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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2325/85 – 2023 අප්‍රේල් මස 01 වැනි සෙනසුරාදා – 2023.04.01

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PART IV (A) – PROVINCIAL COUNCILS

Provincial Councils Notifications

WESTERN PROVINCE PROVINCIAL COUNCIL

Notification under Section 154 of the Urban Council Ordinance (Chapter 255) read with Section 2 of the
Provincial Council (Consequential Provisions) Act, No. 12, of 1989

I, Roshan Goonetilleke, the Governor of the Western Province, in terms of the powers vested in me under Section 154 of the Urban Council Ordinance (Chapter 255) read with Section 2 of the Provincial Council (Consequential Provisions) Act No. 12, of 1989 do hereby notify that my approval has been given for the by-laws, described in the Schedule herein under, made by the Peliyagoda Urban Council in terms of the Section 153 of the Urban Council Ordinance (Chapter 255) read with Section 157 of the aforesaid Ordinance.

ROSHAN GOONETILLEKE,
RWP And BAR VSV USP PHD FIM (Sri Lanka) ndc psc,
Marshal of the Sri Lanka Air Force,
The Governor,
Western Province.

At Governors' Office - Western Province,
Provincial Council Office Complex,
Battaramulla.

On 15th Day of March, 2023,

1A – PG6279 – 16 (04/2023)

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BY- LAW
REGULATING LODGES AND REST HOUSES

	1.	This by-law is imposed to regularize, monitor, and control the lodges, accommodation places, houses - <i>etc.</i> which are maintained for providing temporary accommodation facilities in the Peliyagoda Urban Council area.
Short Title	2.	This by-law is called the by-law on regulating the lodges and accommodation places in the Urban Council.
	3.	The Urban Council is vested with powers to formulate these by- laws by virtue of Section 153 of Urban Council Ordinance, Chapter 255, read with the Sub-Section 157(9) of the said Ordinance.
That a license must be obtained	4.	No one in the area of jurisdiction of the Peliyagoda Urban Council (hereinafter referred to as territory) shall maintain a lodge or accommodation place (hereinafter referred to as premises) except under a license obtained from the Chairman under this by-law.
Applying for a License	5.	Anyone applying for a license under this by-law must apply for it according to an application prepared in accordance with the schedule of this by-law.
	6.	Submission of an application under the above clause may be made by registered mail, delivery or by e-mail as permitted.
Conditions for a license	7.	Anyone applying for a license under this by-law must have fulfilled the following conditions.
	(1)	Constructions related to the premises should be constructed in accordance with a plan approved for such purpose and with a certificate of conformity.
	(2)	Each room in the building should have separate toilet and bathroom facilities and the floor should be tiled or cemented.
	(3)	Each building should have a living room, a designated management area, and adequate space for meals.
	(4)	The provisions of a regulation applicable to the Quarantine and Prevention of Diseases Ordinance in the jurisdiction shall be such that there may be a sufficient number of double rooms or group rooms with sufficient space to be maintained remotely.
	(5)	The licensee must have a legal right or possession of the property in question.
	(6)	Each room should be equipped with facilities for the occupants to keep their belongings safe.
	(7)	There should be generators and water storage facilities to be utilized in case of emergency power outages and water connection failures.
	(8)	Adequate space should be provided to park vehicles of the lodgers.

- (9) People with disabilities and persons with special needs should have access facilities in accordance with the recommended standards.
8. Within fourteen days of receipt of the application in respect of an application made under this by-law the Chairman; Issuing a license
- (1) Shall issue the relevant license for the premises to the applicant in accordance with the conditions set forth in Article 6.
- (2) Shall reject the relevant application with reasons if the conditions mentioned in Article 6 are not complied with the relevant application.
9. (1) The fees to be charged for a license issued under this by-law shall be the fees to be determined and declared by the Council subject to the provisions of the Basic Law. Fees for a license
- (2) It should be lawful for the council to decide and charge an inspection fee for site inspections in connection with the issuance of a license
10. If a license issued under this by-law is not previously cancelled in accordance with the provisions of this by-law, it shall be valid until December 31 of the year in which the license applies.
11. All persons who were issued a license under this by-law shall act in accordance with the following conditions herein.
- (1) The premises must be under a registered business name or it may be an incorporated entity
- (2) If the authorized person is not a manager of the organization, the identity information requested by the chairman regarding the manager should be provided, and this information should be provided in each case of change.
- (3) The premises should never be used for any kind of activities or any illegal activities that may disturb others, such as holding ceremonies, singing songs using loudspeakers, or playing musical instruments.
- (4) Adequate parking space should be maintained so that no vehicles entering the premises are parked on public access.
- (5) All the information including the name, address, identity card number and contact numbers of all visitors to the lodge, as well as any information specified by the Director of Health Services or the Medical Officer of Health of the area or the Chairman or an institution of maintaining law and order regarding the lodgers for health reasons or any other reasons in the area from time to time should be documented. The documents should be kept safely for the period of three year and there should coordination be maintained with the institutions which maintain law and orders by the security officers in the area.
- (6) If there is a rule which is imposed by the Chairman from time to time under the instructions of the Medical Officer of Health to control any epidemic situation that has been declared throughout Sri

Lanka or in any part of the country or any part of the territory or in any case where an epidemic has been declared under the regulations made under the Quarantine and Prevention of Diseases Ordinance, the premises shall be maintained subject to each such rule.

- (7) Accommodation rooms, all spaces for accommodation use, toilets and bathrooms should be disinfected before being used by another lodger after being used by one lodger and toilets and bathrooms should be disinfected daily even while customers are present.
- (8) Whenever there is a risk of an epidemic in the area, the body temperature of each lodger who visits the premises should be measured before entering the premises by a person who is specifically assigned for that purpose and everyone's hands and feet should be cleaned with sanitizer before entering the premises.
- (9) All reusable items such as pillowcases, sheets, blankets, towels *etc.*, which kept in each room for the use of the customers should not be used for another customer without washing and cleaning.
- (10) When the relevant room is a room for an individual it should be not given to more than one adult or when the room is a double room it should be not given to more than two adults or when the room is a triple room it should be not given for more than three adults or when the room can be accommodated by a group the room should be not given for persons exceeding the maximum number of people that can be accommodated in the room when four square meters per person is considered as the minimum space and those over the age of five years should be considered as adults for the purpose in this subsection.
- (11) Beds inside a room should be maintained to the extent specified in subsection 10 above.
- (12) No one should be allowed to lodge with a child under any circumstances except by parents or legal guardians.
- (13) No one should be allowed to sleep in an open area other than the rooms in the premises.
- (14) No person shall be allowed to stay on the premises if they do not agree to verify their identity or are unable to verify their identity. and the information regarding all persons who are staying should be in a statement under their signature.
- (15) When the room is not an air-conditioned room, all rooms should be well ventilated and allowed to be used after the doors and windows have been left open, for some time.
- (16) When a regulation under the Quarantine and Prevention of Diseases Ordinance comes into force in respect of any epidemic situation pertaining to the territory, the premises shall be maintained in accordance with all the provisions of that regulation.
- (17) Generators should be permanently installed to provide uninterrupted power supply in the event of a power outage.

- (18) The water connection to the premises should be well maintained and there should always be facilities to store adequate water.
- (19) Adequate staff should be employed on the premises and they should be subjected to health checks as per the instructions of the Medical Officer of Health. They should also be tested within a period of time recommended by the medical officer or within a period that can be described as clinical or epidemic.
- (20) Waste water, sewage discharged from the premises should be diverted to the soakage pits, septic tank or central treatment unit according to the approved methods with the required slope and necessary measures should be taken to prevent contamination. A soakage pit should always be at least 15.25 m away from a water source.
- (21) Internal drains of the premises should be well drained and disinfected twice a day.
- (22) (A) If the licensee provides cooked food on the premises to the lodgers;
- (I) All utensils used in food preparation shall be made of a substance that does not emit any toxic substance, taste or odor, and shall be made of a stainless material.
- (II) All utensils and utensils used for cooking shall be of such a nature as to be easily cleaned
- (III) Containers used for waste disposal shall be made of metal or non-corrosive materials with lids.
- (IV) All cooking utensils and equipment shall be of a usable condition.
- (V) Separate refrigeration and storage facilities shall be provided in the premises for storing goods used for food preparation and cooked food.
- (VI) Fruits and vegetables used in food preparation should be thoroughly washed, cleaned and used.
- (VII) A specific internal arrangement should be in place to ensure that all cooked food on the premises is delivered to the lodgers without hazard, and that persons with specific tasks. should be employed to regulate it
- (VIII) Fish and meat brought in for serving should be stored in a separate refrigerator in the premises and maintained at a temperature of about two degrees Celsius without being contaminated until used.
- (IX) All persons engaged in the work of serving food in the premises,

- (A) Should not touch food with your hands or fingers openly.
- (B) Money should not be used while engaging in any form of service.
- (C) Utensils and gloves used for touching food should be in a good condition to be used.
- (D) A clean towel should be used to wipe both hands.
- (E) The bottom of a used cup, plate or other container should always be kept out of contact with any food.
- (F) All utensils used for food serving should be kept clean and in separate containers.
- (G) Employees should work to ensure that any of their work or a container will not in any way cause food contamination or germs to be spread in a container.
- (D) Must have an understanding of the hygiene requirements applicable to the food preparing process.
- (X) If there is a rule which is imposed by the Chairman under the instructions of the Medical Officer of Health to control any epidemic situation that has been declared in the territory or in any case where an epidemic has been declared under the regulations made under the Quarantine and Prevention of Diseases Ordinance, preparation, consumption and serving of food and work carried out by all persons should be in accordance with the orders of the Chairman issued under the instructions of the Medical Officer of Health or the Medical Officer of Health or the Public Health Inspector, in addition to the provisions of this By-Laws.
- (XI) A specific place for serving and dine in should be located on the premises and maintained in an enclosed space with good ventilation or air conditioning.
- (XII) Hand washing should be facilitated before use. Adequate soap and sanitizer liquid should be kept and facilities for hand drying should be provided.
- (XIII) Tables for serving and dine in should be maintained very clean and should be disinfected after each serving, and the towels used should be kept clean.
- (23) Breathing etiquette and hand hygiene should be maintained regularly in the premises.
- (24) Instead of placing menus on tables, they should be placed so that the recipes are displayed on a screen as much as possible.
- (25) A health monitoring system should be set up for the employees working and a process should be put in place to get the health advice they need.

- (26) Should not keep pets such as dogs or cats on the premises in any way.
- (27) The Garbage collected in the premises should have disposed in accordance with the waste management program implemented in the area by the council and according to the written law regarding waste management.
- (28) Accommodation should not be provided for anyone that you think may think being suffering from an infectious or epidemic disease.
- (29) If any lodger or an employee of the premises infected with a transmissible disease, infectious or skin disease, the licensee should inform the Medical Officer of Health and after informing all persons involved in the premises should act in accordance with the quarantine instructions given by the Medical Officer of Health or an authorized Public Health Inspector.
- (30) Once the premises have been subjected to the quarantine process, no one shall enter the premises for accommodation until the issuance of a certificate of completion of the quarantine period by the Medical Officer of Health or the Public Health Inspector and until the premises have been completely disinfected.
12. It shall be lawful for the Public Health Inspector or any other officer authorized by the Chairman to enter the premises at any reasonable time to obtain the necessary samples to inspect the premises in accordance with the provisions of this by-law.
13. When the Chairman has recommended that the licensee should enter into a statement of agreement regarding the maintenance of the premises as instructed by the Medical Officer of Health, taking into account the possible causes of the spread of an epidemic in the area, the licensee should enter into a statement of agreement with the Chairman and the Chairman should send a copy to the Medical Officer of Health.
14. (01) In the event of a violation of the provisions of this by-law or in a manner contrary to the provisions of this by-law in a premises licensed under this by-law, the Chairman should hand over a notice to the licensee to be compliance with the by-law notifying a specified period not exceeding thirty days.
- (02) Upon submission of a notice under this section to the Licensee, the Chairman may grant an additional period of time on a reasonable request to grant an additional period to act in accordance with the terms of the relevant notice. The period which is granted so should be subject to a maximum period of fourteen days in addition to the period specified in the first notice.
15. The Chairman should cancel the relevant license in the event that the licensee fails to comply with the notice within the period of time or additional period given under section 14 above.

16. It is an offense to maintain a premises without a obtained under this by-law or in violation of the provisions of the by-law and after being convicted by a Magistrate Court he/she shall be liable to a penalty under sub-section 153(2) of the Urban Council Ordinance, Chapter 255. Further, after being found guilty of such an offense, and in the event of further breach of the law after a notice has been given by the Chairman or an officer authorized by him, breach of the law must be subject to an additional fine referred to in sub-section 153(2) of Urban Council Ordinance, Chapter 255 for each day in which they continue the breach of the law.

17. Unless a different meaning is required in relation to the terms of this by-law, this by-law,

“Council” means Peliyagoda Urban Council,

“Chairman” means the person who holds the office of the Chairman of the Urban Council at present or the persons who perform the duties of that position,

“Authorized Officer” means any officer authorized by the Chairman of the Peliyagoda Urban Council in writing,

“Medical Officer of Health” means the person who is related to that post in the Medical Officer of Health Division relevant to the Peliyagoda Urban Council area.

“Lodges or accommodation places” are the places which provide temporary accommodation for a person for a period of time,

The “Basic Law” refers to the Urban Council Ordinance, Chapter 255,
and

“Reasonable time” refers to any time engaged in a licensed activity or related activity.

18. If there are variations between the Sinhala, Tamil and English texts of the by-law, then the Sinhala text will prevail.

Schedule

Application for a Trade License for the year

01. Name of the applicant :-
02. Personal Address:-
03. National Identity Card Number:-
04. Phone number: Mobile:- Fixed:
- 05 Nature of the business-
06. Start year-
07. Address of the place of business :
08. Grama Niladhari Division :
09. Assessment Number:-

01. Number and date of the approved plan

02. If the business name registration has been obtained, its reference number -

03. The manager or agent of the place of business

I. Name and Personal Address -

II. National Identity Card Number

III. Phone Number Mobile: Fixed:

I certify that the above information is true and correct

I request that a trade license to be issued to me for the year for the place where the business is located as mentioned above. I agree to the existing rules and regulations in this regard.

.....
Date

.....
Signature of the Applicant

For office use

Revenue Inspector,

I kindly request your observations and recommendations for the issuance of a trade license in connection with the application as soon as possible.

.....
Date

.....
Secretary

Secretary,

I recommend / do not recommend the issuance of license.

Observations :

.....
Date Revenue Inspector

Medical Officer of Health,

I kindly request your observation recommendations for the issuance of a trade license in relation to the application mentioned on the back

.....
Date Secretary

Medical Officer of Health,

Qualified / not qualified in accordance with by-laws and other rules, I recommend/ do not recommend the issuance of a license

Note :

.....
Date Public Health Inspector

Secretary,

I recommend / do not recommend the issuance of a license for the relevant place as per the above application. (If not recommended, state the reason)

Observations :

.....
Date Medical Officer of Health

I approve the issuance of trade license

.....
Date Chairman,
Urban Council Peliyagoda.

EOG 04 - 0013