than the Crematorium Keeper or his Assistants shall enter into the covered section of the chamber of the Crematorium after the closure of the security door of the chamber on introducing the dead body into the chamber of any crematorium.
- (12) Nobody shall enter into the premises of any crematorium without permission from the Mayor or Municipal Commissioner, Authorized Officer or the Crematorium Keeper.
- (13) Within the premises of any crematorium nobody shall, -
  - (i) act in a manner disrupting peace ;
  - (ii) damage or try to damage property within the premises of the crematorium belonging to the Municipal Council ;
  - (iii) obstruct the official functions of the Crematorium Keeper or any of his Assistants;
  - (iv) decorate or paste notices within the premises of the crematorium.

Tasks not to be  
carried out  
(8 – 13).

- |  |  |
|--|--|
| <p>(14) In the event of a decision being arrived at to issue a licence on an application made for permission to cremate a dead body, it shall be the duty of the Mayor or Municipal Commissioner or the Authorized Officer to register the death in the sequence such applications are received in a Register substantially prepared according to the Third Schedule to this part. This Register shall be maintained at the Office of the Municipal Council accepting applications.</p>  | <p>Functions of the Municipal Council<br/>(14 - 20).</p> |
| <p>(15) In the event of accepting any dead body for cremation in accordance with the application forwarded, the applicant shall be issued with the permit by the Mayor or Municipal Commissioner or the Authorized Officer after charging the fees levied according to By-law No. 20. The time and the date on which the dead body due to be cremated according to the permit should be handed over to the Crematorium Keeper shall be clearly specified in the relevant permit.</p>   |  |
| <p>(16) In the event of a dead body being not accepted for cremation due to some reason the Mayor or Municipal Commissioner or the Authorized Officer shall take steps to immediately inform the applicant in writing about it, specifying the reasons for such non-acceptance.</p>  |  |
| <p>(17) The Crematorium Keeper shall maintain a Register substantially prepared in accordance with the Fourth Schedule to this part, in regard to each dead body cremated in any crematorium.</p>  |  |
| <p>(18) It shall be the duty of the Mayor or Municipal Commissioner to maintain and operate the crematoriums in conditions suitable for cremation of dead bodies;</p>  |  |
| <p>(19) The Municipal Council has the right to burn or bury the corpse or a part of the corpse respectfully when there is a technical defect of crematorium during the cremation of a corpse and unable to recover within short period.</p>  |  |
| <p>(20) In the event of the closure of any crematorium for the purpose of repairs or maintenance activities it shall be the duty of the Mayor or Municipal Commissioner to display prominently a notice on it in all the three languages at the Office issuing licence for cremation of dead bodies and at the entrance to the crematorium premises.</p>   |  |
| <p>(21) (i) While it is possible to determine by Resolution approved by the Municipal Council the charges for the cremation of a dead body it shall be amended from time to time on such approval of a Resolution.</p> <p>(ii) While charges levied or amended from time to time under paragraph (i) above shall be published in the Gazette it shall be prominently displayed at the place where applications are received for booking the crematorium and at the crematorium.</p> <p>(iii) The charges for the cremation of a dead body shall be levied under the classification set out in the First Schedule of this part.</p> | <p>Charges and fees.</p>                                 |
| <p>(22) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.</p>   | <p>Delegation of power.</p>                              |
| <p>(23) The dead body shall be handed over to the Crematorium Keeper on or before the time specified in the licence issued. The Municipal Council, the Mayor or Municipal Commissioner or the Authorized Officer shall not be subjected to responsibility in respect of any inconvenience or loss caused to the applicant or anybody else having rights over the deceased due to the failure to handover the dead body on time. However the licence issued shall be valid on that day only.</p>  | <p>Valid period of license or permit.</p>                |
| <p>(24) The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at the crematorium.</p>  | <p>Procedure of inspection and powers.</p>               |

|                                     |   |
|-------------------------------------|---|
| Complaints and resolving mechanism. | (25) Permit holder or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or Authorized Officer and proper inquiry shall be carried out and the solution shall be provided by these officers.  |
| Violation of By-laws.               | (26) Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence.  |
| Fines and penalties.                | (27) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the Municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in Chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of Sub section (c) of Section 267(3).   |
| Interpretation and definition.      | (28) In these By-Laws unless the context otherwise requires <p>“The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.</p> <p>“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.</p> <p>“Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Councils for Municipality</p> <p>“Authorized officer” means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.</p> <p>“Cremation chamber” means the chamber where the dead body is kept and the outer</p> <p>“Crematorium premise” means the whole crematorium and the land on which it is located.</p> <p>“Crematorium keeper” means any employee appointed by the Council to be in-charge of the crematorium and its functions.</p> <p>“Ash” means any matter left behind after cremating a dead body.</p> <p>“Dead body” means the entire dead body of a deceased person or the dead body of a still born person or any part of a dead body.</p> |

#### *FIRST SCHEDULE*

BY-LAW No. 20(iii)

#### **FEES FOR USE OF THE CREMATORIUM**

|  | Rs. cts. |
|--|----------|
| (1) To cremate the dead body of an adult living in the area of authority.  | .....    |
| (2) To cremate the dead body of a person who was not an adult living in the area of authority                      | .....    |
| (3) To cremate the dead body of an adult living outside the area of authority.                                     | .....    |
| (4) To cremate the dead body of a person who was not an adult, living outside the area of authority.....           | .....    |
| (5) To cremate the dead body of an adult of a Samurdhi family living in the area of authority                      | .....    |
| (6) To cremate the dead body of a person who was not an adult of a Samurdhi family living in the area of authority | .....    |

A child below the age of 12 years is considered here as a person who is not an adult.

SECOND SCHEDULE

BY-LAW No. 4

(To be forwarded in duplicate)

Front Page

APPLICATION FOR ALICENCE TO CREMATE A DEAD BODY AT THE CREMATORIUM  
OF ..... MUNICIPAL COUNCIL

- (1) Full name of the applicant: - .....  
Address: - .....  
National Identity Card No.: - .....  
Number and Name of the Grama Niladhari Division: - .....
- (2) Full Name of the deceased: - .....  
Sex: - .....  
Address of the residence: - .....  
Number and Name of the Grama Niladhari Division: - .....  
National Identity Card No.: - .....
- (3) Applicant's relationship to the deceased: - .....  
(Please annex a certificate stated in paragraph (i) of By-law No. 4 in order to establish the relationship)
- (4) Registration No. and Date of the Death Certificate: - ....  
(Annex a copy of the Death Certificate)
- (5) Name and Division of the Registrar of Deaths: - .....
- (6) Cause of Death: - .....
- (7) In the event of an inquiry being held into the Death:  
(Annex the Certificate stated in Paragraph (ii) of By-law No. 4)  
Name and Designation of the Inquiring Officer: - .....  
Date of Inquiry: - .....;  
Determination of the Inquiring Officer: - .....;  
Has the Inquiring officer given permission to cremate the dead body?: .....
- (8) Date and time applied for the cremation: - .....  
(According to the sequence of preference)
- | Date                | Time  | Date                | Time  |
|---------------------|-------|---------------------|-------|
| (i) ..... 20 .....  | Hours | (ii) ..... 20 ..... | Hours |
| (ii) ..... 20 ..... | Hours | (iv) ..... 20 ..... | Hours |

I hereby certify that the information stated above are true and accurate. I further state that I take full responsibility for the information given here. Relevant certificates are annexed.....

Signature of the Applicant.      Date: ..... 20 .....

*SECOND SCHEDULE*

Mr./Mrs./Miss .....

Sir / Madam

**Refusal to issue a licence to cremate a dead body**

It is regretted to inform you that the issuing of a licence in accordance with the application overleaf forwarded by you has been refused for the following reasons:-

- (i) .....
- (ii) .....
- (iii) .....
- (iv) .....
- (v) .....

.....  
Signature of Mayor/ Commissioner/Authorized Officer.  
(Please affix the official seal).

Date: - ..... 20 .....

Crematorium Keeper,

..... Crematorium.

**Licence issued to cremate a Dead Body**

- (a) Permission is hereby granted to cremate the dead body of ..... at ..... a.m. / p.m. on ..... 20 ..... at the ..... Crematorium.
- (b) The information given in the application overleaf has been entered in the Register according to By-law, No. 6.
- (c) A sum of Rs. .... has been charged through Receipt No. .... dated ..... 20.....
- (d) Please take action to cremate the dead body after making necessary entries in the relevant Register as stated in By-law, No. 11 with reference to information given in this licence.
- (e) The Serial Number of the Permit Register is .....

.....  
Signature of the Mayor/Commissioner /Authorized Officer.  
(Please affix the Official Seal).

Date: .....



[illegible]

## CHAPTER 2

PART I-STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, CONTROL AND MONITOR OF  
EATING-HOUSES, RESTAURANTS, TEA OR COFFEE SHOPS AND SIMILAR SHOP WITHIN THE AREA OF  
AUTHORITY OF THE MUNICIPAL COUNCIL

|   |  |
|---|--|
| Name of By-Laws.                          | (1) By-Laws in this part may be cited as Standard By-Laws in relating to formulate, regularize, monitor and control of eating-houses, restaurants and tea or coffee shop or similar shop within the area of authority of the Municipal Council.  |
| Objective.                                | (2) By-Laws in this part are made for the purpose of protecting sanitation and health of public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.  |
| Legislative enactment for making By-Laws. | (3) By-Laws are made by virtue of the power vested in Municipal Councils by the Sub section 272 (22) of Municipal Councils Ordinance, read with section 267 (1) of Municipal Councils Ordinance.   |
| Tasks to be executed (4-17).              | <p>(4) Obtaining the annual license by submitting the application form in schedule 01 is the duty and obligation of the licensee.</p> <p>(5) The license shall be issued to any eating-house, restaurant and tea or coffee shop or similar shop by the Mayor or Commissioner of Municipal Council, if only the following specified conditions are duly fulfilled.</p> <ul style="list-style-type: none"> <li>(i) The licensed premises shall be kept in clean and renewed condition.</li> <li>(ii) Walls of each room of the licensed place shall not be less than 3 metres in height.</li> <li>(iii) These walls shall be built with bricks, block stones or limestone or any other approved stones and plastered and painted in both sides. However, except the kitchen, any other rooms which are made of timber or any kind of metal sheet, or both timber and metal sheets and painted, shall be considered to be in conformity to this provisions.</li> <li>(iv) Each room of the licensed place shall be ceiled in height not less than 3 metres from floor level.</li> <li>(v) Windows which are capable being opened outward or sideways shall be installed to each room. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable.</li> <li>(vi) The roof has to be made of some permanent solid material. Eaves of the roof has to be at least 2.5 metres from the ground level and the width of the eaves should be at least 1 meter.</li> <li>(vii) The floor of the rooms shall be cemented and plastered or laid with floor tiles.</li> <li>(viii) Dustbins shall be kept for collecting the generated garbage at licensed place and the bins must have proper lids to prevent flies, insects and other rodents getting into them.</li> <li>(ix) The utensils in the kitchen must have proper lids to prevent flies, insects and other animals getting into them.</li> <li>(x) Arrangements shall be made to dispose the garbage accumulated in the place, in accordance with the provisions made under By-Law No. 11.</li> <li>(xi) Each table kept in licensed place for use of consumers and in the kitchen, <ul style="list-style-type: none"> <li>(a) when the tables are made of timber, the legs of table shall be polished and painted. Further, the surface of the tables shall be covered with any polished impermeable material or stainless metal sheet, devoid of any joints.</li> </ul> </li> </ul> |

- (b) when the tables are made of iron, steel or any other metals the legs of table shall be painted and the surface of the table shall be covered with any polished impermeable material or stainless metal sheets, devoid of joints.
- (xii) A quality certificate shall be obtained from the Water Supply and Drainage Board in respect of drinking water used in the licensed place, and this certificate has to be obtained at least once in every six months. If the water is supplied by the National Water Supply and Drainage Board in this place, it shall be considered as the Quality Certificate has been obtained.
- (xiii) If the water is stored for the use of a licensed place, adequate protective measures shall be taken to avoid contamination of that water.
- (xiv) A separate place shall be maintained for washing the utensils used by the customers.
- (xv) Lavatories shall be constructed for the use of customers and employees separately for males and females, at the ratio of one lavatory for every ten persons. Such lavatories shall be constructed at a distance away from kitchen, dining rooms or pantries such a manner to avoid direct contact in order to maintain hygiene.
- (xvi) The walls of each lavatory shall be constructed with bricks, block stones, limestone or any other approved stones and plastered with cement, polished and painted. While the walls are built with stainless metal sheet, the surface of them shall be painted. The floor shall be plastered with cement and polished or laid with floor-tiles
- (xvii) Sufficient number of bathrooms shall be constructed for the use of employees at the licensed place and the terms stated in paragraph (xvi) respect of lavatories of this By -Law shall be applicable to the floors and walls of these bathrooms, as well.
- (xviii) Facilities to supply water that is used at licensed premises to each room shall be made in safe manner by pipe line.
- (xix) Facilities to wash hand and mouth shall be made available at the customer using section of premises and wash basins made of stainless metal sheets or made of ceramic clay and polished or made of bricks or cement blocks and tiled shall be installed.
- (xx) A suitable system of drains shall be made available to allow free flow of waste water disposed from any section of the premises;
- (xxi) In the event of the Municipal Council maintaining a waste water drainage system arrangement may be made to divert waste water formed at the premises to the said drainage system in the manner prescribed by the Municipal Council. Otherwise, action shall be taken to divert such waste water to a soakage pit or waste water shall be treated and released to the public drainage. Further, soakage pit shall be covered without mixing with air and it shall be constructed at least fifteen metres away from the constructed well.
- (xxii) At the licensed premises, general fire extinguishing equipment shall be maintained in working condition, and if electricity supply has been provided to the place, electrical fire-fighting appliances shall be provided in addition.
- (xxiii) At the licensed premises, the section where tea, coffee, milk and other drinks are prepared shall have been covered with joint less and stainless metal sheets or tiles or with any impermeable material.
- (6) It is the duty of the licensee to ensure that every space where paints need to be applied as set out under By-Law No 5 shall be applied with paints at least once a year.
- (7) The licensed premises shall have been swept at least twice a day.

- (8) The drains carrying waste water in the licensed premises shall have been cleaned and washed with water at least twice daily.
- (9) Bathrooms and lavatories in the licensed premises shall be cleaned and sprayed with disinfectants twice a day. Further they shall be maintained without unpleasant smell.
- (10) The licensee shall ensure that every receptacle, vessel and instrument used for preparation of food, exhibition, sale and the use of the customers in the licensed premises shall be washed in clean water before use and after use as well.
- (11) The garbage collected in the licensed premises shall be segregated as specified in By-Law 12 and put in impervious garbage bins separately and disposed once a day or more than once a day if necessary. Further these garbage bins shall always be kept closed, except when the garbage is being put or removed.
- (12) (i) If all the garbage generated in the licensed premises are recyclable, actions shall be taken to segregate them as follows :
  - (a) Bio-degradable wastes;
  - (b) Glass;
  - (c) Paper or paper related materials;
  - (d) Polythene, plastic or related materials;
  - (e) Iron and any other metal or parts of iron or any other metal;
  - (f) Residues of raw materials or part of by products and parts of other products;
  - (g) Hazardous waste.

It is the responsibility of the licensee to ensure that each type of waste is put in separate bins or containers which are organized to be covered.
- (ii) Provided that the waste put in bins or containers having being categorized in the manner set out in paragraph (i) is disposed of under the programme of waste management launched by the Municipal Council, the final disposal shall be done in the manner prescribed by the Mayor or Municipal Commissioner.
- (13) Every licensed premise shall be maintained free of rats, flies or any other kind of insects and it is the duty of the licensee to ensure that materials used in preparing food or beverages kept there and food or beverages prepared are protected from pollution by the above living beings
- (14) Food served to the customers shall not be handled by bare hands and spoons, forks or any other instruments shall be used to serve food.
- (15) Every person engaged in preparing food and drinks at the licensed premise shall be provided with clean white aprons, masks, gloves, hat, and safety covers. It is the responsibility of the licensee to ensure that each employee be clean before start the work by washing body and wear these safety materials when they are on duty.
- (16) It shall be the duty of licensee to provide the pure drinking water, clean towels, nail brush and soap or liquid soap to every employee at the licensed premise.
- (17) It shall be the responsibility of the licensee to make all employees engaged at the licensed premises, to undergo a medical test at least once a year.

- (18) No person shall run an eating-house, restaurant and tea or coffee shop or similar shops within the authority of the Municipal Council area, unless he or she has a valid permit for the purpose of that, issued by the Mayor or Municipal Commissioner. Tasks not to be carried out (18 – 23).
- (19) (i) Any employee who engaged in food production or food serving shall not involve in any unhygienic or awkward activities in the licensed premise.
- (ii) Any person shall not engage in singing songs or activating disk , operating machine or making any unnecessary noise so as to creating inconvenience to other lodging houses or residence living closely.
- (20) The garbage discharged from the licensed premise shall not be disposed in then and there of the land or anywhere else in the premises.
- (21) (i) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who had been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not be engaged in any work of the authorized place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed ;
- (ii) Person or persons should be engaged or allowed to be engaged at the authorized place, unless they are dressed in clean clothes ;
- (22) Any licensee shall not desist or prevent such purchase referred in By-Law No. 24.
- (23) (i) No person shall keep or sell any kind of adulterated milk or milks products not contained the minimum compositional requirements of as per the annexure 1 shown below accordance with the food regulations published in the *Gazette* of Democratic Socialist Republic of Srilanka dated 01.08.1991 under the food act No. 26 of 1980.
- (ii) Any licensee shall not keep or sell any kind of spoiled milk or milk products unfit for human consumption.
- (24) It shall be lawful for the Mayor or Municipal Commissioner or an Authorized Officer, to purchase a sample of any kind of food kept for sale or displayed for sale, for the purpose of inspection at the licensed premise. Function of the Municipal Council (24 - 26).
- (25) In the event of the premises where any eating place, restaurant or a tea or coffee shop or similar shop is maintained under a licence issued under the By-Laws any licence contravenes any By-Law set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.
- (26) Under the Sub section 247A(2) of Municipal Council Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run eating-houses, restaurants, tea or coffee shops and similar shops. Charges and fees.
- (27) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council. Delegation of power.

|   |   |
|---|---|
| Valid period of license or permit.            | (28) The validity of every license issued under the provision of these By-Laws shall expire on 31st December of each year for which the license has been issued, unless its validity is cancelled earlier.  |
| Procedure of inspection and powers (29 – 32). | <p>(29) The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at the licensed premises.</p> <p>(30) It shall be duty of the licensee who have received licence under the provisions of these By-Laws to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any authorized officer.</p> <p>(31) Any licensee, who receives such notice mentioned in By- Law No. 25, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.</p> <p>(32) The Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned in By-Law 31 fails to act as stipulated in the notice on or before the specified date.</p>   |
| Complaints and resolving mechanism.           | (33) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.   |
| violation of By-laws.                         | (34) Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence.  |
| Fines and penalties.                          | (35) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of Sub section (a) and (b) of Section 267(3) in chapter 252 of the Municipal Council Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of Sub section (c) of Section 267(3).  |
| Interpretation and definition.                | <p>(36) In these By-Laws unless the context otherwise requires</p> <p>“The Mayor” means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.</p> <p>“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.</p> <p>“Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Councils for Municipality.</p> <p>“Authorized officer” means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.</p> <p>“Licensee” means any person whosoever obtained a license under provisions of these By laws of the hotel and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.</p> |

“Licensed premise means” place for which is issued license to take all measure under this provision.

“Eating-house or restaurant” means, a place where cooked meals and curries are prepared for sale or kept for display or any other meal prepared for human consumption or short-eats are prepared and kept for sale or display.

“Tea or coffee shop” means, a place is maintain to prepare tea, coffee or similar drinks for sale with bakery products or other short eats or without foods.

“The power to inspect within the specified period” means opportunity for take measures to make business or product at the specified place.

#### ANNEXURE - 01

##### Compositional Requirements of milk

| <i>Column I</i><br><i>Class of milk</i> | <i>Column II</i><br><i>Designation</i> | <i>Column III</i><br><i>Milk fat minimum percent</i> | <i>Column IV</i><br><i>Milk solid other than fact minimum percnet</i> |
|---|--|--|---|
| 1. Buffalo                              | Row, pasteurised or sterilised         | 7.0  | 9.0   |
| 2. Cow                                  | Do                                     | 3.5  | 8.5   |
| 3. Standardised                         | Pasteurised or sterilised              | 3.25   | 8.25  |
| 4. Toned                                | Do                                     | 2.0  | 8.5   |
| 5. Flavoured                            | Do                                     | 2.0  | 7.2   |
| 6. Skimmed                              | Do                                     | -  | 8.5   |

#### SCHEDULE-01

##### Application for Business tax / Licence 20..... for conducting Eating-houses, Restaurants, Tea or Coffee shops and similar shops within the area of authority of Municipal Council

1. Name of the Business centre:-
2. Place of the Business centre:-
  - (i) Ward No.:-
  - (ii) Assessment No.:-
  - (iii) Name of the Road/Street:-
  - (iv) GN Division No. & Name:-
3. Name of the Applicant:-
  - (i) Full Name:-
  - (ii) Permanent Address:-
  - (iii) GN Division No. & Name:-
  - (iv) NIC No.:-
  - (v) Telephone No.:-
  - (vi) e-mail Address:-

4.

- (i) Date of Beginning  
(ii) Type of business:  
(iii) Name of the manager of the business centre / Agent name:  
(iv) Previous Business:-

5. If it is rented building,

- (i) Name of the Owner:  
(ii) Address:-

6. Whether last year licence was obtained :- Yes:No:

If last year licence was obtained,

Licence No.:

Date:

I do hereby certify that the above particulars are true and accurate. I, agree to comply with the provisions in the By-Law. I apply for the licence for the year 20..... to run the Industry/Business under the By-Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....

Municipal Commissioner / Authorized Officer

**For the report of assessment section**

Ward:.....

Assessment No.:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:.....

Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

(i) Type of business:.....

(ii) Fees to be paid:..... Under A/B/C

(iii) Remarks:.....

.....  
Date

.....  
Revenue Inspector.



**For the report of the medical officer of health,**

**Public Health Inspector's Report:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons: .....

.....

.....  
Date

.....  
Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license .....

.....  
Date

.....  
Accountant.

Approved/Not Approved

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Office.

**For the report of Revenue Branch**

Receipt No.:.....

Date of the Receipt:.....

License No.:.....

Date of the License:.....

Recommended to issue License.

.....  
Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
Date

.....  
Accountant.

Signed

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Officer.

**PART II - STANDARD BY-LAWS RELATING TO FORMULATE, REGULARIZE, CONTROL AND MONITOR HOTELS  
WITHIN THE AREA OF AUTHORITY OF MUNICIPAL COUNCIL**

|  |  |
|--|--|
| Name of By-Laws.                         | (1) By-Laws in this part may be cited as Standard By-Laws relating to formulate, regularize, control and monitor hotels within the area of authority of Municipal Council.   |
| Objective.                               | (2) By-Laws in this part are made for the purpose of protecting sanitation and health of public residing within the Municipal Council limit as per the Section 4 of the Municipal Councils Ordinance.  |
| Legislative enactment for making By-Law. | (3) By-Laws are made by virtue of the power vested in Municipal Councils by the Sub section 272 (22) of Municipal Councils Ordinance, read with Section 267 (1) of Municipal Councils Ordinance.   |
| Tasks to be executed (4-19).             | <p>(4) Obtaining the annual licence by submitting the application form in schedule 01 is the duty and obligation of the licensee.</p> <p>(5) The licence shall be issued to run any hotel by the Mayor or Commissioner of Municipal Council, if only the following specified conditions are duly fulfilled in addition to the regulations noticed under the provisions in the Urban Development Authority Law No. 41 of 1978.</p> <ul style="list-style-type: none"> <li>(i) The licensed premises shall be kept in clean and renewed condition.</li> <li>(ii) Walls of each room of the licensed place shall not be less than 3 metres in height.</li> <li>(iii) These walls shall be built with bricks, block stones or limestone or any other approved stones and plastered and painted in both sides. However, except the kitchen, any other rooms which are made of timber or any kind of metal sheet, or both timber and metal sheets and painted, shall be considered to be in conformity to this provisions.</li> <li>(iv) Each room of the licensed place shall be ceiled in height not less than 3 metres from floor level.</li> <li>(v) Windows which are capable being opened outward or sideways shall be installed to each room. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable.</li> <li>(vi) The roof has to be made of some permanent solid material. Eaves of the roof has to be at least 2.5 metres from the ground level and the width of the eaves should be at least 1 meter.</li> <li>(vii) The floor of the rooms shall be cemented and plastered or laid with floor tiles.</li> <li>(viii) Dustbins shall be kept for collecting the generated garbage at licensed place and the bins must have proper lids to prevent flies, insects and other rodents getting into them.</li> <li>(ix) The utensils in the kitchen must have proper lids to prevent flies, insects and other animals getting into them.</li> <li>(x) Arrangements shall be made to dispose the garbage accumulated in the place, in accordance with the provisions made under By-Law No. 13.</li> <li>(xi) Each table kept in licensed place for use of consumers and in the kitchen, <ul style="list-style-type: none"> <li>(a) when the tables are made of timber, the legs of table shall be polished and painted. Further, the surface of the tables shall be covered with any polished impermeable material or stainless metal sheet, devoid of any joints.</li> <li>(b) when the tables are made of iron, steel or any other metals the legs of table shall be painted and the surface of the table shall be covered with any polished impermeable material or stainless metal sheets, devoid of joints.</li> </ul> </li> </ul> |

- (xii) A quality certificate shall be obtained from the Water Supply and Drainage Board in respect of drinking water used in the licensed place, and this certificate has to be obtained at least once in every six months. If the water is supplied by the National Water Supply and Drainage Board in this place, it shall be considered as the Quality Certificate has been obtained.
  - (xiii) If the water is stored for the use of a licensed place, adequate protective measures shall be taken to avoid contamination of that water.
  - (xiv) A separate place shall be maintained for washing the utensils used by the customers.
  - (xv) Lavatories shall be constructed for the use of customers and employees separately for males and females, at the ratio of one lavatory for every ten persons. Such lavatories shall be constructed at a distance away from kitchen, dining rooms or pantries such a manner to avoid direct contact in order to maintain hygiene.
  - (xvi) The walls of each lavatory shall be constructed with bricks, block stones, limestone or any other approved stones and plastered with cement, polished and painted. While the walls are built with stainless metal sheet, the surface of them shall be painted. The floor shall be plastered with cement and polished or laid with floor-tiles.
  - (xvii) Sufficient number of bathrooms shall be constructed for the use of employees at the licensed place and the terms stated in paragraph (xvi) in respect of lavatories of this By -Law shall be applicable to the floors and walls of these bathrooms as well.
  - (xviii) Facilities to supply water that is used at licensed premises to each room shall be made in safe manner by pipe line.
  - (xix) Facilities to wash hand and mouth shall be made available at the customer using section of premises and wash basins made of stainless metal sheets or made of ceramic clay and polished or made of bricks or cement blocks and tiled shall be installed.
  - (xx) A suitable system of drains shall be made available to allow free flow of waste water disposed from any section of the premises;
  - (xxi) In the event of the Municipal Council maintaining a waste water drainage system arrangement may be made to divert waste water formed at the premises to the said drainage system in the manner prescribed by the Municipal Council. Otherwise, action shall be taken to divert such waste water to a soakage pit or waste water shall be treated and released to the public drainage. Further, soakage pit shall be covered without mixing with air and it shall be constructed at least fifteen metres away from the constructed well.
  - (xxii) At the licensed premises, general fire extinguishing equipment shall be maintained in working condition, and if electricity supply has been provided to the place, electrical fire-fighting appliances shall be provided in addition.
  - (xxiii) At the licensed premises, the section where tea, coffee, milk and other drinks are prepared shall have been covered with joint less and stainless metal sheets or tiles or with any impermeable material.
  - (xxiv) All bed rooms at the licensed premises reserved place for sleeping for customers and employees, shall be at least 04 square metres for one person (2 m length X 2m width). Further, an almyrah or cabinet to keep cloths, a bar made by wood or metal to keep towel or other things, a table to keep the things of customer or customers and attached bathrooms shall be there.
- (6) It is the duty of the licensee to ensure that every space where paints need to be applied as set out under By-Law No. 5 shall be applied with paints at least once a year.

- (7) The licensed premises shall have been swept at least twice a day. The drains carrying waste water in the licensed premises shall have been cleaned and washed with water at least twice daily.
- (8) Any room in the licensed premises, after using by one customer all bedspreads, pillow covers, blankets, towels or any other clothes in the room shall be properly washed and cleaned before to be provided to another customer. Besides, the windows of such room should be kept completely opened at least for four (04) hours before allowing the next customer to stay in the room. However there shall be at least thirty minutes interval to allow next customer when the rooms have been with air condition in operation.
- (9) Every licensee of hotel shall maintain a register to write down record the name, address, and identity of each person who stays at the licensed premises and it is the duty of the licensee to allow it, to be examined when the Mayor or Municipal Commissioner or an authorized officer.
- (10) It is the responsibility of the licensee to make arrangements to sweep and clean every room, stairs, halls, drains and the premises before noon every day.
- (11) Latrines and bathrooms in the licensed premises shall be cleaned and applied with disinfectants at least twice a day and these shall be maintained without emanating odour. However, it may be considered to be adequate that cleaning the toilets and bathrooms in rooms in which customers are staying once a day.
- (12) It shall be the responsibility of the licensee to take action that vessels and other items or implements used for cooking or preparing food or used for exhibiting and selling food meant to be consumed by the customers, cleaned and washed by using soap or liquid soap before and after using.
- (13) The garbage collected in the licensed premises shall be segregated as specified in By-Law No. 14 and put in impervious garbage bins separately and disposed once a day or more than once a day if necessary. Further these garbage bins shall always be kept closed, except when the garbage is being put or removed.
- (14) (i) If all the garbage generated in the licensed premises are recyclable, actions shall be taken to segregate them as follows :
  - (a) Bio-degradable wastes;
  - (b) Glass;
  - (c) Paper or paper related materials;
  - (d) Polythene, plastic or related materials;
  - (e) Iron and any other metal or parts of iron or any other metal;
  - (f) Residues of raw materials or part of by products and parts of other products;
  - (g) Hazardous waste.

It is the responsibility of the licensee to ensure that each type of waste is put in separate bins or containers which are organized to be covered.
- (ii) Provided that the waste put in bins or containers having being categorized in the manner set out in paragraph (i) is disposed of under the programme of waste management launched by the Municipal Council, the final disposal shall be done in the manner prescribed by the Mayor or Municipal Commissioner.
- (15) Every licensed premise shall be maintained free of rats, flies or any other kind of insects and it is the duty of the licensee to ensure that materials used in preparing food or beverages kept there and food or beverages prepared are protected from pollution by the above living beings.

- (16) Food served to the customers shall not be handled by bare hands and spoons, forks or any other instruments shall be used to serve food.
- (17) Every person engaged in preparing food and drinks at the licensed premise shall be provided with clean white aprons, masks, gloves, hat, and safety covers. It is the responsibility of the licensee to ensure that each employee be clean before start the work by washing body and wear these safety materials when they are on duty.
- (18) It shall be the duty of licensee to provide the pure drinking water, clean towels, nail brush and soap or liquid soap to every employee at the licensed premise.
- (19) It shall be the responsibility of the licensee to make all employees engaged at the licensed premises, to undergo a medical test at least once a year.
- (20) No person shall run a hotel within the authority of the Municipal Council area, unless he or she has a valid permit for the purpose of that, issued by the Mayor or Municipal Commissioner. Tasks not to be carried out (20 – 29).
- (21) No person shall be allowed to sleep in any rooms other than the room reserved as bedroom.
- (22) The licensee shall not allow any person to sleep in any bedroom which do not comply with the minimum space specified in para (xxiv) of By-Law 5.
- (23) No animals shall be kept in any rooms, kitchen or dining hall of the licensed premise.
- (24) The garbage discharged from the licensed premise shall not be disposed in then and there of the land or anywhere else in the premises other than the place specified.
- (25) (i) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who had been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not be engaged in any work of the authorized place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed.
- (ii). No person or persons should be engaged or allowed to be engaged at the authorized place, unless they are dressed in clean clothes ;
- (26) (i) Any employee who engaged in food production or food serving shall not involve in any unhygienic or awkward activities in the licensed premise.
- (ii) any person shall not engage in singing songs or activating disk , operating machine or making any unnecessary noise so as to creating inconvenience to other lodging houses or residence living closely.
- (27) Any licensee shall not desist or prevent such purchase referred in By-Law 30.
- (28) (i) No person shall keep or sell any kind of adulterated milk or milks products not contained the minimum requirements of as per the first schedule shown below accordance with the food regulations published in the Gazette of Democratic Socialist Republic of Srilanka dated 01.08.1991 under the food act No. 26 of 1980.
- (ii) Any licensee shall not keep or sell any kind of spoiled milk or milk products unfit for human consumption.

- (29) In any licensed premises the bed rooms shall not any time consist of :
- (i) more than one bed in a single bedroom
  - (ii) more than two single beds or a double bed in a twin bedroom.
  - (iii) more than one double bed and a single bed or three single beds in a triple bedroom, and
  - (iv) more than two double beds and a single bed or one double bed and three single beds or five single beds in a family room. Further, in respect of any hotel the licence shall not allow more than one person to sleep in a single room or more than two in a double room or more than three in triple room. However, when the age of the anybody sleeping in any room that person is below 12 years shall not be considered as one person for purpose of this section.
- Function of the Municipal Council (30 – 31).
- (30) It shall be lawful for the Mayor or Municipal commissioner or an Authorized Officer, to purchase a sample of any kind of food kept for sale or displayed for sale, for the purpose of inspection at the licensed premise.
- (31) In the event of the premises where any hotel is maintained under a licence issued, any licence contravenes any By-Law set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.
- Charges and fees.
- (32) Under the Sub section 247A (2) of Municipal Council Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run hotels.
- Delegation of powers.
- (33) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.
- Valid period of licence or permit.
- (34) The validity of every licence issued under the provision of this By-law shall expire on 31st December of each year for which the licence has been issued, unless its validity is cancelled earlier.
- Procedure of inspection and powers (35-38).
- (35) The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at the licensed premises.
- (36) It shall be duty of the licensee who have received licence under the provisions of these By-Laws to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any Authorized officer.
- (37) Any licensee, who receives such notice mentioned in By- Law 31, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.
- (38) The Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned in section 37 in these By-Laws fails to act as stipulated in the notice on or before the specified date.
- Complaints and resolving mechanism.
- (39) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.
- Violation of By-Law.
- (40) Contravention of one or more than one or all of the provisions included in these By-laws shall be an offence.

- (41) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in Chapter 252 of the Municipal Council Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of Sub section (c) of section 267(3). Fines and penalties.
- (42) In these By-Laws unless the context otherwise requires, Interpretation and definition.
- “The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.
- “Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.
- “Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality.
- “Authorized Officer” means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.
- “Urban Development Authority “ means, the Urban Development Authority constituted under Urban Development Law No. 41 of 1978.
- “ The power to inspect within the specified period” means, opportunity for take measures to make business or product at the specified place.
- “Licensee” means any person whosoever obtained a licence under provision of this by law of the hotel and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.
- “Licensed premise” means place for which is issued licence to take all measure under this provision.
- “Hotel” means, a place where cooked meals and curries are prepared for sale or kept for display or any other meal prepared for human consumption or short-eats are prepared and kept for sale or display or where accommodation are made for customers ;
- “Family room” means, a room having space for three persons to stay at a time having two double beds and one single bed or double bed and three single beds or five single beds ;
- “Triple room” means, a room with sufficient space for three person to stay in at a time with a double bed and one single bed or three single beds ;
- “Double room” means, a room where two person can stay in, at a time with one double bed or two single beds.
- “Single room” means, a room with sufficient space for one person to stay in having only one bed ;
- “Double bed” means, a bed measuring 200cm in length and 125cm in breadth having one bed and a mattress ;
- “Single bed” means, a bed measuring 200cm (minimum) in length 95cm in breadth with one mattress and a bed ;

## ANNEXURE -01

**Compositional Requirements of milk**

| <i>Column I<br/>Class of milk</i> | <i>Column II<br/>Designation</i> | <i>Column III<br/>Milk fat minimum<br/>percent</i> | <i>Column IV<br/>Milk solid other than<br/>fat minimum percnet</i> |
|-----------------------------------|----------------------------------|--|--|
| 1. Buffalo                        | Row, pasteurised or sterilised   | 7.0  | 9.0  |
| 2. Cow                            | Do                               | 3.5  | 8.5  |
| 3. Standardised                   | Pasteurised or sterilised        | 3.25   | 8.25   |
| 4. Toned                          | Do                               | 2.0  | 8.5  |
| 5. Flavoured                      | Do                               | 2.0  | 7.2  |
| 6. Skimmed                        | Do                               | -  | 8.5  |

## SCHEDULE -01

**Application For Business tax / Licence 20.. for conducting Hotel within the area of authority of Municipal Council**

1. Name of the Business centre:-
2. Place of the Business centre:-
  - (i) Ward No.:
  - (ii) Assessment No.:
  - (iii) Name of the Road/Street:
  - (iv) GN Division No. & Name:
3. Name of the Applicant:-
  - (i) Full Name:-
  - (ii) Permanent Address:-
  - (iii) GN Division No. & Name:-
  - (iv) NIC No.:
  - (v) Telephone No.:
  - (vi) e-mail Address :-
4.
  - (i) Date of Beginning:
  - (ii) Type of business:-
  - (iii) Name of the manager of the business centre / Agent name:
  - (iv) Previous Business:-
5. If it is rented building,
  - (i) Name of the Owner:
  - (ii) Address:-
6. Whether last year licence was obtained:- Yes:No:  
 If last year licence was obtained,  
 Licence No.:  
 Date:



7. The number of:
  - (i) Single rooms in the lodging house: .....
  - (ii) Double rooms in the lodging house: .....
  - (iii) Triple rooms in the lodging house: .....
  - (iv) Family rooms in the lodging house: .....
  - (v) All persons who could get lodging in the premises: ....
8. The Number of employees (including the Manager) in the Lodging House: .....
9. Toilets :
  - (i) The number of toilets for male employees: .....
  - (ii) The number of toilets for female employees: .....
  - (iii) The number of toilets for male customers: .....
  - (iv) The number of toilets for female customers: .....
10. Bathrooms:
  - (i) The number of male bathrooms: .....
  - (ii) The number of female bathrooms: .....
11. The Number of Kitchens: .....
12. Source of water supply: .....
13. Methodology for the final disposal of solid waste: .....

I do hereby certify that the above particulars are true and accurate. I, agree to comply with the provisions in the By-Law. I apply for the licence for the year 20..... to run the Industry/Business under the By-Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....  
Municipal Commissioner / Authorized officer

For the report of assessment section

Ward:.....

Assessment No.:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:.....

Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

(i) Type of business:.....

(ii) Fees to be paid:..... Under A/B/C

(iii) Remarks:.....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report :**

.....  
.....  
.....  
.....

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons: .....  
.....

.....  
Date

.....  
Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....  
Date

.....  
Accountant.

Approved/Not Approved

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Office.

**For the report of Revenue Branch**

Receipt No.:.....

Date of the Receipt:.....

License No.:.....

Date of the License:.....

Recommended to issue License.

.....  
Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
Date

.....  
Accountant.

Signed

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Officer.

PART III- STANDARD BY-LAWS RELATING TO FORMULATE, REGULARIZE, CONTROL AND MONITOR LODGING HOUSES  
WITHIN THE AREA OF AUTHORITY OF MUNICIPAL COUNCIL

- |     |  |   |
|-----|--|---|
| (1) | By-Laws in this part may be cited as Standard By-Laws relating to formulate, regularize, control and monitor lodging houses within the area of authority of Municipal Council.   | Name of By-Laws.                          |
| (2) | By-Laws in this part are made for the purpose of protecting sanitation and health of public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.  | Objective.                                |
| (3) | By-Laws are made by virtue of the power vested in Municipal Council by the Sub section 272 (22) of Municipal Council Ordinance, read with section 267 (1) of Municipal Council Ordinance.  | Legislative enactment for making By-Laws. |
| (4) | Obtaining the annual licence by submitting the application form in schedule 01 is the duty and obligation of the licensee.   | Tasks to be executed (4-14).              |
| (5) | <p>The licence shall be issued to run any lodge by the Mayor or Commissioner of Municipal Council, if only the following specified conditions are duly fulfilled in addition to the regulations noticed under the provisions in the Urban Development Authority Law No. 41 of 1978.</p> <ul style="list-style-type: none"> <li>(i) The licensed premises shall be kept in clean and renewed condition.</li> <li>(ii) Walls of each room of the licensed place shall not be less than 3 metres in height.</li> <li>(iii) These walls shall be built with bricks, block stones or limestone or approved stones and plastered and painted in both sides. However, except the kitchen, any other rooms which are made of timber or any kind of metal sheet, or both timber and metal sheets and painted, shall be considered to be in conformity to these provisions.</li> <li>(iv) Each room of the licensed place shall be ceiled in height not less than 3.0 metres from floor level.</li> <li>(v) Windows which are capable being opened outward or sideways shall be installed to each room. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable.</li> <li>(vi) The roof has to be made of some permanent solid material. Eaves of the roof has to be at least 2.5 metres from the ground level and the width of the eaves should be at least 1 meter.</li> <li>(vii) The floor of the rooms shall be cemented and plastered or laid with floor tiles.</li> <li>(viii) Dustbins shall be kept for collecting the generated garbage at licensed place and the bins must have proper lids to prevent flies, insects and other rodents getting into them.</li> <li>(ix) Arrangements shall be made to dispose the garbage accumulated in the place, in accordance with the provisions made under By-Law 12.</li> <li>(x) A quality certificate shall be obtained from the Water Supply and Drainage Board in respect of drinking water used in the place, and this certificate has to be obtained at least once in every six months. If the water is supplied by the National Water Supply and Drainage Board in this place, it shall be considered as the Quality Certificate has been obtained.</li> <li>(xi) If the water is stored for the use of licensed place, adequate protective measures shall be taken to avoid contamination of that water.</li> <li>(xii) Lavatories shall be constructed for the use of customers and employees separately for males and females, at the ratio of one lavatory for every ten persons. Such lavatories shall be constructed at a distance away from kitchen, dining rooms or pantries such a manner to avoid direct contact in order to maintain hygiene.</li> </ul> |   |

- (xiii) The walls of each lavatory shall be constructed with bricks, block stones, limestone or any other approved stones and plastered with cement, polished and painted. While the walls are built with stainless metal sheet, the surface of them shall be painted. The floor shall be plastered with cement and polished or laid with floor-tiles.
  - (xiv) Sufficient number of bathrooms shall be constructed for the use of employees at the licensed place and the terms stated in paragraph (xiii) respect of lavatories of these By-Laws shall be applicable to the floors and walls of these bathrooms, as well.
  - (xv) Facilities, to supply water that is used at licensed premise to each room, shall be made in safe manner by pipeline.
  - (xvi) Facilities to wash hand and mouth shall be made available at the customer using section of premises and wash basins made of stainless metal sheets or made of ceramic clay and polished or made of bricks or cement blocks and tiled shall be installed.
  - (xvii) A suitable system of drain shall be made available to allow free flow of waste water disposed from any section of the premises.
  - (xviii) In the event of the Municipal Council maintaining a waste water drainage system arrangement may be made to divert waste water formed at the premises to the said drainage system in the manner prescribed by the Municipal Council. Otherwise, action shall be taken to divert such waste water to a soakage pit or waste water shall be treated and released to the public drainage. Further, soakage pit shall be covered without mixing with air and it shall be constructed at least fifteen metre away from the constructed well.
  - (xix) At the licensed premises, general fire extinguishing equipment shall be maintained in working condition, and if electricity supply has been provided to the place, electrical fire-fighting appliances shall be provided in addition.
  - (xx) All bed rooms at the licensed premises reserved place for sleeping for customers and employees, shall be at least 04 square metres for one person (2 m length X 2m width). Further, an almyrah or cabinet to keep clothes, a bar made by wood or metal to keep towel or other things, a table to keep the things of customer or customers and attached bathrooms shall be there.
  - (xxi) Licensed premises shall have a separate room as a kitchen with an efficient outlet for smoke.
- (6) It is the duty of the licensee to ensure that every space where paints need to be applied as set out under By-Law 5 shall be applied with paints at least once a year.
  - (7) Any room in the licensed premises, after using by one customer all bedspreads, pillow covers, blankets, towels or any other clothes in the room shall be properly washed and cleaned before to be provided to another customer. Besides, the windows of such room should be kept completely opened at least for four (04) hours before allowing the next customer to stay in the room. However there shall be at least thirty minutes interval to allow next customer when the rooms have been with air condition in operation.
  - (8) While every licensed premise shall maintain a register to note the address and identify of each person coming to stay overnight in the licensed premise, it shall be the duty of the licensee to allow inspection of that register when it is so requested by the Mayor or Municipal Commissioner.
  - (9)
    - (i) It is the responsibility of the licensee to make arrangements to sweep and clean every room, stairs, drains and the premises before noon every day.
    - (ii) The licensed premises shall have been swept at least twice a day. The drains carrying waste water in the licensed premises shall have been cleaned and washed with water at least twice daily.

- (10) Latrines and bathrooms in the licensed premises shall be cleaned and applied with disinfectants at least twice a day and these shall be maintained without emanating odor. However, it may be considered to be adequate that cleaning the toilets and bathrooms in rooms in which customers are staying once a day.
- (11) The garbage collected in the licensed premises shall be segregated as specified in By-Law No. 12 and put in impervious garbage bins separately and disposed once a day or more than once a day if necessary, and these garbage bins shall always be kept closed, except when the garbage is being put or removed.
- (12) (i) If all the garbage generated in the licensed premises are recyclable, actions shall be taken to segregate them as follows :
- (a) Bio-degradable wastes;
  - (b) Glass;
  - (c) Paper or paper related materials;
  - (d) Polythene, plastic or related materials;
  - (e) Iron and any other metal or parts of iron or any other metal;
  - (f) Residues of raw materials or part of by products and parts of other products;
  - (g) Hazardous waste
- It is the responsibility of the licensee to ensure that each type of waste is put in separate bins or containers which are organized to be covered.
- (ii) Provided that the waste put in bins or containers having being categorized in the manner set out in paragraph (i) is disposed of under the programme of waste management launched by the Municipal Council the final disposal shall be done in the manner prescribed by the Mayor or Municipal Commissioner.
- (13) It shall be the responsibility of the licensee to make all employees engaged at the licensed premises, to undergo a medical test at least once a year.
- (14) It is the responsibility of licensee to provide the pure drinking water, clean towels, nail brush and soap or liquid soap to every employee at the licensed premise.
- (15) No person shall run a lodge within the authority of the Municipal Council area, unless he or she has a valid permit for the purpose of that, issued by the Mayor or Municipal Commissioner.
- (16) No person shall be allowed to sleep in any rooms other than the room reserved as bedroom.
- (17) The licensee shall not allow any person to sleep in any bedroom which do not comply with the minimum space specified in para (xx) of By-Law 5.
- (18) In any licensed premises the bed rooms shall not any time consist of :
- (i) more than one bed in a single bed room.
  - (ii) more than two single beds or a double bed in a twin bed room.
  - (iii) more than one double bed and a single bed or three single beds in a triple bed room, and
  - (iv) more than two double beds and a single bed or one double bed and three single beds or five single beds in a family room.

Tasks not to be  
carried out  
(15 – 22).

Further, in respect of any lodge the licensee shall not allow more than one person to sleep in a single room or more than two in a double room or more than three in triple room and so on. However, when the age of the anybody sleeping in any room that person is below 12 years shall not be considered as one person for purpose of this section.

- (19) It is duty of the licensee to ensure that any lodging house is not use for illegal activities any person shall not engage in singing songs or activating disk , operating machine or making any unnecessary noise so as to creating inconvenience to other lodging houses or residence living closely.
- (20) No animals shall be kept at any licensed premise.
- (21) The garbage discharged from the licensed premise shall not be disposed in then and there of land or anywhere else in the premises other than the place as specified.
- (22)
  - (i) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who has been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not be engaged in any work of licensed place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed ;
  - (ii) No person should be engaged or allowed to be engaged at the authorized place, unless they are dressed in clean clothes ;

Function of the  
Municipal  
Council.

- (23) In the event of the premises where any lodge is maintained under a licence issued under the By-Laws any licence contravenes any By-Law set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.

Charges and fees.

- (24) Under the Sub section 247A(2) of Municipal Councils Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run lodge.

Delegation of  
power.

- (25) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.

Valid period of  
license or  
permit.

- (26) The validity of every license issued under the provision of these By-Law shall expire on 31st December of each year for which the licence has been issued, unless its validity is cancelled earlier.

Procedure of  
inspection and  
powers (27-30).

- (27) The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Law within the specified period at the licensed premises.
- (28) It shall be duty of the licensee who have received licence under the provisions of these By-Laws to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any authorized officer.
- (29) Any licensee who receives such notice mentioned in By-Law No. 23, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.
- (30) The Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned in By-Law No. 29 fails to act as stipulated in the notice on or before the specified date.

- |      |   |                                     |
|------|---|-------------------------------------|
| (31) | Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.  | Complaints and resolving mechanism. |
| (32) | Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence.   | Violation of By-Law.                |
| (33) | Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in chapter 252 of the Municipal Council Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of Sub section (c) of section 267(3).   | Fines and penalties.                |
| (34) | <p>In these By-Laws unless the context otherwise requires-</p> <p>"The Mayor" means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.</p> <p>"Municipal Commissioner", in relation to any Municipality, means the Municipal Commissioner of the Municipal council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such Council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of commissioner to the extent to which such officer is so empowered.</p> <p>"Municipal Council" means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality.</p> <p>"Authorized officer" means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.</p> <p>"Urban Development Authority" means, the urban development authority constituted under Urban Development Authority Law No. 41 of 1978.</p> <p>"The power to inspect within the specified period" means opportunity for take measures to make business or product at the specified place.</p> <p>"Licensee" means any person whosoever obtained a license under provision of these By-Laws of the lodging houses and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.</p> <p>"Licensed premise" means place for which is issued licence to take all measure under this provision.</p> <p>"Lodge" or "Lodging house" means, a house or a part of house in which on a payment, lodging is provided for two or more persons who are not members of the same family but does not include a hospital or a rest house.</p> <p>"Family room" means, a room having space for three persons to stay at a time having two double beds and one single bed or double bed and three single beds or five single beds ;</p> <p>"Triple room" means, a room with sufficient space for three person to stay in at a time with a double bed and one single bed or three single beds ;</p> <p>"Double room" means, a room where two person can stay in, at a time with one double bed or two single beds.</p> <p>"Single room" means, a room with sufficient space for one person to stay in having only one bed ;</p> <p>"Double bed" means, a bed measuring 200cm in length and 125cm in breadth having one bed and a mattress ;</p> <p>"Single bed" means, a bed measuring 200cm (minimum) in length 95cm in breadth with one mattress and a bed ;</p> | Interpretation and definition.      |

## SCHEDULE -01

**Application for Business tax / Licence 20.... For conducting lodging Houses within the area of authority of Municipal Council**

- (1) Name of the Business centre:-
- (2) Place of Business centre-
  - (i) Ward No.:
  - (ii) Assessment No.:
  - (iii) Name of the Road/Street:
  - (iv) GN Division No. & Name:
- (3) Name of the Applicant:-
  - (i) Full Name:-
  - (ii) Permanent Address:-
  - (iii) GN Division No. & Name:-
  - (iv) NIC No.:
  - (v) Telephone No.:
  - (vi) e-mail Address
- (4)
  - (i) Date of Beginning:
  - (ii) Type of business:-
  - (iii) Name of the manager of the business centre / Agent name:
  - (iv) Previous Business:-
- (5) If it is rented building,
  - (i) Name of the Owner:
  - (ii) Address:-
- (6) Whether last year licence was obtained:- Yes:No:  
 If last year licence was obtained,  
 Licence No.:  
 Date:
- (7) The number of:
  - (i) Single rooms in the lodging house:
  - (ii) Double rooms in the lodging house: . . . . .
  - (iii) Triple rooms in the lodging house: . . . . .
  - (iv) Family rooms in the lodging house: . . . . .
  - (v) All persons who could get lodging in the premises: . . . . .
- (8) The Number of employees (including the Manager) in the Lodging House: . . . . .
- (9) Toilets :
  - (i) The number of toilets for male employees: . . . . .
  - (ii) The number of toilets for female employees: . . . . .
  - (iii) The number of toilets for male customers: . . . . .
  - (iv) The number of toilets for female customers: . . . . .



(10) Bathrooms:

(i). The number of male bathrooms: .....

(ii). The number of female bathrooms: .....

(11) The Number of Kitchens: .....

(12) Source of water supply: .....

(13) Methodology for the final disposal of solid waste:.....

I do hereby certify that the above particulars are true and accurate. I, agree to comply with the provisions in the By Law. I apply for the licence for the year 20..... to run the Industry/Business under the By-Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....

Municipal Commissioner / Authorized officer

**For the report of assessment section**

Ward:.....

Assessment No.:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:.....

Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

(i) Type of business:.....

(ii) Fees to be paid:..... Under A/B/C

(iii) Remarks:.....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report :**

.....  
.....  
.....  
.....

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
 .....  
 .....

.....  
 Date

.....  
 Medical Officer of Health.

**For the report of Chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons: .....

.....  
 .....

.....  
 Date

.....  
 Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....  
 Date

.....  
 Accountant.

Approved/Not Approved

.....  
 Date

.....  
 Municipal Council Mayor/Commissioner/Authorized Office.

**For the report of Revenue Branch**

Receipt No:.....

Date of the Receipt:.....

License No:.....

Date of the License:.....

Recommended to issue License.

.....  
 Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
 Date

.....  
 Accountant.

Signed

.....  
 Date

.....  
 Municipal Council Mayor/Commissioner/Authorized Officer.

PART IV - STANDARD BY-LAWS IN RELATING TO FORMULATE, REGULARIZE, CONTROL AND MONITOR OF BAKERIES  
WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

- |     |   |   |
|-----|---|---|
| (1) | By-Laws in this part may be cited as the Standard By-Laws in relating to formulate, regularize, control and monitor of bakeries within the area of authority of the Municipal Council.  | Name of By-Laws.                          |
| (2) | By-Laws in this part are made of the purpose of protecting sanitation and health of public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.  | Objective.                                |
| (3) | The By-Laws are made by virtue of the power vested in Municipal Councils by the sub section 272 (8) (a) of Municipal Councils Ordinance, read with section 267 (1) of Municipal Councils Ordinance.   | Legislative enactment for making By-Laws. |
| (4) | Obtaining the annual licence by submitting the application form in schedule 01 is the duty and obligation of the licensee.  | Tasks to be executed (4-24).              |
| (5) | <p>The licence shall be issued to any bakeries by the Mayor or commissioner of Municipal Council, if only the following specified conditions are fulfilled.</p> <p>(i) Premises shall be kept in clean and renewed condition whether heat is obtained by using firewood, electricity or any other way.</p> <p>(ii) Windows which are capable being opened outward or sideways shall be installed to each room. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable.</p> <p>(iii) Each room shall be ceiled and applied with white color paint.</p> <p>(iv) The floor of every room shall have been finished with cement or tiles.</p> <p>(v) The room in which the oven of the bakery and walls are located shall be at least in a height of three (3) metres from the ground level of the room.</p> <p>(vi) Further all walls shall be built in bricks, cement blocks, lime stones or stones with both sides of the walls being plastered and applied with paints when the walls have been completed using timber with aluminum or other metal, surface of the timber shall be applied with paints.</p> <p>(vii) All fittings in the bakery made of wood shall have been applied with paints.</p> <p>(viii) While the roof shall have been built with any solid material the end of eaves shall be at least 2.5 metres above the floor level and the reservation for the eaves shall be at least 1 meter in width.</p> <p>(ix) A quality certificate shall be obtained from the Water Supply and Drainage Board in respect of drinking water used in the place, and this certificate has to be obtained at least once in every six months. If the water is supplied by the National Water Supply and Drainage Board in this place, it shall be considered as the Quality Certificate has been obtained.</p> <p>(x) If the water is stored for the use of a licensed place, adequate protective measures shall be taken to avoid contamination of that water.</p> <p>(xi) Facilities to supply water that is used at licensed premises to each room, shall be made in safe manner by pipe line.</p> <p>(xii) In the event of the Municipal Council maintaining a waste water drainage system arrangement may be made to divert waste water formed at the premises to the said drainage system in the manner prescribed by the Municipal Council. Otherwise, action shall be taken to divert such waste water to a soakage pit or waste water shall be treated and released to the public drainage.</p> |   |

Further, soakage pit shall be covered without mixing with air and it shall be constructed at least fifteen metre away from the constructed well.

- (xiii) Arrangements shall be made to dispose the garbage accumulated in the place, in accordance with the provisions made under By-Law No. 13.
- (xiv) When the bakery requesting a licence is one using wood.
- (xv) The upper edge of the chimney of the oven of the bakery shall have been built a height of at least 7.5 meters above the ground level.
  - (a) A movable receptacle sufficient to dispose of ash and remnants of wood removed from the oven of the bakery shall be supplied.
  - (b) The outside wall of the oven of the bakery shall be painted or applied with lime.
  - (c) A separate place or room shall be there to store fuel.
- (xvi) When the bakery requesting a licence is using electricity-
  - (a) While the electric plugs connecting electricity to bakery equipment shall be in a safe condition, trip switches automatically functioning during high voltage and leaks in electricity shall have been fixed.
  - (b) While the electric cables of electric circuits fixed within the bakery premises shall be drawn through pipes or boxes without leakages of electricity.
- (6) While ordinary fire extinguishers shall have been provided, electrical fire fighting instruments shall have been supplied if electricity facilities have been obtained for the bakery.
- (7) All spaces prescribed in By-Laws No. 5 to have been applied with paints shall be so applied with paints at least once a year.
- (8) The floor of every room used for kneading flour shall be washed at least once a month.
- (9) While the surfaces of all the tables used for kneading flour shall have been made smooth the joins shall have been joined leaving no space between the joins. Otherwise they shall be covered with stainless metal sheets without joints.
- (10) It shall be the duty of the licensee to refer all employees deployed at the licensed premises to a medical test at least once a year.
- (11) The bakery and its environment, drains, furniture and equipment shall be kept in proper maintaining condition.
- (12) It shall be the duty of the licensee to supply safety face-masks, gloves and other safety materials necessary and to ensure that the employees are wearing these safety materials after washing their bodies or bath when they are on duty at the license premises.
- (13) The garbage collected in the licensed premises shall be segregated as specified in By Law No. 14 and put in impervious garbage bins separately and disposed twice a month or more than if necessary, and these garbage bins shall always be kept closed, except when the garbage is being put or removed.
- (14) (i) If all the garbage generated in the licensed premises are recyclable, actions shall be taken to segregate them as follows:
  - (a) Bio-degradable wastes;
  - (b) Glass;

- (c) Paper or paper related materials;
- (d) Polythene, plastic or related materials;
- (e) Iron and any other metal or parts of iron or any other metal;
- (f) Residues of raw materials or part of by products and parts of other products;
- (g) Hazardous waste.

It is the responsibility of the licensee to ensure that each type of waste is put in separate bins or containers which are organized to be covered.

- (ii). Provided that the waste put in bins or containers having being categorized in the manner set out in paragraph (i) is disposed of under the programme of waste management launched by the Municipal Council, the final disposal shall be done in the manner prescribed by the Mayor or Municipal Commissioner.

- (15) A separate room exclusively used for the storage of flour and other ingredients used in the bakery, shall be maintained. It shall be sufficiently ventilated. It shall be secured against entry of rats, flies or any other kind of insects.
- (16) When storing flour in the store room mentioned By-Law No. 15 a rack made of timber on a stand at a height of 20cm from the floor level shall be used and the particular rack shall have been finished so as to facilitate its movement from place to place when empty. Moreover, while the said rack shall have been covered so as to prevent rats and other kinds of insects remaining underneath it, the structure shall be placed at least 23cm away from the wall.
- (17) It is the duty of the licensee to see that the racks mentioned By-Law No. 16 are taken out and cleaned at least twice a month.
- (18) Lavatories shall be constructed for the use of customers and employees separately for males and females, at the ratio of one lavatory for every ten persons. Such lavatories shall be constructed at a distance away from manufacturing room of bakery, pantries and place for displaying or sale of products such a manner to avoid direct contact in order to maintain hygiene.
- (19) All employees of the bakery shall be supplied with pure water, clean towels, brushes to clean nails and soap or fluid soap.
- (20) It shall be the duty of the licensee to put in place a scale with standard weights, electronic balance or any other type of standard scale at a clearly visible place in all the bakery licensed under the provisions of the By-Laws in this part and to take action to weigh at the request of any customer the weight of any bakery product on sale or exhibited for sale.
- (21) In the event of the delivery of bakery products for sale by the licensee himself it shall be the duty of the licensee to utilize boxes securely covered to prevent entry of dust or other kinds of waste material or water.
- (22) Every licensee of a bakery shall keep affixed in a conspicuous position on the outside of his premises a board with his name and the words "Licensed Bakery" legibly painted there on in Tamil, Sinhala and English.
- (23) Any persons who are taking bakery products for sales shall have a permit duly authorized by the Mayor or Commissioner or Authorized Officer.

- (24) Name list (sellers) shall be kept at the licensed bakery for the inspection of Mayor or Municipal Commissioner or Authorized Officer.
- Tasks not to be carried out (25-33).
- (25) No person shall run a bakery within the authority of the Municipal Council area, unless having a valid permit for the purpose of that, issued by the Mayor or Municipal Commissioner.
- (26) Unless the date of expiry of flour and other ingredients used in the manufacture of bakery products are at a sufficient date in future, those materials shall not be used for the manufacture of bakery products at any time.
- (27) (i) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who had been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not be engaged in any work of the authorized place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed ;
- (ii) Provided that a person is dressed in washed and clean clothes no person shall engage himself or employ anybody else in any form of sale at any licensed premise.
- (28) Unauthorized chemicals and colourings shall not be used for the bakery products.
- (29) While no person shall sleep in any place licensed under the provisions of the by-laws in this part, action shall be taken not to keep or store any other material other than the instruments or materials used for the functions of the bakery. However, a rest room or dining room allocated for the employees of the bakery shall not be included to this.
- (30) Water not suitable for human consumption, shall not be used for any bakery products. Further, when unground water tank is constructed waste fit or ash fit shall not be constructed a distance of 18 metres.
- (31) No animals shall be kept at licensed bakery or any part of licensed bakery.
- (32) No person shall spit within the licensed premises except in to a spittoon provided for purpose.
- (33) Any licensee shall not desist or prevent such purchase referred in By-Law No. 34.
- Function of the Municipal Council (34-35).
- (34) It shall be lawful for the Mayor or Municipal commissioner or an Authorized Officer, to purchase a sample of any kind of bakery products kept for sale or displayed for sale, for the purpose of inspection at the licensed premise.
- (35) In the event of the premises where any bakery is maintained under a licence issued under the By-Laws any licence contravenes any By-Law set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.
- Charges and fees.
- (36) Under the sub section 247(A) (2) of Municipal Council Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run hotels.
- Delegation of powers.
- (37) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.

- |      |   |  |
|------|---|--|
| (38) | The validity of every licence issued under the provision of these By-Laws shall expire on 31st December of each year for which the licence has been issued, unless its validity is cancelled earlier.   | Valid period of licence or permit.         |
| (39) | The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at the licensed premises.   | Procedure of inspection and powers(39-42). |
| (40) | It shall be duty of the licensee who have received licence under the provisions of these By-Laws to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any authorized officer.  |  |
| (41) | Any licensee who receives such notice mentioned in By- Law No. 35, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.  |  |
| (42) | The Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned in By-Law No. 41 fails to act as stipulated in the notice on or before the specified date.  |  |
| (43) | Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.  | Complaints and resolving mechanism.        |
| (44) | Contravention of one or more than one or all of the provisions included in these By-laws shall be an offence.   | Violation of By-Law.                       |
| (45) | Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of Sub section (a) and (b) of section 267(3) in Chapter 252 of the Municipal Council Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of Sub section (c) of Section 267(3).   | Fines and penalties.                       |
| (46) | In these By-Laws unless the context otherwise requires–<br><br>"The Mayor" means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.<br><br>"Municipal Commissioner", in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.<br><br>"Municipal Council" means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality.<br><br>"Authorized officer" means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.<br><br>" The power to inspect within the specified period" means opportunity for take measures to make business or product at the specified place. | Interpretation and definition.             |

"Licensee" means any person whosoever obtained a licence under provision of this by law of the hotel and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.

"Licensed premise means" place for which is issued licence to take all measure under this provision.

"Bakery products" means, bread, cake, buns, biscuits or any other kind of sweets manufactured in any bakery for sale or on order placed by any person.

"Bakery" means, a place where bread, cake, buns, biscuits or any other kind of sweets are manufactured and it shall also include any place where such food prepared or where goods are stored for preparation of such food.

#### SCHEDULE -01

#### **Application for Business tax / Licence 20..... for conducting Bakeries within the area of authority of Municipal Council**

1. Name of the Business center:-
2. Place of the Business center:-
  - (i) Ward No:
  - (ii) Assessment No:
  - (iii) Name of the Road/Street:
  - (iv) GN Division No & Name:
3. Name of the Applicant:-
  - (i) Full Name:-
  - (ii) Permanent Address:-
  - (iii) GN Division No & Name:-
  - (iv) NIC No:
  - (v) Telephone No:
  - (vi) e-mail Address
4.
  - (i) Date of Beginning:
  - (ii) Type of business:-
  - (iii) Name of the manager of the business centre / Agent name:
  - (iv) Previous Business:-
5. If it is rented building,
  - (i) Name of the Owner:
  - (ii) Address:-
6. Whether last year licence was obtained:- Yes:No:  
If last year licence was obtained,  
Licence No:  
Date:

I do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By Law. I apply for the licence for the year 20..... to run the Industry/Business under the By Law.

.....  
Date

.....  
Signature of Applicant.



**For office use**

For report as follows

.....  
Municipal commissioner / Authorized officer

**For the report of assessment section**

Ward:.....

Assessment No. :.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:.....

Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

(i) Type of business:.....

(ii) Fees to be paid:.....Under A/B/C

(iii) Remarks:.....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report :**

.....  
.....  
.....  
.....

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C.:.....

Excise License:.....

Application is recommended/not recommended for the following reasons: .....

.....

.....

Date

.....

Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....

Date

.....

Accountant.

Approved/Not Approved

.....

Date

.....  
Municipal Council Mayor/Commissioner/Authorized Office.**For the report of Revenue Branch**

Receipt No.:.....

Date of the Receipt:.....

License No.:.....

Date of the License:.....

Recommended to issue License.

.....

Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....

Date

.....

Accountant.

Signed

.....

Date

.....

Municipal Council Mayor/Commissioner/Authorized Officer.

CHAPTER 3

PART I - STANDARD BY-LAWS RELATING TO FORMULATE, MONITOR AND ADMINSTRATE THE PUBLIC PLAYGROUND  
WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

- |     |  |  |
|-----|--|--|
| (1) | By-Laws in this part may be cited as Standard By-Laws relating to formulate, regularize, monitor and administrate Public playgrounds within the area of authority of Municipal Council.  | Name of By-laws.                           |
| (2) | The By-laws in this part are made for the purpose of providing playground facilities to social development and maintaining and managing of immovable property of the Municipal Council within the Municipal Councils limit as per the section 4 of the Municipal Councils Ordinance.   | Objective.                                 |
| (3) | These By-Laws are made by virtue of the power vested in Municipal Councils by the sub section 272(28)(b) of Municipal Councils Ordinance, read with section 267 (1) of Municipal Councils Ordinance.   | Legislative enactment for making By-Laws.  |
| (4) | Any person who expects to obtain a permit to make use of any playground owned by the Municipal Council shall forward an application that is in schedule – 1.   | Tasks to be executed (4-6).                |
| (5) | The permit to make use of any playground owned by the Municipal Council shall be issued by the Mayor or Municipal Commissioner if only the conditions that are stated in these By-Laws are fulfilled.  |  |
| (6) | Any person who expects to use the playground shall submit an application to reserve the playground at least three days before the expected day of such use. Further, the reservation made according to the said application shall be subjected to the provisions in By-Law No 7.   |  |
| (7) | <p>(i) Any person shall not damage or not to allow to damage the playground owned by the Municipal Council, and shall not lead cattle, pigs, horses, ponies, asses, dogs or any other animals into the playground. Further, any vehicle shall not be taken into any playground without permission obtained from the Mayor or Municipal Commissioner.</p> <p>(ii) Any person, shall not be in intoxicated state, shall not misbehave, shall not be after taking drugs and shall not make nuisance unnecessarily to the outsiders.</p> <p>(iii) Any person shall not use a reserved playground for any other purpose except the one which it was reserved for.</p> <p>(iv) A permit issued for the reservation of a playground shall not be transferred to any person for any reason.</p> <p>(v) Permit holder or his representative or user of the playground or spectators or any person shall not cause any loss to furniture and fittings, electrical equipment, water supply equipment and any other assets belonging to Municipal Council in the playground.</p> | Tasks should not be executed.              |
| (8) | <p>(i) An application for issue of a permit to make use of the playground shall be considered in the sequence in which that has been received by the Municipal Council.</p> <p>(ii) Priority for the use of the playground shall be given to applications for any sports or sports related events among the applications received for the use of a playground.</p>   | Function of the Municipal Council( 8-12 ). |

- (9) In the event of any applicant needing the cancellation of the reservation of any playground, after it has been reserved under the provisions of the By-Laws, the Mayor or Municipal Commissioner shall allow such cancellation, subject to the following conditions.
- (i) When the application for cancellation of reservation is forwarded,
    - (a) A Three months prior to the date on which the playground has reserved, five percent of the fees paid,
    - (b) Two months prior to the date on which the playground has been reserved, ten percent of the fees paid,
    - (c) One month prior to the date on which the playground has been reserved, fifteen percent of the fees paid,
    - (d) Fifteen days prior to the date on which the playground has been reserved, twenty five percent of the fees paid,
    - (e) Seven days prior to the date on which the playground has been reserved, fifty percent of the fees paid,
    - (f) Three days prior to the date on which the playground has been reserved, seventy five percent of the fees paid, shall not be refunded from Municipal Councils fund.
  - (ii) When the application for cancellation of the reservation is forwarded in a period of time less than three days to the date on which the playground was reserved the fees paid shall not be refunded fully.
- In the event of cancelling any reservation, the applicant shall have the right to get the full refund of security deposit for such reservation.
- (10) When an application forwarded for the reservation of a playground by any person is rejected it is the duty of the Mayor or Municipal Commissioner to inform the applicant in writing early as possible on the day of such application itself or within the reasonable period, for such rejection.
- (11) On any occasion when any playground has not been reserved for any purpose according to the provisions of the By-laws in this part, it shall be the duty of the Mayor or Municipal Commissioner to allow such playground to be used for sports practice or training in sports without fees.
- (12) In the event of any playground reserved under the provisions of the By-laws in this part being required for any essential matter of the Mayor or Municipal Commissioner, on the day of such reservation itself, the Mayor or Municipal Commissioner shall have the power to cancel such reservation. If such cancellation is effected,
- (i) The applicant shall be informed in writing about the cancellation three days prior to the date of such reservation of the playground and the fees paid by him, and the deposit money shall be refunded fully. Furthermore, such cancellation shall not be effected less than three days prior to the date of reservation.
  - (ii) The Mayor or Municipal Commissioner shall have the power to cancel the permit issued to a particular day due to the urgent or special requirement within three days to the date such reservation made. However reasonable compensation shall be given to the permit holder when the cancellation is occurred. But, it shall be confirmed that it is an advantage to the Municipal Council by giving compensation other than the losses occurring when the cancellation is not made.
- When the cancellation of a reserved playground for special requirement by Municipal Council in terms of para (i), Council has no responsibility to any claim of compensation for damages due to the cancellation to the permit holder or any institution.

- |      |  |   |
|------|--|---|
| (13) | <p>(i) The permit shall be issued on the basis of decision made by the Municipal Councils accordance with the table set out in the schedule II, only after payment of fees for reservation of the playgrounds and deposit money made by applicant.</p> <p>(ii) Council has the authority to request to pay the fees and the security deposit before three days as determined by the council from time to time.</p>   | Charges and fares(13 – 14).                 |
| (14) | <p>After the use of any playground reserved for any purpose, only after deducting.</p> <p>(i) the cost of any damage caused to the playground or any section or any assets belonging to the Municipal Council.</p> <p>(ii) The fees that shall be paid on behalf of the extra period of time utilized the playground.</p> <p>The Balance amount of the deposit shall be paid back to the applicant.</p>  |   |
| (15) | <p>It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.</p>  | Delegation of power.                        |
| (16) | <p>(i) All permits that, issued under these By-laws are valid for the days or hours for how long they are allowed unless they have been cancelled before.</p> <p>(ii) In the event of the necessity to get the date of reservation of any playground changed the applicant shall forward a written request in this regard to the Mayor or Municipal Commissioner. The amendment of the date of reservation made according to such request shall be subject to provisions in By-Laws No 9 and 10.</p>   | Valid period of licene or permit.           |
| (17) | <p>The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect playground within the specified period at the licensed premises.</p>   | Procedure of inspection and powers (17-18). |
| (18) | <p>It shall be duty of the permit holder who have received permit for use of playground under the provisions to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any authorized officer.</p>   |   |
| (19) | <p>Permit holder or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.</p>   | Complaints and resolving mechanism.         |
| (20) | <p>Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence.</p>   | Violation of By-laws.                       |
| (21) | <p>(i) It shall be lawful to cancel the permit when the contravention or breach occurred in terms of these By-Laws.</p> <p>(ii) It shall be lawful to charge compensation from the permit holder for damaging the playground or assets in the playground.</p> <p>(iii) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in Chapter 252 of the Municipal Council Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3).</p> | Fines and penalties.                        |

Interpretation  
and definition.

(22) In these By-Laws unless the context otherwise requires—

“The Mayor” means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.

“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.

“Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality”

“Authorized officer” means, any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.

“Permit holder” means, any person whosoever obtained a permit under provisions of these By-Laws.

“Playground” means, any place allocated by Municipal Council for the purpose of sports and it shall include the wall or fence erected around the playground or any building constructed within the playground or any section of such construction any fittings or instruments.

“Sports” shall have the same interpretation stated in the Sports Law, No 25 of 1973.

#### Schedule -01

Application for permission to use the ..... Playground in ..... Municipal Council

Name of the Applicant: .....

Address: .....

National Identity Card No. : .....

Reason for application: - .....

Date and Time when the playground is required:

From ..... To ..... Time .....

I hereby certify that the above information is true and accurate. In the event of the allocation of the relevant playground as a result of this request I agree that the Municipal Council shall deduct the cost of any damages caused to the buildings, constructions, instruments and fittings of the playground if and when such damage is caused. Meanwhile, in the event of the said deposit being not sufficient to affect such recoveries, I agree to pay any further amount of money require in this respect. Moreover, I agree to obey the provisions in By-laws relating to the regularizing, control and supervision of the playgrounds.

.....  
Signature of the Applicant.

Date .....

#### Schedule - 02

According to By-Law No 13 in this part - Table of fees charged for the use of a playground

| No. | Name of the Playground | Fees<br>Rs. Cts. | Deposit<br>Rs. Cts. | Fees for an extra hour<br>Rs. Cts. |
|-----|------------------------|------------------|---------------------|------------------------------------|
| 1   |                        |                  |                     |                                    |
| 2   |                        |                  |                     |                                    |
| 3   |                        |                  |                     |                                    |
| 4   |                        |                  |                     |                                    |

PART II –STANDARD BY-LAWS RELATING TO PREVENT FROM DAMAGES TO THE ROADS AND OBSTRUCTIONS TO THE  
ROAD TRANSPORT AND FORMULATE, REGULARIZE, MONITOR AND ADMINISTRATE ROADS WITHIN THE AREA OF  
AUTHORITY OF MUNICIPAL COUNCIL

- |      |  |   |
|------|--|---|
| (1)  | By-Laws in this part may be cited as Standard By-Laws relating to prevent from damages to the roads and obstructions to the road transport and formulate regularize, monitor and administrate the roads within the area of authority of Municipal Council.   | Name of By-Laws.                          |
| (2)  | By-Laws in this part are made for the purpose of preventing from damages to the roads belong to Municipal Council and obstructions to the road transport.  | Objective.                                |
| (3)  | These By-Laws are made by virtue of the power vested in Municipal Council by the sub section 272 (6) (b &c) of Municipal Councils Ordinance, read with section 267 (1) of Municipal Councils Ordinance.  | Legislative enactment for making By-Laws. |
| (4)  | In event entry is required any plot of land through drain that related to any road of Municipal Council, it shall be duty of the owner or occupier of that land to construct a bridge, a platform or an arch with approval of Municipal Council.   | Tasks to be executed.                     |
| (5)  | No person shall cause any damage to roadway that belongs to the Municipal Council or carry out any of the following activities.<br><br>(i) Selling.<br><br>(ii) Parking of vehicles in a place other than in the places reserved for the purpose by the Municipal Council unless it is due to some reasons making it impossible to start the vehicle in order to take it out of the park or to drive it out of the park due to some other damage caused.<br><br>(iii) Repairing or washing vehicles.<br><br>(iv) Stockpiling condemned parts of vehicles.<br><br>(v) Unloading or stockpiling metal, sand, barrels, soil, bricks or planks ,except in the case of effecting repairs to a road as determined by the Mayor or Municipal Council. | Tasks should not be executed (5 – 17).    |
| (6)  | No person shall fill or damage a drain situated along any road or obstruct the free flow of water along any drain.   |   |
| (7)  | While no person shall make any construction within twenty five feet (7.62 metre) from the central line of any road in which street line have not been demarcated for a road more than fifty feet (15.24 metres) wide under the provision of section 19 of housing and Town Improvement Ordinance, action shall not be taken to stock any building material brought for any other construction on any road or on any part of that road.   |   |
| (8)  | No person shall act in contravention to an order made by the Municipal Council Commissioner in the By-Law No 18 or obstruct or cause to be obstructed any person action under such order.  |   |
| (9)  | No person shall gather, heap or remove stones, barrels, sand, soil or any other material along the road that belong to the Municipal Council except order in writing made by Mayor or Municipal Commissioner.  |   |
| (10) | Waste water flowing from any land or from a building located in it, shall have to be diverted to a suction pit, and shall not be diverted to any road or to a drain that runs alongside the road, except in  |   |

the case of rain water that falls on the land, the roof of the building and excreted water from the well when it is cleaned, located on the land.

- (11) No person shall transport dust, sand or any other similar thing by any vehicle on a Municipal Council roads unless such vehicle is converted to prevent emission of such thing.
- (12) No person shall destroy , pull down or deface, fall down any milestone, mile post, boundary store, boundary post , lamp post, guard post, bridge, culvert, wall, arch, dam, drain, shine ,retaining wall, hand rail, chain, fence, name board, sign board belongs to any Avenue or cause damages, to them or affix to them any poster, notice, hand bill.
- (13) No person shall remove any fence, post, stone, log or any other obstruction placed or erected on any road, on the direction of any proper authority for the avoidance of use of such road temporarily or repairing it.
- (14) No vehicle or cart shall not be driven or ridden or parked on the road with any log, plank, iron bar or any other such thing as ejected side wards of the wheels.
- (15) No person shall not drag or make drag any log or any other such thing on vehicle or cart on roads as to damage the roads.
- (16) No person shall construct or try to construct ridge, pit, channel, or pipeline of water on or across any road and shall not break or damage the surface of any road in anyway.
- (17) While the council has not decided the weight for the vehicle transport, no vehicle, tare of which does not exceed five tons, shall run on concreted roads or roads paved with sliced stones.

Function of the  
Municipal  
Council.

- (18) For the purpose of maintaining or repairing or renovating any road that belongs to the Municipal Council ,the Mayor or Municipal Commissioner has the power to issue orders to
  - (i) Close down for vehicular traffic for any period of time, the whole length of the road or a part there of or any lane of the road in any direction.
  - (ii) Stock any building materials on any section of the road.
  - (iii) Entering into any plot of land by the side of the relevant road to store some building material on it. (necessary notification to land owner for the above action his consent shall be obtain as possible)
  - (iv) Allow passage for vehicles through that land without causing any damage to properly on that land (necessary notification to land owner for the above action his consent shall be obtain as possible).

Delegation of  
powers.

- (19) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.

Complaints and  
resolving  
mechanism.

- (20) Any person may submit any written or verbal complaint to the Municipal Mayor or Municipal Commissioner or Authorized Officer and proper inquiry shall be carried out and the solution shall be provided by these officers.

Violation of  
By-Laws  
(21-22).

- (21) Contravention of one or more than one or all of the provisions included in these By-laws shall be an offence.



(22) When action has been taken by any person in violation of provisions in the By-Laws section 07 to stock any building material on any road or part there of possessed by Municipal Council it shall be lawful for the Mayor or Municipal Commissioner or an Authorized Officer to take action to remove those materials from the spot or to take possession of those materials. The person or Municipal Council that took action to remove the material out of the road shall not be subjected to responsibility in regarding to any shortfall, loss or damage caused to the person who stocked the relevant material on road, due to the actions taken by the Mayor or Municipal Commissioner or Authorized Officer in the above manner. Furthermore, the Mayor , Municipal Commissioner or Authorized Officer shall not be subjected to pay any amount of compensation in respect of material so removed.

(23) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in chapter 252 of the Municipal Council Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3)

Fines and penalties.

(24) In these By-Laws unless the context otherwise requires-

Interpretation and definition.

“The Mayor” means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.

“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such municipal commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of commissioner to the extent to which such officer is so empowered.

“Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality

“Authorized officer” means, any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.

“Road” means any road, highway, lane, avenue, street, pair of steps, stepping lock or pedestrian bridge owned by Municipal Council and it shall also include any directional sign, demarcation stone, demarcation post, lamp post, bridge, any type of culvert, water crossing, parapet wall, arch, bund, drain, sluice, supportive bund, hand rail, chain, fence, sign board, road sign or pavement by side of the road fixed or erected in relation to any road, highway , lane , street, avenue, pair of steps possessed by the Municipal Council.

“Vehicle” means any motor vehicle in conformity with the definition given in the motor traffic act in respect of any motor vehicle and bullock cart, bicycle, hand cart with wheel or any other vehicle that run by engine or any other way not coming under motor traffic Act .

“Causing damage” means destroying, removing, disfiguring, toppling, unfastening, disposing or causing damage some other way. Pasting a poster paint, tar or any other glue altering letters of a name -board, including erasing, scraping or unfastening, excluding any such of activities caused and in connection with effecting repairs to the road by the Municipal Council or Mayor, Municipal Commissioner or the Authorized Officer.

PART III - STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, CONTROL AND MONITOR OF LAUNDRIES  
WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

|   |   |
|---|---|
| Name of By-Laws.                          | (1) By-Laws in this part may be cited as Standard By-Laws in relating to formulate, regularize, monitor and control of laundries within the area of authority of the Municipal Council.   |
| Objective.                                | (2) By-Laws in this part are made of the purpose of protecting sanitation and health of public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.  |
| Legislative enactment for making By-Laws. | (3) The By-Laws are made by virtue of the power vested in Municipal Councils by the sub section 272 (21) of Municipal Councils Ordinance, read with section 147 and 267 (1) of Municipal Councils Ordinance.  |
| Tasks to be executed (4-5).               | <p>(4) Obtaining the annual licence by submitting the application form in schedule 01 is the duty and obligation of the licensee.</p> <p>(5) The license shall be issued to any laundries by the Mayor or commissioner of Municipal Council, if only the following specified conditions are fulfilled.</p> <p>(i) The licensed premises shall be kept in clean and renewed status.</p> <p>(ii) Walls of each room of the licensed place shall not be less than 3 metres in height. These walls shall be built with bricks, block stones or limestone or approved stones and plastered and painted in both sides.</p> <p>(iii) The roof has to be made of some permanent solid material. Eaves of the roof has to be at least 2.5metre from the ground level and the width of the eaves should be at least 1 meter.</p> <p>(iv) Each room of the licensed place shall be ceiled in height not less than 3.0 metres from floor level.</p> <p>(v) Windows which are capable being opened outward or sideways shall be installed to each room. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable.</p> <p>(vi) Separate rooms shall be provided for storage of soiled linen and clean linen respectively.</p> <p>(vii) Lavatories shall be constructed for the use of employees separately for males and females, at the ratio of one lavatory for every ten persons.</p> <p>(viii) In the event of the Municipal Council maintaining a waste water drainage system arrangement may be made to divert waste water formed after washing cloth at the premises to the said drainage system in the manner prescribed by the Municipal Council. Otherwise, action shall be taken to divert such waste water to a soakage pit or waste water shall be treated and released to the public drainage. Further, soakage pit shall be covered without mixing with air and it shall be constructed at least fifteen metre away from the constructed well.</p> <p>(ix) At the licensed premises, general fire extinguishing equipment shall be maintained in working condition, and if electricity supply has been provided to the place, electrical fire-fighting appliances shall be provided in addition.</p> <p>(x) It shall be the responsibility of the licensee to make all employees engaged at the licensed laundry, to undergo a medical test at least once a year.</p> |

- |      |  |   |
|------|--|---|
| (6)  | No person shall run a laundry within the authority of the Municipal Council area, unless he or she has a valid permit for the purpose of that, issued by the Mayor or Municipal Commissioner.  | Tasks not to be carried out(6 – 8).         |
| (7)  | <p>(i) Every licensed laundry shall not be used for household activities at any time.</p> <p>(ii) Every licensed laundry shall not be used to keep any animal or allowed to be used for such purposes.</p> <p>(iii) Every licensed laundry shall not be used to keep soiled and washed clothes mixed or allowed to be used in that manner.</p> <p>(iv) No permit holder shall use any kind of unauthorized chemicals or allergic item for washing clothes.</p> <p>(v) Facilities shall be made to dispose waste of charcoal or any other kind of coal in a separate bin after extinguishing with water. Further coconut shell or any other things shall not be burned at the license premises for the preparation of charcoal.</p> <p>(vi) No permit holder shall wash at any place except place allowed or reserved by the Municipal Council.</p> <p>(vii) It is the responsibility of licensee to ensure that every laundryman shall always before leaving the laundry for the day extinguish or cause to be extinguished every fire or light used by him, and no light or fire which is dangerous to the safety of any building or the clothes therein shall be at any time kindled or left alight.</p> |   |
| (8)  | <p>(i) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who had been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not be engaged in any work of the authorized place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed;</p> <p>(ii) No person or persons should be engaged or allowed to be engaged at the authorized place, unless they are dressed in clean clothes ;</p>   |   |
| (9)  | In the event of the premises where any laundry is maintained under a licence issued under the By-Laws any licence contravenes any By-Law set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.   | Function of the Municipal Council.          |
| (10) | Under the sub section 247A (2) of Municipal Councils Ordinance to run any laundry and under sub section 247A(2) to run dry cleaning establishments , Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated.   | Charges and fees.                           |
| (11) | It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.   | Delegation of power.                        |
| (12) | The validity of every license issued under the provision of these By-Laws shall expire on 31st December of each year for which the license has been issued, unless its validity is cancelled earlier.  | Valid period of license or permit.          |
| (13) | (i) The Mayor or the Municipal Commissioner or any Authorized Officer has the powers to inspect the standards of these By-Laws within the specified period at licensed premises.   | Procedure of inspection and powers (13-15). |

- (ii) It shall be duty to co-operate the licensee who have received licence under the provisions of these By-Laws, to the Municipal Mayor or Municipal Commissioner or any authorized officer for inspection, and shall not make obstacle to stop such inspection.
- (14) Any licensee who receives such notice mentioned in By- Law 9, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.
- (15) The Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned in section 14 in these By-Laws fails to act as stipulated in the notice on or before the specified date.
- Complaints and resolving mechanism. (16) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.
- Violation of By-laws. (17) Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence.
- Fines and penalties. (18) (i) Contravention or breach of any of these by-laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in Chapter 252 of the Municipal Council Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3).
- (ii) As per the section 147(3) of Municipal Council Ordinance running dry cleaning centre without licence at any place within the Municipality shall guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand rupees and in case a continuing offence an additional fine not exceeding five hundred rupees per each day during which said offence is continued after a conviction thereof.
- Interpretation and definition. (19) In these By-Laws unless the context otherwise requires –
- “The Mayor” means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.
- “Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.
- “Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality
- “Authorized officer” means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.
- “The power to inspect within the specified period” means opportunity for take measures to make business or product at the specified place.
- “Licensee” means any person whosoever obtained a license under provision of these by laws of the hotel and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.

“Licensed premise means” place for which is issued license to take all measure under this provision.

“Laundry” means any type of building or any plot of land or place or premises used by any person pursuing an enterprise as a cleaner of clothes for the purpose of washing clothes, drying clothes, dry cleaning clothes or for ironing clothes. It shall also include any building used to store such clothes and any well, tank or other source of water used for the purposes of the enterprise by such a person.

#### SCHEDULE-01

#### **Application for obtaining laundry licence 20..... within the area of authority of Municipal Council**

1. Name of the Business center :-
2. Place of the Business center :-
  - (i) Ward No.:
  - (ii) Assessment No.:
  - (iii) Name of the Road/Street:
  - (iv) GN Division No. & Name:
3. Name of the Applicant:-
  - (i) Full Name:-
  - (ii) Permanent Address:-
  - (iii) GN Division No. & Name:-
  - (iv) NIC No.:
  - (v) Telephone No.:
  - (vi) e-mail Address
4.
  - (i) Date of Beginning:
  - (ii) Type of business:-
  - (iii) Name of the manager of the business centre / Agent name:
  - (iv) Previous Business:-
5.
  - (i) Whether washing place is attached with the business centre or it is at any other place?
  - (ii) Whether required drainage system has been made accordance with the By-Laws, if washing place is attached with
  - (iii) Whether approval has been obtained to the separate washing place if so.
6. If it is rented building,
  - (i) Name of the Owner:
  - (ii) Address:-
7. Whether last year licence was obtained:- Yes:No:  
If last year licence was obtained,  
Licence No.:  
Date:

I, do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By Law. I, apply for the licence for the year 20..... to run the Industry/Business under the By Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....

Municipal commissioner / Authorized officer

**For the report of assessment section**

Ward:.....

Assessment No.:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:.....

Arrears of the assessment tax:.....

.....

Date

.....

Administrative Officer.

**For the report of revenue department,**

(i) Type of business:.....

(ii) Fees to be paid:..... Under A/B/C

(iii) Remarks:.....

.....

Date

.....

Revenue Inspector.

**For the report of the medical officer of health,****Public Health Inspector's Report :**

.....  
 .....  
 .....  
 .....

.....

Date

.....

Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
 .....  
 .....  
 .....

.....

Date

.....

Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons: .....  
.....

.....  
Date

.....  
Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....  
Date

.....  
Accountant.

Approved/Not Approved

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Office.

**For the report of Revenue Branch**

Receipt No.:.....

Date of the Receipt:.....

License No.:.....

Date of the License:.....

Recommended to issue License.

.....  
Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
Date

.....  
Accountant.

Signed

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Officer.

## CHAPTER 4

PART I - STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, SUPERVISE AND CONTROL THE  
ADVERTISEMENT WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

|   |  |
|---|--|
| Name of By-Laws.                          | (1) By-Laws in this part may be cited as standard By-Laws relating to formulate,regularize, control and supervise advertisement displaying within the Municipal Council limits.  |
| Objective.                                | (2) By-Laws in this part are made for the purpose of control and administrate in order to ensure protection, comfort and convenience of the people residing within the limits of the Municipal Council.  |
| Legislative enactment for making By-Laws. | (3) By-Laws are made by virtue of the power vested in Municipal Council by the sub section 272 (27) of Municipal Councils Ordinance, read with sections 147 and 267 (1) of Municipal Councils Ordinance.   |
| Tasks to be executed (4-12).              | <p>(4) (i) Anybody who expects to obtain a licence to display any advertisement within the limits of Municipal Council shall forward an application substantially prepared in accordance with the specimen given in Schedule-01 to the Mayor or Municipal Commissioner at least four days before the date on which the said advertisement is expected to be displayed.</p> <p>(ii) The license shall be issued to any advertisement by the Mayor or Commissioner of Municipal Council, if only the conditions specified in these By-Laws are duly fulfilled.</p> <p>(5) (i) Every application forwarded to obtain a licence shall contain a specimen of the advertisement prepared on the scale 1:1000 on a paper 210 millimetres by 297 millimetres and a ground plan or plans of the place or places where the advertisement is expected to be displayed prepared on the scale 1:1000 on a paper 210 mm x 297 mm. Moreover, the exact length and the width of the advertisement shall have been indicated therein.</p> <p>(ii) When the place where the advertisement is to be displayed, happens to be a place owned by any person other than the applicant, or by any other institution written evidence ensuring that permission has been granted to display the advertisement at the particular place shall have been submitted.</p> <p>(6) It shall be the duty of the licensee to indicate the registered number of the licence issued in respect of all notifications to be displayed in the lower edge of the right hand side of each advertisement or advertisements while such display is done.</p> <p>(7) It shall be the duty of the licensee to take action to remove the advertisement and all the other goods used in this regard out of the place or places where such advertisements were put in place, within forty eight hours from the last day of the display of the advertisement mentioned in the application forwarded to obtain a licence under these By-laws in this part.</p> <p>(8) (i) The charges of advertisement may be exempted and licence in that behalf shall be obtained from the Mayor or Municipal Commissioner for an advertisement relating to any entertainment the net proceeds are to be used for purpose of charity, an advertisement relating to an entertainment to held in the premises upon which such advertisement is displayed, an advertisement display by the Government or Provincial Council or Local Authority and an advertisement relating to a religious , political or public meeting which has no connection directly or indirectly to a business. Provided that in any advertisement and sign is illuminated advertisement and sky sign permits shall be obtained by paying fees as specified in these By-Laws.</p> |



- (ii) When any notice of advertisement of any commodity or a service has been displayed together with the name, number and address of any business enterprise and when an advertisement of any form of commodity or service has been displayed in any household, such advertisement or advertisements shall be subjected to the provisions of these By-laws in this part. The owner, manager or anybody in-charge of the administration of the premises for the time being shall be considered as the person who shall obtain the licence in respect of provisions of these By-Laws.
- (iii) The charges and fees shall be exempted for the display in front of any business premise or any factory within the area of authority of the Municipal Council, to a single notice depicting the name, address and the nature of the enterprise being maintained at the said place of business or the nature of the products being produced at the factory, for a domestic name board and for a single advertisement carrying the phrase “on lease” or “for sale” or “available for rent” displayed on any property intended to be given in lease or for sale or to be given on rent. But all other conditions specified in these By-Laws shall apply to the above advertisement. However, at any time when more than one such advertisement is displayed the provisions of these By-Laws shall apply in respect of all such additional advertisements.
- (9) The owner or lessee of any hoarding used for the displaying of advertisement shall—
- (i) maintain such hoarding in a proper condition of repair and security, and
  - (ii) exhibit his name, address and telephone number of advertiser in clear and legible characters in a conspicuous position on the front of such hoarding.
- (10) Any sky sign shall be erected in such a way that it shall not be dangerous to the persons who use the road or the pavement and if in any circumstance, any person is getting injured or damage is caused to the properties by falling down such sky sign, the owner of such sky sign shall pay the damages to that person or owner of properties for lost sustained and the Mayor or the Municipal Commissioner or any other officer of the Council shall be exempted of payment of such damages.
- (11) Sky sign board shall be constructed and erected in a manner which is approved by the Municipal Engineer.
- (12) (i) The licensee shall be subjected to responsibility in regard to any damage or harm caused or likely to be caused to any party due to a support, fixing or any other thing used in this connection utilized for the construction of any advertisement or due to the menacing or connotation implied in the said advertisement.
- (ii) The Council shall not be responsible in any way for removing, damaging or disfiguring of an advertisement obtained under the licence for exhibiting.
- (13) (i) Unless any person has a valid licence issued on the application prepared according to the specimen found in the first Schedule for the particular purpose by the Mayor or Municipal Commissioner, nobody shall display or cause to be displayed an advertisement in any form so as to be seen when looked at from any public place in the area of authority of the Council.
- (ii) Even after obtaining a valid licence for display of advertisements nobody shall display or let anybody else to display, at any place other than at a place or places specifically stated in the relevant licence, to be seen when worked at from any public place.
- (14) The period of validity of the licence already issued to any other licensee in respect of the place for which the licence is currently requested shall have been completed further there shall be sufficient place to display the advertisement. However, this provision shall not be an obstacle to issue a

Tasks not to be carried out (13 – 20).

licence to display an advertisement board nearby so as not to obstruct the viewing of the advertisement being displayed under a licence previously issued and still in force.

- (15) (i) The advertisement for which a display licence is sought shall not contain any scenes or words which are obscene or unpleasant or immoral or damaging any culture or harming any religion or community or race or which can cause such a situation.
- (ii) It shall not be displayed any advertisement prohibited or limited by a written law of the country.
- (16) Anybody shall not fix an advertisement in a manner that may cause any obstacle or accident to a person walking near the particular advertisement or to a vehicle being driven nearby. Moreover, fixing of electricity light rays or fluorescing of light so as to change the attention of a driver driving a vehicle or cause disturbances to his view shall not be done.
- (17) No person shall cause any advertisement to be displayed or affixed or attached any place of public worship or park or any bridge or street or electrical post or any tree or branch close to them or any public building connected with them.
- (18) An advertisement to be displayed in such manner as to project over or across any pavement carriageway of any street or road unless such advertisement is displayed affixed or attached to an overhead bridge constructed for the use of pedestrian or is a projecting sign board constructed or erected in a manner approved by the Municipal engineer.
- (19) No person shall cause –
  - (i) any advertisement to be displayed on a vehicle in a manner or in such form other than that approved by the Mayor or Municipal Commissioner.
  - (ii) in addition to the approval given by the Municipal Council, any vehicle bearing any illuminated advertisement not approved by the Superintendent of police, shall be driven on any street or road.
- (20) Any licence issued under By-Law to display an advertisement shall not be considered or constructed any legal permission given to profess its implied meaning for expression.
- (21) (i) The Municipal Council shall determine to which areas belong to the Municipal Council are allowed to display advertisements within the area of authority of the Municipal Council.
- (ii) When conditions necessary for the issue of a licence under the By-laws in this part in respect of any application submitted have been fulfilled the Mayor or Municipal Commissioner or the Authorized Officer shall inform the applicant about it. It shall be the duty of the Mayor or Municipal Commissioner or the Authorized Officer to issue the licence to the applicant after paying the fees for the licence in the manner set out in section 25(i) and fees for the security deposit set out in section 22(i) of By-Law, after receipt of the above notice.
- (iii) It shall be the duty of the Mayor or Municipal Commissioner to publish a notification in the Gazette, the areas determined from time to time, where advertisement could be displayed or exhibited. Such notification shall take effect from the date of its publication, or from whatsoever date specified therein.
- (iv) The Municipal Council shall have power to construct or maintain an advertisement board Under these By-Laws as determined by Municipal Council in any land belongs to any person and given to the Municipal Council on agreement or in any land belongs to the Municipal Council.

Function of the  
Municipal  
Council  
(21 – 24).

- (v) The Municipal Council shall have the power to recover the fees already fixed by the Municipal Council from the licensee to display any advertisement on the board constructed by the Municipal Council under above Sub section (ii).
- (vi) Publishing of notice in Government Gazette regarding the fees for advertisement licence is duty of Municipal Commissioner as specified in above paragraph (i) in these By-Law No 25.
- (22) (i). when a decision has been made to issue a licence in respect of any application forwarded for the purpose of displaying an advertisement the Mayor or Municipal Commissioner shall not issue the licence for the said application until the applicant has deposited security money in the Municipal Council at the rates to be determined by it from time to time.
- (ii) It shall be the duty of the Mayor or Municipal Commissioner to publish in the Gazette about the decision taken by the Municipal Council in respect of the rate of the security deposit to be deposited in the Municipal Council prior to issuing a licence to display any advertisement.
- (23) (i) After taking action to remove the advertisement in the manner set out in By-Law No 7 , the licensee shall be able to withdraw the deposit money already deposited at the Municipal Council before the issuing of the relevant licence on a written request made to the Mayor or Municipal Commissioner.
- (ii) On receipt of a written request in the manner set out in paragraph (i) it shall be the duty of Mayor or Municipal Commissioner to ensure,
  - (a) the licensee has properly accomplished the provisions stated in By-laws, No. 7;
  - (b) and that in the event of the hoarding being constructed by the Municipal Council no damage is caused to the hoarding while removing the said advertisement or due to any other cause, the licensee is held responsible, before releasing the said deposit money to the said licensee.
- (iii) Unless the Mayor or Municipal Commissioner is satisfied when ensuring in the manner set out in paragraph ii (b) that the licensee has acted in the manner stated in the By-laws, No. 7 and that no damage is caused to the hoarding of the Municipal Council, the said deposit money shall not be released fully to the licensee. When any licensee has avoided acting in the manner stated in By-laws No. 7 or when any damage has been caused to the hoarding of the Municipal Council, suitable action shall be taken to deduct from the deposit money expenditure that the Municipal Council would have to bear to effect the particular task or to repair the hoarding or to accomplish both, and only the balance remaining shall be refunded to the licensee.
- (iv) When the money livable by the Municipal Council in taking action in the manner stated in paragraph (c) is more than the deposit money deposited, the licensee shall pay the extra money payable to the Municipal Council.
- (v) However Security deposit shall be refunded within fourteen days on request made by the licensee in written. If not, reason shall be notified within fourteen days to the licensee for what reason the security deposit could not be refunded.
- (24) Action shall be taken to remove all advertisements displayed without a licence issued by the Municipal Council and to take into the possession of the Municipal Council or remove in a manner decided by the Mayor or Municipal Commissioner.
- (25) (i) Under the sub section 247A(2) of Municipal Councils Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to display any advertisement, further.

Charges and fees.

- (ii) (a) Advertisement rent and fees shall be paid to the Municipal Council under para 21(vi) to display any advertisement on the board constructed at the place belonging to the Municipal Council under these By-Laws. or
- (b) Applicant shall pay the advertisement fees determined by the Municipal Council from time to time to display any advertisement on the board fixed where land is belonging to the applicant or any other person or other institution.
- (iii). Further security deposit shall be paid as specified in By-Law 22.
- (iv). Person who has applied for a temporary licence to display any advertisement shall pay licence fee according to the decision made by the Council from time to time.
- (v). when it is required to display an advertisement during the succeeding year after the expiry of the period of validity of the licence currently issued for the display of any advertisement a new licence shall have been obtained on displaying the notice for such succeeding year.
- (vi). However, notwithstanding the amount of fees determined by the Municipal Council as charges intended to be made during the succeeding year in respect of licence to be issued for the display of advertisements, the same licence fees determined earlier shall be recovered for the new licence to be issued for the display of the said advertisement.

Delegation of power.

- (26) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.

Valid period of license or permit.

- (27) (i) validity of every license issued under the provision of these By-Laws shall expire on 31st December of each year for which the licence has been issued, unless its validity is cancelled earlier.
- (ii) Temporary licence shall be valid for days for which licence has been issued unless its validity is cancelled earlier.

Procedure of inspection and powers.

- (28) (i) When any hoarding, support, construction or fitting of any form used for the fixing of any advertisement is in a state that might harm the environment or be a danger or risk to anybody or any property of any person, the Mayor or Municipal Commissioner or the Authorized Officer shall have the power to direct the licensee through an order to bring it back to proper conditions within two weeks.
- (ii) It shall be lawful to cancel the issued licence for such advertisement and remove the advertisement by the Mayor or Municipal Commissioner or Authorized Officer, when anybody in receipt of a notification under paragraph (i) has avoided acting in the manner provided by the provisions of the notification.
- (iii) when any licence has been cancelled under the provisions in paragraph (ii) the security deposit, deposited at the Municipal Council in respect of displaying that advertisement shall acquire to the funds of the Municipal Council and nobody else shall have the right to claim the deposit money.
- (iv) It shall be lawful Mayor or Municipal Commissioner or Authorized officer to issue temporary licence for less than fourteen days as required. However all conditions are applicable to issue temporary licence.

- (29) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or Authorized officer and proper inquiry shall be carried out and the solution shall be provided by this officer. Complaints and resolving mechanism.
- (30) Contravention of one or more than one or all of the provisions included in these By-laws shall be an offence. Violation of By-Laws (30-31).
- (31) When any provision in these By-laws has been violated, the Commissioner or the Authorized Officer shall have the power to cancel any licence issued having invited the attention in respect of such violations.
- (32) (i) Contravention or breach of any of these by-laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the Municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3), Fines and penalties.
- (ii) Every person who run aerated water manufacturing without licence at any place within the Municipality shall be liable of an offence and shall be liable on conviction to a fine not exceeding five thousand rupees and in case a continuing offence an additional fine not exceeding five hundred rupees per each day during which said offence is continued after a conviction thereof.
- (33) In these By-Laws unless the context otherwise requires— Interpretation and definition.
- “The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.
- “Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such Council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.
- “Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality
- “Authorized officer” means any officer given authority in writing by the Mayor or Municipal Commissioner to carry out particular duty.
- “The power to inspect within the specified period” means period from the time of sun shining until the time of sun setting. Municipal Engineer means Municipal Engineer given authority in writing by the Mayor or Municipal Commissioner to carry out particular duty.
- “Licensee” means any person whosoever obtained a license under provision of these By-Laws of the hotel and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.
- “Licensed premise means” place for which is issued license to take all measure under this provision.
- “Superintendent of police” means, an officer in police station given authority for the specified purpose in writing by the office in charge of the police headquarters.
- “Cut-out” means, an advertisement fixed or pasted to a frame made up of wood or some other material ;

“Display board” means, whatsoever permanent board constructed for fixing or hanging an advertisement displayed for the information and attention of the public ;

“Advertisement” means an advertising notice or banner or cut-out or any form of model or notice or announcement or business notification containing any letters or words or illustrations used in advertising and displayed fully or partly over or on a land or building or any vehicle or a created structure and being displayed for the information or attention of the public and put in place by pasting, fixing, erecting, hanging or any other means;

#### MUNICIPAL COUNCIL

#### Application for the Advertisement

1. Full Name :-
2. Address:-
3. N.I.C.No.:-
4. Mobile No.:-
5. E-Mail Address:-
6. Advertisement model annexed:-
7. Location map annexed:-
8. Type of Advertisement:- One side/ Double sides/ Lighted
9. Duration:- From: To:
10. Size of Advertisement:- Length: Width: Height:

I agree that if above mentioned information is against the true and fair view. my holding will be converted to municipal property without any notice.

.....  
Date

.....  
Signature of Applicant

#### For office use

For report as follows

.....  
Municipal commissioner / Authorized officer

#### Chief Revenue Inspector.

Fitting advertisement in size of ..... at the specified place is suitable/ is not suitable

.....  
Date

.....  
Revenue Inspector.

#### Commissioner

Fitting of the above advertisement is recommended/ not recommended.

.....  
Date

.....  
Chief Revenue Inspector.

Commissioner,

Size of Advertisement Length ..... Wide ..... Area ( square meter ) .....

| Detail                        |        | Private Land | RDD Road | RDA Road | MC Land | MC Road |
|-------------------------------|--------|--------------|----------|----------|---------|---------|
| Agreement is made             | Yes/No |              |          |          |         |         |
| Land Rent(Rs200*sq)           |        |              |          |          |         |         |
| Advertisement Fees (Rs100*sq) |        |              |          |          |         |         |
| Total Fees                    |        |              |          |          |         |         |
| Vat                           |        |              |          |          |         |         |
| NBT                           |        |              |          |          |         |         |
| Total Amount                  |        |              |          |          |         |         |

.....  
Date

.....  
Management Assistant.

Above advertisement is approved / not approved

.....  
Date

.....  
Commissioner.

**For the report of Revenue Branch**

Receipt No.: .....

Date of the Receipt: .....

License No.: .....

Date of the License: .....

Recommended to issue License.

.....  
Administrative Officer (Revenue)

**Submit for signature of Municipal Council Commissioner**

.....  
Date

.....  
Accountant.

Signed

.....  
Date

.....  
Municipal Council Mayor/Commissioner/  
Authorized Officer.

Above advertisement has been / not has been fitted at proper place with right size.

.....  
Date

.....  
Field officer/ Technical officer.  
(Planning Section)

PART II -STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, SUPERVISE, CONTROL AND ADMINSTRATE  
OF THE PARKING OF VEHICLES WITHIN THE AREA OF THE MUNICIPAL COUNCIL

|   |   |
|---|---|
| Name of By-Laws.                          | (1) By-Laws in this part may be cited as the standard By-laws relating to control, regularize, supervise and administer parking of vehicle within the area of authority of the Municipal Council.   |
| Objective.                                | (2) By-Laws in this part are made for the purpose of protecting of passengers preventing accidents and controlling traffic jam by maintaining vehicle parks in suitable places within the limit of Municipal Council area.  |
| Legislative enactment for making By-Laws. | (3) By-Laws are made by virtue of the power vested in Municipal Council by the Sub section 272 (32) read with Sub section 267(1) of Municipal Councils Ordinance.   |
| Tasks to be executed (4-15).              | <p>(4) Any driver of a vehicle being driven along any street or road located within or lying along the area of authority of the Municipal Council shall obey the Provisions depicted in a road sign or signs fixed under the Provisions in paragraph (ii) of By-Laws No.23.</p> <p>(5) Action shall be taken to display easily readable notices in the three languages at the entry and the exit for the convenience of the vehicles arriving at the vehicle park. Moreover, arrows with white lines 20 centimeters wide shall be marked so as to enable the drivers to easily recognize the directions they shall follow while entering into the vehicle park and leaving it.</p> <p>(6) The floor of every vehicle park shall be tarred or laid with concrete. Separate lavatories shall have been made available for the males and females using the vehicle park. At the same time sufficient drains shall have been constructed for the free flow of water accumulated at the site.</p> <p>(7) When accommodation is made to park vehicles at any vehicle park, sufficient traffic lanes shall be made available for the convenience of vehicles entering and leaving the premises</p> <p>(8) When any vehicle is being driven or being parked within the vehicle park sufficient space shall be made available in it to park each vehicle so as not to cause any obstruction to those already parked within. Moreover, a white line of 10 centimetres wide shall be marked to indicate the space allocated to each vehicle in the park.</p> <p>(9) (i) (a) Any employee of the Municipal Council; or<br/>(b) Any successful bidder selected by the Municipal Council after calling for tenders or a person named by the particular bidder, hereinafter referred to as the "Vehicle Park Warden" shall be employed by the Municipal Council to collect charges made on vehicles parked in the vehicle park.</p> <p>(ii) However, while the fees charged for parking vehicles in any vehicle park shall not exceed the fees decided by the Municipal Council in the manner stated in these By-Laws, the fees charged for parking each vehicle shall be noted down in a receipt substantially prepared according to the first schedule in this part and issued to the driver.</p> <p>(10) (i) It shall be the duty of the Vehicle Park Warden to issue an Admission Card indicating permission to enter and prepared substantially in accordance with the second schedule in this part to the driver of the vehicle at the entrance to the Park when a vehicle of any type allowed to be parked under By law No. 26(ii) enters the vehicle park.</p> |



- (ii) Before leaving the vehicle park, it shall be the duty of the driver of any vehicle parked in the vehicle park to -
  - (a) return the card mentioned in paragraph (i) to the vehicle park warden,
  - (b) pay to the vehicle park warden fees for suitable parking place decided upon by the Council in the manner set out in By-Law No. 28.
  - (c) Obtain a suitable receipt mentioned in paragraph (b) of By-Laws No. 9(ii).
- (11) It shall be the duty of the owner or the driver of any vehicle parked within any vehicle park to submit for inspection the admission card issued in respect of the vehicle when the Mayor or any Authorized Officer or the Vehicle Park Warden or any Police Officer requests it for inspection.
- (12) Accordance with the provisions of these By-Laws to park the following vehicles in a vehicle park within limits of Municipal Council area any fees shall not be paid. However provision of these By-Laws shall apply to any vehicle belonging to the below said vehicles.
  - (a) government vehicles,
  - (b) vehicles of the Provincial Council,
  - (c) Vehicles of a local authority established within the Province,
  - (d) Any vehicle parked on maintain and repairs for the services, belonging to Water supply, Telecommunication and Electricity Board. Further By-Law No 28 shall be applicable to any vehicle belongs to a government corporation or a statutory board.
- (13) (i) It shall be lawful to the Mayor or Municipal Commissioner or an Authorized Officer or the Vehicle Park Warden to take action to remove any vehicle parked in the vehicle park without a valid admission card. Assistance of the police may be sought for this action.
  - (ii) When so removed, the owner of the vehicle or the driver shall not be entitled to any compensation to be claimed from the council or the officer who removed that vehicle, for any damage caused to such vehicle. The owner or driver of the vehicle shall have to pay the Municipal Council, the expenses of drawing the vehicle safe keeping expenses and the other expenses assessed by the Mayor, Municipal commissioner or vehicle parked warden, for release of such vehicles.
  - (iii) Every permit issued under these By-Laws shall contain the distinctive number of the motor vehicle in respect of which it is issued and it shall be valid for the period stated in the permit.
  - (iv) Every person who obtains a permit under these By-Laws shall display such permit in a conspicuous place within the vehicle so that it may be visible from outside the vehicle
- (14) A permit may be obtained by anyone on an agreement monthly having paid such fee determined by the council from time to time for special parking place introduced by the Municipal council.
- (15) A parking place may be reserved for any institution on an agreement having paid such fee determined by the Municipal Council from time to time.
- (16) No person shall run any private parking place without licence obtained from Municipal council.
- (17) Notwithstanding anything stated in the By-Law 4 the limitations prescribed by any road sign fixed on the decision of the Municipal Council under the provisions of By-Law No 23 shall not apply in respect of
  - (i) fire fighting vehicle or any other vehicle of the Municipal Council used for the purpose of control any fire or any disaster occurring at any building or close to a building in any section of the street or road;

Tasks not to be carried out (16 – 22).

- (ii) acting in accordance with an order issued appropriately by any Police Officer in order to prevent any traffic jam occurring in any street or road or on any particular section of the street or road or in order to control any unexpected situation occurring in the area of authority of the Municipal Council,
- and it shall not be considered as a violation of the provisions in By-Law 4.
- (18) (i) Any person shall not park or drive into a vehicle park or allow to be driven into the park any vehicle or a vehicle which is not a motor vehicle, unless it is a vehicle of the type decided by the Municipal Council to be allowed into the Park for parking.
- (ii) When there is sufficient space at the entry gate for any vehicle arriving at the vehicle park to tow away any vehicle parked inside it when it is found impossible to start, in order to take it out of the park, the provisions in paragraph (i) shall not apply for the other vehicles. However, such towing shall not be made in a manner causing any obstacle or harm to other vehicles parked in the vehicle park.
- (19) Any person shall not, -
- (i) wash a vehicle or cause a vehicle to be washed;
  - (ii) make any repairs other than an essential repair in order to start the vehicle or changing a tyre for the purpose of taking the vehicle out of the vehicle park;
  - (iii) Make any noise which is considered unnecessary or oppressive when any repair mentioned in paragraph (b) are carried out.
  - (iv) park the vehicle in any place in the vehicle park other than where it was originally parked without permission from the Vehicle Park Warden;
  - (v) park vehicles so as to block the lanes of the vehicle park or the gates at the entry and the exit;
  - (vi) blow the alarm instruments fixed in the vehicle except for the purpose of preventing an accident or ensuring the safety of the occupants in the vehicle;
  - (vii) blow the horn of any vehicle parked or entering or leaving the vehicle park,
  - (viii) Consume liquor or spit after chewing betel leaves or use indecent language or create commotion or engage in immoral activities, in any vehicle park.
- (20) The responsibility in regard to the damage of any vehicle parked in any vehicle park shall be liable with the person who park it in the vehicle park. The Municipal Council, the Mayor, Municipal Commissioner or the Vehicle Park Warden shall not be subjected to responsibility in regard to any loss or harm caused within the vehicle park.
- (21) No vehicle shall on any occasion be driven in the opposite direction to that which is marked in the lane within any vehicle park in the manner set out in By-Laws No. 5.
- (22) No person shall harm or deface any construction made or instrument found in any vehicle park.
- (23) (i) The Municipal Council shall have the power to -
- (a) ban the parking of vehicles;
  - (b) limit the parking of vehicles;
  - (c) allow parking on one side only;
  - (d) ban or limit the loading or unloading of goods;

(e) ban loading and unloading of passengers;

(f) name bus stops;

(g) name one way streets and roads and to determine the direction of traffic ;

(h) Naming of public parking place for parking of vehicle.

on any section of any street or road in the area of authority of the Municipal Council;

(ii) It shall be the duty of the Mayor or Municipal Commissioner to take action to fix road signs on limitations at relevant places after placing any limitations under paragraph (i). While these road signs on the limitations shall be in accordance with provisions published in the *Gazette Extraordinary* No. 448/18 dated 13th March 1987, having been made by the Minister under Section 237 of the Motor Traffic Act read with section 164 of the said Act, they are subject to amendments made from time to time.

(24) It shall be the duty of the Mayor or Municipal Commissioner to take steps to remove garbage collected within the premises of every vehicle park every day and to clean the lavatories using disinfectant daily.

(25) It shall be the duty of the Mayor or Municipal Commissioner to take action to see that every Vehicle Park Warden on duty is dressed in a suit to be decided by the Municipal Council and which would allow easy identification of the Park Warden.

(26) (i) The Municipal Council shall have the power to allocate, -

(a) any plot of land owned by the Council ;or

(b) Any plot of land owned by any other Authority, (according to an agreement entered into with such Authority) for the purpose of parking motor vehicles, hereinafter referred to as “the vehicle park”, within the area of authority of the Municipal Council.

(ii) The Municipal Council shall decide from time to time the type of vehicles that shall be parked in any vehicle park and the maximum.

(iii) It shall be the duty of the Mayor or Municipal Commissioner to display at the entrance prominently in the three languages the amount of money decided upon by the Council as charges for parking of any type of vehicle in any vehicle park.

(27) At least two gates shall be made available in every vehicle park, one as a point of entry and the other as an exit. However, in the event of allocating a separate area in the park for the sole purpose of moving vehicles and allowing double lanes for vehicular traffic, with sufficient space at the gate it shall be in order to have only one gate for entry as well as exit.

(28) (i) A fee decided by the Municipal Council from the time to time, shall be recovered for parking any vehicle at parking place belongs to the Municipal Council. Charges and fees.

(ii) Under the sub section 247A(2) of Municipal Councils Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run private parking of vehicle.

(iii) A fee decided by the Municipal Council from time to time shall be recovered for parking of vehicle in private parking place. Further, 25 percentage of recoveries for parking of vehicle decided by Municipal Council from time to time, shall be paid to the Municipal Council. A separate agreement also shall be made with the private parking holders. The receipts books approved by the Municipal Council only shall be used for their collections by the private parking holders.

|   |   |
|---|---|
|   | (iv) If the vehicles are parked during the night in the parking places belonging to Municipal Council, a fee specified by the council from time to time shall be paid in that behalf.   |
|   | (v) Further it shall be lawful to the Municipal Council to assign the recovery of fees for public parking place belongs to Municipal Council on annual lease to the lessee.   |
|   | (vi) However details of all fees shall be published in the Government <i>Gazette</i> of Sri Lanka.  |
| Delegation of power.                          | (29) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.   |
| Valid period of license or permit.            | (30) (i) These By-Laws shall be in operation on days and times determined by the council from time to time. If not so, the operation time shall be from 6.00 a.m to 9 p.m.<br><br>(ii) The validity of every private licence issued under the provision of these By-Laws shall expire on 31st December of each year for which the license has been issued, unless its validity is cancelled earlier.  |
| Procedure of inspection and powers (31 – 32). | (31) The appropriate time for inspection by the Mayor or the Municipal Commissioner or an Authorized Officer under the provisions of these By-laws in this part shall mean any occasion when a parking place in open for parking.<br><br>(32) It shall be duty to co-operate the permit holder who have received permit under the provisions, to the Municipal Mayor or Municipal Commissioner or any authorized officer for inspection, and shall not make obstacle to stop such inspection.   |
| Complaints and resolving mechanism.           | (33) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.   |
| Violation of By-laws.                         | (34) Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence.  |
| Fines and penalties.                          | (35) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in Chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub Section (c) of section 267(3).   |
| Interpretation and definition.                | (36) In these By-Laws unless the context otherwise requires –<br><br>“The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.<br><br>“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.<br><br>“Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality |

“Authorized officer” means any officer given authority in written by the Municipal Commissioner to carry out particular duty.

“Permit holder” means any person whosoever obtained a permit issued by the Mayor or Municipal Commissioner or authorized office under the provision of these by law for parking of vehicle at the parking place.

“Road” means a road, highway, lane, avenue, street, pair of steps, stepping log or bridge and it shall also include any directional sign, boundary stone, boundary post, lamp post, bridge, any type of arch, water crossing, parapet wall, arch, bund, drain, sluice gate, supportive bund, hand rail, chain, fence, signboard, highway name board or pavement by the side of the road fixed or attached to a thoroughfare, road, highway, lane, street, by-lane, steps owned by the Council.

“vehicle” shall be interpreted in the same way as it is given in the Motor Traffic Ordinance and it includes a cart, bicycle or any mechanism with wheels and operated mechanically or in any other way

#### SCHEDULE -1

Paragraph (ii) of By-Law No 09

..... Municipal Council

..... Vehicle Park

Fees for parking vehicle

Receipt No. ....

Vehicle No.

Date

Time of Arrival ..... a.m/p.m

Time of departure ..... a.m/ p.m

Charged fees (Rs)

Schedule 2

Paragraph (i) of By-Law No. 10

Front Page of the card

|                         |
|-------------------------|
| ..... Municipal Council |
| ..... Vehicle Park      |

Back page of card

|                                     |
|-------------------------------------|
| This card should not be transferred |
|-------------------------------------|

PART III-STANDARD BY-LAWS RELATING TO REGULARIZE, FORMULATE, CONTROL AND MONITOR OF CONSTRUCTION AND MAINTENANCE OF SWIMMING POOL WITHIN THE AREA OF AUTHORITY OF MUNICIPAL COUNCIL

|   |   |
|---|---|
| Name of By-Laws.                          | (1) By-laws in this part are cited as the By-laws in relating to regularize, formulate, control and monitor of construction and maintenance of swimming pools within the area of authority of the Municipal Council.  |
| Objective.                                | (2) By-Laws in this part are made for the purpose of ensuring maintenance of security and public health in proper standard of the swimming pool within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.  |
| Legislative enactment for making By-Laws. | (3) By-Laws are made by virtue of the power vested in Municipal Councils by the sub section 272 (5) (j) of Municipal Councils Ordinance, read with section 267 (1) of Municipal Councils Ordinance.   |
| Tasks to be executed (4-10).              | <p>(4) Obtaining the annual licence by submitting the application form in schedule 01 is the duty and obligation of the licensee.</p> <p>(5) If only the following conditions in the By-Laws of this part are fulfilled the Chairman shall issue a licence to any swimming pool.</p> <ul style="list-style-type: none"> <li>(i) Sufficient provisions shall have been made to supply water made available for pre-baths and the swimming pool according to the standards prescribed by the Medical Officer of Health ;</li> <li>(ii) Necessary arrangements shall have been put in place to use sufficient disinfectants for supplies of water mentioned in paragraph (i) ;</li> <li>(iii) Shower-roses shall be provided for a pre-bath before swimming in the pool;</li> <li>(iv) with a view to purifying and disinfecting the entire water capacity in the said swimming pool twice within a period of twenty four hours, a set of strainers with pumps circulating water shall have been fixed ;</li> <li>(v) with a view to purifying and disinfecting, a set of strainers with pumps circulating water shall have been fixed ;</li> <li>(vi) The depth of the swimming pool shall be clearly marked on the platform of the swimming pool ;</li> <li>(vii) A hand-rails and a ladders made of stainless steel shall have been fixed to enter into the swimming pool and get out of it, at a distance of at least 8 meters all around the Swimming Pool ;</li> <li>(viii) The swimming pool shall be fixed with distinctive colored tiles so that the bottom as well as the walls of the pool are clearly visible after it has been filled with water;</li> <li>(ix) If children under twelve years are allowed to swim in the pool, a separate section with a depth of not more than one meters shall have been constructed for such purposes;</li> <li>(x) if towers have been constructed to facilitate diving into the swimming pool they shall have been constructed in concrete and a strong ladder built with iron or steel shall have been fixed ;</li> <li>(xi) A sufficient programme of life saving and first-aid shall have been put in place ;</li> <li>(xii) Separate dressing rooms and lavatories shall be made available to males and females using the swimming pool ;</li> <li>(xiii) The floors of dressing rooms and bathroom shall be well drained and maintained in a clean conditions and shall be treated daily with a suitable disinfectant ;</li> </ul> |

- (xiv) if swimming is allowed after 6.30 p.m. sufficient electric light shall be made available to the interior as well as the exterior of the pool site ;
- (xv) Visible foreign material that may float on the surface of swimming pool water shall be removed daily;
- (xvi) The enclosure of the area of every swimming pool shall be kept in good repair and shall be maintained in a clean and sanitary condition at all times;
- (xvii) A drainage system to allow free flow of water used in lavatories and bathing spots shall be made available ;
- (xviii) The waste materials deposited in the bottom shall be disposed of at least once daily ;
- (xix) The entire water capacity of the swimming pool shall be purified and disinfected at least twice a day ;
- (xx) Every swimming pool that is in use shall be equipped with test kits or testing equipment for measuring :
  - (a) residual disinfectant,
  - (b) the pH (hydrogen ion concentration),
  - (c) the total alkalinity and ; where cyanotic acid or one of the chlorinated isocyanurates is used,
  - (d) concentration of cyanuric acid in the swimming pool water.
- (6) (i) While a programme prescribed by the Municipal Medical Officer of Health shall have been put in place for disinfecting the water filled in the swimming pool instruments recommended by him shall also be made available.
- (ii) The floor and the walls of the lavatories and the places where shower roses have been provided for pre-baths shall be tiled.
- (7) (i) All swimming pools when in use shall be continuously disinfected by a chemical and/or process which meets all of the following requirements :
  - (a) That the disinfectant or disinfecting process is a standard one for potable water.
  - (b) That it imparts a residual effect which may be easily and accurately measured by a field test procedure.
  - (c) That it is compatible for use with other chemicals normally used in the treatment of swimming pool water.
  - (d) That it does not impart toxic properties to the water beyond that of acceptable chlorinating, when used according to directions.
- (ii) If the active agent of the disinfectant is chlorine, the uncombined free available chlorine, as measured by a standard method shall be at least of the following concentration, depending on the PH of the swimming pool water.

| PH. | minimum free available residual chlorine mg/liter<br>(not stabilized with cyanuric acid) |
|-----|--|
| 7.5 | 0.40   |
| 7.6 | 0.50   |
| 7.7 | 0.60   |
| 7.8 | 0.70   |
| 7.9 | 0.80   |
| 8.0 | 1.00   |

- (iii) If cyanotic acid is used to stabilize the free available residual chlorine, or if one of the chlorinated is cyanate compounds is used as the disinfecting chemical, the concentration of cyanuric acid in the water should be at least 30 mg/liter but shall not exceed 100 mg/liter and the free available residual chlorine, as measured by a standard method, shall at least of the following concentration, depending on the PH of the swimming pool water.

| Ph. | Minimum free available residual chlorine mg/liter<br>(cyanuric acid is at least equal to 30 mg/ Liter but not Greater than 100 mg/ / liter) |
|-----|---|
| 7.5 | 1.00  |
| 7.6 | 1.25  |
| 7.7 | 1.50  |
| 7.8 | 1.75  |
| 7.9 | 2.00  |
| 8.0 | 2.50  |

- (iv) if the disinfections of the swimming pool water is accomplished by a chemical or process other than one of the Chlorine compounds, the disinfecting action shall be at least the equivalent of that provided by 0.4 mg/liter of unestablished free available chlorine at a PH of 7.5.
- (v) (a) Samples collected for microbiological examination shall be taken while the pool is in use and shall be collected, the residual disinfectant deactivated. and be examined by a standard method for the microbiological examination of,
- (b) The swimming pool water shall not contain-
- A. More than 200 colonies per mill. As determined by the standard agar plate count.
- B. Coliform organisms and E. Coli type I shall be absent in 100 ml.
- (vi) The water in all swimming pools when in use shall have the following chemical and physical characteristics :
- (a) shall be alkaline as indicated by a pH of not less than 7.5 mg/liter and more than 8.0
- (b) Shall have a total alkalinity of at least 50 mg/liter but not greater than 150 mg/liter as measured by the methyl orange test.
- (c) Shall have sufficient clarity so that a black and white disc 15 centimeters (6 inches) in diameter is visible clearly at the deepest point of the swimming pool when viewed from the side of the swimming pool.
- (8) (i) Proper operating records shall be kept for every swimming pool when in use, and shall be available for inspection by an officer of the council generally or specially authorized thereto by the Mayor or Municipal Commissioner.
- (ii) Operating records shall include daily figures at least the following item:
- (a) Time of opening for use and number of hours in use,
- (b) total bather load,
- (c) Peak bather load,
- (d) volume of makeup water,
- (e) operating periods of circulating pumps and filters with corresponding readings of the rate of flow meter,



- (f) amounts of chemicals used,
- (g) disinfectant residual readings,
- (h) PH readings,
- (i) Readings of other chemical tests,
- (j) Clarity of the swimming pool at the deepest point,
- (k) Maintenance servicing of equipment.

(9) The garbage collected in the licensed premises shall be segregated as specified in By-Law No 10 and put in impervious garbage bins separately and disposed twice a month or more than if necessary, and these garbage bins shall always be kept closed, except when the garbage is being put or removed.

(10) (i) If all the garbage generated in the licensed premises are recyclables, actions shall be taken to segregate them as follows:

- (a) Bio-degradable wastes;
- (b) Glass;
- (c) Paper or paper related materials;
- (d) Polythene, plastic or related materials;
- (e) Iron and any other metal or parts of iron or any other metal;
- (f) Residues of Raw materials or part of by products and parts of other products;
- (g) Hazardous waste

It is the responsibility of the licensee to ensure that each type of waste is put in separate bins or containers which are organized to be covered.

(ii) Provided that the waste put in bins or containers having being categorized in the manner set out in paragraph (i) above is disposed of under the program of waste management launched by the Municipal Councils the final disposal shall be done in the manner prescribed by the Mayor or Municipal Commissioner.

(11) (i) No person shall establish , manage , operate, run a swimming pool without obtain an annual licence from the Mayor or Municipal Commissioner complying with condition and standards provided for issues of such licence,

Tasks not to be carried out  
(11 - 12).

(ii) However specified Paragraph 1, a concession period of three months, after effecting date of these By-Laws shall be given to obtain a licence to maintain any swimming pool. After completion of that period no person shall maintain a swimming pool without obtaining a licence.

(12) No customer who is coming swim shall use the swimming pool any way without using swimming dresses and pre bathe.

(13) In the event of the premises where a swimming pool is established under a license issued under these By-Laws of this part fails to maintain it in accordance with any one of the provisions set out in these By-Laws or contravenes the provisions of any provision of the By-laws set out in this part the Mayor shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.

Function of the Municipal Council  
(13 - 15).

(14) Any licensee in receipt of a notice mentioned in By-Laws No 13 shall act in the manner prescribed in the notice before the date specified in the notice. At any time when acceptable reasons have been forwarded in writing the Mayor or Municipal Commissioner shall have the power to extend the date

|   |  |
|---|--|
|   | specified in the said notice. However, the period of such extension shall not be more than fourteen days.  |
|   | (15) When any licensee in receipt of a notice mentioned in By-Law No. 14 fails to act in accordance with the manner set out in the notice before the date specified in the notice or the date extended it shall be lawful for the Mayor or Municipal Commissioner to cancel the licensee issued to that premises.  |
| Charges and fees.                           | (16) (i) Under the sub section 247(A) (2) of Municipal Councils Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run swimming pool,<br><br>(ii) The fees shall be exempted for the swimming pool run by the Government of Srilanka or Provincial council.  |
| Delegation of power.                        | (17) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws.  |
| Valid period of license or permit.          | (18) The validity of every licence issued under the provision of these By-Laws shall expire on 31st December of each year for which the licence has been issued, unless its validity is cancelled earlier.   |
| Procedure of inspection and powers (19-21). | (19) It shall be duty to co-operate the licensee who have received licence under the provisions, to the Municipal Mayor or Municipal Commissioner or any authorized officer for inspection, and shall not make obstacle to stop such inspection.<br><br>(20) Samples of water should be collected by periodically from every swimming pool when is used and examined for the microbiological quality of water. When such samples are collected the PH and residual disinfectant concentration shall also be tested at same time.<br><br>(21) When the Medical Officer of Health has decided that any type of epidemic or infection has gripped the area where the swimming pool is located or in its neighborhood, the Mayor shall have the power to order the closure of the swimming pool. |
| Complaints and resolving mechanism.         | (22) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.  |
| Violation of By-Laws.                       | (23) Contravention of one or more than one or all of the provisions included in these By-Law shall be an offence.  |
| Fines and penalties.                        | (24) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3).  |
| Interpretation and definition.              | (25) In these By-Laws unless the context otherwise requires –<br><br>“The Mayor” means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.<br><br>“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Councils constituted or deemed to be constituted under this Ordinance for   |

that Municipality. Any person appointed to act as such the Mayor or Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of commissioner to the extent to which such officer is so empowered.

“Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality

“Authorized officer” means any officer given authority in written by the Municipal Commissioner to carry out particular duty.

“Licensee” means any person whosoever obtained a licence under provision of these By-Laws of the Ice factory and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.

“Licensed premise means” placefor which is issued licence to take all measure under this provision.

“The power to inspect within the specified period” means opportunity for take measures to make business at the specified place.

“Swimming pool” means any pool of water constructed for swimming as an exercise or as a pastime or for practice by any outsider for fees or free of charge.

#### SCHEDULE-01

#### MUNICIPAL COUNCIL

#### APPLICATION FOR BUSINESS TAX / LICENCE 20..... FOR CONDUCTING SWIMMING POOL

01. Name of the Swimming Pool :- .....
02. Place of the Swimming Pool:-
  - (i) Ward No.: .....
  - (ii) Assessment No.: .....
  - (iii) Name of the Road/Street: .....
  - (iv) GN Division No. & Name: .....
03.
  - (i) Full Name of the Applicant .....
  - (ii) Permanent Address of the Applicant:- .....
  - (iii) GN Division No. & Name of the Applicant:- .....
  - (iv) NIC No. of the Applicant: .....
  - (v) Telephone No. of the Applicant: .....
  - (vi) e-mail Address of the Applicant: .....
04.
  - (i) Date of Beginning:- .....
  - (ii) (a) Name of the Owner /Manager / Agent of the Swimming Pool:- .....
  - (b) Telephones Number of the Owner /Manager / Agent of Swimming Pool:- .....
05. If the land/ building is obtained on lease/rent.
  - (a) Name of the Owner: .....
  - (b) Address:- .....
06. Whether last year licence was obtained:- Yes/No  
If last year licence was obtained,  
Licence No.: .....
07. WhetherSwimming Pool is separately constructed for adults and children:- Yes/No  
If so, it is separately constructed for adults and children
  - (i) Area of the Swimming Pool for adults- in square metre: .....
  - (ii) Area of the Swimming Pool for children - in square metre: .....

## 08. Dressing Rooms:

- (i) Number of Dressing Rooms for male:.....  
(ii) Number of Dressing Rooms for female:.....

## 09. The number of employees (including Manager) to run the Swimming Pool .....

## 10. Toilets :

1. The number of toilets for male customers: ... ..  
2. The number of toilets for female customers: ... ..

## 11. Water:

- (i) Method/ methods and number of method/ methods to provide water for Swimming Pool:  
.....  
(ii) Method/ methods and number of method/ methods to provide drinking water to customers  
:.....

## 12. Method/ methods for removing the waste water:.....

## 13. Methodology for the final disposal of solid waste:.....

I do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By Law. I apply for the licence for the year 20..... to run the Swimming Pool /Business under the By Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....  
Municipal commissioner / Authorized officer

For the report of assessment section

Ward:.....

Assessment No.:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:.....

Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

- (i) Type of business:.....  
(ii) Fees to be paid:.....Under A/B/C  
(iii) Remarks:.....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report :**

.....  
.....  
.....  
.....

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons: .....

.....

.....  
Date

.....  
Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....

.....  
Date

.....  
Accountant.

Approved/Not Approved

.....  
Date  
.....  
Municipal Council Mayor/Commissioner/Authorized Office.

**For the report of Revenue Branch**

Receipt No.:.....

Date of the Receipt:.....

License No.:.....

Date of the License:.....

Recommended to issue License.

.....  
Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
Date  
.....  
Accountant.

Signed

.....  
Date  
.....  
Municipal Council Mayor/Commissioner/Authorized Officer.

## CHAPTER -5

PART I -STANDARD BY-LAWS RELATING TO CONDUCT THE ICE FACTORY TO REGULARIZE, MONITOR FORMULATE AND CONTROL ICE FACTORY WITHIN THE LIMIT OF THE MUNICIPAL COUNCIL

|   |   |
|---|---|
| Name of By-Laws.                          | (1) By-Laws in this part may be cited as the By-Laws relating to formulate, regularize, control and monitor Ice factory within the area of authority of Municipal Council.  |
| Objective.                                | (2) By-Laws in this part are made for the purpose of maintaining public health and environment without any harmful to the public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.  |
| Legislative enactment for making By-Laws. | (3) By-Laws are made by virtue of the power vested in Municipal Council by the sub section <b>272 (15)</b> of Municipal Councils Ordinance, read with section 147 and 267 (1) of Municipal Councils Ordinance.  |
| Tasks to be executed(4-15).               | <p>(4) Obtaining the annual licence by submitting the application form in schedule 01 is the duty and obligation of the licensee.</p> <p>(5) The licence shall be issued by the Mayor or Municipal Commissioner to the ice factory when the applicant has completed the conditions in this By-Law:</p> <p>(i) The licensed premises shall be in good condition and well ventilated ;</p> <p>(ii) Windows which are capable being opened outward or sideways shall be installed to each room. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable ;</p> <p>(iii) Each room of the licensed place shall be ceiled in height not less than 3metres from floor level ;</p> <p>(iv) The roof has to be made of some permanent solid material. Eaves of the roof has to be at least 2.5metres from the ground level and the width of the eaves should be at least 1 metre ;</p> <p>(v) While the minimum height of the walls of all rooms fixed with machinery for ice products shall not be less than 3.0 meters the walls shall have been plastered with mortar and the insides applied with paints, in the event of there being built with bricks, cement blocks or approved blocks. Otherwise when the walls have been built in wood together with aluminum or any other metal surfaces of the planks shall have been painted on their surface ;</p> <p>(vi) Timber used for the roof shall be applied with oil colours or paints ;</p> <p>(vii) The floor space shall be finished off with cement or tiled ;</p> <p>(viii) A quality certificate issued by the National Water Supply and Drainage Board on the suitability of the water used for the manufacture of ice for human consumption shall have been obtained. This quality certificate shall be obtained at least once in every six months. In the event of the water being supplied by the National Water Supply and Drainage Board is used for the manufacture of ice it shall be presumed that this certificate has been obtained ;</p> <p>(ix) In the event of water used in the manufacture of ice and activities connected therewith being kept in storage sufficient safety measures to prevent pollution of water stored shall be put in place ;</p> <p>(x) Action shall have been taken to dispose of waste produced in the licensed premises in the manner set out in By-Laws No. 12;</p> <p>(xi) In the event of the Municipal Council maintaining a waste water drainage system arrangement may be made to divert waste water formed at the premises to the said drainage system in the</p> |

manner prescribed by the Municipal Council. Otherwise, action shall be taken to divert such waste water to a soakage pit or waste water shall be treated and released to the public drainage. Further, soakage pit shall be covered without mixing with air and it shall be constructed at least fifteen metre away from the constructed well;

(xii) Any lavatory, waste pit or open waste drain or suction pit constructed at the licensed premises shall be located at a distance more than 15 metres from the room where ice is produced and the place where ice produced is issued to customers;

(xiii) General fire fighting instruments and electrical fire fighting instruments have been made actively and sufficiently.

(6) Every space where paints need to be applied as set out in By-Laws No. 5 shall be applied with paints at least once a year.

(7) The place where ice produced and issued to the customers shall have been washed with water at least one a day

(8) Every licensee of an ice factory shall keep affixed in a conspicuous position on the outside of his premises, a board with his name and the words "Licensed Ice Factory" legible painted thereon in Sinhala, Tamil and English

(9) The persons who are carrying ice factory products for sales shall have a registration card with signature of the owner of ice factory

(10) A copy of the trade licence issued to owner of ice factory shall be displayed at the conspicuous place of licence premises

(11) It shall be the duty of the licensee to supply safety facemasks, gloves and other safety materials necessary and to ensure that the employees are wearing these safety materials when they are on duty at the ice factory.

(12) The garbage collected in the licensed premises shall be segregated as specified in By-Law 13 and put in impervious garbage bins separately and disposed once a day or more than once a day if necessary, and these garbage bins shall always be kept closed, except when the garbage is being put or removed

(13) (i) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories:

(a) bio degradable waste ;

(b) glass ;

(c) paper or paper based materials ;

(d) polythene and plastics or material based on polythene and plastics ;

(e) iron and other kinds of metal or parts of iron and other kinds of metal ;

(f) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;

(g) dangerous waste ; and it shall be the duty of the licensee to see that they are put in separate containers or tanks put in place for that purpose.

(ii) Provided that the waste put in bins or containers having being categorized in the manner set out in paragraph (i) above is disposed of under the programme of waste management launched by

the Municipal Council the final disposal shall be done in the manner prescribed by the Mayor or Municipal Commissioner.

- (14) The instruments used shall be cleaned every day and maintained in proper maintaining condition.
- (15) It shall be the duty of the licensee to refer all employees engaged at the licensed premises to a medical test at least once a year.
- Tasks not to be carried out (16– 22). (16) Provided that a valid licence issued by the Mayor or Municipal Commissioner for the particular function has been obtained no person shall maintain an ice factory within the Municipal Council area.
- (17) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who had been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not be engaged in any work of the authorized place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed.
- (18) Provided that a person is dressed in washed and clean clothes no person shall engage himself or employ anybody else in any duty at a licensed premise.
- (19) Non-opaque and easily cleaned utensils shall be used to store. Chemicals used in the manufacture of ice. Further these materials shall not be kept outside the stores unless they are kept in the ice manufacturing room for the manufacture of ice.
- (20) (i) Rooms reserved for the manufacture of ice shall not be used for any other purpose.
- (ii) A separate room or a site shall have been made available to store fuel. Further fuel shall not be taken through the rooms storing ice and issuing ice to customers.
- (21) No licensee of an ice factory shall keep any animal or bird at licensed premises.
- (22) No licensee shall introduce into the ice factory materials and articles other than those used in the manufacture of ice.
- Function of the Municipal Council (23–24). (23) It shall be lawful for the Mayor or Municipal Commissioner or an Authorized Officer, to purchase a sample of any kind of ice products kept for sale or displayed for sale, for the purpose of inspection at the licensed premise.
- (24) In the event of the premises where any ice factory is conducted under a licence issued under the By-Laws any licence contravenes any section of these By-Laws set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.
- Charges and fees. (25) Under the sub section 247(A) (2) of Municipal Councils Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run Ice factory.
- Delegation of power. (26) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.



- (27) The validity of every licence issued under the provision of these By-Laws shall expire on 31st December of each year for which the licence has been issued, unless its validity is cancelled earlier. Valid period of licence or permit.
- (28) The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at the licensed premises. Procedure of inspection and powers (28-31).
- (29) It shall be duty of the licensee who have received licence under the provisions to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any authorized officer.
- (30) Any licensee, who receives such notice mentioned in section 24 in these By- Laws, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.
- (31) The Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned in section 30 in these By-Laws fails to act as stipulated in the notice on or before the specified date.
- (32) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers. Complaints and resolving mechanism.
- (33) Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence. violation of By-Laws.
- (34) (i) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in chapter 252 of the Municipal Council Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of Sub section (c) of Section 267(3). Fines and penalties.
- (ii) Every person who runs factory without licence at any place within the Municipality shall guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand rupees and in case a continuing offence an additional fine not exceeding five hundred rupees per each day during which said offence is continued after a conviction thereof.
- (35) In these By-Laws unless the context otherwise requires - Interpretation and definition.
- “The Mayor” means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.
- “Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.
- “Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipality
- “Authorized officer” means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.

“The power to inspect within the specified period” means opportunity for take measures to make business at the specified place.

“Licensee” means any person whosoever obtained a licence under provision of these By-Laws of the Ice factory and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.

“Licensed premise means” placefor which is issued licence to take all measure under this provision.

“Ice Factory” means a factory where water is caused to solidify mechanically on a commercial basis for consumption.

## SCHEDULE -1

### MUNICIPAL COUNCIL

#### APPLICATION FOR BUSINESS TAX / LICENCE 20.....FOR CONDUCTING ICE FACTORY

1. Name of the Ice factory:-.....
2. Place of the Ice factory:-
  - (i) Ward No.: .....
  - (ii) Assessment No.: .....
  - (iii) Name of the Road/Street: .....
  - (iv) GN Division No. & Name: .....
3. Full Name of the Applicant .....
  - (i) Permanent Address of the Applicant:- .....
  - (ii) GN Division No. & Name of the Applicant:- .....
  - (iii) NIC No. of the Applicant: .....
  - (iv) Telephone No. of the Applicant: .....
  - (v) e-mail Address of the Applicant: .....
4.
  - (i) Date of Beginning:- .....
  - (ii)
    - (a) Name of the Owner / Manager / Agent of the Ice factory: .....
    - (b) Telephone Number of the Owner / Manager / Agent of the Ice factory:- .....
5. If the land/building is obtained on lease/rent.
  - (a) Name of the Owner:- .....
  - (b) Address:- .....
6. Whether last year licence was obtained:- Yes/No  
 If last year licence was obtained,  
 Licence No.: .....  
 Date: .....

7. The number of employees (including Manager) to run the Ice factory:.....
8. Toilets :
  - (i) The number of toilets for male employees: .....
  - (ii) The number of toilets for female employees: .....
9. Method/methods and number of method/methods to get water
10. Method/methods for removing the wastewater:.....
11. Methodology for the final disposal of solid waste:.....

I do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By Law. I apply for the licence for the year 20..... to run the Ice factory /Business under the By Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....  
Municipal Commissioner/ Authorized officer

**For the report of assessment section**

Ward:..... Assessment No.:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:..... Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

- (i) Type of business:.....
- (ii) Fees to be paid:..... Under A/B/C
- (iii) Remarks:.....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report :**

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons: .....  
.....

.....  
Date

.....  
Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....  
.....

.....  
Date

.....  
Accountant.

Approved/Not Approved  
.....

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Office.

**For the report of Revenue Branch**

Receipt No.:.....

Date of the Receipt:.....

License No.:.....

Date of the License:.....

Recommended to issue License.  
.....

.....  
Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
Date

.....  
Accountant.

Signed  
.....

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Officer.

PART II -STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, SUPERVISE AND CONTROL OF AERATED WATER  
MANUFACTORIES WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

|  |   |
|--|---|
| (1) By-Laws in this part may be cited as the By-Laws in relating to formulate, regularize, supervise and control the aerated water manufactory within the area of authority of the Municipal Council   | Name of By-Laws.                          |
| (2) By-Laws in this part are made for purpose protection of environment and public health for the people residing within the Urban Council Limit as per the section 4 of the Municipal Councils Ordinance.   | Objective.                                |
| (3) These By-Laws are made by virtue of the power these By-laws are made by virtue of the power vested in Municipal Councils Ordinance, read with Section 147 and 267(1) of Municipal Councils Ordinance.  | Legislative enactment for making By-Laws. |
| (4) Obtaining the annual licence by submitting the application form in schedule 01 is the duty and obligation of the licensee.   | Tasks to be executed (4-16).              |
| (5) The license shall be issued to any manufacturer of soft drinks by the Chairman or Authorized Officer of Urban Council, if only the following specified conditions are duly fulfilled.  |   |
| (i) The aerated water manufactory shall be kept in clean and renewed condition   |   |
| (ii) Walls of each room of the aerated water manufactory place shall not be less than 3metres in height  |   |
| (iii) These walls shall be built with bricks, block stones or limestone or any other approved stones and plastered and painted in both sides. However, except the kitchen, any other rooms which are made of timber or any kind of metal sheet, or both timber and metal sheets and painted, shall be considered to be in conformity to this provisions. |   |
| (iv) Each room of the aerated water manufactory place shall be ceiled in height not less than 3metres from floor level.  |   |
| (v) Windows which are capable being opened outward or sideways shall be installed to each room. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable   |   |
| (vi) The roof has to be made of some permanent solid material. Eaves of the roof has to be at least 2.5metres from the ground level and the width of the eaves shall be at least 1 meter   |   |
| (vii) The floor of the rooms shall be cemented and plastered or laid with floor tiles.   |   |
| (viii) A sufficient drainage system to drain off waste water flowing from rooms manufacturing soft drinks from washing empty bottles and from bathrooms of the employees shall be put in place ;   |   |
| (ix) While at least one room shall be reserved for storing types of syrup, other chemicals, bottles used to can soft drinks or other kinds of packing materials, sufficient safety measures shall be put in place to maintain the room devoid of rat and other insects ;   |   |
| (x) A quality certificate issued by the National Water Supply and Drainage Board on the suitability of the water used for the manufacture of soft drinks for human consumption   |   |

shall have been obtained. Further this quality certificate shall be obtained at least once in every six months. In the event of the water being supplied by the National Water Supply and Drainage Board is used for the manufacture of soft drinks it shall be presumed that this certificate has been obtained ;

- (xi) In the event of water used in the manufacture of soft drinks and activities connected therewith being kept in storage sufficient safety measures to prevent pollution of water stored shall be put in place ;
- (xii) Place used for the washing of empty bottles shall be located separate from the rooms manufacturing soft drinks. Further only water issued with a quality certificate mentioned in paragraph (x) above shall be used for such activities ;
- (xiii) Separate containers or tanks shall be kept to accommodate waste material generated due to the activities of the soft drinks manufacture, in the manner set out in this by-Law No. 11.
- (xiv) While the employees of the factory shall be allocated lavatories in the proportion of at least one for each group of ten employees, separate lavatories shall be set aside for males and females. Moreover, such lavatories shall be located at a distances away from the rooms manufacturing soft drinks to avoid direct contact in order to maintain hygiene.
- (xv) Suction pit, fertilizer pit or ash pit shall be located more than 18 meters away from a room where soft drinks are manufactured or from a place where water used for the manufacture of soft drinks is being stored in the event of such water being stored in an underground water tank.
- (xvi) Suction pit, fertilizer or ash pit shall be located more than 18 metres away from well where water used for manufacture of soft drinks.

(6) It is the duty of the licensee to ensure that every space where paints need to be applied as set out under By-Law No 4 in these By-Laws shall be applied with paints at least once a year.

(7) The floor of every room used for the manufacture of soft drinks shall be washed at least once a day.

(8) Every room used for the manufacture of soft drinks and its environment, drains, furniture and instruments shall be kept in proper maintaining condition.

(9) When cleaning bottles used to can soft drinks manufactured in a soft drink factory, a minimum of two tanks, viz,

- (i) one tank for the removal of labels previously fixed in the bottles and for the initial cleaning, and
- (ii) The other tank for the final cleaning of those bottles, shall be used and the final cleaning shall be effected utilizing flowing water.

(10) When any other kind or kinds of bottles other than those made of glass are utilized to can soft drinks these bottles shall be used only once and it is the duty of the licensee to ensure that they are produced from hygienically materials. In this matter a written certificate issued Medical Officer of Health is considered sufficient.

(11) It shall be the duty of the licensee to supply safety facemasks, gloves and other safety materials necessary and to ensure that the employees are wearing these safety materials when they are on duty at the soft drinks manufacturing factory.

(12) The garbage collected in the licensed premises shall be segregated as specified in By-Law No. 12 in these By-Laws and put in impervious garbage bins separately and disposed once a day or more than once a day if necessary. Further these garbage bins shall always be kept closed, except when the garbage is being put or removed.

(13) (i) If all the garbage generated in the licensed premises are recyclable, actions shall be taken to segregate them as follows

- (a) Bio-degradable wastes;
- (b) Glass;
- (c) Paper or paper related materials;
- (d) Polythene, plastic or related materials;
- (e) Iron and any other metal or parts of iron or any other metal;
- (f) Residues of Raw materials or part of by products and parts of other products;
- (g) Hazardous waste

It is the responsibility of the licensee to ensure that each type of waste is put in separate bins or containers which are organized to be covered.

(ii) Provided that the waste put in bins or containers having being categorized in the manner set out in paragraph (i) is disposed of under the programme of waste management launched by the Municipal Council, the final disposal shall be done in the manner prescribed by the Chairman or Authorized Officer

(14) Every licensee of an aerated water manufactory shall keep affixed in a conspicuous position on the outside of his premises a board with his name and the words "Licensed Aerated Water Manufactory" legibly painted thereon Sinhala, Tamil and English

(15) Every licensee of an aerated water manufactory shall cause a copy of the licence, to be framed and hung in a prominent place in the manufactory. He shall cause a list of the name and addresses of all the employees, (including vendors of aerated water,) to be kept in the manufactory and to be available for inspection at all reasonable times by the Municipal Commissioner or Authorized Officer or any person authorized by him.

(16) It shall be the duty of the licensee to refer all employees engaged at the licensed premises to a medical test at least once a year.

(17) No person shall run an aerated water manufactories within the authority of the Municipal Council area, unless he or she has a valid permit for the purpose of that, issued by the Mayor of Municipal Commissioner.

Tasks not to be  
carried out  
(17-20)

(18) Unless the date of expiry of the syrups and other chemicals used in the manufacture of soft drinks falls at a sufficient date in future, those materials shall not be used for the manufacture of soft drinks at any time.

(19) (i) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who has been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not be engaged in any work of the authorized place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed ;

(ii) No person or persons shall be engaged or allowed to be engaged at the authorized place, unless they are dressed in well washed clean clothes ;

(20) While non-opaque and easily cleaned utensils shall be used to store syrup and other types of chemicals used in the manufacture of soft drinks, these materials shall not be kept outside unless they are kept in the soft drink manufacturing room for the manufacture of soft drinks.

Functions of the  
Municipal  
Council  
(21 – 22).

(21) It shall be lawful for the Mayor or Municipal Commissioner or an Authorized Officer, to purchase a sample of any kind of soft drinks manufactured at any manufactory, kept for sale or displayed for sale, for the purpose of inspection at the licensed premise.

(22) In the event of the premises where a soft drinks manufactory is maintained under a licence issued under the By-Laws any licensee contravenes any By-Law set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.

Charges and  
fees.

(23) Under the sub section 247A(2) of Municipal Councils Ordinance, Municipal Commissioner has the authority to charge for annual licence fees not exceeded the maximum amount stated to run aerated water manufactory.

Delegation of  
power.

(24) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.

Valid period of  
license or  
permit.

(25) The validity of every license issued under the provision of these By-Laws shall expire on 31st December of each year for which the license has been issued, unless its validity has been cancelled earlier.

procedure of  
inspection and  
powers  
(26 – 29).

(26) The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at the licensed premises.

(27) It shall be duty of the licensee who have received licence under the provisions to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any authorized officer.

(28) Any licensee, who receives such notice mentioned in By- Law 20, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.

(29) The Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned in By-Law 26 fails to act as stipulated in the notice on or before the specified date.

Complaints and  
resolving  
mechanism.

(30) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.

Violation of  
By-laws.

(31) Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence.



- (32) (i) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3). Fines and Penalties.

- (ii) 'Every person who runs aerated water manufacturing without licence at any place within the Municipality shall guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand rupees and in case a continuing offence an additional fine not exceeding five hundred rupees per each day during which said offence is continued after a conviction thereof.

- (33) In these By-Laws unless the context otherwise requires-

Interpretation and definition.

"The Mayor" means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.

"Municipal Commissioner", in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Mayor or Municipal Commissioner or any officer of such Council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of commissioner to the extent to which such officer is so empowered.

"Municipal Council" means, the Municipal Council constituted under the Ordinance of Municipal Councils for Municipality.

"Authorized officer" means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.

"The power to inspect within the specified period" means opportunity for take measures to make business or product at the specified place.

"Licensee" means any person whosoever obtained a license under provisions of these By laws of the hotel and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.

"Licensed premise means" place for which is issued license to take all measures under these provisions.

"Aerated water" means types of drinks manufactured using one type or all types of fruits, essence and syrups, and canned in bottles or any other receptacle, and it shall also include soda water.

#### SCHEDULE-01

APPLICATION FOR BUSINESS TAX / LICENCE 20..... FOR CONDUCTING AERATED WATER MANUFACTORY  
WITHIN THE AREA OF AUTHORITY OF MUNICIPAL COUNCIL

1. Name of the Business center:-
2. Place of the Business center:-
  - (i) Ward No.:
  - (ii) Assessment No.:

(iii) Name of the Road/Street:

(iv) GN Division No. & Name:

3. Name of the Applicant:-

(i) Full Name:-

(ii) Permanent Address:-

(iii) GN Division No. & Name:-

(iv) NIC No.:

(v) Telephone No.:

(vi) e-mail Address

4.

(i) Date of Beginning:

(ii) Type of business:-

(iii) Name of the manager of the business centre / Agent name:

(iv) Previous Business:-

5. If it is rented building,

(i) Name of the Owner:

(ii) Address:-

6. Whether last year licence was obtained:- Yes/No:

If last year licence was obtained,

Licence No.:

Date:

I do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By Law. I apply for the licence for the year 20..... to run the Industry/Business under the By Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....

Municipal commissioner / Authorized officer

For the report of assessment section

Ward:.....

Assessment No.:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:.....

Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

(i) Type of business:.....

(ii) Fees to be paid:..... Under A/B/C

(iii) Remarks:.....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report :**

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons: .....

.....  
Date

.....  
Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....  
 Date

.....  
 Accountant.

Approved/Not Approved

.....  
 Date

.....  
 Municipal Council Mayor/Commissioner/Authorized Office.

**For the report of Revenue Branch**

Receipt No.:..... Date of the Receipt:.....

License No.:..... Date of the License:.....

Recommended to issue License.

.....  
 Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
 Date

.....  
 Accountant.

Signed

.....  
 Date

.....  
 Municipal Council Mayor/Commissioner/Authorized Officer.

CHAPTER 6

PART I - STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, SUPERVISE, ADMINISTRATE AND CONTROL  
OF PUBLIC MARKETS WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

- |     |  |  |
|-----|--|--|
| (1) | By-laws in this part may be cited as standard By-laws relating to the conduct, regularize, administrate and supervise the public markets within the area of authority of the Municipal Council.  | Name of<br>By-Laws.                                |
| (2) | By-Laws in this part are made for the purpose of providing market facilities and selling and purchasing of goods facilities for the residing within the limits of the Municipal Council.   | Objective.   |
| (3) | By-Laws are made by virtue of the power vested in Municipal Council by the sub section 272 (8) of Municipal Councils Ordinance, read with section 155-160 and 267 (1) of Municipal Councils Ordinance.   | Legislative<br>enactment<br>for making<br>By-Laws. |
| (4) | <p>(i) It shall be the duty of the lessee of any shopping stall in the public market or any person who has obtained a ticket to use any trading platform to categorize all the waste generated at the shopping stall or nearby or on the trading platform or nearby under the categories of,</p> <p>(a) Bio-degradable wastes;</p> <p>(b) Glass;</p> <p>(c) Paper or paper related materials;</p> <p>(d) Polythene or plastics or materials related to polythene or plastics and regiform;</p> <p>(e) iron and other kinds of metal or pieces of iron and other metals;</p> <p>(f) dangerous waste; and to dump them into separate containers or receptacles or tanks constructed by the Municipal Council to dump each kind of garbage.</p> <p>(ii) It shall be the duty of the Mayor or Municipal Commissioner to take action to keep in suitable places of the public market small scale containers which facilitate disposal of garbage categorized under paragraph (a), for dumping garbage disposed of by the visitors to the public market. Meanwhile action shall be taken to dump the contents of these containers at sufficient time intervals into containers or receptacles or tanks relevant to garbage stated in paragraph (a).</p> <p>(iii) Nobody shall dump garbage of any kind other than those categorized to be dumped into a particular container, receptacle or tank placed in the public market to collect garbage;(iv).<br/>Except when garbage is dumped or taken out of the container or receptacle or tank constructed for the dumping of biodegradable garbage under the provisions of paragraph (1) of By-laws, under this section, the lid of that container or receptacle or tank shall be tightly closed always.</p> | Tasks to be<br>executed(4-32).                     |
| (5) | It shall be the duty of the person engaged in sales activities at every trading stall and trading platform selling or exhibiting for sale vegetables, fruits, meat, fish or other kinds of food or beverages to suitably wash or scratch and clean or cause anyone else to wash or scratch and clean at the end of the day's activities every trading stall, table, bench, plank displaying goods and cupboard.  |  |
| (6) | It shall be the duty of the Mayor or Commissioner to make arrangements to clean by washing using disinfectants every lavatory and urinal within the premises of the public market at least thrice a day and to clean by washing every drain constructed to allow free flow of water at least twice a day.  |  |

- (7) It shall be the duty of the Mayor or Commissioner to make arrangements to remove at least once a day or on more occasions if necessary, the garbage accumulated in every container, receptacle or tank constructed in the manner specified in the paragraph (xxiv) of By-laws No. 61 and paragraph (i) of By-Law No. 4. Moreover, action shall be taken to transport such garbage out of the premises in a vehicle having fully covered the part containing such garbage.
- (8) It shall be the duty of the Mayor or Commissioner to make arrangements to remove at least once a day the soil or sand or other matter accumulated at the place allocated for washing vegetables or fruits and to prevent obstacles to the free flow of water at that place.
- (9) It shall be the duty of the Mayor or Commissioner to make arrangements to examine at least once whether the functioning of the firefighting equipment fixed at the public market is in order and to fix new equipment in place of those rendered non-functional.
- (10)
  - (i) It shall be the duty of the Mayor or Commissioner to make arrangements to apply paints at least once a year on all the walls of the trading stalls except the inner walls, the parts plastered with cement in every trading platform with parapet wall constructions made with galvanized iron and other parts of the ceilings except the inner ceiling of the trading stalls in the public market;
  - (ii) It shall be the duty of the lessee of the trading stalls to apply paints at least once a year on the inner walls of the trading stalls, the constructions made with galvanized iron and the inner ceiling of the trading stalls in the public market.
- (11) The Municipal Council shall determine from time to time the dates and time the public market maintained by the Municipal Council shall be kept open. It shall be the duty of the Mayor or Municipal Commissioner to make arrangements to publish a notification in all the three languages as to what the dates and times the public market is opened and to prominently display such a notification at the entrance to the public market, as determined by the Municipal Council. It is not determined by the Municipal Council, the market shall be opened from 5 a.m. to 9 p.m.
- (12)
  - (i) Every person who needs to use or utilize any trading platform built outside the shopping stalls of the public market shall obtain a valid ticket issued under the authority or upon it under the provisions of the By-laws in this part;
  - (ii) The ticket issued under the provision in paragraph(i) shall be substantially prepared according to the specimen given in the First Schedule
- (13)
  - (i) It shall be the duty of the Municipal Council to perform the task of selecting a tenant to use or utilize any shopping stall in the building of the public market, being not a meat stall and to lease it out to the tenant through public tender;
  - (ii) When calling for tenders to rent out any shopping stall under paragraph (i) the decision on the monthly rental payable for the said shopping stall shall be made in accordance with the valuation of the Chief Valuation Officer.
  - (iii)
    - (a) The occasion that arises when the tenant has on his own free will got the agreement repealed; or
    - (b) The occasion that arises when the tenancy agreement has been repealed or being repealed due to violation of the provisions of the By-Laws in this part or violation of the conditions of the tenancy agreement ;or

- (c) The occasion when the tenant has died leaving no spouse or child, shall be considered as the occasions when tenders shall be called to select a tenant under paragraph (i).
- (iv) Meanwhile, unless any tenant has rejected validation of the said tenancy agreement for any subsequent year or willfully avoid such opportunity for validation as per the conditions specified in By-Law No 55, it shall not be considered that the tenancy agreement signed by the Municipal Council and the lessee has been invalidated.
- (14) The tenant selected to use or utilize any shopping stall, through public tender under the provisions of By-laws No.13 shall enter into an agreement with the Municipal Council.
- (15) Notwithstanding anything stated in By-law No. 13 it shall be lawful to consider the lessee mentioned in the tenancy agreement signed lately with the Municipal Council in respect of each shopping stall in any public market owned by the Municipal Council on the date the By-laws in this part come into force, as the tenant selected to use or utilize the said shopping stall under By-law 13 effective from the date of such enforcement. Moreover, any tenant in respect of whom these By-laws is relevant further, shall enter into a new tenancy agreement within a period of three months from the date of this By-Law are effective as per By-Law No 16 .
- (16) (i) While any agreement signed with the Municipal Council under the provisions of By-laws No. 14 and 15 shall be valid only for a period of one year, the period of validity of the tenancy of the said shopping stall can be extended for a further period of one year on arriving at a new agreement with the Municipal Council for the subsequent year, before one month of the expiry of the said period of one year. The tenant shall have the right to use or utilize the said shopping stall after getting the period of lease of the said shopping stall validated annually for any subsequent year in the same manner;
- (ii) However, it shall be the duty of the Municipal Council to decide in accordance with the valuation of the Chief Valuation Officer, the monthly rental that shall be paid during the said subsequent year for the use and utilization of the said shopping stall by any tenant having validated the period of lease under paragraph (i).
- (17) Different places shall be allocated for sales of vegetable, fruits or any other different kind of article.
- (18) Obtaining annual trade licence for the year, is the duty of stall holders in the public market , private market.
- (19) All conditions are applicable to the platform sale of fish when they are accommodated within the market premises.
- (20) (i) Chicken & meat sellers shall take action to dispose the garbage generates at their stalls as specified in by Law No 4.
- (ii) It shall be the duty of the Municipal Council to reserve a separate place for sale of poultry within the market.
- (21) (i) No person other than the person holding a licence, or his agent or servant whose name has been duly registered as such in the Municipal Office and to whom a card of registration has been issued by the Mayor or Municipal Commissioner shall sell, use, or occupy and part thereof in a market or sell goods therein. Also, before obtaining the licence, the licensee and his employees shall get into a medical check-up in each year and that medical report shall be submitted to the Mayor or Municipal Commissioner.

- (ii) Every stall holder who is desirous of employing any person as his agent or servant at his stall shall make application in that behalf to the Municipal Commissioner. Every such application shall be accompanied by two copies of National Identity Card.
  - (iii) The Mayor or Municipal Commissioner shall, upon receipt of that application, issue such person a duly numbered card of registration to which shall be affixed one copy of the National Identity Card forwarded with the application. The other copy of National Identity Card shall be kept with the Medical Officer of Health.
  - (iv) Every person to whom a card of registration has been issued under these By-Laws shall, on demand by any officer of the Municipal council, produce such card for the purpose of inspection.
  - (v) A card of registration issued under these By-Laws may be cancelled at any time by the Municipal Commissioner, if he considers it necessary so to do.
  - (vi) Where in any change of employment, the licensee shall inform that to the Mayor or Municipal Commissioner in writing.
- (22) Every person having a licence to hold or occupy a stall in any market or holding a specially licence to sell meat, fish or other articles in any place of business other than a public Market, and for which such special licence may be lawfully issued under the provision of this part, shall be bound to keep such stall or place of business open to the public daily between the hours of 5.00 a.m. and 9.00 p.m., any person who shall close such stall or place of business or shall willfully neglect or refuse to serve the public during two consecutive days without written approval of the Mayor or Municipal commissioner, shall be guilty of an offence, and it shall be lawful for the Mayor or Municipal commissioner to suspend or revoke the licence of any person convicted as aforesaid, and to refuse thereafter to grant any such licence to any such person Also, a stall or the business place shall be taken into the possession of the Council.
- (23) Any officer authorized by the Mayor or Municipal Commissioner shall be employed to issue tickets to and to levy money on those tickets, any person who needs to use or utilize trading platforms except trading stalls in the public market. Furthermore, it shall be the duty of the Authorized Officer to take action to credit money collected daily on issuing such tickets to the common fund of the Municipal Council before 3.00 p.m. on each day of collection. If any money collected on issuing tickets at the public market after action has been taken by the Authorized Officer to credit the money collected in the common fund of the Municipal Council on a certain day is still left, such money shall be credited to the Municipal common fund of the Council on the following day.
- (24) In the event of the inability to employ any officer authorized by the Mayor or Municipal Commissioner to issue tickets to and collect money from any person wishes to use or utilize the trading platforms in the public market, except trading stalls, in the manner set out in By-Laws No. 23, the Municipal Council shall have the power to allocate the task to a person selected on calling public tenders, hereinafter referred to as the "Lessee".
- (25) While assignment of duties for any Lessee selected under By-Laws 24 shall be valid only for one year, a lessee shall be selected again for the following year through tenders.



- (26) (i) When a lessee has been selected under the provisions of By-laws No. 25, he shall take action to –
- (a) deposit in the Municipal Council a refundable security deposit in a value decided upon by the Municipal Council at the time of calling tenders for such selection;
  - (b) arrive at an agreement with the Municipal Council in respect of issuing such tickets and collecting money;
  - (c) deposit in the Municipal Council a deposit equal to one third or more of the annual fees agreed upon by the agreement signed under the provision of sub-paragraph (ii).
- (ii) Unless the provisions set out in paragraph (i) have been fulfilled in the manner stated therein, nobody shall be allowed to use or utilize trading platforms in any public market being maintained by the Municipal Council, to issue tickets to the people willing to engage in trading and to collect money for such tickets.
- (27) It shall be the duty of the Municipal Council to include the following as accepted conditions in the agreement to be signed by the Municipal Council with any lessee according to sub-paragraph (b) in paragraph (i) of By-laws No. 26 :–
- (i) the manner in which tickets shall be issued in order to use or utilize trading platforms;
  - (ii) the manner in which money shall be collected for the said tickets and the maximum amount of money that shall be charged;
  - (iii) the total amount of money to be paid by the Lessee to the Municipal Council for the year of agreement;
  - (iv) the fact that the said annual money shall be paid to the Municipal Council in twelve equal instalments and the value of one such instalment ;
  - (v) the date on which the money that shall be paid for each month is to be paid to the Municipal Council ;
  - (vi) the fact that the lessee is required to pay to the Municipal Council a late fee amounting to ten percent of the monthly charges in the event of failure to pay that money on the due date;
  - (vii) the termination of the power vested in the lessee to issue tickets to those willing to use or utilize trading platforms in the public market and charge money on behalf of these tickets from the date of the receipt of a notification from the Mayor or Municipal Commissioner in writing on the fact that the agreement is subject to cancellation under the provisions of the By-laws No. 28 and that the agreement has been declared null and void in the event of the failure to pay the money due to be paid to the Municipal Council for a period of more than three months.
- (28) (i) It shall be the duty of the Municipal Commissioner to hand over a notification in writing to the lessee demanding the payment of the arrears and late fees in the event of the failure of the Lessee to pay to the Municipal Council the monthly dues and when the arrears are for a period of more than three months.
- (ii) In the event of the failure of any Lessee to pay to the Municipal Council the arrears of payments and the late fees within seven days of the receipt of a notification under paragraph (i) the agreement signed by the Municipal Council with the relevant Lessee shall be considered to be rendered null and void with effect from the expiry of seven days from the receipt of that notification

by him, and such cancellation shall be lawful. Moreover, it shall be the duty of the Municipal Commissioner to inform in writing to the relevant Lessee about the cancellation of the said agreement on the day it is considered cancelled.

- (iii) The Lessee who was a party to any agreement cancelled under the provisions of the provisions in paragraph (ii) shall not, on any occasion after the cancellation of that agreement issue tickets to anybody or collect money for such tickets from anybody to use or utilize the trading platforms of the said public market.
- (iv) It shall be the duty of the Mayor or Municipal Commissioner to employ any Authorized Officer of the Municipal Council to issue tickets and collect money on behalf of those tickets to use or utilize the trading platforms of the public market with effect from the day after the day of the cancellation of any agreement under provisions in paragraph (ii). Moreover, in the event of the Mayor or Municipal Commissioner being of opinion that it is not possible to get the task performed any further by an Authorized Officer, he shall forward his opinion to the Municipal Council through the Mayor in order to take action according to the provisions in By-laws No.24. When the opinion of the Municipal Commissioner has been forwarded to the Council in the above manner the Municipal Council shall take a decision to take action in accordance with By-laws No. 24.
- (v) On any occasion when the Municipal Council has come to a decision to act in accordance with By-laws No. 24 as set out in paragraph (iv), the Lessee who was a party to the cancelled agreement shall have no right to submit a tender application in accordance with the said tender notice.
- (29) Everybody engaged in trading activities in shopping stalls and trading platforms in any private market shall obey the provisions in these By-Law. Furthermore it shall be the duty of the licensee of that market to ensure that the said persons obey these provisions.
- (30) It shall be the duty of the licensee of every private market to obey the provisions in these By laws No 32.
- (31) The following terms contained in the By-Laws shall convey the meaning given against it for the purposes of this By-laws, in respect of any private market :-
  - (i) "Public market" means the said private market;
  - (ii) "Tenant" means the person engaged in business at any shopping stall in the said private market or his agent or the person in charge of the said shopping stall for the time being ;
  - (iii) "Mayor" or Municipal Commissioner or "Municipal Council" means the licensee of the said private market or his substitute or the agent or person in charge of the functions and duties of the said private market for the time being.
- (32) It shall be the duty of the licensee to display prominently at the entrance of the said private market a notice or notices in all the three languages about the dates and time on which any private market a notice or notices in all the three languages about the days and time on which any private market is kept open.

- (33) It shall not be lawful for any person to do any of following acts, Tasks not to be carried out (33 – 60).
- (i) Being a person holding a licence or ticket for a stall or space in public market or being servant or agent of any such person to subject any person resorting to such market to unnecessary and vexatious annoyance or delay.
  - (ii) To carry on any cooking in a public market.
  - (iii) To be have in a disorder manner, or beg or commit any nuisance in any public market or the premises appertaining thereto.
  - (iv) To remain in a public market after the place has been closed for business at 9 p.m. without being able to give a satisfactory reason.
  - (v) To damage or in any way deface any portion of the buildings, stalls, lamps. or any property of the Council in or about a public market, or defile or pollute in any way, or waste or bathe himself in or wash any clothes or animal in the water provided for use in such public market.
  - (vi) Fixing any advertising boards of any form other than the name board of the shopping stall, display banners or do any other type of advertising unless formally allowed by the Mayor or Commissioner;
  - (vii) Excreting at any place other than the lavatory or urinal.
  - (viii) No person shall obtain brokerage from the farmer for sales of agricultural products.
  - (ix) Selling dried goods at the platform sale except the agricultural products.
- (34) To make any noise, to fight or quarrel, or use insulting, abusive, or obscene language within any public market or the premises appertaining thereto. Any person contravening these By-Laws shall be turned out by the Market-keeper or his assistant other person authorized thereto.
- (35) No person shall expose, or hawk about for sale any fish, chicken, beef, mutton, or other meat or offal in any place or street within the Municipality (except at a public market provided by the Council) without a special licence from the Council, or contrary to the tenant of such licence. Further no person shall sell within a radius of 0.5 kilometer from a public market without special licence as decided by the Council for chicken, meat and fish .Further no person shall expose or hawk about for sales vegetables (including coconut) and any other kind of food at any place within a radius of 0.5 kilometer from the public market except special licence authorized by a resolution of Municipal Council. While the radius of market is not decided by the Municipal Council the radius means 0.5 kilometer from the market. The Municipal Council may decide radius less than 0.5 kilometer and shall declare.
- (36) No person shall, within the market area sell edible fish, other than shell fish, except by weight.
- (37) No person shall keep or sell in a public market any type of things or other than what is specified in the licence or ticket. No person shall sell or expose for sale any meat or offal either in a public market or in a place specially licensed under By-Laws No 22 without a pass issued to him under By-Laws No 35 of this part. And it shall be lawful for any authorized Municipal Officer or a Police Officer to demand the produce of such passes from any person selling or exposing meat for sale, and on failure of produce to seize any meat in such market without such pass, or contrary to the terms thereof, and to remove the same to the Municipal Office or to a Police Station to be disposed of as may be directed by the Judge or decided by the Mayor or Municipal Commissioner.

- (38) No person shall sell any chicken without proper licence at any stall in the public market.
- (39) No person shall keep or use or occupy or hold any stall, shop, or other place in a public market unless he is a person or the agent of a person having the permission of the Mayor or Municipal Commissioner or of any Municipal Officer authorized to exercise the powers of Municipal Commissioner under the Municipal Council Ordinance to sell or expose for sale any article at such stall, shop or place.
- (40) Space properly marked and numbered shall be set apart in every public market for the sale of vegetables, fruits and other articles by persons paying such daily fee as the Mayor or Municipal Commissioner may from time to time determine. No person shall occupy any such space without having obtained a ticket, or sell or expose for sale any vegetables fruits or other articles not specified in his ticket. A ticket signed by any person authorized thereto in writing by the Mayor or Municipal Commissioner shall be issued to each person who pays such fee.
- (41) No person shall transfer to any other person a licence or ticket issued to him for any stall or space in a public market, or shall sublet any such stall or space or any part thereof and no person shall use, or hold, or occupy any stall use or space or any part thereof under any alleged transfer without the permission of the Mayor or Municipal Commissioner.
- (42) No person holding a ticket for any space in any public market shall under any pretext whatsoever allow or permit any other person to use or occupy such space or any part thereof, or to sell or expose for sale any goods, articles, or things of any description whatsoever
- (43) No person other than a ticket-holder shall use or occupy any space or any part thereof in a public market or sell or expose goods therein.
- (44) Being a person affected with any loathsome or contagious or infectious disease, to occupy any stall, seat, space in any public or private market, or expose or carry about for sale in such market, or in any street within the Municipality any article whatsoever, no person shall employ in any capacity in any public or private market any person affected with any such disease. No person so affected shall enter any market. Any such person may be expelled from the market premises.
- (45) No person holding a licence for any stall in the public market shall under any pretext whatsoever suffer or permit any other person to use or occupy such stall or any part thereof, or to sell or expose for sale any goods, articles, or thing of any description whatsoever without the authority of the Municipal Commissioner
- (46) No person holding a licence or ticket for any stall or space in a public market shall use, or occupy, or permit or allow any person acting or on his behalf to use or occupy, and no agent or servant of person holding such licence or ticket shall use or occupy any stall or space or any ground beyond the limits of the stalls or space rented by him
- (47) No person shall throw rubbish, refuse bones, skins of animals or such like item or upon any public market or its premises into or any drain on or near the market premises, except into a receptacle provided of or such purpose.
- (48) Except as otherwise provided in these By-Laws, no carcass of any animal (of any portion thereof) not slaughtered at a Local Authority slaughter house shall be brought into a public or private market, or to any place specially licensed as provided in By-Laws No 22 of this part, or sold or exposed for sale in any public market or private market or in such specially licensed place. The provisions of these

By-Laws shall not apply to meat, game or fish imported into the Island, Meat, game or fish so imported shall be sold in any place specially licensed therefore.

- (49) No person shall bring a dog into a market or allow any dog belonging to him or in his charge to be on any part of any market
- (50) (i) In case of any materials or goods brought into the public market for sale or any instrument or anything else used in trading activities, they shall not be kept or allowed to be kept on any corridor or platform bank except when they are brought into the market or taken out of it.
- (ii) While no type of trading activities shall be pursued in a corridor or on a platform bank inside the public market, any action causing disturbances to persons walking along the pavements, reserved places, corridors or over the platform banks or the steps shall not be done.
- (51) Unless the Municipal Council has come to a decision and given permission for the particular activity nobody shall undertake any type of construction or fixture or alteration or partitioning that would alter or damage the overall plan of any shopping stall in the public market.
- (52) No body shall erect a trading platform or make a partitioning in any place within the public market.
- (53) Unless somebody is a holder of a valid ticket issued under the provisions of the By-Law No. 12 or his or her employee or a agent of him or her and comply with the orders and conditions of the By-laws in this part, nobody shall use or utilize a trading platform built outside the shopping stalls of the public market. Further no person shall keep any of that place after time fixed for closing of market.
- (54) Unless somebody is a person who has entered into a tenancy agreement with the Municipal Council under the provisions of the By-Laws in this part or his employee or sub-agent and comply with the orders and conditions of the By-Laws in this part and the said tenancy agreement, nobody shall use or utilize any shopping stall in the public market.
- (55) Unless action has been taken to get validated the period of tenancy for the subsequent year under By-Laws No. 16 before the expiry of one month from the date of the expiry of the period of tenancy of any shopping stall, no tenant shall have the right to use or utilize the said shopping stall after the expiry of the last day of the said month.
- (56) Nobody shall take action to sublet any shopping stall in the public market. Any loss or harm or damage caused to any sub-tenant as a result of the cancellation of the agreement entered into between the Municipal Council and the tenant of the said shopping stall due to subletting of any shopping stall by anybody and as a result of vesting back the said shopping stall to the Municipal Council shall be vested with the said sub-tenant. Meanwhile the Municipal Council or the Mayor or Commissioner or the Authorized Officer shall not be subjected to responsibility in this regard.
- (57) Nobody shall obtain or allow anybody else to obtain an electricity connection or water connection to a shopping stall from any electrical circuit or common water tap put in place for public use in the premises of the public market.
- (58) (i) Any licensee shall not desist or prevent such purchase referred in By-Law No 62.
- (ii) It shall be duty to co-operate the licensee who have received licence under the provisions for private market and any person in the public market, to the Municipal Mayor or Municipal Commissioner or any Authorized Officer for inspection, and shall not make obstacle to stop such inspection.

- (59) No person shall do as being a Market-keeper or lessee of a public market or any person employed under him, to demand or receive a greater rent, toil, or fee than that authorized to be received, or to give any unnecessary or vexatious annoyance to any person under presence of performing any duty or exercising any authority imposed or conferred upon him.
- (60) No licence shall be issued for any private market by the Mayor or Municipal Commissioner unless required conditions specified in this By-Law for a public market has been duly fulfilled.

Function of the  
Local Authority  
(61-64).

- (61) The Municipal Council shall obey the following directives in these By-laws in regard to any public market constructed and maintained by the Municipal Council, viz:
- (i) While all permanent buildings of the public market shall be built with bricks, cement blocks or any other approved stones the height of the walls shall be at least three metres from the ground level.
  - (ii) The roof shall be made of some permanent material.
  - (iii) While the roof of the inner shopping stalls shall be fitted with ceilings the ceilings shall be at a height of at least 3 metres from the ground level.
  - (iv) While the front side of the inner shopping stalls shall contain a corridor at least 2.5 meters wide, the place where each shopping stall meets the corridor shall contain a collapsible door or a door that could be removed as planks.
  - (v) Platform banks and drains carrying away rain water, at least one meter in width shall have been constructed at the outer boundary of the walls and the outer boundary of the corridor of the building containing the shopping stalls.
  - (vi) Trading platforms shall have been constructed for temporary traders outside the shopping stalls of the building.
  - (vii) Every trading platform constructed inside the building shall consist of a floor board made of concrete sheet or stainless metal sheet placed on a bank made with bricks or cement blocks or any other approved stone. However, when it is not possible to construct trading platforms in this manner the floor board is made with cement blocks or any other approved stones, it shall be plastered with cement or tiled. The flat spaces shall be allocated on the floor and each section shall be demarcated in white paint.
  - (viii) The area of each trading platform shall not be less than two square metres.
  - (ix) While a roof covering each trading platform and constructed at a height of at least 2.25 metres above the floor level on posts made with bricks or cement blocks or any other approved stones or galvanized iron bars or reinforced aluminum bars shall be made available the eaves shall be at a height of at least 2.1 metres above the floor level. Moreover, when these posts are constructed with bricks or cement blocks or any other approved stones they shall be plastered and applied with paints and if they are constructed with galvanized iron bars they shall be painted.
  - (x) While every roof shall be constructed with solid materials sufficient pipes shall have been fixed to drain away water accumulated in the gutters.
  - (xi) The platform bank at least one metre in width, shall have been constructed on the ground around every trading platform.

- (xii) While a quality certificate issued by the National Water Supply and Drainage Board on the suitability of the water used in the premises for human consumption shall have been obtained this quality certificate shall be obtained at least once in every six months. In the event of the water being supplied by the National Water Supply and Drainage Board is used at the premises it shall be presumed that this certificate has been obtained;
- (xiii) In the event of water used in the manufacture of soft drinks and activities of the premises being kept in storage sufficient safety measures to prevent pollution of water stored shall be put in place;
- (xiv) While a sufficient number of separate lavatories and urinals shall have been constructed for the use of the males and females the floor of every lavatory and the walls up to a minimum of two metres above the floor level shall have been tiled.
- (xv) While sufficient electricity shall have been provided to all shopping stalls, trading platforms, lavatories and urinals and to all common areas including the corridors every electric circuit shall have been covered with a bad conductor covering.
- (xvi) While every shopping stall shall have been fixed with an electricity meter each a separate meter shall have been fixed to measure the electricity units spent for the electrification of common areas.
- (xvii) Common water taps to obtain water shall have been fixed within the premises.
- (xviii) A separate area shall have been allocated to wash vegetables and fruits.
- (xix) Water supplies shall have been provided to each shopping stall that requires water due to the nature of their business. While a separate water meter each shall have been fixed for each of these supply points a separate water meter each shall have been fixed to measure the consumption of water at common taps and at the places allocated for the washing of vegetables and fruits.
- (xx) While a sufficient system of drains shall have been provided to enable free flow of water accumulated from rain water directly falling on the floor and the roofs and water disposed of, from the place allocated for the washing of vegetables and fruits arrangements shall have been provided to allow free flow of such waste water.
- (xxi) While a sufficient fire protection programme shall have been put in place, action shall have been taken to fix different types of firefighting equipment necessary for the control of fire generated from electric circuits, fire caused by fuels and fire generated due to any other reason.
- (xxii) A standard common scale shall have been kept at a separate and prominent place with a view to weighing and ensuring the weight of the goods purchased by the consumers.
- (xxiii) It shall be the duty of the Municipal Council to separate the market into sections for sale of meat, fish, vegetables, fruits, groceries and other commodities, having taken into consideration the location of the shopping stalls of the common market and also to separate the trading platforms in the same manner.
- (xxiv) While tanks, receptacles or containers that could accommodate waste generated in the premises and categorized as:
  - (a) biodegradable waste ;
  - (b) glass ;

(c) paper or paper related materials ;

(d) polythene and plastics or materials related to polythene and plastics ;

(e) iron and other metals or pieces of iron and other metals ;

(f) dangerous waste ;

shall have been constructed in a separate area of the public market the receptacle or tank constructed to collect bio-degradable garbage shall be provided with a lid that could be tightly closed so that rats, animal, flies, insects or any type of bird could gain entry into it.

(xxv) Sufficient parking facilities shall be provided to the bicycles, motor bicycles and the motor vehicles of consumers as well as those transporting goods.

(xxvi) It shall be duty of the Mayor or Municipal Commissioner to provide a separate and common place to sell retail and whole sale of agricultural products to farmers. Further , it shall be the duty of farmer to follow procedures specified in these By-Laws.

(xxvii) The layout of the public market shall be display at a conspicuous place in the public market where the public can easy see. Further all section of the market such as stall section, flat form sellers section fish market, meat stall section and agricultural products sale section shall be shown in this Lay- out of the public market.

(62) While it shall be lawful for the Mayor or Commissioner or an Authorized Officer to purchase a sample of any kind of food kept for sale or displayed for sale in the premises of any public market or any private market.

(63) IT shall be the duty of the Municipal Council to ensure that the platform sellers and stall holders are selling the item as specified in the agreement accordance with the Lay-out of the public market.

(64) Slope steps and hand holders shall be fitted with the building for the disable persons to proceed into the market with their wheel.

Charges and fees.

(65) (i) It shall be lawful to the Municipal Commissioner to recover rent from the stall holder accordance with the valuation made by Chief valuer and agreement made with tenancy.

(ii) It shall be lawful to Municipal Commissioner to recover fees from the person who are using the selling platform as specified in schedule ii accordance with municipal council decision and to recover fees less than 5% of the total sales from the person/ farmers who are using common and opened place to sell their product. Further it shall be lawful to the Municipal Council to assign the recovery of fees on annual lease to the lessee and to recover the lease according to the agreement as specified in this paragraph. However details of all fees shall be published in the Government Gazette of Sri Lanka.

(iii) Under the sub section 247(A) (2) of Municipal Councils Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to conduct private market.

(iv) Twenty five percent out of whole sale tax recovered from the agricultural products brought the private market for sale at the rate decided by the Municipal Council (as per paragraph (ii)) shall be paid to the Municipal Council, A separate agreement also shall be made with the private market holders. The receipts books approved by the Municipal Council only shall be used for



their collections by the private market holders. This By-Laws is applicable to private fish market also.

- |      |  |   |
|------|--|---|
| (66) | It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.   | Delegation of powers.                       |
| (67) | Validity of every license issued under the provision of these By-Laws shall expire on 31st December of each year for which the license has been issued, unless its validity is cancelled earlier.  | Valid period of licence or permit.          |
| (68) | The appropriate time for inspection by the Mayor or by the Mayor or Municipal Commissioner or an Authorized Officer of the provisions of the By-laws in this part shall mean any occasion when a public market or a private market is opened for business activities.  | Procedure of inspection and powers (68-71). |
| (69) | It shall be lawful to Municipal Council to issue or refuse a licence for the application with the consideration of public benefit to conduct private market within the Municipal council area. In the event of the premises where any private market is maintained under a licence issued under the By-laws of this part fails to maintain it in accordance with any one of the provisions set out in By-laws No. 4 to be read with By-laws No. 61 or contravenes the provisions of any By-laws of the by-laws set out in this part the Mayor or Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date. |   |
| (70) | Any licence in receipt of a notice mentioned in By-Laws No.69 shall act in the manner prescribed in the notice before the date specified in the notice. At any time when acceptable reasons have been forwarded in writing the Mayor or Commissioner shall have the power to extend the date specified in the said notice. However, the period of such extension shall not be more than fourteen days.   |   |
| (71) | When any licence in receipt of a notice mentioned in By-laws No. 70 fails to act in accordance with the manner set out in the notice before the date specified in the notice or the date extended it shall be lawful for the Mayor or Commissioner to cancel the licence issued to that premises.  |   |
| (72) | If any dispute arises concerning any stall, space, bin, rent or fee, it shall be competent to them as to him, Mayor or Municipal Commissioner to determine the same and make such order thereon as to him may seem proper.   | Complaints and resolving mechanism (72-73). |
| (73) | Any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.   |   |
| (74) | Contravention of one or more than one or all of the provisions included in these By-laws is an offence.  | Violation of By-laws.                       |
| (75) | Contravention or breach of any of these by-laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the Municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in Chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3).   | Fines and penalties.                        |

Interpretation  
and definition.

(76) In these By-Laws unless the context otherwise requires—

“The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.

“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such municipal commissioner or any officer of such council empowered by or under this ordinance to exercise, perform discharge any of the powers, duties of function of commissioner to the extent to which such officer is so empowered.

“Municipal Council” means, the Municipal Council constituted under the ordinance of Municipal Council for Municipality.

“Authorized officer” means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.

“Licensee” means any person whosoever obtained a license under provision of these By-Laws of the public Market and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.

“Spouse” means the legal wife or husband of any lessee;

“Public Market” means any place where shopping stalls constructed for the purpose of engaging in sales or where facilities are put in place for the sale of goods and commodities including vegetables or fruits produced in their gardens or home gardens and a place erected and being maintained by the Municipal Council, and it shall also include a place where any product is bought or sold wholesale or retail.

“Private Market” means any place where activities similar to those carried out in a public market are carried out by any body or a body of persons or any cooperated body not being the Municipal Council;

“Chief Valuation Officer” means the Chief Valuation Officer of the Department of Valuation and it shall also include any officer appointed by the said Department on behalf of the Administrative District to which the Municipal Council belongs;

“Tenant of a stall” means any person maintaining any shopping stall in any public market under an agreement with the Municipal Council ;

“Trading platform” means any platform erected for the purpose of day to day sales within a public market, separated from the shopping stalls in the said market, and it includes any place demarcated for sales activities by drawing lines on the floor of the said public market.

“Lessee” means any person obtained public market on annual lease, issuing and collecting fees for use of trading platform.

“Extent of the space allocated for trading purposes in any public market” means the section from the back wall of the shopping stall up to the limit of the door stated in section 61 of this By-Laws, in case of shopping stalls and the surface area of the trading platform and the area behind the trading platform allowed to be used by the trader engaged in sales, in case of a trading platform.

“Licensed premise” means place for which issued license to take all measures under this provision.

“The power to inspect within the specified period” means opportunity for take measures to make business at the specified place.

### Schedule I

..... Municipal Council ..... Public Market

Ticket for the use or utilization of a trading platform

Name of the holder of the ticket: .....

National Identity Card No. : .....

Number of the trading platform or the demarcated area: .....

Duration of allotment:

From ..... 20..... to ..... 20.....

Number of days allotted: 01 day / 07 days / 01 month

Fees charged: Rs. ....

Date of issue: ..... 20.....

.....  
Signature of the Tax Collector  
(Strike off inapplicable words.)

### Schedule II

By-law No. 29

Table of Fees charged for the use or utilization of a trading platform in a public market

| Nature of the trading platform               | Fees for a day<br>Rs. | Fees for 7 days<br>Rs. | Fees for a month<br>Rs. |
|--|-----------------------|------------------------|-------------------------|
| Trading platform built above the floor level |                       |                        |                         |
| Area separated by marking on the floor       |                       |                        |                         |

### MUNICIPAL COUNCIL

#### Application for Business tax / Licence 20..... for Conducting Private Market

- Name of the Market:- .....
- Place of the Market:-
  - Ward No: .....
  - Assessment No: .....
  - Name of the Road/Street: .....
  - GN Division No & Name: .....

3.
  - (i) Full Name of the Applicant .....
  - (ii) Permanent Address of the Applicant:- .....
  - (iii) GN Division No & Name of the Applicant:- .....
  - (iv) NIC No of the Applicant:.....
  - (v) Telephone No of the Applicant:.....
  - (vi) e-mail Address of the Applicant:.....
4.
  - (i) Date of Beginning:- .....
  - (ii)
    - (a) Name of the Owner /Manager / Agent of the Market:-.....
    - (b) Telephones Number of the Owner /Manager / Agent of Market:- .....
5. If the land/ building is obtained on lease/rent.
  - (i) Name of the Owner:.....
  - (ii) Address:- .....
6. Whether last year licence was obtained:- Yes/No:.....  
 If last year licence was obtained,  
 Licence No:.....  
 Date:.....
7. As per Stated in the By-Law,
  - (i) Number of Trading Platforms:.....
  - (ii) Number of Stalls:.....
8. The number of employees (including Manager) to run the market:.....
9. Toilets :
  - (i) The number of toilets for male customers: .....
  - (ii) The number of toilets for female customers: .....
10. Water:
  - (i) Method/ methods and number of method/ methods to provide drinking water to customers: .....
  - (ii) Method/ methods and number of method/ methods to provide water to wash vegetables :.....
11. Method/ methods for removing the waste water:.....
12. Methodology for the final disposal of solid waste:.....

I do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By Law. I apply for the licence for the year 20..... to run the Private Market/Business under the By Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....  
Municipal commissioner / Authorized officer

**For the report of assessment section**

Ward:..... Assessment No:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:..... Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

(i) Type of business:.....

(ii) Fees to be paid:..... Under A/B/C

(iii) Remarks:.....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement : .....

Nature : .....

Environmental License : .....

M.O.H report : .....

C.O.C : .....

Excise License : .....

Application is recommended/not recommended for the following reasons : .....

.....  
Date

.....  
Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license .....

.....  
Date

.....  
Accountant.

Approved/Not Approved

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Offer.

**For the report of Revenue Branch**

Receipt No: .....

Date of the Receipt: .....

License No: .....

Date of the License: .....

Recommended to issue License.

.....  
Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
Date

.....  
Accountant.

Signed

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Officer.

PART II-STANDARD BY- LAWS IN RELATING TO SEIZURE, FORBID, REMOVAL AND DESTRUCTION OF ARTICLES UNFIT  
FOR FOOD WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

- |      |  |   |
|------|--|---|
| (1)  | By-Laws in this part may be cited as the By-Laws in relating to seizure, forbid, removal and destruction of articles unfit for food within the area of authority of the Municipal Council.   | Name of By-Laws.                          |
| (2)  | By-Laws in this part are made for the purpose of protecting public sanitation and health of public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.   | Objective.                                |
| (3)  | The By-Laws are made by virtue of the powers vested in Municipal Councils by the sub sections 272 (8) (c) and (e) of Municipal Councils Ordinance, read with section 267 (1) of Municipal Councils Ordinance.  | Legislative enactment for making By-Laws. |
| (4)  | It shall be the duty and responsibility of a licensed dairy man to make application for obtaining printed and <b>numbered card from the Municipal Commissioner annually</b> to all vendors employed annually. Such card shall bear name, address and place of sale and a photograph of the vendor shall be affixed herewith. | Tasks to be executed.                     |
| (5)  | No person shall sell ,hawk or expose for sale of milk unless he has a card indicated his name and issued by the Mayor or Municipal Commissioner.   | Tasks not to be carried out (05 – 15).    |
| (6)  | No person shall sell, hawk or expose milk for sales unless name of dairy man under whom he is employed is still on the card at the time of sale, hawking or exposing of milk for sale  |   |
| (7)  | No person shall sell or cause to sell or expose to sell milk or milk products not having the minimum of compositional requirements of milk as shown in schedule 01.  |   |
| (8)  | No person shall bring unfit food of any meat, fish, game, vegetable, fruit or other articles of food within the limits of Municipal Council for sale or exposing to sale.  |   |
| (9)  | No person shall add, mix ,stain, color or powder or order or permit any other person to add, mix ,stain, color or powder any article with any ingredient or material so as to render the article injuries to health with intent that to be sold in that state.   |   |
| (10) | No person shall sell any such article so added, mixed, colored, strained or powdered.  |   |
| (11) | No person shall sell any tinned or salted meat, fish or other article of food unfit for the human consumption or lapsed.   |   |
| (12) | No person shall sell or expose for sale milk from which the cream has been removed, unless he previously informs the person to whom he sells or exposes it that the cream has been removed   |   |
| (13) | No person shall expose for sale any cooked food, pastry, sweet meats, and confectionery or preserved or dried fruit intended for human consumption unless he has taken all reasonable precautions to protect it from dust, files and bad adours.   |   |
| (14) | No person shall sell any kind of spoiled adulterated full cream milk unfit for human consumption   |   |
| (15) | No person shall refuse to issue receipt for purchasing of tinned or salted meat, fish or other articles of food by the Medical Officer of Health or Veterinary Surgeon or Authorized Officer of the Municipal Council.   |   |

|   |  |
|---|--|
| Function of the Municipal Council.            | (16) It shall be the duty of the Mayor or Municipal Commissioner to issue printed numbered cards with serial number annually to all employees of the dairy man on his request. A copy of photograph of vendor affixed with card shall be kept at the office of Municipal Council. Further name and address of dairy man, time of sale, hawking and exposing of milk for sale shall be indicated in the card.   |
| Delegation of power.                          | (17) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.  |
| Procedure of inspection and powers (18 – 20). | <p>(18) The Medical Officer of Health or Veterinary Surgeon or an Authorized Municipal Officer may at any time, demand and take for the purpose of analysis samples of any milk which is in possession of a registered dairy man or any person who is found selling, hawking or exposing milk for sale and any registered dairy man or other person who refuses to permit samples to be taken shall be guilty of an offence.</p> <p>(19) If any person fails to produce such a card for inspection on demand by any Authorized Municipal officer or Police Officer, he shall be guilty of an offence and such officer arrest him and shall convey him forthwith after arrest to the nearest Police station. Officer incharge shall deal with him as if he has been arrested by Police Officer without a warrant under the provision of criminal procedure code. Such cards may be cancelled at any time by the Municipal Commissioner, if it appears to him to be necessary, in the interest of the public health.</p> <p>(20) (i) It shall be lawful for the Medical Officer of Health or an Authorized Municipal Officer to enter any place used for the manufacture or sale of aerated waters (cool drinks) at any time when such place is opened and to purchase a sample bottle of any kind of aerated water which is there manufactured or kept for sale and proprietor or person incharge such business who shall refuse to permit such sample to be taken shall be guilty of an offence. Such sample shall be forthwith forwarded to the City or Government Analyst and the certificate issued by Government Analyst shall be as proof it to be unfit for the human consumption.</p> <p>(ii) In taking samples of milk, the Medical Officer of Health, Veterinary Surgeon or Authorized Municipal Officer shall take three samples and shall at once sealed them in the presence of the registered dairy man or other person from whom there taken, and shall deliver one of such registered dairy man or other person, send the second to the city or Government Analyst and third to the Municipal Office. A certificate signed by such city or Government Analyst, if state that the sample adulterated, shall be evidence that the milk from which sample was taken, was adulterated. Should any evidence to the contrary be offered, a certificate from the City or Government Analyst shall be conclusive on the question adulteration.</p> <p>(iii) The Medical Officer of Health or Veterinary Surgeon or an Authorized Municipal Officer as the case may be, may enter any shop or other place where tinned or salted meat is kept for sale, at any time when such shop or place is opened and seize any tinned or salted meat which he reasonably suspects to be unfit for human food, and he shall forthwith send such tinned or salted meat to the City or Government Analyst and the certificate of such authorized analyst, if it states that tinned or salted meat is unfit for human food, shall be evidence of that fact until the contrary is proved and proprietor or person incharge of the shop or places where such tinned or salted meat was seized, shall unless contrary is so proved as stated above, be guilty of an offence.</p> |



- |      |   |                                     |
|------|---|-------------------------------------|
| (21) | Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or Authorized Officer and proper inquiry shall be carried out and the solution shall be provided by these officers.  | Complaints and resolving mechanism. |
| (22) | Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence.   | Violation of By-laws.               |
| (23) | <p>(i) Should any sample of milk taken under the provisions of the above said By-Laws, prove to be adulterated, the person in whose possession it is found shall be guilty of an offence. If such person be a vendor of, or a person in the employ of or acting on behalf of a dairy man, then both such person and dairy man shall be guilty of an offence.</p> <p>(ii) It shall be lawful for the Municipal Council Officer upon the Seizure by him unwholesome or unfit for the human food of meat of cattle, poultry, fish, flesh, vegetable, fruits or other articles of food introduced into or exposed for sale within the limits, to convey the same to the Medical Officer of Health or Veterinary Surgeon or in their absence, to judge of court who has jurisdiction within the Municipal limits and if it appears to the Medical Officer of Health or Veterinary Surgeon or the Municipal Judge that meat, poultry, fish, game, vegetable, fruits or other articles of food are unfit for human food, he shall order the them to be destroyed or to be disposed of as to prevent it being used for food.</p> <p>(iii) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the Municipal limits liable to the penalties in terms of sub sections (a) and (b) of section 267(3) in Chapter 252 of the Municipal Council Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3).</p>        | Fines and penalties.                |
| (24) | <p>In these By-Laws unless the context otherwise requires—</p> <p>“The Mayor” means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.</p> <p>“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.</p> <p>”Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Councils for Municipality</p> <p>“Authorized Officer” means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.</p> <p>“The power to inspect within the specified period” means opportunity for take measures to make business or product at the specified place.</p> <p>“Licensee” means any person whosoever obtained a license under provisions of any By laws and person who is responsible for management, is employed by the person in-charge or Manager of the management of that place.</p> <p>“Licensed premise” means place for which is issued licence to take all measure under the provision of any By-Laws.</p> <p>“Aerated water” means types of drinks manufactured using one type or all types of fruits, essence and syrups, and canned in bottles or any other receptacle, and it shall also include soda water.</p> | Interpretation and definition.      |

## COMPOSITIONAL REQUIREMENTS OF MILK

| <i>Column I</i><br><i>Class of milk</i> | <i>Column II</i><br><i>Designation</i> | <i>Column III</i><br><i>Milk fat minimum percent</i> | <i>Column IV</i><br><i>Milk solids other than milk fat minimum percent</i> |
|---|--|--|--|
| 1. Buffalo                              | Row, pasteurised or sterilised         | 7.0  | 9.0  |
| 7. cow                                  | Do                                     | 3.5  | 8.5  |
| 8. Standardised                         | Pasteurised or sterilised              | 3.25   | 8.25   |
| 9. Toned                                | Do                                     | 2.0  | 8.5  |
| 10. Flavoured                           | Do                                     | 2.0  | 7.2  |
| 11. Skimmed                             | Do                                     | -  | 8.5  |

**For office use**

For report as follows

Municipal commissioner / Authorized officer

For the report of assessment section

Ward:..... Assessment No:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:..... Arrears of the assessment tax:.....

Date

Administrative Officer.

**For the report of revenue department,**

(i) Type of business:.....

(ii) Fees to be paid:..... Under A/B/C

(iii) Remarks:.....

Date

Revenue Inspector.

**For the report of the medical officer of health,****Public Health Inspector's Report:**

Date

Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C.:.....

Excise License:.....

Application is recommended/not recommended for the following reasons:.....

.....  
Date

.....  
Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....  
Date

.....  
Accountant.

Approved/Not Approved

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Officer.

**For the report of Revenue Branch**

Receipt No:.....

Date of the Receipt:.....

License No:.....

Date of the License:.....

Recommended to issue License.

.....  
Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
Date

.....  
Accountant.

Signed

.....  
Date

.....  
Municipal Council Mayor/Commissioner/Authorized Officer.

PART III - STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, SUPERVISE AND CONTROL OF  
ANNOYING BUSINESS, DANGEROUS BUSINESS AND ANNOYING AND DANGEROUS BUSINESS WITHIN THE AREA OF  
AUTHORITY OF THE MUNICIPAL COUNCIL

|   |  |
|---|--|
| Name of By-Laws.                          | (1) By-Laws in this part may be cited as Standard By-Laws in relating to formulate, regularize, supervise and control of annoying business, dangerous business and annoying and dangerous business within the area of authority of the Municipal Council.  |
| Objective.                                | (2) By-Laws in this part are made for the purpose of protecting sanitation and health of public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.  |
| Legislative enactment for making By-Laws. | (3) By-Laws are made by virtue of the powers vested in Municipal Councils by the sub section 272 (15) of Municipal Councils Ordinance, read with section 147, 148 and 267 (1) of Municipal Councils Ordinance.   |
| Tasks to be executed (4-15).              | <p>(4) Obtaining the annual licence by submitting the application form in schedule 01 is the duty and obligation of the licensee.</p> <p>(5) The license shall be issued to any dangerous business, annoying business or dangerous and annoying business carrying by the Mayor or Commissioner of Municipal Council, if only the following specified conditions are duly fulfilled.</p> <ul style="list-style-type: none"> <li>(i) The licensed premises shall be kept in clean and renewed condition.</li> <li>(ii) Walls of each room of the licensed place shall not be less than 3metres in height.</li> <li>(iii) These walls shall be built with bricks, block stones or limestone or any other approved stones and plastered and painted in both sides.</li> <li>(iv) Each room of the licensed place shall be ceiled in height not less than 3metres from floor level.</li> <li>(v) Windows which are capable being opened outward or sideways shall be installed to each room. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable.</li> <li>(vi) The roof has to be made of some permanent solid material. Eaves of the roof has to be at least 2.5metres from the ground level and the width of the eaves should be at least 1 metre max trail.</li> <li>(vii) The floor of the rooms shall be cemented and plastered or laid with floor tiles.</li> <li>(viii) Dust bins shall be kept for collecting the generated garbage at licensed place and the bins must have proper lids to prevent flies, insects and other rodents getting into them.</li> <li>(ix) Arrangements shall be made to dispose the garbage accumulated in the place, in accordance with the provisions made under section 8 of these By-Laws.</li> <li>(x) A suitable system of drains shall be made available to allow free flow of waste water disposed from any section of the premises.</li> <li>(xi) In the event of the Municipal Council maintaining a waste water drainage system arrangement may be made to divert waste water formed at the premises to the said drainage system in the manner prescribed by the Municipal Council. Otherwise, action shall be taken to divert such waste water to a soakage pit or waste water shall be treated and released to the public drainage. Further, soakage pit shall be covered without mixing with air and it shall be constructed at least fifteen metres away from the constructed well.</li> </ul> |

- (6) It is the duty of the licensee to ensure that every space where paints need to be applied as set out under Section 5 in these By-Laws shall be applied with paints at least once a year.
- (7) The licensed premises shall have been swept at least twice a day.
- (8) The garbage collected in the licensed premises shall be segregated as specified in section 9 in these By-Laws and put in impervious garbage bins separately and disposed once a day or more than once a day if necessary. Further these garbage bins shall always be kept closed, except when the garbage is being put or removed.
- (9) (i) If all the garbage generated in the licensed premises are recyclable, actions shall be taken to segregate them as follows :
  - (a) Bio-degradable wastes;
  - (b) Glass;
  - (c) Paper or paper related materials;
  - (d) Polythene, plastic or related materials;
  - (e) Iron and any other metal or parts of iron or any other metal;
  - (f) Residues of raw materials or part of by products and parts of other products;
  - (g) Hazardous waste. It is the responsibility of the licensee to ensure that each type of waste is put in separate bins or containers which are organized to be covered.

(ii) Provided that the waste put in bins or containers having being categorized in the manner set out in paragraph (i) is disposed of under the programme of waste management launched by the Municipal Council, the final disposal shall be done in the manner prescribed by the Mayor or Municipal Commissioner.
- (10) All license holders should store the materials use for the business without annoying or effluvial.
- (11) All license holders shall carry the things which are annoying or effluvial by covering and put in to unabsorbed bags without any annoying or effluvial along the public places or roads.
- (12) All license holders, shall dispose the dangerous and annoying air and gases occurring from the production process by enough high to the aerosphere without any bad effect. Otherwise shall be disposed by fire or through any solidification instrument.
- (13) All license holders shall safely and keep in good manner the walls of business premises without absorbing any dirty.
- (14) All license holders shall keep clean the baskets and other instruments use for business activities, and should clean every day.
- (15) The tanks using for wash or dunk the leather or other things shall clean without spreading any smell by the license holder.
- (16) No person shall run an annoying business, dangerous business, and annoying and dangerous business carrying within the authority of the Municipal Council area, unless he or she has a valid

Tasks not to be carried out (16 – 18).

licence issued on the application prepared according to the specimen found in schedule 1 for the purpose of that, issued by the Mayor or Municipal Commissioner.

(17) It shall not be allowed for using the licensed place as the place for sleeping and taking foods in night or day time by the licence holder or any person.

(18) Any license holder should not use any river, watercourse, canal, well or any drain, sea or any other opened water areas for disposal the annoying, dangerous and effluvial things, and shall not pollute above mentioned places.

Function of the  
Local Authority  
(19-21).

(19) In the event of the premises where any dangerous business, annoying business, or dangerous and annoying business is maintained under a licence issued under the By-Laws any licensee contravenes any section of these By-Laws set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.

(20) The dangerous business, annoying business, or dangerous and annoying businesses decided by Municipal Council are included in orderly in Schedules No. (I), (II) and (III). It is a duty of the Mayor or Municipal Commissioner to informing the applicant about issuing the license.

(21) It is a duty of the Mayor or Municipal Commissioner to inform the applicant whether accept to issue licence accordance with these By-Laws or reject with the reasons within 30 days of receiving an application submitted by a person to him for obtaining a license for any business.

Charges and  
fees.

(22) Under the Sub section 247A(2) of Municipal Councils Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run annoying business, dangerous business and annoying and dangerous business.

Delegation of  
powers.

(23) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any officer any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws to any officer of Municipal Council.

Valid period of  
licence or  
permit.

(24) The validity of every license issued under the provision of these By-Laws shall expire on 31st December of each year for which the license has been issued, unless its validity is cancelled earlier.

Procedure of  
inspection and  
powers (25-27).

(25) It shall be duty of the licensee who have received licence under the provisions to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any authorized officer

(26) Any licensee, who receives such notice mentioned in the By- Laws No 19, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.

(27) The Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned By-Laws No 26 in these By-Laws fails to act as stipulated in the notice on or before the specified date.

Complaints and  
resolving  
mechanism.

(28) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or Authorized Officer and proper inquiry shall be carried out and the solution shall be provided by these officers.

- (29) Contravention of one or more than one or all of the provisions included in these By-Laws is an offence. Violation of By-laws.
- (30) (i) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the Municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3). Fines and penalties.
- (ii) Every person who runs any business or trade specified in schedule 1, 2 and 3 without licence at any place within the Municipality shall guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand rupees and in case a continuing offence an additional fine not exceeding five hundred rupees per each day during which said offence is continued after a conviction thereof in term of section 3 of 147 of Municipal Councils Ordinance.
- (31) In these By-Laws unless the context otherwise requires— Interpretation and Definition.
- “The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.
- “Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this Ordinance for that Municipality. Any person appointed to act as such Mayor or Municipal Commissioner or any officer of such Council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.
- “Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Councils for Municipality.
- “Authorized officer” means any officer given authority in written by the Mayor or Municipal Commissioner to carry out particular duty.
- “The power to inspect within the specified period” means opportunity for take measures to make business or product at the specified place.
- “Licensee” means any person whosoever obtained a license under provisions of these By laws and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.
- “Licensed premise” means, place for which is issued license to take all measures under these provisions.

### First Schedule - Annoying Businesses

- (1) Clearing and Storing Graphite.
- (2) Keeping for selling the fertilizer or chemical fertilizer.
- (3) Tanning of Leather.
- (4) Leather for selling.
- (5) Carrying on a places of animal husbandry (Meat, milk or eggs).

- (6) Producing of Maldives fish or storing more than 50 Kg.
- (7) Producing rubber and keeping rubber sheet.
- (8) Maintaining a veterinary hospital.
- (9) Keeping wholesale of perishable foods for selling.
- (10) Taking fish, dry fish and salted fish more than 100 Kg.
- (11) Icing, drying and salting meats or fish.
- (12) Producing coconut charcoal or wood charcoal.
- (13) Drying tobacco.
- (14) Producing animal feed.
- (15) Producing Poonac.
- (16) Boiling meats with blood.
- (17) Producing soap
- (18) Keeping and grinding animal's bones.
- (19) Making trunk boxes.
- (20) Keeping new and old metals.
- (21) Keeping ruined metals
- (22) Making housing furniture.
- (23) Making cane products.
- (24) Maintaining carpeting industry.
- (25) Making syrup or fruit juice.
- (26) Making sweets.
- (27) Dunking coconut husks
- (28) Producing brushes. (except tooth brush)
- (29) Producing tooth brush.
- (30) Collecting toddy.
- (31) Producing vinegar.
- (32) Cleaving timber.
- (33) Producing painting paint, varnish and distempers.
- (34) Producing soda.
- (35) Painting fibres.
- (36) Producing leather instruments.
- (37) Tin fish, fruits and other foods.
- (38) Powdering coffee and grains.
- (39) Producing baking powder.
- (40) Making gas mantels.
- (41) Producing putty.
- (42) Making camphor.
- (43) Making candle.
- (44) Producing stencil ink, writing ink and printing ink.
- (45) Producing blue of cloth washing.



- (46) Producing sealing wax.
- (47) Producing perfumes.
- (48) Producing shocks.
- (49) Producing tire or tubes.
- (50) Refill tires.
- (51) Vulcanizing tires.
- (52) Manufacturing cement.
- (53) Manufacturing cement product or asbestos.
- (54) Manufacturing sand papers.
- (55) Manufacturing plastic products.
- (56) Kilning bricks.
- (57) Weaving cloths by machines.
- (58) Manufacturing or re storing of acids.
- (59) Manufacturing of roofing tiles.
- (60) Cleaning empty gunny bags used for packing fertilizer, lime or flour.
- (61) Manufacturing cement blocks by machines.
- (62) Manufacturing garments products.
- (63) Running a poultry farm.
- (64) Manufacturing disinfectant.
- (65) Repairing and renovation of tires and tubes.
- (66) Manufacturing shoes/leather and bags.
- (67) Manufacturing cigarette and cigarette with tobacco.

**Second Schedule – Dangerous Businesses**

- (1) Quarrying metal.
- (2) Making cool drinks (aerated water).
- (3) Making ice.
- (4) Manufacturing vegetable oils.
- (5) Manufacturing coconut oils.
- (6) Manufacturing or storing matches.
- (7) Manufacturing of mutilated spirit.
- (8) Manufacturing tea boxes.
- (9) Manufacturing coir or other fibers.
- (10) Manufacturing products by coir or other fiber.
- (11) Storing hay.
- (12) Storing used garments.
- (13) Manufacturing and repairing jewelries'.
- (14) Sawing timber by machines.
- (15) Quarrying lime stone.
- (16) Running a business using machines.

- (17) Storing empty gunny bags and empty bottles.
- (18) Repairing bicycles and motor bikes.
- (19) Storing used papers and newspapers.
- (20) Spray Painting.
- (21) Storing fire working or crackers.
- (22) Manufacturing metal products (machineries tools)
- (23) Running a welding work shop.
- (24) Manufacturing filling and repairing batteries.
- (25) Printers.
- (26) Blasting and gunpowder stores.
- (27) Displaying advertisement

### **Third Schedule –Annoying and Dangerous Businesses**

- (1) Clearing mica.
- (2) Processing cinnamon, cloves, cardamom and fibers using chemicals.
- (3) Dry clean or dyeing.
- (4) Fabric painting dyeing or batik painting.
- (5) Electro plating metals.
- (6) Manufacture of oil or animal oil.
- (7) Kilning lime stones.
- (8) Manufacturing of the fireworks or crackers.
- (9) Processing cod-liver oil.
- (10) Building boats.
- (11) Recharge or repairing batteries
- (12) Welding metals.
- (13) Repairing motor vehicles.
- (14) Servicing motor vehicles.
- (15) Grinding metals with machines.
- (16) Running a casting shop.
- (17) Running a tin workshop.
- (18) Making bodies for motor vehicles.
- (19) Manufacturing or refilling of insecticides or fungicides, weedicides, pesticides.
- (20) Manufacturing disinfectors.
- (21) Manufacturing of mosquito coils.
- (22) Manufacturing timber protects.
- (23) Manufacturing gal tar.
- (24) Manufacturing glass products.
- (25) Making glass mirrors.
- (26) Galvanize metals.
- (27) Manufacturing welding lead.

- (28) Manufacturing aluminum products.
- (29) Manufacturing barbed wire.
- (30) Manufacturing wire nails.
- (31) Manufacturing carbon papers and typing ribbons.
- (32) Manufacturing tin, steel pipe and carbon tanks.
- (33) Manufacturing P.I buckets.
- (34) Manufacturing air conditioners and refrigerators.
- (35) Repairing air conditioners and refrigerators.
- (36) Manufacturing break liner and touch liner.
- (37) Manufacturing machineries.
- (38) Manufacturing electrical products.
- (39) Manufacturing fibers mixed with rubber.
- (40) Manufacturing storage batteries.
- (41) Assembling tractors.
- (42) Manufacturing radiator.
- (43) Manufacturing and repairing electrical products.
- (44) Manufacturing Battery.
- (45) Paddy mills.
- (46) Making coffin.
- (47) Manufacturing and repairing telephones.
- (48) Assembling and repairing electrical products.
- (49) Assembling and repairing computers and information technical instruments
- (50) Funeral service supply centre (Funeral home)

**Application for Business tax / Licence 20..... For annoying business, dangerous business, and annoying and dangerous business carrying within the area of authority of Municipal Council**

1. Name of the Business centre:-
2. Place of the Business centre:-
  - (i) Ward No:
  - (ii) Assessment No:
  - (iii) Name of the Road/Street:
  - (iv) GN Division No & Name:
3. Name of the Applicant:-
  - (i) Full Name:-
  - (ii) Permanent Address:-
  - (iii) GN Division No & Name:-
  - (iv) NIC No:
  - (v) Telephone No:
  - (vi) e-mail Address
4.
  - (i) Date of Beginning the Business
  - (ii) Name of the manager of the meat Stall:
  - (iii) Previous Business:-
5. If it is rented building,
  - (i) Name of the Owner:
  - (ii) Address:-
6. Whether last year licence was obtained:- Yes:No:
 

If last year licence was obtained,

Licence No:

Date:

I do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By Law. I apply for the licence for the year 20..... to run the Industry/Business under the By Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....

Municipal commissioner/ Authorized officer

For the report of assessment section

Ward:.....

Assessment No:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:.....

Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

(iv) Type of business:.....

(v) Fees to be paid:..... Under A/B/C

(vi) Remarks:.....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report:**

.....  
.....  
.....  
.....

.....  
Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

.....  
 .....  
 .....  
 .....

.....  
 Date

.....  
 Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons : .....

.....

.....  
 Date

.....  
 Chief Revenue Inspector.

**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....  
 Date

.....  
 Accountant

Approved/Not Approved

.....  
 Date

.....  
 Municipal Council Mayor/Commissioner/Authorized Officer.

**For the report of Revenue Branch**

Receipt No:.....

Date of the Receipt:.....

License No:.....

Date of the License:.....

Recommended to issue License.

.....  
 Administrative Officer (Revenue).

**Submit for signature of Municipal Council Commissioner**

.....  
 Date

.....  
 Accountant.

Signed

.....  
 Date

.....  
 Municipal Council Mayor/Commissioner/Authorized Officer.

PART IV -STANDARD BY-LAWS IN RELATING TO FORMULATE, REGULARIZE, ADMINISTRATE, CONTROL AND MONITOR OF  
SLAUGHTER-HOUSES WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

- |      |   |   |
|------|---|---|
| (1)  | By-Laws in this part may be cited as the By-Laws in relating to formulate, regularize, and administrate, monitor and control the slaughter house within the area of authority of the Municipal Council.   | Name of By-Laws.                          |
| (2)  | By-Laws in this part are made for the purpose of maintaining sanitation, health and providing proper food for the public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.  | Objective.                                |
| (3)  | These By-Laws are made by virtue of the power vested in Municipal Councils by the sub section 272 (9) of Municipal Councils Ordinance, read with section 267 (1) and accordance with the section 145 of the Municipal Councils Ordinance and Chapter 3 the of butchers Ordinance  | Legislative enactment for making By-Laws. |
| (4)  | Every public slaughter house shall be under the supervising of an officer appointed by the proper authority and he shall be called superintendent of slaughter house.   | Tasks to be executed (4-30).              |
| (5)  | Any licensed butcher or special permit holder shall be permitted to slaughter animals during the hours only fixed by Mayor or Municipal Commissioner from time to time.   |   |
| (6)  | Licensed butcher or special licensed person shall slaughter animals only at such places within the slaughter house that are assigned to him by the superintendent of the slaughter-house.   |   |
| (7)  | No licensed butcher shall slaughter any animals unless the Mayor or Municipal Commissioner shall have issued to him a printed permit duly filled in the form authorized by the Mayor or Municipal Commissioner. The printed permit before issue shall be duly filled in by the veterinary surgeon or qualified Officer and signed by him and by the butcher to whom it is issued, and shall bear the date of the issue. |   |
| (8)  | The slaughter house shall be declared accordance with the provision of the Butchers Ordinance.  |   |
| (9)  | The certificate mentioned in this By-Laws No 38 shall be produced to the superintendent of the slaughter-house before the animal is admitted into the slaughterhouse premise.   |   |
| (10) | Should any person claim any animals while exposing in a public slaughter house premises previous to slaughter the slaughtering of such animal shall be stayed, and the person who has brought it shall be required for with to pay any fees due in respect of such animal and to remove it from the slaughter house.  |   |
| (11) | All animals brought to or left at a slaughterhouse shall be properly secured with ropes to prevent their escaping.  |   |
| (12) | Every licensed butcher shall submit to the Superintendent of the slaughterhouse a certified copy of his licence and the certificate of registration of every servant whom he employs at the slaughter house as he shall have obtained them.   |   |
| (13) | The skins, entrails and offal of slaughtered cattle shall be collected by the butcher or his employees in places set apart in order to be washed and cleaned before their removal.  |   |
| (14) | When a licensed butcher or his registered servants are using the slaughter houses, the licensed butcher shall be respond any damage done to the slaughter houses, either by his own act or by the   |   |

act of his servants, and shall be liable on demand such amount, as the Mayor or Municipal commissioner shall think fit for the damage so done; in failure of which the Mayor or Municipal Commissioner shall have the either of cancelling his licence or of recovering the amount of such damage from the licensed butcher and his sureties, or both.

- (15) The motor vans, in which licensed butchers and others are required by these by-laws to remove meat from slaughter house shall be produced before the superintendent of the slaughter house for inspection whenever they enter the slaughter premises, and shall not be permitted to remove meat from the slaughter house unless they are found to be clean and in service diction to the satisfaction of the said superintendent.
- (16) Fees to be charged shall be prescribed from time to time by the council by resolution in respect of the following per head of cattle:-
  - (i) For the use of the slaughter house by-
    - (a) Cattle (other than buffaloes)
    - (b) Pig
    - (c) Sheep and goats.
  - (ii) For feeding (for each period of twenty-four hours or any part (thereof)-
    - (a) Cattle
    - (b) Pig
  - (iii) For occupation of shed:
    - (a) Cattle
- (17) The Municipal Commissioner may, after two days' notice by publicity cause any animal which has been retained at the slaughter house for default of payment of fees due on it to be sold by public auction, and shall out of the proceeds retain any fees due at incurred in respect of such animal and pay over the surplus, if any, on application, to the person who shall have brought such animal for slaughter to the slaughter house.
- (18) Animals affected with infectious diseases, when brought to the slaughter house, shall be seized and conducted to such place or places as the Municipal Commissioner shall from time to time appoint to be there destroyed or disposed of as the shall think proper.
- (19) Should the person who has brought to the slaughter house any animal for the slaughter of which a permit has been refused or the slaughter or which has been forbidden fail to remove it from the slaughterhouse premises within twelve hours after such refusal or prohibition, the Municipal Commissioner may after two days' notice by publicity cause such animal to be sold by public auction shall out of proceeds retain the amount of fees due and expenses incurred in respect of such animals and pay over the surplus, if there be any on application, to the person who shall have brought such animals for slaughter to the slaughter house.
- (20) As specified in By-Laws No 41, the person removing such meat, skin entrails or offal shall produce such pass or passes for inspection on demand by any Municipal officer or Police officer and should such person fail to do so, such meat, skin, entrails, or offal shall be liable to be seized and removed to the Municipal Office or to the Police station to be disposed of as may be directed by the Mayor or Municipal Commissioner of the Municipal Council, without any compensation to the owner.



- (21) The application for such special license as per By-Laws No 44 shall contain information with reference to the animal similar to that contained in Form A prescribed in the schedule to the Branding sale and Transfer of cattle ordinance (chapter 473) and shall be accompanied by a report from a police or Municipal Officer or Grama Sevaka of the applicant's district certifying that the animal belongs to the applicant. A fee decided by the council time to time shall be charged for this special licence.
- (22) Every slaughter-house shall be thoroughly washed and swept twice at least daily at such times as the commissioner may fix.
- (23) Every slaughter-house shall be lime-washed, or painted both side(in and out), once at least in every three months.
- (24) Every slaughter –house shall be paved with granite stones or flat paving bricks or tiles, or concrete or asphalt, and the joints fresh pointed with mortar once at least annually.
- (25) If on any animal which has been approved as aforesaid being slaughtered the carcase shall appear or otherwise unfit for human food, the said superintendent or other person authorized by the commissioner shall cause the said to be then and there destroyed or so disposed of as to prevent its being exposed for sale or used for human food. Should it be denied that the meat is unfit for human food, the said superintendent or other authorized person shall forthwith call upon the Veterinary Surgeon or Medical Officer of Health to proceed with him to the slaughter house and there inspect that said meat; and should it be decided by the said Veterinary Surgeon or Medical Officer of Health, whose decision in the matter shall be final, that the meat is unfit for human food, it shall be lawful for such superintendent or other authorized person thereafter to destroy or dispose of the same as here in before provided in these by-Laws.
- (26) None but the butchers, their assistants, and the Municipal Officers attached to the slaughter house and those authorized shall be admitted within the premises during the process of slaughtering, skinning, or cutting up the carcasses.
- (27) All the offal, entrails, or other refuse left at the slaughter house by the butchers or their assistants shall be disposed.
- (28) Skins, offal, entrails, or other refuse left at the slaughter house after the hours fixed by the superintendent without this officer's sanction, shall be considered as abandoned, and shall become the property of the Municipal Council, who may dispose of them as it shall think fit.
- (29) The superintendent of the slaughter house or other person authorized as aforesaid shall keep a register of all by him giving a description of the cattle and their brand marks, and the other particulars set forth in such form as shall be by the Municipal Council, such register shall be accessible to the public at the office of the slaughter house between the house and 4 p.m except on Sundays and public Holidays.
- (30) It shall not lawful for any person who is not a licensed butcher to slaughter any cattle (other than buffaloes), sheep, goat or pig without a special licence from the commissioner or contrary to the tenor of such special licence. A fee as decided by the council by resolution for every such special licence shall be charged.
- (31) Every licensed butcher shall register at the Municipal Office the names of the servants whom he desires to employ slaughter house in his trade as butcher, and the Commissioner may refuse to

Tasks not to be  
carried out  
(31 – 44).

register any particular name or cancel the name those already registered. Such licensed butcher shall not employ or continue to employ any person who is not so registered name has been so cancelled.

- (32) No person suffering from any skin disease, leprosy, or any infectious or contagious disease shall be allowed within the slaughter house.
- (33) It shall be lawful the superintendent of the slaughter-house or the Municipal Veterinary surgeon to forbid of any animals found to be diseased or otherwise unfit to be slaughter for human food, and whether permit to slaughter has been seized and treated like animals affected with infectious or contagious diseases.
- (34) No diseased cattle, sheep, goat or pig shall be brought to the slaughter house.
- (35)
  - (i) No person shall bring into the Municipality the meat of any sheep, goat, cattle, pig or poultry slaughtered outside the limits of the Municipality; Provide that the proceeding of this paragraph shall not apply to meat packed in hermetically sealed this.
  - (ii) No place shall be used as a slaughterhouse within the Municipality without a licence issued by Municipal Council accordance with the section 145 of Municipal council ordinance. Mayor or Municipal Commissioner may issues, refuse, stop or revoke for that at his discretion.
  - (iii) No person shall be allowed to slaughter any animals except a licensed butcher or special licence issued under the By-Law No 30.
- (36) No person shall sell or expose for sale within the limits of municipality-
  - (i) The meat of any sheep, goat, cattle, pig or poultry slaughtered outside the limit of municipality, or
  - (ii) Any meat (whether chilled, frozen, salted or smoked or otherwise preserved) imported into the islands unless such meat has been inspected and passed as fit folk human consumption by the Municipal Veterinary surgeon or an officer authorized in behalf by the municipal commissioner Provided that the preceding provisions of these by laws shall not apply to any meat sold in hermetically sealed tins.
- (37) No person shall remove or permit, cause to be removed any meat of any animals from a Municipal slaughter house any other place of slaughter to market or other place within the Municipality, unless the same shall be conveyed in a motor is constructed as to protect the said meat effectually from sun, dust and rain and screen it from public view. And no person shall expose or cause to be exposed to public view any raw skin or skins or raw hides during carriage from place to place
- (38) No permit shall be issued for the slaughter of cattle unless a licensed butcher produce a certificate in his favour in form A prescribed in the schedule to Branding sale and transfer of cattle Ordinance (Chapter 473), or unless the person wishing to sell the animal to the butcher appears with the butcher before the superintendent of the slaughter-house and produces a similar certificate in his favour and signs a declaration he is prepared to sell to the butcher.
- (39) It shall not be lawful for any licensed butcher or other person to produce any certificate required for the purpose of obtaining a permit for slaughter which certificate is not issued in respect of the animals produced or which is false in any particulars, or the entries in which do not correspond every particular with the description and brands of the animals for which it is produced. Any such animal

shall at once be removed by the person who has brought it, and shall not be admitted into the slaughter-house premises.

- (40) No person shall slaughter any animals for which a permit to slaughter has been issued until all fees and expense of slaughterhouse have been paid and in case of non-payment the animals may be dealt with under by-Laws 19.
- (41) No person shall remove any meat, skin, entrails, or offal of any animals slaughtered at the public slaughter house without its being accompanied by a pass, in the form authorized by the Municipal Commissioner and signed by the Superintendent of the slaughter house or other officer appointed to issue such passes,
- (42) No dogs shall be admitted into the slaughter house and no owner or person in charge of a dog shall bring it into or allow it to enter any slaughter house. All dogs found there shall be made over to the police to be dealt with as stray dogs.
- (43) No licensed butcher or any of his registered servants or other person admitted inside a slaughter house shall make any noise or quarrel, or use insulting, abusive, or obscene language, and any person contravening this by-Laws may be turned out of the slaughter house by the superintendent or his assistant.
- (44) It shall not be lawful for any person who is not a licensed butcher within the Municipality to slaughter any cattle unless he shall have obtained a special license from the Mayor or Municipal Commissioner, and any person obtaining such special license from the commissioner, and any person obtaining such special license shall not slaughter except at the place named in such license or under any conditions there in set forth.
- (45) Authorized officer who has delegated by authority shall have the power to do the inspection to confirm the meat of any animal slaughtered in the public slaughter house only. Function of the Local Authority.
- (46) A fee as decided by the Municipal council from time to time shall be paid before slaughter each animal as specified in these By-Laws. Charges and fees.
- (47) It shall be lawful to the Mayor or the municipal commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws. Delegation of power.
- (48) The validity of every license issued to slaughter the animals under the provision of these By-Laws shall expire within seven days from date of issue. Valid period of license or permit.
- (49) The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at licensed premises. Procedure of inspection and powers (29 – 32).
- (50) Licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers. Complaints and resolving mechanism.
- (51) Contravention of one or more than one or all of the provisions included in these By-Laws is an offence. Violation of By-laws.

Fines and  
penalties.

- (52) (i) Contravention or breach of any of these by-laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in chapter 252 of the Municipal Council ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3).
- (ii) Contravention or breach of this by-law No 35(ii) in this part shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the municipal limits liable to the penalties in terms of sections 145 and 146 in chapter 252 of the Municipal Council ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sections 145 and 146.

Interpretation  
and definition.

- (53) In these By-Laws unless the context otherwise requires—

“The Mayor” means who has been elected as municipal Mayor by the provisions of the Local Authorities Elections Ordinance.

“Proper Authority” means the Mayor of the Municipal Council or authorized officer.

“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal council constituted or deemed to be constituted under this ordinance for that Municipality. Any person appointed to act as such municipal commissioner or any officer of such council empowered by or under this ordinance to exercise, perform discharge any of the powers, duties of function of commissioner to the extent to which such officer is so empowered.

“Municipal Council” means, the Municipal Council constituted under the ordinance of Municipal Council for Municipality.

“Authorized officer” means any officer given authority in written by the Municipal Commissioner to carry out particular duty.

“The power to inspect within the specified period” means opportunity for take measures to make business or product at the specified place.

“Licensee” means any person whosoever obtained a license under provision of these by Laws of the hotel and person who is responsible for management, is employed by the person in-charge or Manager of the management of this place.

“Licensed premise means” place for which is issued license to take all measure under this provision.

“Veterinary surgeon” means the veterinary Surgeon of Municipal Council.

“Animal” means animals belonging to any kind of cattle, sheep and goats and pig

PART V-STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, MONITOR AND CONTROL OF SALE OF MEAT  
WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

- |     |   |   |
|-----|---|---|
| (1) | By-Laws in this part may be cited as the By-Laws in relating to formulate, regularize, monitor and control of sale of meat within the area of authority of the Municipal Council.   | Name of By-Laws.                          |
| (2) | By-Laws in this part are made for the purpose of protecting sanitation and health of public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.   | Objective.                                |
| (3) | By-Laws are made by virtue of the power vested in Municipal Councils by Chapter 201 Butchers Ordinance and the Sub sections (8) (c) and 19 of 272 of Municipal Councils Ordinance, read with Section 267 (1) of Municipal Councils Ordinance.                 | Legislative enactment for making By-Laws. |
| (4) | If only the premises applied for is in conformity with the conditions set out below, the Mayor or Municipal Commissioner or Authorized officer shall issue a licence on the application specified in annexure 01 to anybody to carry on a meat sales centre:- | Tasks to be executed (4-15).              |
- (i) The place where meat is exhibited for sale shall be laid with tiles or plastered with cement or applied with rust proof metal sheets.
  - (ii) The premises where meat is exhibited for sale and the floor of the stores shall be finished off with cement or laid with tiles.
  - (iii) Windows which are capable being opened outward or sideways shall be installed to each room where meat is exhibited for sale. The area of the windows shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable.
  - (iv) Walls of each room of the licensed place shall not be less than 3 metres in height.
  - (v) Each room of the licensed place shall be ceiled in height not less than 3 metres from floor level.
  - (vi) The roof shall be made of some permanent solid material. Eaves of the roof has to be at least 2.5metres from the ground level and the width of the eaves should be at least 1 metre.
  - (vii) There shall be drains finished off with cement or laid with tiles with the necessary gradient to facilitate the flow of waste water.
  - (viii) While sufficient precautions shall be put in place to prevent the waste water draining through the drains referred to in paragraph (vii) flowing to any public source of water, action shall be taken to drain off such waste water to a suction pit.
  - (ix) The suction pit put in place to accept waste water shall not be opened to the air.
  - (x) While containers sufficient to hold biodegradable waste produced at the meat sale centre shall be made available action shall be taken at the end of the day's sales to ground such waste material at least 0.5 metres deep in the ground or hand over such waste to a collection truck of the Municipal Council in accordance with provisions decided upon by the Council from time to time.
  - (xi) While sufficient lavatory facilities for the use of the persons working in the premises shall be made available suitable sanitary methods and material to be made use of after the use of the lavatory shall be supplied.

- (xii) Every licensee of a meat stall cause at least one spittoon to be kept on the licensed premises that those employed on the premises may have access to them.
- (xiii) Every licensee of a meat stall shall keep affixed in a conspicuous position on the outside of this premises a board with his name and the words "Licensed Meat Stall" legibly painted there in Sinhala, Tamil and English.
- (xiv) Every licensee of a meat stall shall keep on the premises a list of the names and addresses of all the employees, including vendors of meat, so as to be at all times available for inspection.
- (xv) Every licensee of a meat stall shall cause the walls of every room forming part of the meat stall, except such parts as are covered with glazed tiles or are plastered in cement, to be lime-washed, and all the woodwork to be lime-washed or, if oil-painted, to be washed with hot water and soap at least four times a year or at any other times ordered by the commissioner in writing
- (5) At the end of the daily sales of any licensed meat stall action shall be taken to wash and clean with disinfectant fluid the floor, the tiled or cemented parts of the walls, logs used to cut meat, other utensils and the places exhibiting the meat for sale.
- (6) Provided that action is taken to transport meat in a vehicle or a box or any other utensil that could be securely closed to prevent entry of flies or insects or any other kind of animal, no person shall transport any species of meat and after the transport of meat action shall be taken to wash by water with disinfectant fluid the vehicle or the box or the other utensil used in transporting meat.
- (7) Action shall be taken to maintain in perfect conditions and devoid of any bad smell the drains in and around any licensed meat stall and all the containers and utensils used in storing, processing or sale of meat.
- (8) Any licensed meat stall shall be kept devoid of dogs, cats, rats or insects.
- (9) It shall be the duty of the licensee to supply safety face-masks, gloves and other safety materials necessary and to ensure that the employees are wearing these safety materials after washing their bodies or bath when they are on duty at the license premises.
- (10) It shall be the responsibility of the licensee to make all employees engaged at the licensed premises, to undergo a medical test at least once a year.
- (11) It shall be the duty of licensee to provide the pure drinking water, clean towels, nail brush and soap or liquid soap to every employee at the licensed premise.
- (12) (i) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. –
  - (a) biodegradable waste,
  - (b) glass,
  - (c) paper or paper based materials,
  - (d) polythene and plastics or material based on polythene and plastics,
  - (e) iron and other kinds of metal or parts of iron and other kinds of metal,

(f) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line,

(g) dangerous waste,

And it shall be the responsibility of the licensee to see that they are put in separate containers or tanks put in place for that purpose.

(ii) Provided that the waste put in containers or tanks having being categorized in the manner set out in paragraph (i) above is disposed of under the program of waste management launched by the Municipal Council the final disposal shall be done in the manner prescribed by the Mayor or Municipal Commissioner.

(13) The Mayor or Municipal Commissioner shall, on application made to him by the licensee of a meat stall, issue cards of registration free for the use of every person employed by such licensee in transporting meat from the slaughter house to the meat stall for sale

(14) Every licensee of a meat stall shall keep ample supply of drinking water at the licensed premises

(15) Every licensee of a meat stall shall keep the licensed premises open every day except such days on which the Government of Srilanka/ the Mayor or Municipal Commissioner requires to be closed. Further stall shall be opened from 07.00 a.m. to 07.00 p.m. it is not decided by the Municipal Council.

(16) No person shall use any other premises than a market for the purpose of selling meat without a valid licence issued by the Mayor or Municipal Commissioner.

Tasks not to be carried out (16 – 25).

(17) No licensee of meat stall shall sell or expose for sale on the licensed premises any meat other than meat of animals slaughtered in a public slaughterhouse which is within the administrative limits of Municipal Council and which has been duly declared and proclaimed under section 21 of Butcher Ordinance (Chapter 201), or in a place appointed for the purpose by the proper Authority under section 11 of the said Ordinance, or under a permit issued accordance with the section 14 of the said Ordinance.

The Municipal Veterinary surgeon or any other officer Authorized by him cause the meat of animals so slaughtered to be sealed with a seal to identify such meat.

(18) Provided that meat left behind unsold at the conclusion of daily sales at the licensed meat stall are stored in a deep freezer and the said deep freezer has been properly activated from the time of storage until the opening of the stall for sales on the following day, no species of meat left behind unsold shall be sold or exhibited for sale or kept in the deep freezer or at the licensed stall on the following day.

(19) No person shall keep any animal or bird in the licensed premises on any pretext whatsoever.

(20) No person shall spit within a meat stall except into a spittoon provided for the purpose.

(21) No person shall be allowed that sale of meat done by the visiting to place to place within the Municipal council limits.

(22) No person shall sleep in any place of licensed meat stall

(23) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who has been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not

|   |   |
|---|---|
|   | be engaged in any work of the authorized place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed ;  |
|   | (24) Provided that a person is dressed in washed and clean clothes no person shall engage himself or employ anybody else in any form of sale at a meat stall.   |
|   | (25) Except instruments and containers used for storage or processing or sale of meat no other goods or clothes or mats used for sleeping or any other material shall be kept at the licensed stall.  |
| Function of the Local Authority (26 - 27).    | (26) It shall be lawful for the Mayor or Municipal Commissioner or an Authorized Officer, to purchase a sample of any kind of meat kept for sale or displayed for sale inside the premises of any meat stall for the purpose of inspection at the licensed premise.   |
|   | (27) In the event of the premises where any sale of meat is maintained under a licence issued under these By-Laws in this part any licence contravenes any section of these By-Laws set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date. |
| Charges and fees.                             | (28) Under the sub section 247(A) (2) of Municipal Councils Ordinance, Municipal commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run sale of meat centre.   |
| Delegation of power.                          | (29) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws  |
| Valid period of license or permit.            | (30) The validity of every license issued under the provision of these By-Laws shall expire on 31st December of each year for which the licence has been issued, unless its validity is cancelled earlier.  |
| Procedure of inspection and powers (31 - 34). | (31) It shall be lawful for the Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at the licensed premises.   |
|   | (32) It shall be duty of the licensee who have received licence under the provisions to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any Authorized officer.  |
|   | (33) Any licensee, who receives such notice mentioned in section 26 in these By- Laws, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.  |
|   | (34) It shall be lawful for the Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned in section 32 in these By-Laws fails to act as stipulated in the notice on or before the specified date.  |
| Complaints and resolving mechanism.           | (35) The licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or Authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.   |



- (36) Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence Violation of By-Laws.
- (37) Contravention or breach of any of these by-Laws shall be punishable offence and if convicted after a prosecution before a court of Laws, which has jurisdiction within the Municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in Chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of Laws which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3). Fines and penalties.
- (38) In these By-Laws unless the context otherwise requires— Interpretation and definition.
- “The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.
- “Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Councils constituted or deemed to be constituted under this ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such Council empowered by or under this ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.
- “Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Councils for Municipalities.
- “Authorized officer” means any officer given authority in written by the Municipal Commissioner to carry out particular duty.
- “Licensee” means any person whosoever obtained a license under provisions of these by Laws of the hotel and person who is responsible for management, is employed by the person in-charge or Manager for the management of this place.
- “Licensed premise” means place for which is issued license to take all measure under this provision.
- “The power to inspect within the specified period” means opportunity for take measures to make business at the specified place.
- “Meat stall or Meat sale centre” means any place where any kind of meat is kept for sale or display it for sale or stored inside the place of any meat stall for sale.
- “Meat “ means beef, mutton or Pork

## SCHEDULE -01

**Application for Business tax / Licence 20..... for meat stall within the area of  
Authority of Municipal Council**

1. Name of the Meat Stall :-
2. Place of the Meat Stall :-
  - (i) Ward No:
  - (ii) Assessment No:
  - (iii) Name of the Road/Street:
  - (iv) GN Division No & Name:
3. Name of the Applicant:-
  - (i) Full Name:-
  - (ii) Permanent Address:-
  - (iii) GN Division No & Name:-
  - (iv) NIC No:
  - (v) Telephone No:
  - (vi) e-mail Address
4.
  - (i) Date of Beginning the meat Stall
  - (ii) Name of the manager of the meat Stall:
  - (iii) Previous Business:-
5. If it is rented building,
  - (i) Name of the Owner:
  - (ii) Address:-
6. Whether last year licence was obtained:- Yes:No:
 

If last year licence was obtained,

Licence No:

Date:

I do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By Law. I apply for the licence for the year 20..... to run the Industry/Business under the By Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....

Municipal Commissioner / Authorized officer

**For the report of assessment section**

Ward:.....

Assessment No:.....

Name of Street:.....

Name of the Owner:.....

Detail of Assessment:.....

Annual Value:.....

Arrears of the assessment tax:.....

.....

Date

.....

Administrative Officer.

**For the report of revenue department,**

1. Type of business:.....

2. Fees to be paid:.....Under A/B/C

3. Remarks:.....

.....

Date

.....

Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report:**

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Date

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Public Health Inspector.

**Report of Medical Officer of Health:**

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Date

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Medical Officer of Health.

**For the report of chief Revenue Inspector,**

Rent Agreement:.....

Nature:.....

Environmental License:.....

M.O.H report:.....

C.O.C:.....

Excise License:.....

Application is recommended/not recommended for the following reasons : .....

.....  
Date.....  
Chief Revenue Inspector.**Accountant's Recommendation**

Recommended for approval to issue license/not issue license.....

.....  
Date.....  
Accountant.

Approved/Not Approved

.....  
Date.....  
Municipal Council Mayor/Commissioner/Authorized Officer.**For the report of Revenue Branch**

Receipt No:.....

Date of the Receipt:.....

License No:.....

Date of the License:.....

Recommended to issue License.

.....  
Administrative Officer (Revenue).**Submit for signature of Municipal Council Commissioner**.....  
Date.....  
Accountant.

Signed

.....  
Date.....  
Municipal Council Mayor/Commissioner/Authorized Officer.

PART VI - STANDARD BY- LAWS IN RELATING TO FORMULATE, REGULARIZE, MONITOR AND CONTROL OF  
SALE OF FISH WITHIN THE AREA OF AUTHORITY OF THE MUNICIPAL COUNCIL

- |     |   |   |
|-----|---|---|
| (1) | By-Laws in this part may be cited as the By-Laws in relating to formulate, regularize, monitor and control of sale of fish within the area of authority of the Municipal Council.   | Name of By-Laws.                          |
| (2) | By-Laws in this part are made for the purpose of protecting sanitation and health of public residing within the Municipal Council limit as per the section 4 of the Municipal Councils Ordinance.   | Objective.                                |
| (3) | These By-Laws are made by virtue of the power vested in Municipal Councils by the sub sections (8)(c) and 19 of 272 of Municipal Councils Ordinance, read with section 267 (1) of Municipal Councils Ordinance.   | Legislative enactment for making By-Laws. |
| (4) | If only the premises applied for is in conformity with the conditions set out below, the Mayor or Municipal Commissioner or Authorized officer shall issue a licence on the application specified in annexure 01 to anybody to carry on a fish sales centre:- | Tasks to be executed (4-15).              |

The place where fish is exhibited for sale shall be laid with tiles or plastered with cement or applied with rust proof metal sheets.

- (i) The premises where fish is exhibited for sale and the floor of the stores shall be finished off with cement or laid with tiles.
- (ii) The premises where meat is exhibited for sale and the floor of the stores shall be finished off with cement or laid with tiles.
- (iii) Windows which are capable being opened outward or sideways shall be installed to each room where fish is exhibited for sale. The area of the window shall not be less than 1/15th of the floor area. However, if the room is air-conditioned, this rule shall not be applicable.
- (iv) Walls of each room of the licensed place shall not be less than 3 metres in height.
- (v) Each room of the licensed place shall be ceiled in height not less than 3metres from floor level.
- (vi) The roof shall be made of some permanent solid material. Eaves of the roof has to be at least 2.5metres from the ground level and the width of the eaves shall be at least 1 metre.
- (vii) There shall be drains finished off with cement or laid with tiles with the necessary gradient to facilitate the flow of waste water.
- (viii) While sufficient precautions shall be put in place to prevent the waste water draining through the drains referred to in paragraph (vii) flowing to any public source of water, action shall be taken to drain off such waste water to a suction pit.
- (ix) The suction pit put in place to accept waste water shall be closed to the air.
- (x) While containers sufficient to hold biodegradable waste produced at the fish sale centre shall be made available action shall be taken at the end of the day's sales to ground such waste material at least 0.5 meters deep in the ground or hand over such waste to a collection truck of the Municipal Council in accordance with provisions decided upon by the Council from time to time.
- (xi) While sufficient lavatory facilities for the use of the persons working in the premises shall be made available suitable sanitary methods and material to be made use of after the use of the lavatory shall be supplied.

- (xii) Every licensee of a fish stall cause at least one spittoon to be kept on the licensed premises that those employed on the premises may have access to them.
  - (xiii) Every licensee of a fish stall shall keep affixed in a conspicuous position on the outside of his premises a board with his name and the words "Licenced Fish Stall" legibly painted there in Sinhala, Tamil and English.
  - (xiv) Every licensee of a fish stall shall keep on the premises a list of the name and addresses of all the employees, including vendors of fish, so as to be at all times available for inspection.
  - (xv) Every licensee of a fish stall shall cause the walls of every room forming part of the fish stall, except such parts as are covered with glazed tiles or are plastered in cement, to be lime-washed, and all the woodwork to be lime-washed or, if oil-painted, to be washed with hot water and soap at least four times a year or at any other times ordered by the Mayor or Municipal Commissioner in writing.
- (5) At the end of the daily sales of any licensed fish stall action shall be taken to wash and clean with disinfectant fluid the floor, the tiled or cemented parts of the walls, logs used to cut fish, other utensils and the places exhibiting the fish for sale.
  - (6) Provided that action is taken to transport fish in a vehicle or a box or any other utensil that could be securely closed to prevent entry of flies or insects or any other kind of animal, no person shall transport any species of fish and after the transport of fish action shall be taken to wash with disinfectant fluid the vehicle or the box or the other utensil used in transporting fish.
  - (7) Action shall be taken to maintain in perfect conditions and devoid of any bad smell the drains in and around any licensed fish stall and all the containers and utensils used in storing, processing or sale of fish.
  - (8) Any licensed fish stall shall be kept devoid of dogs, cats, rats or insects.
  - (9) It shall be the duty of the licensee to supply safety face-masks, gloves and other safety materials necessary and to ensure that the employees are wearing these safety materials when they are on duty at fish stall.
  - (10) It shall be the responsibility of the licensee to make all employees engaged at the licensed premises, to undergo a medical test at least once a year
  - (11) It shall be the duty of licensee to provide the pure drinking water, clean towels, nail brush and soap or liquid soap to every employee at the licensed premise.
  - (12) (i) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. –
    - (a) biodegradable waste,
    - (b) glass,
    - (c) paper or paper based materials,
    - (d) polythene and plastics or material based on polythene and plastics,
    - (e) iron and other kinds of metal or parts of iron and other kinds of metal,
    - (f) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line,

(g) dangerous waste,

And it shall be the responsibilities of the licensee to see that they are put in separate containers or tanks put in place for that purpose.

(ii) Provided that the waste put in containers or tanks having being categorized in the manner set out in paragraph (a) above is disposed of under the program of waste management launched by the Municipal Council the final disposal shall be done in the manner prescribed by the Mayor or Municipal Commissioners.

(13) The Mayor or Municipal Commissioner shall, on application made to him by the licensee of a fish stall, issue cards of registration free for the use of every person employed by such licensee in transporting fish for sale

(14) Every licensee of a fish stall shall keep ample supply of drinking water at the licensed premises.

(15) Every licensee of a fish stall shall keep the licensed premises open every day except such days on which the Government of Srilanka/ the Mayor or Municipal Commissioner requires to be closed. Further stall shall be opened from 07.00 a.m. to 07.00 p.m. ,if it is not to decided by the Municipal Council.

(16) No person shall use any other premises than a market for the purpose of selling fish without a valid licence issued by the Mayor or Municipal Commissioner.

Tasks not to be carried out (16 – 25).

(17) Provided that fish left behind unsold at the conclusion of daily sales at the licensed fish stall are stored in a deep freezer and the said deep freezer had been properly activated from the time of storage until the opening of the stall for sales on the following day, no species of fish left behind unsold shall be sold or exhibited for sale or kept in the deep freezer or at the licensed stall on the following day.

(18) No person shall keep any animal or bird in the licensed premises on any pretext whatsoever.

(19) No person shall spit within a fish stall except into a spittoon provided for the purpose.

(20) No persons who sell fish with licence for hawking shall deposit waste of fish by the sides of the road when selling such fish and they shall cause such waste to be disposed properly

(21) No person shall be allowed that sale of fish done by the visiting to place to place within the Municipal council limits without a licence obtain from the Mayor or Municipal Commissioner. No licensee of a fish stall shall permit any person to transport to sale from licensed premises any fish except in a closed vehicle or a closed basket, tin, or other suitable receptacle. He shall see that every such vehicle basket, tin or other receptacle is at all-time kept clean and wholesome.

(22) No person shall sleep in any place of licensed fish stall.

(23) Any person suffering from any contagious disease or a skin disease, or a person who has recently suffered from such disease, or any person who has been recently nursing anybody who is suffering from such disease or any person not completed the period mentioned on the medical report, shall not be engaged in any work of the authorized place, or allowed be an assistant to a person employed in the place, unless the incubation period of the disease has lapsed ;

- (24) Provided that a person is dressed in washed and clean clothes no person shall engage himself or employ anybody else in any form of sale at a fish stall.
- (25) Except instruments and containers used for storage or processing or sale of fish no other goods or clothes or mats used for sleeping or any other material shall be kept at the licensed stall.
- Function of the Local Authority (26 - 27).
- (26) It shall be lawful for the Mayor or Municipal Commissioner or an Authorized Officer, to purchase a sample of any kind of fish kept for sale or displayed for sale or inside the premises of any fish stall for the purpose of inspection at the licensed premise.
- (27) In the event of the premises where any sale of fish is maintained under a licence issued under the By-Laws any licence contravenes any section of these By-Laws set out in this part the Mayor or Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.
- Charges and fees.
- (28) Under the Sub section 247(A) (2) of Municipal Councils Ordinance, Municipal Commissioner has the authority to charge for licence fees not exceeded the maximum amount stated to run sale of fish centre.
- Delegation of power.
- (29) It shall be lawful to the Mayor or the Municipal Commissioner to delegate any of the powers, duties and functions converted or imposed upon or vested in the Mayor or Municipal Commissioner by these By-Laws.
- Valid period of license or permit.
- (30) The validity of every licence issued under the provision of these By-Laws shall expire on 31st December of each year for which the licence has been issued, unless its validity is cancelled earlier.
- Procedure of inspection and powers (31-34).
- (31) The Mayor or the Municipal Commissioner or any Authorized Officer has the power to inspect the standards of these By-Laws within the specified period at the licensed premises.
- (32) It shall be duty of the licensee who have received licence under the provisions to cooperate for inspection and shall not make obstacle to stop such inspection to the Mayor or Municipal Commissioner or any Authorized officer.
- (33) Any licensee, who receives such notice mentioned in By-Law No 27 in these By- Laws, shall act as stipulated in the notice, before the specified date. If any acceptable request in written is received, the Mayor or Municipal Commissioner has the power to extend the specified date. However, the period of extension shall not be exceeded 14 days.
- (34) It shall be lawful for the Mayor or Municipal Commissioner has the legal power to cancel the licence issued for the place when any licensee who received such notice mentioned in By-Law No 33 in these By-Laws fails to act as stipulated in the notice on or before the specified date.
- Complaints and resolving mechanism.
- (35) The licensee or any person may submit any written or verbal complaint to the Mayor or Municipal Commissioner or authorized officer and proper inquiry shall be carried out and the solution shall be provided by these officers.
- Violation of By-Laws.
- (36) Contravention of one or more than one or all of the provisions included in these By-Laws shall be an offence.



- (37) Contravention or breach of any of these By-Laws shall be punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the Municipal limits liable to the penalties in terms of sub section (a) and (b) of section 267(3) in Chapter 252 of the Municipal Councils Ordinance. Further in case of continued contravention of these By-Laws after convicted before a court of law which has the jurisdiction, shall be liable to additional fine in terms of sub section (c) of section 267(3). Fines and penalties.

- (38) In these By-Laws unless the context otherwise requires—

Interpretation and definition.

“The Mayor” means who has been elected as Municipal Mayor by the provisions of the Local Authorities Elections Ordinance.

“Municipal Commissioner”, in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted or deemed to be constituted under this ordinance for that Municipality. Any person appointed to act as such Municipal Commissioner or any officer of such council empowered by or under this Ordinance to exercise, perform discharge any of the powers, duties of function of Commissioner to the extent to which such officer is so empowered.

“Municipal Council” means, the Municipal Council constituted under the Ordinance of Municipal Council for Municipalities.

“Authorized officer” means any officer given authority in written by the Municipal Commissioner to carry out particular duty.

“Licensee” means any person whosoever obtained a license under the provisions of these by Laws of the hotel and person who is responsible for management, is employed by the person in-charge or Manager for the management of this place.

“Licensed premise” means place for which is issued license to take all measure under this provision.

“The power to inspect within the specified period” means opportunity for take measures to make business at the specified place.

“Fish stall or Fish sale centre” means place where any kind of fish is kept for sale or display it for sale or stored in inside the place of any fish stall for sale.

## SCHEDULE - 01

**Application for Business tax / Licence 20..... For Fish stall within the area of authority of Municipal Council**

1. Name of the Fish Stall :-
2. Place of the Fish Stall :-
  - (i) Ward No:
  - (ii) Assessment No:
  - (iii) Name of the Road/Street:
  - (iv) GN Division No & Name:
3. Name of the Applicant:-
  - (i) Full Name:-
  - (ii) Permanent Address:-
  - (iii) GN Division No & Name:-
  - (iv) NIC No:
  - (v) Telephone No:
  - (vi) e-mail Address
4.
  - (i) Date of Beginning the fish Stall
  - (ii) Name of the manager of the fish Stall:
  - (iii) Previous Business:-
5. If it is rented building,
  - (i) Name of the Owner:
  - (ii) Address:-
6. Whether last year licence was obtained:- Yes:No:  
If last year licence was obtained,  
Licence No:  
Date:

I do hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the By Law. I apply for the licence for the year 20..... to run the Industry/Business under the By Law.

.....  
Date

.....  
Signature of Applicant.

**For office use**

For report as follows

.....  
Municipal Commissioner / Authorized officer

**For the report of assessment section**

Ward:..... Assessment No:.....  
Name of Street:.....  
Name of the Owner:.....  
Detail of Assessment:.....  
Annual Value:..... Arrears of the assessment tax:.....

.....  
Date

.....  
Administrative Officer.

**For the report of revenue department,**

1.Type of business:.....  
2.Fees to be paid:.....Under A/B/C  
3.Remarks:.....

.....  
Date

.....  
Revenue Inspector.

**For the report of the medical officer of health,**

**Public Health Inspector's Report:**

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Date

.....  
Public Health Inspector.

**Report of Medical Officer of Health:**

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Date

.....  
Medical Officer of Health.

**For the report of chief Revenue Inspector,**

|                             |                      |
|-----------------------------|----------------------|
| Rent Agreement:.....        | Nature:.....         |
| Environmental License:..... | M.O.H report:.....   |
| C.O.C:.....                 | Excise License:..... |

Application is recommended/not recommended for the following reasons : .....

.....  
Date

.....  
Chief Revenue Inspector.

### Accountant's Recommendation

Recommended for approval to issue license/not issue license.....

.....  
 Date

.....  
 Accountant.

Approved/Not Approved

.....  
 Date

.....  
 Municipal Council Mayor/Commissioner/Authorized Officer.

### For the report of Revenue Branch

Receipt No:.....

Date of the Receipt:.....

License No:.....

Date of the License:.....

Recommended to issue License.

.....  
 Administrative Officer (Revenue).

### Submit for Signature of Municipal Council Commissioner

.....  
 Date

.....  
 Accountant.

Signed

.....  
 Date

.....  
 Municipal Council Mayor/Commissioner/Authorized Officer.