

N.B.— Parts II and IV(A) of the *Gazette* No. 1,855 of 21.03.2014 were not published.

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(Published by Authority)

PART IV (B) — LOCAL GOVERNMENT

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

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

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

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

All Notices to be published in the weekly *Gazette* should reach Government Press two weeks before the date of publication *i.e.* Notices for publication in the weekly *Gazette* of 17th April, 2014 should reach Government Press on or before 12.00 noon on 04th April, 2014.

Electronic Transactions Act, No. 19 of 2006 - Section 9

“Where any Act or Enactment provides that any proclamation, rule, regulation, order, by-law, notification or other matter shall be published in the Gazette, then such requirement shall be deemed to have been satisfied if such rule, regulation, order, by-law, notification or other matter is published in an electronic form of the Gazette.”.

P. H. L. V. DE SILVA,
Acting Government Printer.

Department of Govt. Printing,
Colombo 08,
January 01, 2014.

This Gazette can be downloaded from www.documents.gov.lk



Posts – Vacant

GALGAMUWA PRADESHIYA SABHA

Recruitments on Skilled and Unskilled Categories of Grade III Posts

APPLICATIONS are called from permanent residents within the Galgamuwa Pradeshiya Sabha limits, who have suitable qualifications as mentioned in this notice for the recruitment of Posts at Galgamuwa Pradeshiya Sabha of North Western Province Public Service.

More attention will be given for those who presently serves in permanent, casual, temporary, substitute and Voluntary Service.

<i>Serial No.</i>	<i>Designation</i>	<i>No. of Posts</i>	<i>Salary Scale</i>	<i>Educational/Professional Qualifications</i>
01	Driver	02	PA Circular No. 6/2006(IV) PL-3-2006A Rs. 12,470 -10x130 -10x 145 - 10x160- 12x170 - Rs. 18,860	<p>1. G. C. E. (O/L) exam should be passed in 06 subjects with at least 02 credits not more than two sittings. (Except Viva subjects)</p> <p>2. 08th standard should be passed (Year 09) from an approved Government School is sufficient for the applicants who presently serving permanently in Provincial Council Public Institutions.</p> <p>3. A skilled certificate issued by the Commissioner of Motor Traffic should be obtained for driving Heavy Vehicles of 34hw of unladen weight, weight trailers and busses which could take more than 32 passengers.</p> <p>4. At least three years experience as a driver (this should be proved by the service certificate)</p>
02	Library Attendant	02	PA Circular No. 6/2006(IV) PL-1-2006A Rs. 11,730 -10x120 -10x130 -10x145 - 12x160 - Rs. 17,600	1. At least two subjects should be passed at G. C. E. (O/L) (except optional subjects)
03	Work/Field Labour	02	PA Circular No. 6/2006(IV) PL-1-2006A Rs. 11,730 -10x120 -10x130 -10x145 - 12x160 - Rs. 17,600	1. At least two subjects should be passed at G. C. E. (O/L) (except optional subjects)

2. Other Necessary Qualifications :

1. Applicant should be a citizen of Sri Lanka.
2. Permanent resident of Galgamuwa Pradeshiya Sabha limits for 03 years previously to the closing date on acceptance of applications. (Residing should be certified by the relevant Grama Seva Niladhari (GSN) of the residential area with counter signed certificate of the relevant Divisional Secretary).
3. Age limit should not be less than 18 years and not more than 45 years on the closing date of receiving applications.
4. Should be healthy and possessed a good moral character.
5. Applicant should not be as person, of an offender from a Court under Penal Code or dismissed from Government/Local Government or Co-operation Service.

3. *Method of Recruitment :*

1. Successors will be selected with accordance to the service need through an interview and practical test.
2. More attention will be given to the applicants who are presently attached to this Pradeshiya Sabha on the basis of Permanent/Temporary/Casual/Substitute/Allowance Payee/Volunteer.
3. Interviews will be called only for the applicants who have completed the specified qualifications.
4. The decision of Secretary of Pradeshiya Sabha Galgamuwa with respect to selected candidate is final.

4. *Terms of Engagement to the Service :*

1. All Posts are permanent and also pensionable.
2. Relevant contributions should be made to the Widow and Orphans Pension Fund or Widowers' and Orphans' Pension Fund.
3. Recruits will be kept under a probation period of three years and if it is a serial promotion will be kept for one year acting period.
4. It should be agreed to activate Official Language Policy specially with present provisions and on provisions prepared in future.
5. In addition to terms of recruitment applicant is liable to carry out all conditions with accordance to the Service Minute Terms approved by Honorable Governor, Financial regulations, Orders of Government Departments and Rules and Regulations which issued on time to time by the North Western Province of North Western Province or North Provincial Public Service Commission.

5. *Submission of Applications :*

1. Applicants should send their applications prepared according to the model application as mentioned on or before 10th April 2014 by registered post to the "Secretary, Galgamuwa Pradeshiya Sabha".
2. Applications should be sent by stating the Post of Appointment on the upper left corner of the envelope.
3. It should be annexed the copies of under mentioned certificates with the application.
 - (i) Birth Certificate.
 - (ii) Educational Certificates.
 - (iii) Applicant's residential proof certificate of relevant Divisional Secretary.
 - (iv) Lately acquired two character certificates. (One should be Grama Seva Niladhari Certificate).
 - (v) Certificates related to Professional Qualifications. (Applicants who serves in Government/Local Government Service should sent their applications through the Head of Department/Institution.

A. B. NIMAL RATHNAYAKA,
Secretary,
Galgamuwa Pradeshiya Sabha.

Galgamuwa Pradeshiya Sabha,
05th March, 2014.

MODEL APPLICATION

APPLICATION FOR THE POST OF AT GALGAMUWA PRADESHIYA SABHA OF
NORTH WESTERN PROVINCIAL PUBLIC SERVICE

01. (i) Applicant's Name with initials :.....
(ii) Name introduced on initials :.....

02. Permanent address :

03. (i) Date of birth :

Year : _____, Month : _____, Date : _____.

(ii) Age at 10th April 2014 :

Years : _____, Months : _____, Days : _____.

04. National Identity Card No. : _____.

05. Sex : _____.

06. Civil Status : _____.

07. Nationality : _____.

08. Permanent residential period within the North Western Province : _____.

09. Whether a citizen of Sri Lanka ? if citizenship by descent or registration ? : _____.

10. Educational Qualifications (Particulars of examinations passed) :

(i) Examination passed Year/Grade : _____ Year : _____.

(ii) G. C. E. (O/L) Examination : _____.

Index No. : _____ Year : _____.

<i>Subject</i>	<i>Pass</i>	<i>Subject</i>	<i>Pass</i>

(iii) G. C. E. (A/L) Examination :

Index No. : _____ Year : _____.

<i>Subject</i>	<i>Pass</i>

11. Professional Qualifications and Experience : _____.

12. If presently you are serving in this Pradeshiya Sabha, service period and particulars : _____.

13. If ever convicted of any criminal offence in a Court of Law ? : _____.

I hereby certify that the particulars mentioned in this application by me are true and accurate to the best of my knowledge and belief. If it is discovered before the selection that particulars mentioned in this application are frauds I know that I am not suitable for this post and if it is discovered after the selection I know that I will be dismissed without any compensation.

_____,
Signature of the Applicant.

Date : _____.

CERTIFICATE OF HEAD OF THE DEPARTMENT
(Only for the Employees presently in Service)

I hereby certify that the above given particulars are correct and applicant is presently serving as a, and also if the applicant be selected I agree to release from the service.

_____,
Signature of the Department/Institution.
(Official Seal should be placed).

Date : _____.

03-884

Local Government Notifications

MAHARAGAMA URBAN COUNCIL

NOTICE in terms of sections 50 and 52 of Urban Council Ordinance (Chapter 255) in terms of section 50 and 52 of Urban Council Ordinance (Chapter 255) the General Meeting has decided that road referred to in the following schedule situated in the limits of Maharagama Urban Council in the Maharagama Divisional Secretary's Division in the District of Colombo in the Western Province be declared as the road belonging to the Maharagama Urban Council. According it is hereby notified that the road referred to in the schedule is declared as they are owned by the Maharagama Urban Council.

02. If there is any objection regarding this matter from the general public or relevant land owners reasons for such objections should be produced in writing within a period of one month from the date of publication of this notice in the *Gazette*.

03. It is hereby notified for the information of the General Public that if no objection is lodged within this period the road referred to in this schedule will be accepted and controlled as they belonging to the Maharagama Urban Council.

KANTHI KODIKARA,
Chairman,
Maharagama Urban Council.

At the office of Maharagama Urban Council,
11th March, 2014.

<i>Name of the Road</i>	<i>Length Feet</i>	<i>Width</i>	<i>From</i>	<i>To</i>
Thalawathugoda, Weli Road, Bodhiraja Mawatha, by-way from Assessment No. 90 to 688/39	70	15	688/39	90
Maharagama, Wattegedera Road, residential area by-way from Assessment No. 18 to 16/7	355	20	18 (Left side) 16 (Right side)	18/7 (left side) 16/7 (Right side)
Kottawa East, Katukurunda - Malabe Road, by-way towards the residence of Assessment No. 1529/2, 1529/6, 1529/7, 1529/4	300	10	—	400/2

On Pannipitiya, Rukmale, Kadudeniya Road by-way last portion from Assessment Nos. 121/102 to 121/67.

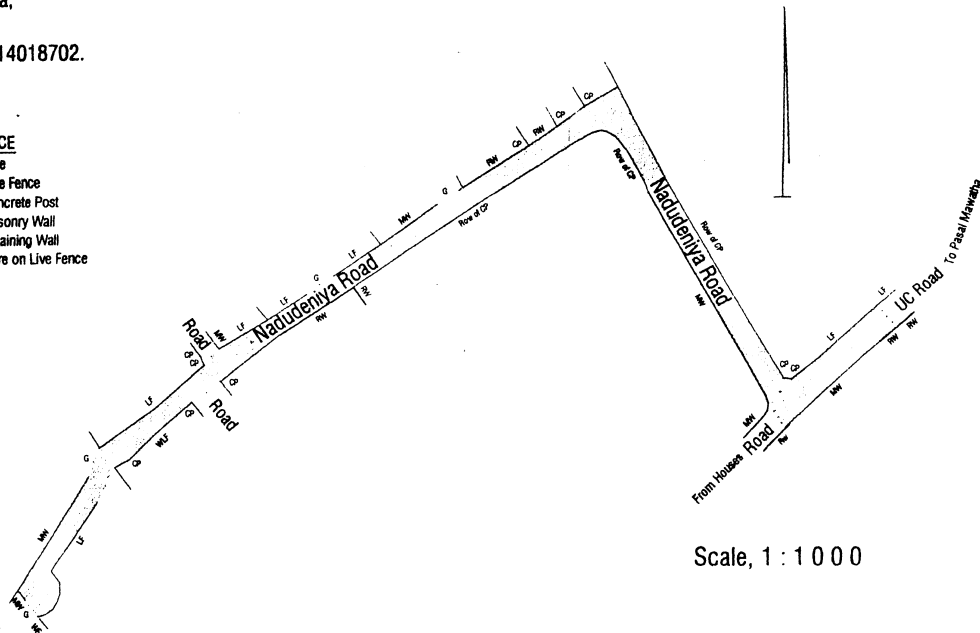
Length : 97m —————> Width : 3.6m.
80m —————> 3m.

K . N . A . Alwis, F.S.I. (SL),
 Regd. Licensed Surveyor & Leveller,
 Court Commissioner,
 30 / 2A, Obahena Road,
 Madiwela,
 Kotte.
 Tel : 0714018702.

Plan No. MISC/4981

REFERENCE

G : Gate
 LF : Live Fence
 CP : Concrete Post
 MW : Masonry Wall
 RW : Retaining Wall
 WLF : Wire on Live Fence



Scale, 1 : 1 0 0 0

PLAN

showing proposed construction Road in Brown Colour called "NADUDENIYA ROAD" at Rukmale off Pasal Mawatha in Grama Niladhari Division No.497, Rukmale West of Maharagama Divisional Secretariat within the Urban Council Limits of Maharagama in the Palle Pattu of Hewagam Korale

**COLOMBO DISTRICT
 WESTERN PROVINCE**

Length of proposed construction Road is 201 Meters (659 Ft.)
 Width of proposed construction Road is 3.05M - 4.6M (10ft. - 15ft.)

Surveyed on : 18th December 2013.

NOTE : This Plan is prepared by me as request of under signed Mr.A.P.Wilson,
 No.100, Rukmale, Panipitiya.

18th December 2013

Regd. Licensed Surveyor & Leveller
 16th December 2013

BINGIRIYA PRADESHIYA SABHA

Changing the Name of the Road

SINCE the approval of Hon. Minister in charge of the subject of Local Government in the North-western provincial Council has been given to the resolution passed under No. 04-2 at the monthly meeting of the Pradeshiya Sabha held on 11.04.2013 in order to use the name, “St. Xaviour Jubilee Mawatha” after changing the former name of the road, “Jubilee Mawatha entering into Thalgahapitiya Cooraywatte Colony”, which belongs to the area of authority of this Pradeshiya Sabha, it is hereby informed that the above mentioned road will be called as “St. Xaviour Jubilee Mawatha” with effect from 18.12.2013 in accordance with the section 198 of the Pradeshiya Sabha Act, No. 15 of 1987.

E. M. DIMUTH THUSHARA EKANAYAKE,
Chairman,
Bingiriya Pradeshiya Sabha,
Bingiriya.

Office of Bingiriya Pradeshiya Sabha,
Bingiriya,
20th December, 2013.

03-740

By-Laws

NARAMMALA PRADESHIYA SABHA

Local Government Acts (Standard by-laws No. 06 of 1952)

BY-LAW ON PUBLIC LIBRARIES

IT is hereby notified for the public within the administrative limits of the Pradeshiya Sabha Narammala that all the facts set out in the provisions from 01-28 in the By-law on Public Libraries of Pradeshiya Sabhas which have been made by the Minister in charge of the subject of Local Government in the North Western Province and published in Part IV(a) in section of Provincial Councils in the *Gazette* of Democratic Socialist Republic of Sri Lanka No. 1498 dated 18th May 2007 in terms of Local Government (incidental Act) No. 12 of 1989 to be read with section two of Local Government Act, No. 06 of 1952 has been accepted for making by-laws by the Pradeshiya Sabha Narammala situated within the North Western Province by virtue of powers vested in the Pradeshiya Sabha under section 126 to be read with 122 of Pradeshiya Sabha Act, No. 15 of 1987 and the said by law will be effected from the date of publication in the *Gazette* in terms of the provisions set out in section two of the said by-law.

D. M. SUMANASIRI,
Chairman,
Pradeshiya Sabha Narammala.

Pradeshiya Sabha Narammala,
10th March, 2014.

03-873

MUNICIPAL COUNCIL BADULLA

By-Laws

I, Shasindra Rajapaksha, the minister of Local Government Affairs, Uva Provincial Council, declare hereby, that the under mentioned by-laws are approved by me and will be enforced from the date they are *gazette*, made according to the powers vested to me by the section I of the Municipal Council Ordinance 268, which should be read along with the sub-section of the 2nd section bearing No. 12 of 1989 (Eventual) by the Municipal Council of Badulla, in accordance with the powers vested to Municipal Councils under section 272 that should be read along with the section 267(1) of the Municipal Council Ordinance as the 252nd authority.

SHASINDRA RAJAPAKSHA,
Uva Provincial Council,
Minister of Local Government.

Badulla,
Uva Province,
04th March, 2014.

PART I-I

BY-LAWS RELATING TO INTERPRETATION IN RESPECT OF ALL STANDARD BY-LAWS

1. Unless any other meaning is sought in respect of terms contained in by-laws in parts II to XXX of these standard by-laws, by any Badulla Municipal Council after formally accepting these standard by-laws.

"Municipal Commissioner" means the Municipal Commissioner of the relevant Badulla Municipal Council ;

"Secretary" means the Secretary of the Council or any other officer assigned to carry out the powers, functions and duties of the Badulla Municipal Council ;

"Area of the Badulla Municipal Council" means the area of authority of the relevant Badulla Municipal Council.

"Appropriate time authorized to make inquiries" means the period from 6.00 a. m. to 6.00 p. m. on any one day, and in the event of any justifiable alternative period of time has being specified in any part of these by-laws the appropriate time authorized to make inquiries about provisions mentioned therein shall be that specific period of time.

"Authorized Officer" means any officer of the Badulla Municipal Council authorized by the Municipal Commissioner in writing for a particular function ;

"Licensee" means any person who has obtained a licence under the provisions of by-laws of any part and includes the guardian or manager of such licensed premises or any person administering such place for the time being ;

"Licensed premises" means any area for which a licence has been issued under provisions of the by-laws of any part ;

"Public place" means any road, avenue, street, lane, path, pavement, public ground, road reservation, playground, public building, public cemetery, bus stand, railway station, river, canal, stream, tank, pond, watercourse, rain water canal any land belonging to the Council, any plot of state land reserved for public use or any other public place being used by the people ;

"Public source of water" means a river, canal, stream, watercourse, well, tank, pond, gutter and sea but shall not mean any drain erected to facilitate flow of water within a licensed premises ;

"Authority" means the Regional Director of Health Services appointed to cover the Badulla Municipal Council area ;

"Badulla Municipal Council" means the relevant Badulla Municipal Council.

2. When any interpretation is needed in respect of any other term not being mentioned in by-law No. 1 but being stated in any part of these standard by-laws, the interpretation in respect of that term or the terms specially mentioned at the end of that particular part shall come into force relevant to that part only.

PART I-II

BY-LAWS RELATING TO GENERAL PROVISIONS RELEVANT TO ALL STANDARD BY-LAWS

1. Any notice issued to any person by the Badulla Municipal Council or by the Municipal Commissioner or by any Authorized Officer under any part of the standard by-laws contained in part II to part XXX of such by-laws may be considered as properly handed over,-
 - (a) If it had been handed over to the post in a manner that could be proved that it had been delivered to be directed to the particular person who should receive the notice ; or
 - (b) If it had been handed over to him or to anybody residing in his address for the time being ; or
 - (c) If it had been pasted in any place in his residence or in the place where he is engaged in his functions ;
 and the handing over in any of these manners shall be lawful.
2. While it is possible for the Badulla Municipal Council to delegate under provisions specified in a written document to any officer of the authority any function or duty vested in the Badulla Municipal Council under the provisions of any part of these standard by-laws, such actions performed by any person so empowered to act subject to the provisions specified in the letter of delegation shall be lawful and it shall be considered as functions or duties performed by the Badulla Municipal Council under the powers vested in him by these standard by-laws.
3. While the Municipal Commissioner or any Authorized Officer shall have the power to examine any premises licensed under any provision or provisions in any part of these standard by-laws it is the duty of the licensee to assist in the examination performed during the appropriate time for such examination. Moreover, action shall not be taken to prevent or obstruct such examination.

PART II

01. BY-LAWS RELATING TO CONDUCTING BUSINESS AT THE MEETINGS OF THE COUNCIL

This interim constitution regarding regulating, supervising and administrating by-laws with a description relating to formalizing of common latrine (public latrine) usage in Badulla Municipality, in accordance with the provisions of para (f), subsection - 01 of section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

1. The by-laws in this part are cited as by-laws relating to conducting of business at the meetings of the Municipal Council of Badulla.
2. (1) A general meeting of the Municipal Council of Badulla shall be held at the Municipal Council of Badulla Office on a previously designated date and time in each month. 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.
(2) The notification summoning a general meeting or a special meeting of Municipal Council of Badulla shall be issued in Sinhala or Tamil or in both these languages.
(3) 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.
(4) 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 had been properly delivered.
3. (1) In the event of a quorum being not available no proceedings shall be made. The quorum of a general meeting of an Municipal Council of Badulla 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.
(2) 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 Chairman of the meeting 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 taken in that regard.
4. (1) The Municipal Council of Badulla of a general or special meeting of the Municipal Council of Badulla having a quorum shall adjourn the meeting 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 was so adjourned shall be taken up at a subsequent meeting without the leave of the Municipal Council of Badulla.
(2) 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.
5. The guests including the press reporters shall take seats allotted to them in the premises where the meeting of the Council is held. But if it is the declared view arrived at a majority decision of the members participating in the meeting of the Council that it is in the interests of the public to remove public from the Council Chambers the public shall leave the Chamber when they are called upon to do so by the Municipal Council of Badulla of the Council.
6. The business of the meeting should be conducted in the following sequence :
 - (a) confirm of the minutes of the previous meeting ;
 - (b) special announcements made by the chairman ;
 - (c) Presentation of memorandums, petitiones, complaints and communications addressed to the Municipal Council of Badulla ;
 - (d) Questions that had been given due notice of ;
 - (e) motions that had been given due notice of ;

- (f) Presentation of Reports of Committees. Unless the Municipal Council of Badulla 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 of Badulla ;
 - (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 of Badulla on special grounds.
7. (a) The priority and the seniority of the members of the Municipal Council of Badulla shall be as follows :
- (i) Chairman ;
 - (ii) Vice Chairman ;
 - (iii) In the case of re-election of former members of the Municipal Council of Badulla the sequence of their uninterrupted membership shall be taken as the basis ; and
 - (iv) 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.
- (b) In the event of the equality of the uninterrupted membership of any two or more members of the Council indicated in Sub-section (iii) 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.
- (c) 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 of Badulla after the election of members to such Municipal Council of Badulla shall not be relevant to the purposes of this by-law.
8. (1) The Secretary shall maintain reports of proceedings, orders and decisions of the meetings of the Municipal Council in Sinhala or Tamil.
- (2) 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.
- (a) In case of a motion, the contents of such motion ;
 - (b) The name of the member proposing the motion and that of the seconded ;
 - (c) The names of members expressing their views for and against the motion ;
 - (d) Whether the motion was passed or rejected unanimously ; or
 - (e) In the event of a division being called for a motion, the following matters in respect of that motion shall be recorded :
 - (i) The number and the identity of the members voting for the motion,
 - (ii) The number and the identity of the members voting against the motion,
 - (iii) The number and the identity of the members abstaining from voting on the motion ;
 - (iv) The number and identity of the members present at the meeting but have left the Chambers at the time of voting.
 - (f) In the event of the sequence of business of the Municipal Council of Badulla being in respect of any other matter, the decision taken by the Council in regard to such matter.
- (3) While the report of each meeting shall be distributed among the members the Municipal Council of Badulla shall put the question in the next meeting that it should be confirm on the presumption that it had been read at the meeting. If there are no protests or rectifications the report shall be confirm as it is. Otherwise, if there are protests or rectifications those amendments should be included in the Report. The Chairman of the meeting shall certify by placing his signature as to whether there are no amendments at the end of the Report or otherwise that the report had been confirmed subject to amendments specified in the report.
- (4) 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 of Badulla 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 of Badulla and also distribute them among the members.
9. (1) Any member presenting a petition or memorandum to the Council shall briefly explain the objective of the petition or the memorandum.

- (2) 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.
 - (3) Any member shall propose that a petition or memorandum be read out to the Council. When the proposal is made he should briefly state the reasons as to why it is expected to read out the particular document.
 - (4) 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.
 - (5) When the motion is seconded the question shall be put as to whether the relevant petition or the memorandum should be read out.
 - (6) It shall be lawful for a member to propose that a petition or memorandum presented to the Council shall be directed to the Municipal Council of Badulla for suitable action or to a Committee for report on final action to be taken in this regard.
 - (7) In the event of any action being taken to examine the testimon 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.
10. (1) Questions pertaining to the activities of the Municipal Council of Badulla shall be put to the chairman.
- (2) Notice of at least seven working days, excluding Sundays and Public Holidays shall be given in respect of any question.
 - (3) A written reply to each question shall be read out by the Chairman of the meeting at the meeting of the Council.
 - (4) 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.
 - (5) Any members 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 Chairman of the meeting shall not allow raise 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 meeting minutes of the Council.
11. (1) 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 was in the custody of the Secretary for a period of seven days before the date of the meeting, excluding Saturdays, Sundays and Public Holidays.
- (2) 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.
 - (3) While the Chairman 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.
 - (4) All motion a given notice of shall be in respect of any question having an impact on the administration of the activities of the Municipal Council of Badulla.
 - (5) The presentation of any motion to rescind any motion approve 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 four other members 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 nex six months.
 - (6) Any motion shall not be considered as being presented for debate until it is moved and seconded.

- (7) 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.
- (8) 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 leave of the Council to present any motion for which notice has not been given earlier. However, it should have been handed over to the Municipal Council of Badulla by the member moving the motion having placed his signature to the motion.
- (9) After a motion has been presented to the meeting and seconded and the debate on it has been concluded the Chairman of the meeting shall put the question in regard to approval of the motion.
12. Any motion or Amendment presented by any member shall be withdrawn by that member with the leave of the Council. Leave shall be granted without debate. Unless granting of leave is rejected after a member presenting any motion asks for such leave no member shall have the power to speak on that motion.
13. 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 By-law, No. 11 shall not be presented.
14. (1) 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.
 (2) All Amendments to a motion shall be relevant to the motion being discussed for the time being.
 (3) All Amendments to a motion shall be read out to the Council before presentation.
 (4) Unless any Amendment is seconded it shall not be discussed or presented to the Council meeting.
 (5) A member seconding a motion formally shall have the right to speak on it later.
 (6) When an Amendment to any motion being discussed has been presented and seconded, action should 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.
15. After the Chairman of the meeting has put the question in regard to the approval of any matter, question or motion referred to the Council no member shall speak further on that question. Moreover, after the question has been put by the Chairman of the meeting in regard to the approval of any matter, question or motion and after unanimous approval or division being called it shall be considered that the relevant question has been resolved completely.
16. (1) While the Chairman of the meeting shall put the question in regard to approval of any matter, question or motion, it shall be considered to have been approved unanimously unless any member has not called for a division on the motion after the question is put to the Council. However, in the event of any member calling for a division in regard to the motion or calling for a secret vote on the matter the Chairman of the meeting shall take action to hold a vote.
 (2) When a division is required in respect of any matter, question or motion in the manner set out in Paragraph (1) above–
 (i) the Secretary shall take action to hold the division 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. 7, when the division is not a secret vote ; or
 (ii) when the division is held by secret vote, the Secretary shall take action to count the votes cast by each member who had noted their preference in a ballot paper issued to them separately.
 (3) At the conclusion of the division taken by the Secretary in any manner set out in paragraph (2) above, the Chairman of the meeting shall announce the approval arrived at by the Council in respect of the particular matter, question or motion.
 (4) When any question is put to the Municipal Council of Badulla or to a Committee of the whole house, the members present shall vote for or against the question, unless they abstain from voting.
 (5) In the event of a member abstaining from voting when a division is called, the Secretary shall take action to record his name as a member who had abstained from voting.

17. While The Chairman of the meeting 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.
18. While a member who is not in agreement with any matter, question or motion shall have the right to the 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.
19. The proceedings of the meetings prepared in accordance with the By-law No. 6 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. 6 unless any other sequence has been approved at any meeting.
20. (1) While it is the duty of the Chairman of the meeting to maintain discipline of the meeting his decision on all points of order contested by the members shall be final.
(2) The Chairman of the meeting 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.
21. 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 leave of the Chairman of the meeting until the question is resolved by him. Thereafter, the member who had 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 Municipal Council of Badulla, of the Council or the Committee of the Council. If he is not in agreement with the decision the Municipal Council of Badulla of the meeting shall deny him the opportunity of continuing with the speech.
22. The Municipal Council of Badulla shall censure or act as it considers suitable in respect of a member who had not made an explanation in regard to unsuitable words used by him or who had not withdrawn such words or who had not expressed his regret in using such words in a manner acceptable to the Council.
23. When the Chairman of a meeting expresses his desire to speak the member on his feet at that moment shall take his seat.
24. (1) The Chairman of the meting 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 Chairman of the meeting to the effect that "the Municipal Council of Badulla Service of that member shall be suspended" the Chairman of the meeting shall put the question immediately. Such motion shall not be allowed to be amended, adjourned or debated.
(2) 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.
(3) Unless a number of members present at a meeting have collectively disregarded the authority of the Chairman of the meeting no more than one member shall be named at a time.
(4) 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 Chairman of a meeting to leave the Chambers they shall be reported to the Minister by the Chairman for sutiable action having named them as members who had not carried out his decision.
25. 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 Chairman of a meeting shall order such member to stop the speech.
26. (1) In respect of members conducting themselves in serious violation of discipline the Chairman of a meeting shall order them out of the chambers immediately and to remain outside till the proceedings of the day are over.
(2) If the Chairman of any meeting 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. 24.

27. Members whose services have been suspended under paragraph (1) of By-law, No. 24 or who have been ordered out of the chambers under paragraph (4) of By-law, No. 24 shall leave the chamber immediately.
28. A member shall at any time move that a debate on any question be suspended. If the motion is seconded a division shall be taken immediately. When a serious breach of discipline has been caused at a meeting the Chairman of the meeting shall without question put either suspends 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.
29. The following rules shall strictly be adhered to when speeches are made in regard to any matter considered by the Municipal Council of Badulla or by a Committee of the whole house :-
 - (a) While every member should address the Chairman of the meeting when speaking at a meeting, he shall be on his feet except when participating in Committee Stage debates,
 - (b) Unless a member speaking violates the provisions of the by-laws in this part he shall not be interrupted,
 - (c) Any member shall resume his seat after making the speech. Thereafter any other member wishing to speak shall address the Council,
 - (d) A member shall not read out a prepared speech. However, he shall quote from written or printed articles in order to prove his arguments,
 - (e) In case of two members wishing to speak at the same time at a meeting the Chairman of the meeting shall ask the member who caught his attention first to speak,
 - (f) Every member shall limit his observations to the subject under discussion only,
 - (g) No member shall impute undesirable motives to any other member,
 - (h) All speeches of private nature shall be avoided,
 - (i) A member shall speak on the question before the Municipal Council of Badulla or on any amendment of the question,
 - (j) 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,
 - (k) Even in the absence of a question before the Council a member shall make an explanation of private nature with the leave of the Council. However, while the explanation should be limited to absolving his conduct, no debate shall be allowed on the matter,
 - (l) 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 had participated in the debate he shall not present new facts. The mover of any amendment shall not have the opportunity of replying any further.
30. (1) The Municipal Council of Badulla 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.
 - (2) 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 Chairman of the meeting of the Committee of the whole house 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.
31. (1) For certain functions of the Council the Municipal Council of Badulla shall appoint from time to time consultative Committees consisting of members deemed suitable by the Council or consisting of members and other citizens in equal numbers.
 - (2) A Consultative Committee appointed in this manner shall not perform some functions after the elapse of the year in which it was constituted.
 - (3) The quorum of all meetings of such Consultative 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.

- (4) When the Secretary of any Consultative Committee is absent from the meeting the members present shall elect one of the members as the Secretary of the Committee. Such member shall have all powers vested in the Secretary of such Consultative Committee.
 - (5) When a Consultative Committee has extended its consent for some report all the members shall sign that report and it shall be presented to the Municipal Council of Badulla together with the report of that Consultative Committee.
 - (6) The press reporters shall not be allowed to witness the proceedings of a Consultative Committee meeting.
32. While the Secretary of the Municipal Council of Badulla shall function as the Secretary of the Consultative Committee on finances and policies of the Municipal Council of Badulla, it shall be duty of the Chairman to appoint some officer of the Municipal Council of Badulla to function as the Secretary of other Consultative Committees.
 33. While it shall be the duty of the Secretary to a particular Consultative 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 of Badulla.
 34. While all members attending the Council 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.
 35. While all members of a Consultative Committee attending the meetings of such Committee shall enter their names and the time of arrival 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.
 36. In this part, unless the context otherwise requires -

"Commissioner General of Elections" means the Commissioner General of the Elections Commission and it also includes the Returning Officer of any Municipal Council of Badulla ;

"Chairman of the meeting" means the chairman presiding over meetings of the Council for the time being or the Vice Chairman 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 Chairman and the vice Chairman ;

"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 III

PUBLIC HEALTH OF BADULLA MUNICIPALITY

This interm constitution regarding regulating, supervising and administrating by-laws with a description relating to Public Health of Badulla Municipality, in accordance with the provisions of Sub-section 05 of Section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd Authority.

1. This by-law may be cited as the by-law relating to formalizing, supervising and regulating public health and sanitary conditions within Badulla Municipal Council area of authority.
2. (i) It shall be lawful for any person authorized in writing by the Municipal Commissioner to place a mark or to cause somebody to place a mark on a prominently visible place in the exterior of a house or a building where, lives a person who is suffering from an epidemic or an endemic or a contagious disease and it shall also be lawful for the authorized person to keep such sign displayed at the place, as long as he feels it necessary.
- (ii) No person shall obliterate or tear off any such sign mentioned in Section 01 of this by-law without the permission of the Municipal Commissioner.
3. No person suffering from any such disease mentioned in By-law, 02 above, shall walk along a footpath or roam about in a public place on his/her own or he/she wishes.
4. (i) No person shall keep exposed a child or any other person suffering from any such disease mentioned in By-law, 02, by the side of a foot path or in a public place.

- (ii) Where a public place or a well set aside by the Municipal Commissioner for the use of one sex shall not be appropriated by the members of the other sex for bathing, washing or for any other purpose whatsoever.
5. No person suffering from any contagious, or infectious or skin disease, or has suffered recently from any such disease, shall bathe or wash at a public place before the incubation period if such disease lapses.
6. Where water needed for the use of any person mentioned in by-law 01 above, shall have to be carried to a distance of at least minimum 10 meters away from a public well or a bathing place.
7. No person shall use any uncleaned vessel to draw water from a public well or a public bathing place.
8. (i) No person shall wash or caused to be washed any article or object at a public well or a bathing place, or in the close proximity of such well or a bathing place set side for the use of the public.
- (ii) No person shall lead, drive or take any animal to a public bathing place.
- (iii) The water in a public well or a public bathing place and the land surrounding them shall not be polluted in any manner whatsoever.
9. It shall be lawful for the Municipal Commissioner to decide at a council meeting and declare for what specific purpose (viz. bathing, washing or human consumption) each public well, spout or such other water course is intended for.
10. (i) The Municipal Commissioner at his discretion shall specify the points at which water shall be obtained for bathing or washing or for human consumption from any tank spout, or from such other water course or any other special place.
- (ii) The places specified under para - (01) of this by-law shall be used only for the purpose specified and not for any other purpose whatsoever.
11. (i) Any garbage-dump, sewage pit, piggery cattle - shed, pit - latrine, or any defective drain shall not be allowed to remain within a radius of 15 meters from any public well, spout, spring or from any other place water is obtained for household activities. Besides, daily manuring of any land for agricultural purpose shall to be done.
- (ii) No person shall dig a private well to obtain water for household activities within a radius of 16 meters from any garbage dump, sewage pit, piggery, cattle - shed, pit -latrine, defective drain or from any land daily manured for agricultural purpose.
12. No person shall throw away rubbish or any unwanted or foul-smelling materials into another person's land or a public place or to a roadway.
13. Whenever an animal dies, in or around a house it shall be the duty of the owner of the animal or in his absence, the person residing at the place to bury the carcass within twelve (12) hours.
14. In the case of a house in an Urban area, where the owner of the house or any resident in the house is absent, it shall be the duty of the owner to maintain the premises very clean and in good sanitary condition devoid of weed, rubbish, scrap and discarded tyres, tins, king-coconut shells with husks and such other receptacles in which rain water could get collected.
15. No person shall defecate in a place which is not reserved for any such purpose.
16. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention, to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

PART IV

OVERCROWDED TENEMENTS IN BADULLA MUNICIPALITY (PREVENTION OF SANITARY PROBLEMS)

This interim constitution regarding regulating, supervising and administering by-laws with a description relating to overcrowding of tenements in Badulla Municipality, in accordance with the provisions of para (a), sub-section 07 of section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

1. This by-law may be cited as the by-law relating to regulating the overcrowding of tenements in Badulla Municipal Council area of authority, with a view to preventing the problems that would be caused thereby.
2. Where the Medical Officer of Health in his opinion, finds the number of residents that reside in a tenement exceeds the allowable number, it shall be lawful for the Medical Officer of Health to order the ejection of such number of residents in excess. Upon making such order, if it is revealed that the number of residents in the said tenement continue to be in excess, the owner or the lessee shall be held guilty of an offence.
3. (i) The Medical Officer of Health shall make a request to a Magistrate having judicial powers within the Municipality, to prevent people living in tenements exceeding its permissible capacity, which would almost bring about health hazards to those who live in such tenements. The Magistrate thereupon hold an inquiry deemed appropriate and shall issue a written order to the proprietor of the building where such tenement is housed to reduce the number of boarders tenants and other residents in excess, allowing him a justifiable period of time not exceeding six (06) weeks to carry out the task.
(ii) Where such buildings are given on rent for somebody and in turn it is sub-let by him, the proprietor of the building shall be considered to be the householder of the boarders, tenants and other true residents living therein, for the purpose of this clause.
(iii) It shall be the bounden duty of every resident, boarder or any others to vacate the building when demanded by the owner of the building upon receiving such court order.
4. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
5. In this by-law, unless the context otherwise requires -
 - (i) "Lessee" means a person who has taken a building on rent or a person to whom it is sub-let.
 - (ii) "Tenement" means a house, hostel or any other building used by people for residential purpose.

PART V

PUBLIC LATRINES

This interim constitution regarding regulating, supervising and administering by-laws with a description relating to formalizing of common latrine (public latrine) usage in Badulla Municipality, in accordance with the provisions of para (c). Sub-section 05 of section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

1. This by-law may be cited as the by-law relating to formalizing and regulating of common latrine (public latrine) usage in Badulla Municipal Council area of authority.
2. The Municipal Council shall put up a name board with the wordings "Common Latrine" in Sinhala, Tamil and English in a conspicuous place out side the latrine buildings for easy identification.

3. Any person, when defecating in a common latrine (public latrine) shall use only the commode for the purpose and not defecate elsewhere in the latrine and when urinating, he shall make use of the place provided for the purpose in the latrine.
4. No person shall utilize the water supplied for the latrine for any other purpose other than for the activities of the latrine.
5. No person shall dump bricks, soil, ash or such other materials in the commode of the latrine or in its drains, pipes or any other openings so as to block the flow of water.
6. Except when effecting repairs no person shall remove, block or alter the fittings of a common latrine (public latrine) or damage the pipes, valves, tanks and any other fittings or remove block, alter any such fittings or deliberately damage destroy, deface any wall, floor, roof or any structure.
7. No person shall enter a common latrine (public latrine) meant for males and vice versa. In the event of cleaning or repairing any common latrine, the latrine doors must be closed and a notice in Sinhala, Tamil and English must be displayed at the entrance, that effect by the persons who are assigned to the task.
8. Any person while in town shall defecate or urinate only in a common (public) latrine and not elsewhere.
9. Any notice given by an attendant or a watcher or the caretaker of a common latrine while on duty shall be lawful and shall have to be complied with showing no resistance.
10. The safety of the tools equipment and the buildings of a common latrine shall always have to be maintained.
11. The common latrine shall only be used for the purpose of urinating and defecating and no smoking or taking alcoholic drinks and drugs shall be done inside the latrine. Moreover, no person shall hang around the latrine for nothing.
12. Where the custody and maintenance of a common latrine is entrusted to somebody under an agreement, it shall be the duty of the custodian to keep the latrine always washed and clean. If any fee is levied for its maintenance, details of such fee shall have to be displayed at the entrance to the latrine.
13. The latrine shall always be kept clean and maintained well in good sanitary condition. It shall be washed and disinfected morning, noon and evening every day.
14. Where custody and maintenance of a common latrine (a public latrine) has been entrusted to a person, or to some other institution by the Municipal Council, the Council shall determine from time to time the amount of fees to be charged from the users of the latrine. Only the fees thus determine shall have to be charges from the users of the latrine by the aforesaid person or institution.
15. Only the persons who have take over the custody and maintenance of common latrine (public latrines) shall be fully responsible for the latrine system and buildings connected thereto.
16. Two registers (for males and females latrines separately) shall be kept in a clearly visible place of the building for the purpose of recording public complaints.
17. The labour staff appointed to serve at a common latrine (a public latrine) shall wear their official uniforms, specified by the Municipal Council, while on duty.
18. Minor repairs not exceeding Rs. 500 at one time, shall be done by the persons responsible for the maintenance and custody of the latrine. The major repairs shall have to be reported to the Municipal Council forthwith.
19. When any change is effected to the staff or the management, the Municipal Commissioner must be informed of it in writing by the person who have taken over the custody and maintenance of the latrine.
20. The staff assigned to the maintenance of a public latrine shall discharge their duties efficiently and politely and shall not act in any way that would bring disrepute to the Municipal Council.
21. A public latrine shall not be closed for any reason whatsoever without prior notification and prior permission obtained thereto from the Municipal Commissioner.

22. The person who has taken over the custody and the maintenance of a public latrine shall pay an additional fine of Rs. 1,000 for each day, if found that the latrine has been maintained in a manner harmful to public health.
23. Provision of service shall be stopped by 10 p. m. daily and no person shall be allowed to stay within the building thereafter. It is prohibited to use the latrine for any other purpose whatsoever.
24. Officers authorized by the Municipal Council shall have the right to enter and inspect any public latrine and they shall not be obstructed which discharging their duties.
25. The common latrine (the public latrine) shall remain open daily from 4.00 a. m. to 10.00 p. m.
26. Provided however that the public latrine shall remain open for 24 hours on days special decided and notified by the Municipal Council.
27. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) Fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

PART VI

PUBLIC BATHING PLACES

This interim constitution regarding regulating, supervising and administrating by-laws with a description relating to public bathing places in Badulla Municipality, in accordance with the provisions of para (e), sub-section 28 of section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

1. The by-law relating to formalizing and controlling of public bathing places found within Badulla Municipality.
2. Each and every well, used for bathing purpose and open to the generla public, shall contain a protective wall measuring not less than 75cm (seventy five centimeters) and it shall be cemented to a depth of 60cm (sixty centimeters) from the ground level.
3. The land area lying adjacent to the well right round shall be paved with stones or concreted leaving a sloped enabling the water that falls to the ground to be conveyed to some spillway by means of a drain constructed for the purpose, so that the water shall not be absorbed into he ground around the well.
4. Where a bathing place or public well or such other place is set apart strictly for the use of one sex, it shall not be used by the other sex for bathing, washing or for any other purpose whatsoever.
5. The buckets kept at the well for bathing and other purposes shall be cleaned daily and painted once in every six months.
6. No person suffering from any infectious disease, allergy, contagious disease or recently cured from any such disease shall bathe, wash or make use of the water in a public well or in any other place set apart by the Council for bathing purpose.
7. It is unlawful to bathe cattle, buffaloes, goats, dogs and such other animals, or wash clothes mats, vehicles and such other things or cause someone to bathe or wash such animals or things in and around a place set apart by the Council solely for the person of bathing or to lead any animal to such place for whatsoever reason.
8. No person shall defecate in and around a public well or in any other place set apart by the Council for the purpose of bathing, so as to cause annoyance to others.
9. No public bathing place place shall be closed to the public without prior permission of the Council.

10. The owner or the lessee of a public well shall act in accordance with the provisions of this by-law and ensure that no violation of such provisions shall ever occur.
11. No person shall pollute the water in a common well under whatever circumstance.
12. Contravention of any provision in this By-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

PART VII

ENCROACHMENTS AND OBSTRUCTIONS ON ROADS AND STREETS (TRADING ON PAVEMENTS FOOTWAYS AND IN BOUTIQUES)

This interim constitution regarding regulating, supervising and administrating by-laws with a description relating to preventing and stopping of encroachments and obstructions of roads, streets and pavements , in terms of sub-section (b) section 06 of 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

1. This by-law may be cited as the by-law relating to preventing and stopping of encroachments and obstructions of roads, streets and pavements in Badulla Municipality.
2. No person shall engage in trading on the side of the road or street or in boutiques and on pavements by piling up any articles of trade in stalls, enclosures and tiers.
3. No trading shall be permitted or allowed temporarily in boutiques or on pavements or on the sides of the streets and roads or engage salesmen in such trading.
4. Lottery tickets shall not be sold on pavements using bicycles or lottery stands or engage in any other trade using gramophone, loudspeakers, amplifiers or any other implements that produce sound automatically or mechanically.
5. No articles of trade shall be exhibited hanging them horizontally not less than seven (07) feet in height, from pavement and the outer edge of the shops or boutiques on either side of the roads and streets.
6. No motor cars trishaws or motor cycles shall be parked on the roads making it difficult for the public to get onto the pavements on either side of the roads and streets and walk on them.
7. No reading of newspapers shall be done on pavements and in front of shops and boutiques on either side of the roads and streets. Besides, no more that two persons shall stay on the pavement at a time.
8. No dogs or other animals shall be led along the pavement in front of shops and boutiques on either side of the roads and streets.
9. No commercial advertisements shall be installed so as to block the overhead view on the pavement on either side of the road and streets.
10. No trading shall be done using carts where by-roads cross the pavements in front of shops on either side of the roads and streets.
11. No person shall walk along the pavements in front of shops and boutiques on either side of the roads or streets, having consumed any alcoholic beverages which would be an obstruction to the public using the pavement.
12. No ornamental fish, birds or animals shall be sold blocking the pavements on either side of the roads or streets.
13. No selling of ornamentla plants, flowers and other articles of trade shall be done blocking the pavements on either side of the roads or streets.

14. Mending of shoes, selling of textiles or any other trade or industry shall not be carried out obstructing the pavement on either side of the roads or streets.
15. Walking hand in hand on any highway, causing obstruction to the other pedestrians, must not be done.
16. Piling up building materials or dumping garbage or water or waste matter on pavements or around shops or boutiques must not be done.
17. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
18. In these by-laws, unless the context otherwise requires,
 - (i) "Footways and boutiques on either side of the roads" means the pavement or the footway meant for the use of pedestrians.
 - (ii) "Streets, roads and highways" means and any road, street, highway, flight of steps, bridge, lane foot-path or access road constructed to reach some place.

PART VIII

BY-LAWS RELATING TO PEDESTRIAN CROSSINGS

This interim constitution regarding regulating, supervising and administering by-laws with a description relating to Pedestrian Crossings, in terms of sub-section (c), sub-section 06 of section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

1. The By-laws in this part are cited as the By-laws relating to establish and maintenance of pedestrian crossings in the roads within the area of authority of the Municipal Council.
2. Identification of pedestrian crossings to enable the pedestrians to cross the roads within the area of authority of the Municipal Council and declaration and demarcation of those crossings identified shall be done.
3. While the demarcations that shall be done in pedestrian crossings declared under By-law No. 2 shall be in accordance with the specimen in the illustration 4.18 in Provisions published in the *Gazette* Extraordinary No. 444/18 (Part I Paragraph I) 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. Moreover, it shall be the duty of the Municipal Commissioner to get the markings repainted without allowing them to be obliterated.
4. No person shall deface or obliterate any pedestrian crossing marked under By law No.2. However, the Municipal Council shall have the power to change or relocate any pedestrian crossing according to decisions made from time to time.
5. When any pedestrian has entered on to the crossing with a view to crossing the road every driver of a vehicle who had arrived at the crossing shall stop his vehicle until the pedestrian has crossed over to the other side of the road.
6. When any vehicle has almost passed the limit marked at the crossing for the vehicles to stop no pedestrian who intends to cross the road over the crossing shall enter into the particular crossing.

7. While no pedestrian shall remain on any pedestrian crossing or remain on it so as to cause obstruction to any vehicle passing over it, he shall not unduly obstruct any other pedestrian crossing the road.
8. Any vehicle arriving at any pedestrian crossing being controlled by a Police Officer or a Traffic Warden or by electrical signals or any other device shall be controlled according to the signals given by the Police Officer or Traffic Warden or the electrical device by the driver of the vehicle.
9. A driver of any vehicle shall not stop the vehicle being driven by him on any pedestrian crossing or on any section of that crossing,-
 - (a) unless he has been prevented from moving further due to any reason beyond his control; or
 - (b) unless it is found necessary to stop the vehicle on a pedestrian crossing in order to prevent any accident.
10. The Municipal Council shall take measures necessary to encourage Traffic Wardens employed at pedestrian crossings marked on the roads in front of any school within the area of authority of the Council.
11. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
12. In the By-laws in this part, unless any other meaning is sought,-

"traffic warden" means a student or any other person named or being employed by any head of a school or concern agents of Municipal Council any other person authorized by him for the purpose of control the pedestrians and vehicles at pedestrian crossings;

"vehicle" means any motor vehicle mentioned in the Motor Traffic Act and it shall include any cart, trolley, bicycle and a bicycle powered by a motor.

PART IX

BY-LAWS RELATING TO NAMES AND ADDRESSES OF OWNERS OF IMMOVABLE PROPERTIES

This interim constitution regarding regulating, supervising and administrating by-laws with a description relating to names and addresses of owners, of Immovable Properties usage in Badulla Municipality, in accordance with the provisions of para (d), sub-section 07 of section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

1. The by-laws in this part are cited as the by-laws relating to registering the names and addresses of owners of immovable properties within the area of authority of the Municipal Council and obtain periodical returns for the purpose of imposing and levying assessment rate and taxes and charge licence fees.
2. (a) Every person who acquire any immovable property held within the area of authority of the Municipal Council, shall submit an application prepared according to the first schedule of this part of the by-laws to the Commissioner with details of properties so acquired, within three months periods from the date of acquiring such immovable property to get such property registered in the Municipal Council.

- (b) Any person who submits an application as mentioned in paragraph (a) shall submit along with the application, the following documents certified by a Notary Public :
- (i) deed of ownership of the property ;
 - (ii) plan of the property drawn by a licensed surveyor ;
 - (iii) in the event that any building or a condominium building is erected on the immovable property, a sketch plan of such building or the condominium drawn by an architect ;
 - (iv) the presence of a plan by an architect, in the event such immovable property is a building or condominium building.
3. Every person who acquired any immovable property within the area of authority of the Municipal Council even shall take action as required the by-law No. 2 of this part, before the lapse of six months on the date of implementing the by-laws of this part.
4. (a) Every owner of an immovable property who submits an application to register such property in the Municipal Council under the provisions of this part shall pay an amount as a fee to the Municipal Council, as determined by the Municipal Council.
- (b) The Municipal Council may determine the fee payable by the owner of an immovable property for the registration of such immovable property under paragraph (a) and the Municipal Council may determine to revise or amend such fees from time to time.
- (c) The fees determined by the Municipal Council from time to time under the paragraph (b) shall come into effect from the date a notice on such fees are published in the *gazette* or from any future date specified in the said notification.
5. (a) If the owner of any immovable property of which the ownership is registered in the Municipal Council as specified in this part of by-laws, intends to -
- (i) get such property vested in any other person or persons, or if such property is mortgaged to any other person or persons ; or
 - (ii) if the immovable property is vested in any other person or persons under the power of attorney ;
- it is the responsibility of the owner of such property to notify the Commissioner in writing about such occurrence before the laps of one month period.
- (b) It is the responsibility of the owner of the immovable property which is a building that has been registered in the Municipal Council as specified in part of this by-laws, such building change in the type of use be notified in writing to the Commissioner, before a lapse of one month of effecting such change in the type of use of such building.
- (c) An owner of any immovable property who has registered such property in the Municipal Council as specified in the part of this by-laws -
- (i) before making a sub-division of any immovable property ;
 - (ii) before a new building being constructed on a property which is a land ;
 - (iii) in a manner to show any difference in the structure of any building by -
 - (1) making any new addition ; or
 - (2) demolish and remove any existing part ; or
 - (3) demolish and remove any existing part and making any new addition ; or
 - (4) demolish the whole existing building and construct a new building upon such land ;
- shall obtain the approval of the Municipal Council before giving effect to any of the above occurrences.
- (d) The owner of an immovable property shall take necessary steps to give written notice to the Commissioner within seven days in the event of change of his address from the day the change had taken place and it is the duty of the Commissioner shall take prompt steps to amend the register of immovable properties of the Municipal Council, accordingly and to notify such owner of that immovable property with regard to the amendments made in such register.

6. It is the duty of the Commissioner to prepare and maintain a register of names of owners of immovable properties and the properties owned by them under the provisions of by-law No. 2 or by-law No. 3 in respect of every application made by such property owners according to specimen of second schedule of this part of by-laws.
7. (a) It is the duty of the Commissioner to allow any person who intends to examine the register of owners of immovable properties and properties owned by them, maintained by the Municipal Council during working hours on any working day.
- (b) Even if so, according to the terms of paragraph (a) any person who intends to examine the register of owners of immovable properties and immovable properties owned by them has to obtain prior permission of the Commissioner after paying a fee determined by the Municipal Council. But such fee should not be charged from an officer who needs to examine those registers for official purposes and to whom written authority is given by any head of a Government Department or by a head of department of Provincial Council in the Province.
- (c) The Municipal Council may determine the fee to be charged for examining the register of owners of immovable properties and the properties owned by them and also effect necessary changes and revisions of fees from time to time by the Municipal Council.
- (d) Any such fees determined, changed or revised by the Municipal Council from time to time under the provisions of paragraph (c), shall be published by *Gazette* notification and they effective and implemented from the date of publishing in the *Gazette* notification or from any future date mentioned in the above *Gazette* notification.
8. (a) While the process of calculating the amounts recoverable to the Municipal Council or any tax imposed or any fee charged for the issue of licence under the Municipal Council Ordinance (Chapter 252) on sale of any business or any trade held within the area of authority of the Municipal Council following details are required by the Municipal Council to calculate tax or licence fee -
 - (i) takings of the business for certain year ; or
 - (ii) business turnover for certain year ; or
 - (iii) a profit that could be earned for certain year ; or
 - (iv) an amount of money received through a certain sale ; or

It is lawful by sending a written notification to the owner or the manager of such business or trade to furnish by a certified report by the Commissioner.
- (b) Any person who has received the notification sent by the Commissioner under paragraph (a), the information called for by the Commissioner shall be furnished within fourteen days from the date of receipt of such notification.
09. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
10. In this part, unless the context otherwise requires -

“immovable property” means, any land or any building or any condominium building ;

“owner of a property” means, any person who is the sole owner of any immovable property or when there is more than one owner to such immovable property, each such owner separately and considered as co-owners for such immovable property and any other person who occupies or act as a caretaker of any property shall include for the time being.

[illegible]

PART X

BY-LAWS RELATING TO REGISTERING MORTGAGES AND MORTGAGEES

This interim constitution regarding regulating, supervision and administrating by-laws with a description relating to Registering Mortgages and Mortgagees usage in Badulla Municipality, in accordance with the provisions of para (c), sub-section 07 of section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

1. The by-laws in this part are cited as the by-laws relating to registering the mortgages of immovable property within the area of authority of the Municipal Council of Badulla and addresses of the mortgagees.
2. Any mortgagee who mortgage an immovable property situated within the Municipal Council of Badulla area shall forward an application to the Municipal Commissioner Substantially prepared in accordance with the specimen contained in the First Schedule before the expiry of seven days from the date the mortgage comes into force and get it registered in the Municipal Council of Badulla.
3. Every mortgagee who has already mortgaged any immovable property situated within the area of authority of the Municipal Council of Badulla on the date the by-laws in this part come into force shall get the property registered in the manner set out in by-law No. 2 before the expiry of two months from the date the by-laws in Section come into force.
4. (a) Every mortgagee who forwards an application form in order to get a mortgage registered at the Municipal Council of Badulla under the provisions of the by-laws in this part shall pay a fee determined by the Municipal Council of Badulla.
- (b) While the Municipal Council of Badulla shall determine the fees to be paid to the Council by the mortgagee to get any mortgage registered at the Council under paragraph (a), and the Municipal Council of Badulla may amend or change the fees from time to time.
- (c) The rate of fees determined by or changed by or amended by the Municipal Council of Badulla from time to time under the paragraph (b) shall come into effect from the date a notice on such rates are published in the *Gazette* or from any future date specified in the said notification.
5. (a) If any property mortgaged by the mortgagee registered at the Municipal Council of Badulla in the manner set out in by-law No. 2 and by-law No. 3,
 - (i) is released to the mortgager by the said mortgagee;
 - (ii) is transferred to the mortgagee outright;
 - (iii) is vested with the mortgagee and with any other person or a number of persons on the basis of joint ownership,
 - (iv) is disclaimed by the mortgagee in any other manner,
 it shall be the duty of the mortgagee to inform the Municipal Commissioner in writing about such incident before the expiry of one month.
- (b) It shall be the duty of any mortgagee registered at the Municipal Council of Badulla to inform the Municipal Commissioner in writing about any change in his address within seven days of such incident. Moreover it shall be the duty of the Municipal Commissioner to take action to amend the Register of Mortgagees as soon as he is in receipt of such written notification, and to inform the mortgagee in writing about such amendments.
6. It shall be the duty of the Municipal Commissioner to prepare substantially in accordance with the specimen in the second Schedule this part a Register of the mortgagees relevant to every application forwarded under the provisions of the by-law No. 2 or by-law No. 3 and of the property held in mortgages by them, and to maintain such Register.
7. (a) It shall be duty of the Municipal Commissioner to allow inspection during office hours on any working day of the week of the Register on Mortgagees and property held in mortgages maintained by the Municipal Council of Badulla to anybody needing inspection of the said Register.
- (b) Anybody wishing to inspect the register on Mortgagees in accordance with paragraph (a) shall obtain permission from the Municipal Commissioner on payment of a fee prescribed by the Municipal Council of Badulla. However, charges shall not be made in respect of inspections made by a Head of any Government Department or Department of the Provincial Council or by any officer authorized in writing for official purposes.

- (c) while the charges for the inspection of the Register of Mortgagees shall be determined by the Municipal Council of Badulla, any changes or amendments in this regard shall be done by the Municipal Council of Badulla from time to time.
- (d) A notification on the rates determined by or changed by or amended by the Council from time to time under paragraph (c) shall come into effect from the date of notification in the *Gazette* or any future date specified in the said notification.
8. (a) when any owner of a property registered under the provisions of by-law No. 2 has defaulted payment of any rates, tax or fees imposed by the Municipal Council of Badulla on the property situated within the area of authority of the Council, it is the duty of the Municipal Commissioner to inform the mortgagee of such property in writing, through registered post, before fourteen days about the decision,
- (i) to issue a warrant on attachment of such property;
 - (ii) to implement the warrant issued on attachment of such property;
 - (iii) to sell the relevant property attached on a warrant issued in that respect.
- (b) when a mortgagee is in receipt of a notice issued under paragraph (a) about the decision, -
- (i) issue a warrant on attachment of any property, *or*
 - (ii) to implement a warrant issued on attachment of such property, *or*
 - (iii) to sell such property attached on a warrant issued,
- in respect of any property included in the Register of Mortgages registered at the Municipal Council of Badulla, as a result of the default of payment of any assessment fees, tax or rates imposed by the Municipal Council of Badulla on the property located within the area of authority of the Council, it shall be lawful for the said mortgagee to take action to prevent the issue of a warrant on attachment of such property or on implementing the warrant issued on attachment of such property or on selling such property attached on a warrant issued, after paying the said assessment fee or tax or rates on the said property defaulted by the owner of the said property.
09. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
- (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
10. In this part, unless the context otherwise requires -
- “mortgagee” means a person providing any money or any other goods or services on the basis of a loan or any other form having kept as surety any immovable property located within the area of authority of the Municipal Council of Badulla and it also shall include any Commercial Bank issuing loans having kept immovable property as surety.

FIRST SCHEDULE

BY-LAW No. 2

Application for Registration of Mortgages of immovable property within the Municipal Council of Badulla and the addresses of the Mortgagees
(A separate application each shall be forwarded in respect of each property)

1. Immovable property mortgaged: -

- (a) Name/Names of Mortgager: -
1.
 2.
 3.

- (b) Addresses of Mortgagees: -
1.
 2.
 3.
- (c) Name of the street or village where the property is situated: -
- (d) Assessment No.: -
- (e) Number and Name of the Grama Niladhari Division where the property is situated: -
- (f) Extent of the land: - ... Acres ... Roods ... Perches ... (Hectares:)
- (g) Number of the deed: -
- (h) Name and Address of the Notary Public:-
.....
- (Attach a copy of the mortgage title deed certified by the Notary Public who prepared it)

.....
Applicant's / Mortgagee's Signature.

Date: - 20...

SECOND SCHEDULE

BY-LAW No. 6

Municipal Council of Badulla - Register of Mortgages on Immovable Property and Addresses of Mortgagees

Registration		Mortgager		Mortgagee		Street village where property situated	Assessment No.	G. S. Office and No.	Name and No. of the GN Division	Extent of the land (Hectares)	Title Deed No.	Name and Address of the Notary Public	Date of Commencement of	Date of Expiry of the Mortgage	Mortgage Deed No.	Name and Address of the Notary Public	Signature of the Subject Officer	Signature of the
Year	No.	Name	Address	Name/s	Address													

PART XI

BY-LAWS RELATING TO BAKERIES

This interim constitution regarding regulating, supervising and administrating By-laws with a description relating to Bakeries usage in Badulla Municipality, in accordance with the provisions of Para (a), Sub-section 08 of Section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252 authority.

1. By-laws in this part are cited as the By-laws in relating to regularize, supervise and control the Bakeries within the area of authority of the Municipal Council of Badulla.

2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain Bakery within the area of Authority of the Municipal Council of Badulla.
3. Every licence issued under the provisions of the By-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the By-laws in this part.
4. Unless the following conditions in the By-laws of this part are fulfilled the Municipal Commissioner shall not issue a license to any Bakery-
 - (a) The conditions in this part shall have been fulfilled irrespective of the medium in which heat is obtained for food produced in the Bakery -
 - (i) The Bakery shall be in very good condition;
 - (ii) Every room in the Bakery shall have windows that could be opened to the outside. The area of the opened windows shall not be less than one fifteenth the area of the floor of the room;
 - (iii) Every room shall have ceilings fixed and the ceiling shall have been painted in white;
 - (iv) The floor of every room shall have been finished with cement or tiled;
 - (v) While the room in which the oven of the Bakery is located shall be at least in a height of 3 meters from the ground level of the room, it shall be built in bricks or cement blocks or cabook blocks with both sides of the walls being plastered and applied with paints;
 - (vi) Every room in the Bakery other than the room where the oven is located shall be in a height of at least 2.75 meters from the floor level to the ceiling level, and they shall be built in bricks or cement blocks or cabook blocks or aluminium or timber with both sides of the walls being plastered and applied with paints;
 - (vii) All fittings in the Bakery made of wood shall have been applied with paints;
 - (viii) While the roof shall have been built with any solid material the end of eaves shall be at least 1.8 meters above the floor level and the reservation for the eaves shall be at least 1 meter in width;
 - (ix) Arrangements shall have been made to use potable water for production purposes;
 - (x) While a supply of safe water shall have been provided through pipes to every room using water in the production process, action shall have been taken to provide a drainage system sufficient to allow the flow of waste water;
 - (xi) Waste water disposed of shall be allowed to flow into a suction pit;
 - (xii) Waste disposal programme shall have been put in place in the manner prescribed in By-law No. 8.
 - (b) When the Bakery requesting a licence is one using wood,
 - (i) The upper edge of the chimney of the oven of the Bakery shall have been built at a height of at least 7.5 meters above the ground level;
 - (ii) While the surfaces of all the tables used for kneading flour shall have been made smooth the joints shall have been joined leaving no spaces between the joints. Otherwise they shall be covered with stainless metal sheets with no joints;
 - (iii) A movable receptacle sufficient to dispose of ash and remnants of wood removed from the oven of the Bakery shall be supplied;
 - (iv) The outside wall of the oven of the bakery shall be painted or applied with lime;
 - (v) 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;

- (c) When the Bakery requesting a licence is using electricity —
- (i) 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;
 - (ii) While the electric cables of electric circuits fixed within the bakery premises shall be drawn through pipes or boxes without leakages of electricity, there shall not be ends of electric cables open to the outside;
 - (iii) Ordinary fire fighting equipment and electric fire extinguishers shall have been provided;
5. All spaces prescribed in By-law, to have been applied with paints shall be so applied with paints at least once a year.
 6. The floor of every room used for kneading flour shall be washed at least once every day.
 7. The bakery and its environment, drains, furniture and equipment shall be kept in very good condition.
 8. Unless the date of expiry of flour and other materials 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.
 9. (a) Provided that the period of infection or of incubation of an infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in any licensed premises or as an assistant of any person engaged at any licensed premises.
 - (b) 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.
 - (c) 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.
 10. 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 the licensed premises.
 11. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories —
 - (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastics or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;
 - (vii) 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.
 - (b) 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 programme of waste management launched by the Municipal Council of Badulla² the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
 12. Water not suitable for human consumption, shall not be used for any bakery products.
 13. While a separate room exclusively used for the storage of flour and other materials used in the bakery shall be maintained it shall be sufficiently ventilated and secured against entry of flies or other insects and rats.

14. When storing flour in the store room mentioned in By-law No. 13 a rack made of timber on a stand at a height of 20 centimetres 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 23 centimetres away from the wall.
15. It is the duty of the licensee to see that the racks mentioned in By-law No. 14 are taken out and cleaned at least twice a month.
16. 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.
17. 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 least 15 meters away from the rooms manufacturing soft drinks.
18. Action shall be taken not to locate a suction pit, or fertilizer pit or ash pit less 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.
19. All employees of the bakery shall be supplied with pure water, clean towels, brushes to clean nails and soap or fluid soap.
20. No person shall smoke, chew betel or chew any other material or partake of food inside the bakery.
21. It shall be the duty of the licensee to put in place a scale with standard weights or any other type of standard scale at a clearly visible place in all the premises 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.
22. In the event of the delivery of bakery products of any bakery 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.
23. The appropriate time for inspection of the provisions of the By-laws in this part by the Municipal Commissioner or by an Authorized Officer shall mean any occasion when production is carried out.
24. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of any kind of bakery product kept for sale or displayed for sale or stored inside the premises of any bakery, no licensee shall desist or prevent such purchase.
25. In the event of the premises where bakery products are produced is carried on 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-law No. 4 or contravenes the provisions of any By-law of the by-laws set out in this part the 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. Any licensee in receipt of a notice mentioned in By-law No. 25 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 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 four days.
27. When any licensee in receipt of a notice mentioned in By-law No. 26 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 Municipal Commissioner to cancel the licence issued to that premises.
28. Contravention of any provision in this By-law shall be offence and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.

- (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

29. In this part, unless the context otherwise requires -

“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 is prepared or where goods are stored for the preparation of such food ;

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

PART XII

BY-LAWS RELATING TO PUBLIC MARKETS

This interim constitution regarding regulating, supervising and administrating By-laws with a description relating to Public Markets usage in Badulla Municipality, in accordance with the provisions of Para (b), Subsection 08 of Section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

1. The By-laws in this part are cited as the By-laws relating to the conduct, regularize and supervision of the public markets within the area of authority of the Municipal Council of Badulla.
2. The Municipal Council of Badulla shall obey the following directives in this By-law in regard to any public market constructed and maintained by the Municipal Council of Badulla, viz:
 - (1) While all permanent buildings of the public market shall be built with bricks, cement blocks or cabook blocks the height of the walls shall be at least three meters from the ground level.
 - (2) The roof shall be made of some permanent material.
 - (3) While the roof of the inner shopping stalls shall be fitted with ceilings the ceilings shall be at a height of 2.85 meters from the ground level.
 - (4) 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.
 - (5) 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.
 - (6) Trading platforms shall have been constructed for temporary traders outside the shopping stalls of the building.
 - (7) 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 cabook blocks. However, when the floor board is made with a concrete sheet it shall be plastered with cement or tiled. When it is not possible to construct trading platforms in this manner, flat spaces shall be allocated on the floor and each section shall be demarcated in white paint.
 - (8) The area of each trading platform shall not be less than two square meters at least.
 - (9) While a roof covering each trading platform and constructed at a height of at least 2.25 meters above the floor level on posts made with bricks or cement blocks or cabook blocks or galvanized iron bars or reinforced aluminium bars shall be made available the eaves shall be at a height of at least 2.1 meters above the floor level. Moreover, when these posts are constructed with bricks or cement blocks or cabook blocks they shall be plastered and applied with paints and if they are constructed with galvanized iron bars they shall be painted.
 - (10) While every roof shall be constructed with solid materials sufficient pipes shall have been fixed to drain away water accumulated in the gutters.

- (11) While platform banks at least one meter in width shall have been constructed on the ground around every trading platform, sufficient drains shall have been provided to allow free flow of rain water.
- (12) 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;
- (13) 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;
- (14) 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 meters above the floor level shall have been tiled.
- (15) 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.
- (16) 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.
- (17) Common water taps shall have been fixed within the premises.
- (18) A separate area shall have been allocated to wash vegetables and fruits.
- (19) 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.
- (20) 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.
- (21) While a sufficient fire protection programme shall have been put in place, action shall have been taken to fix different types of fire fighting equipment necessary for the control of fire generated from electric circuits, fire caused by fuels and fire generated due to any other reason.
- (22) A standard common scale shall have been kept at a separate and prominent place with a view to weighting and ensuring the weight of the goods purchased by the consumers.
- (23) It shall be the duty of the Municipal Council of Badulla 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.
- (24) While tanks, receptacles or containers that could accommodate waste generated in the premises and categorized as:
 - (i) biodegradable waste ;
 - (ii) glass ;
 - (iii) paper or paper related materials ;
 - (iv) polythene and plastics or materials related to polythene and plastics ;
 - (v) iron and other metals or pieces of iron and other metals ;
 - (vi) 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, flies, insects or any type of bird could gain entry into it.
- (25) A place shall be allotted to park motor bicycles and bicycles.
- (26) Sufficient parking facilities shall be provided to the vehicles of consumers as well as those transporting goods.

3. (a) 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, -
 - (i) biodegradable waste;
 - (ii) glass;
 - (iii) paper or paper related matter;
 - (iv) polythene or plastics or materials related to polythene or plastics and regiform;
 - (v) iron and other kinds of metal or pieces of iron and other metals;
 - (vi) dangerous waste;

and to dump them into separate containers or receptacles or tanks constructed by the Municipal Council of Badulla to dump each kind of garbage.
- (b) It shall be the duty of the Municipal Commissioner to take action to place 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).
- (c) 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;
- (d) 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 (24) of By-law No. 2, the lid of that container or receptacle or tank shall be tightly closed always.
4. (a) The space allocated for trading purposes in any public market shall mean, -
 - (i) the section from the back wall of the shopping stall up to the limit of the door stated in paragraph (4) of By-law No.2, in case of shopping stalls;
 - (ii) 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.
- (b) 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.
- (c) 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 corridor or over the platform banks shall not be done.
5. Nobody shall engage in cooking activities in any place other than a hotel, eating house, restaurant or tea or coffee shop situated inside the public market.
6. In any public market owned by the Municipal Council of Badulla nobody shall, -
 - (1) conduct himself in any undisciplined manner or quarrel or use indecent words or beg ;
 - (2) remain inside the premises after the closure of the public market at the end of daily activities ;
 - (3) damage or harm or disfigure or deface any building, construction or fitting or any flower plant grown or kept as a decoration or name board or any other thing ;
 - (4) pollute or waste or cause to be wasted or squander in any other way the water supplied for use or bathe or wash clothes and animals with that water or wash vegetables and fruits in any other place than that allocated for that purpose;
 - (5) fix 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 Municipal Commissioner ;
 - (6) keep goods in a manner causing obstacles to reach the main switchboard providing electricity connection or damage the main switchboard;
 - (7) get electricity connections fraudulently from the main electricity cable or any other cables laid within the building in order to supply electricity ;

- (8) get water supplies fraudulently from the main pipe or any other pipe lay within the building in order to supply water;
 - (9) keep goods causing obstructions to reach the fire fighting instruments fixed in the building or damaging the main switchboard ;
 - (10) sell or display for sale any type of vegetables, fruits, meat or fish except at a designated place or let others to do so;
 - (11) bring bicycles or motor cycles into the premises or let others to do so;
 - (12) dump garbage disposed of from any sales point onto any other place in the public market other than into any container or tank supplied by the Municipal Council of Badulla in accordance with provisions in By-law No. 3.
7. (a) Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in service in a licensed premises or as an assistant of any person engaged in service at such a premises;
 - (b) 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.
8. It shall be the duty of the lessees of all the shopping stalls and the user or the consumer of all trading platforms to clean by sweeping the said shopping stall and the front corridor and the platform bank or the surface of the trading platform and the area around it at the beginning of daily activities and at the end or if required on one or many occasions in between and to dump or cause to be dumped the garbage accumulated after sweeping, in the manner stated in By-law No 3 into a container or tank supplied by the Municipal Council of Badulla.
 9. 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 and every hotel, eating house, tea or coffee shop including a restaurant 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.
 10. Nobody shall sell or exhibit for sale any type of goods other than those types of goods or materials for which a particular trading stall or any trading platform in any public market has been allocated.
 11. Nobody shall leave behind any commodity or goods or garbage at the end of the day's activities on any trading platform constructed outside the trading stalls of the public market.
 12. Nobody shall sell or exhibit for sale or store meat at a meat stall in the public market unless it is meat of an animal slaughtered at a slaughter house having a formal licence issued under the provisions of the Butchers Ordinance.
 13. When an order has been published in the *Gazette* by the Competent Authority pursuant to powers in Section 17 of the Butchers Ordinance banning the slaughter of animals for meat on any particular day in any slaughter house, nobody shall keep meat for sale or exhibit meat for sale or store meat at any meat stall being maintained in the public market.
 14. Nobody shall bring or let anybody else to bring a dog or cat or any other animal or a bird into the premises of the public market. This shall not be understood as a Provision preventing the bringing of a Police official dog by any Police Officer into the public market for any inquiry.
 15. While action shall be taken to switch off all electric lamps, electric fans and other electric utensils in any trading stall on any occasion when the public market is completely closed having ended the trading activities and on every occasion when the lessee is going out having closed any stall in the public market, it is the duty of the lessee to take action to extinguish any fire or coconut oil lamps burning within the stall. However, refrigerators and deep freezers used in preserving food or beverages shall not be subjected to this provision. Moreover, nobody shall light or let somebody else light any form of flame that could be a threat to the security of the public market or light or let somebody else light fire crackers in any place within the premises of the public market.
 16. Nobody shall dump any garbage generated in any place outside the premises of any public market into any container, receptacle or tank made available to dump garbage generated within the particular public market.
 17. It shall be the duty of the Municipal 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.

18. It shall be the duty of the Municipal 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 (24) of by-law No. 2. Moreover, action shall be taken to transport such garbage out of the premises in a vehicle having fully covered the part containing such garbage.
19. It shall be the duty of the Municipal 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.
20. It shall be the duty of the Municipal Commissioner to make arrangements to examine at least once whether the functioning of the fire fighting equipment fixed at the public market is in order and to fix new equipment in place of those rendered non-functional.
21. (a) It shall be the duty of the Municipal 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, constructions made with galvanized iron and other parts of the ceilings except the inner ceiling of the trading stalls in the public market;
- (b) 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.
22. Anybody who has obtained a ticket under the provisions of by-law No. 27 to use or utilize any trading platform in the public market shall not transfer that ticket or engage in trading in any other place than that, for which the ticket has been issued. When the Municipal Commissioner or the Authorized Officer is sufficiently convinced of the fact that anybody had acted in this manner, the Municipal Commissioner or the Authorized Officer shall have the power to direct such person to engage in trading activities at the prescribed location or to eject him from the public market having prevented him in engaging in trading activities on that date or to cancel the ticket issued to him.
23. Anybody who has leased a shopping stall at any public market or obtained a ticket to use or utilize any trading platform shall not allow anybody else to sell or to exhibit for sale any commodity or to use for any other purpose, the premises or part thereof, of the shopping stall or the trading platform allocated for his trading activities.
24. Unless the Municipal Council had 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.
25. Unless the Municipal Council had 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 trading platform in the public market and shall not erect a trading platform or make a partitioning in any place within the public market.
26. 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 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.
27. (a) 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 of Municipal Council or upon it under the provisions of the by-laws in this part;
- (b) The ticket issued under the provision in paragraph (a) shall be substantially prepared according to the specimen given in the First Schedule.
28. Unless somebody is a holder of a valid ticket issued under the provisions of the by-law No. 27 or an employee or a sub agent of him and conform to 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.
29. The charges to be paid to the Municipal Council for trading platforms built outside the shopping stalls of the public market under the provisions in by-law No. 27 shall be determined by the Municipal Council from time to time in accordance with the manner set out in the table in Second Schedule. In the same manner the Municipal Council shall alter or amend the rates from time to time.

30. 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 conform 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.
31. (a) It shall be the duty of the Municipal Council to perform the task of selecting a lessee 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 lessee through public tender ;
(b) When calling for tenders to lease out any shopping stall under paragraph (a) 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 ;
(c) (i) The occasion that arises when the lessee has on his own free will got the agreement repealed ; or
(ii) 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
(iii) the occasion when the lessee has died leaving no spouse or child,
shall be considered as the occasions when tenders shall be called to select a lessee under paragraph (a). Meanwhile, unless any lessee has rejected validation of the said tenancy agreement for any subsequent year wilfully avoid such opportunity for validation, it shall not be considered that the tenancy agreement signed by the Municipal Council of Badulla and the lessee has been invalidated.
32. The lessee selected to use or utilize any shopping stall, through public tender under the provisions of by-law No. 31 shall enter into an agreement with the Municipal Council of Badulla.
33. Notwithstanding anything stated in by-law No. 31 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 lessee selected to use or utilize the said shopping stall under by-law 31 effective from the date of such enforcement. Moreover, any lessee in respect of whom this by-law is relevant further, shall enter into a new tenancy agreement within a period of three months from the date the by-laws in Section are effective.
34. (a) While any agreement signed with the Municipal Council under the provisions of by-laws No. 32 and 33 shall be valid only for a period of one year, the period of validity of the tenancy of the said shopping stall could 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 lessee 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 ;
(b) However, it shall be the duty of the Municipal Commissioner 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 lessee having validated the period of lease under paragraph (a).
35. Unless action has been taken to get validated the period of lease for the subsequent year under by-law No. 34 before the expiry of one month from the date of the expiry of the period of lease of any shopping stall, no lessee shall have the right to use or utilize the said shopping stall after the expiry of the last day of the said month.
36. Nobody shall take action to sublet any shopping stall in the public market. Any loss or harm or damage caused to any sub-lessee as a result of the cancellation of the agreement entered into between the Municipal Council and the lessee of the said shopping stall due to sub-letting 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-lessee. Meanwhile the Municipal Council or the Municipal Commissioner or the Authorized Officer shall not be subjected to responsibility in this regard.
37. The lessee of any shopping stall in a public market maintained by the Municipal Council shall not sub-lease or rent out the said shopping stall Meanwhile when the Municipal Commissioner is of opinion that sufficient facts to satisfy him about the fact that any sub-lessee has taken action to sub-let or rent out the said shopping stall or that provisions of the by-laws in this part or the provisions contained in the relevant tenancy agreement have been violated, it is the duty of the Municipal Commissioner to inform the relevant lessee in writing to terminate the said sub-lease or hiring.
38. In the event of any person issued with a notice as stated in by-law No. 37 having facts to submit any protest or protests against the facts stated in the notification, such person shall have the right to submit in writing an appeal to the Municipal Commissioner

within 14 days of the receipt of such notification, setting out the facts in respect of such protest or protests. Moreover, it shall be the duty of the Municipal Commissioner to hold an inquiry about the protest or protests within 14 days of the receipt of the notification containing the facts about the protest or protests.

39. If it is established at the protest inquiry held by the Municipal Commissioner in accordance with the by-law No. 38 that the facts stated in the letter sent by the Municipal Commissioner under the provisions of by-law No. 37 are true or that the lessee had been unable to rectify the sub-letting or renting out until the day of the said protest inquiry it shall be considered that the tenancy agreement signed between the lessee and the Municipal Council has become null and void. Moreover it shall be the duty of the Municipal Council to vest the said shopping stall with the Municipal Council within 7 days of the said protest inquiry. Furthermore, the Municipal Council shall follow the provisions in by-law No. 31 to lease any shopping stall acquired by the Municipal.
40. Notwithstanding anything stated in by-laws No. 36 to No. 39 the provisions in these by-laws shall not be an obstacle in vesting the tenancy right of any shopping stall owned by the Municipal Council to the spouse or child of the lessee on the request of the lessee or on his death.
41. (a) Every lessee selected by the Municipal Council to use or utilize a shopping stall in any public market being maintained by the Municipal Council, shall deposit in the Council –
 - (i) a security deposit to the value determined upon by the Municipal Council at the time when tenders were called for the selection of lessees;
 - (ii) a deposit equal in amount to three times the monthly rent as stated in the agreement signed under the provisions of the by-law No. 32 or by-law No. 33.
- (b) Unless the provisions in paragraph (a) have been fulfilled in the manner set out nobody shall be allowed to use or utilize any shopping stall in any public market maintained by the Council ;
- (c) Unless any lessee for whom the provisions of the by-law 33 are relevant has fulfilled the provisions in paragraph (a) before the expiry of a period of six months from the date agreements were signed with the Council as set out in the said By-law the use or utilization of that shopping stall after the expiry of the said period of six months shall not be lawful.
42. (a) While it is necessary that the date of payment of rent payable for each month by the lessee to the Municipal Council shall be specifically stated in the agreement on the lease of any shopping stall in the public market it is the duty of the lessee to pay the said amount of rent to the Municipal Council on or before the particular date ;
- (b) On any occasion when any lessee is unable to pay the monthly rent to the Municipal Council on or before the date agreed upon in accordance with the agreement signed in the manner set out in paragraph (a) the lessee is subject to pay a late fee amounting to ten percent of the relevant monthly payments. Moreover, this provision shall have been included in the relevant agreement ;
- (c) On any occasion when any lessee has failed to pay the monthly rental due to be paid to the Council and when that arrears of rental are for a period of more than three months, it is the duty of the Municipal Commissioner to hand over a written notification to the lessee indicating the repercussions set out in paragraphs (d) and (e) of this by-law and requesting him to pay the arrears of rentals and the late fee mentioned in paragraph (b). Moreover it shall have been indicated in the notification that in the event of further failure to pay the arrears of rentals and late fees in accordance with this notification action shall be taken to seal the shopping stall and sell any property belonging to the lessee. The notification shall also indicate the specific day in the future that such actions would be taken by the Council ;
- (d) In the event of the failure to pay the said arrears of rentals and the late fees to the Council within seven days of the receipt of the notification by any lessee who had been issued with such notification under paragraph (c), it shall be the duty of the Municipal Commissioner to seal the relevant shopping stall;
- (e) The Municipal Commissioner shall have the power to credit to the fund of the Council any money after recovering the said arrears of rentals, the late fees and any money spent on the sealing of the shopping stall and on selling the property belonging to the lessee found in the stall, on opening the door having broken the seals placed on the door or doors of the said stall in front of the relevant lessee or any other substitute of him authorized by letter, in the event of their arrival at the location or in front of two other officials of the Council in the absence of the lessee or his substitute, after the lapse of one day and

- before the expiry of seven days after taking action under the provisions of paragraph (a). Moreover such action shall be lawful;
- (f) Notwithstanding anything stated in paragraphs (d) and (e) the lessee shall have the right to get any further action stated in paragraphs (d) and (e) terminated by paying back to the Municipal Council the arrears of rentals, late fees and any other sum of money borne by the Council as a result of the need to take such action, on any occasion when it was attempted to act in the manner stated in the said paragraph or on any occasion in between these two occasions. Furthermore, it shall be the duty of the Municipal Commissioner to desist from acting in that manner after collecting such money fully;
- (g) It shall not be understood that the agreement signed in respect of leasing the said shopping stall had been cancelled as a result of taking action under any paragraph from paragraph (c) to paragraph (f) of this by-law or under some of these paragraphs or under all of these paragraphs.
- (h) Notwithstanding anything stated in paragraph (g) the Municipal Commissioner shall take action to inform the lessee in writing about the failure to make payments in the event of failure to do so even after two occasions of sealing the said shopping stall in the manner set out in paragraph (d) during the course of one year as a result of the failure to pay rentals for any stall by the said lessee. Moreover the agreement signed with the Council by the lessee shall cease to exist effective from the date of receipt of this notification.
43. The lessee shall bear the cost of the bills payable monthly in respect of the units of water and units of electricity consumed by any lessee through water and electricity connections obtained in respect of all shopping stalls in the public market.
44. 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.
45. Any officer authorized by the 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 Council before 3.00 p.m. on each day of collection. If any money collected on issuing tickets at the public market after action had been taken by the Authorized Officer to credit the money collected in the common fund of the Council on a certain day is still left, such monies shall be credited to the common fund of the Council on the following day.
46. In the event of the inability to employ any officer authorized by the Municipal Commissioner to issue tickets to and collect money from any person wishing to use or utilize the trading platforms in the public market, except trading stalls, in the manner set out in by-law No. 45, the Municipal Council of Badulla shall have the power to allocate the task to a person selected on calling public tenders, hereinafter referred to as the "Tax Collector".
47. While assignment of duties for any Tax Collector selected under by-law 46 shall be valid only for one year, a Tax Collector shall be selected again for the following year through tenders. However, it shall not be understood that the provisions of this by-law has prevented any Tax Collector selected for the previous year in submitting tenders for the following year and being selected as the Tax Collector for the following year in the event of the Council deciding to accept his tender application.
48. (a) When a Tax Collector has been selected under the provisions of by-law No. 45, he shall take action to -
- (i) 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;
 - (ii) arrive at an agreement with the Municipal Council in respect of issuing such tickets and collecting money;
 - (iii) 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).
- (b) Unless the provisions set out in paragraph (a) 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 people wishing to engage in trading and to collect money for such tickets.
49. No Tax Collector shall levy a charge or charges exceeding the charges determined by the Municipal Council for use or utilization of trading platforms in any public market.

50. 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 Tax Collector according to sub-paragraph (ii) in paragraph (a) of by-law No. 48.
 - (a) the manner in which tickets shall be issued in order to use or utilize trading platforms;
 - (b) the manner in which money shall be collected for the said tickets and the maximum amount of money that shall be charged;
 - (c) the total amount of money to be paid by the Tax Collector to the Council for the year of agreement;
 - (d) 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.
 - (e) the date on which the money that shall be paid for each month is to be paid to the Municipal Council.
 - (f) the fact that the Tax Collector 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;
 - (g) the termination of the power vested in the Tax Collector 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 Municipal Commissioner in writing on the fact that the agreement is subject to cancellation under the provisions of the by-law No. 51 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.
51. (a) It shall be the duty of the Municipal Commissioner to hand over a notification in writing to the Tax Collector demanding the payment of the arrears and late fees in the event of the failure of the Tax Collector to pay to the Municipal Council the monthly dues and when the arrears are for a period of more than three months.
 - (b) In the event of the failure of any Tax Collector 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 (a) the agreement signed by the Municipal Council with the relevant Tax Collector 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 Tax Collector about the cancellation of the said agreement on the day it is considered cancelled.
 - (c) The Tax Collector who was a party to any agreement cancelled under the provisions of the provisions in paragraph (b) 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.
 - (d) It shall be the duty of the 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 (b). Moreover, in the event of the Authorized Officer 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 Municipal Commissioner in order to take action according to the provisions in by-law No. 46. 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-law No. 46.
 - (e) On any occasion when the Municipal Council has come to a decision to act in accordance with by-law No. 46 as set out in paragraph (d), the Tax Collector who was a party to the cancelled agreement shall have the right to submit a tender application in accordance with the said tender notice.
52. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain funeral service centre in the Municipal Council of Badulla area.
53. Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the by-laws in this part.
54. Unless the following conditions in the by-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to funeral service centre.
55. Everybody engaged in trading activities in shopping stalls and trading platforms in any private market shall obey the provisions in by-laws Nos. 2 to 21 with amendments subject to provisions in by-law No. 57 and furthermore it shall be the duty of the licensee of that market to ensure that the said persons obey these provisions.

56. It shall be the duty of the licensee of every private market to obey the provisions in the By-law No. 2 to By-law No. 21 with amendments subject to provisions in By-law No. 64.
57. 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 dates and time on which any private market is kept open.
58. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy 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, no licensee shall desist or prevent such purchase.
59. The appropriate time for inspection by the Municipal Commissioner or by 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.
60. 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-law No. 2 to be read with by-law No. 64 or contravenes the provisions of any by-law of the by-laws set out in this part the 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.
61. Any license in receipt of a notice mentioned in By-law No. 60 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 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 four days.
62. When any licence in receipt of a notice mentioned in By-law No. 62 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 Municipal Commissioner to cancel the licence issued to that premises.
63. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (iv) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (v) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (vi) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
64. The following terms contained in the By-laws No. 2 to No. 21 shall convey the meaning given against it for the purposes of By-law, No. 55, in respect of any private market, -
 - “public market” means the said private market;
 - “lessee” means the person engaged in business at any shopping stall in the said private market or his substitute or the person in charge of the said shopping stall for the time being ;
 - “Municipal Commissioner ” or ‘Municipal Council of Badulla’ means the licensee of the said private market or his substitute or the person in charge of the functions and duties of the said private market for the time being.
 - “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 of Badulla belongs.
 - “lessee” means any person maintaining any shopping stall in any public market under an agreement with the Municipal Council of Badulla ;
 - “private market” means any place where activities similar to those carried out in a public market are carried out by anybody or a body of persons not being the Municipal Council of Badulla ;

“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 own home gardens or homes and a place erected and being maintained by the Council, and it shall also include a place where any product is bought or sold wholesale;

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

“trading platform” means any bench, or plank or box 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.

FIRST SCHEDULE

PARAGRAPH (a) OF BY-LAW No. 27 (The counterfoil shall be arranged as a booklet)

Municipal Council, Badulla 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)

SECOND SCHEDULE

BY-LAW No. 29

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

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

PART XIII

BY-LAWS RELATING TO HAIR DRESSING SALOONS, BARBER SHOPS AND BEAUTY CENTRES

The Municipal Council of Badulla do hereby enact By-laws with a description relating to Hair Dressing Saloons, Barber Shops and Beauty Centres usage in Badulla Municipality, in accordance with the provisions of Sub-section 14 of Section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd Authority.

1. By-laws in this Part are cited as the by-laws in relating to regularize, supervise and control Hair Dressing Saloons, Barber Shops and Beauty Centres within the area of authority of the Municipal Council of Badulla.

2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain Hair Dressing Saloon, Barber Shop or a Beauty Centre within the area of authority of the Municipal Council of Badulla.
3. Every licence issued under the provisions of the By-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the by-laws in this part.
4. (a) Unless the following conditions in the paragraphs (b) and (c) of the By-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to maintain any Hair Dressing Saloon, Barber Shop or Beauty Centre.
 - (b) The building or the part of the building expected to maintain the Hair Dressing Saloon, Barber Shop or a Beauty Centre shall –
 - (i) be strongly built and sufficient space shall have been allocated in the proportion of the number of customers expected to be served simultaneously, on the basis of at least an area of 1.5 Square Meters for a single customer ;
 - (ii) 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 ;
 - (iii) have the inner walls been built using strong materials and have been painted as well ;
 - (iv) have the roof been built using timber or other strong material and it shall also contain a ceiling at least 2.25 meters above the ground level. Moreover the ceiling shall have been painted white ;
 - (v) have the floor of the building 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 ;
 - (vi) have windows not below one fifteenth of the floor area of the premises with sufficient light been allowed into the building when the building is not supplied with air-conditioning ;
 - (vii) have been supplied with sufficient electric light when the building is air-conditioned ;
 - (viii) have wash basins fixed and sufficient pipes fixed to drain waste water if water is used in providing services to customers ;
 - (ix) have drains to drain waste water to a suction pit in order to prevent such water flowing into a public waterway ;
 - (x) provide water sealed lavatory facilities in the buildings or in the premises ;
 - (xi) not be used as a residence and it shall be separate from the buildings used as a residence.
 - (c) The hair dressing centres, barber saloons or beauty centres shall be supplied with —
 - (i) sufficient water supply during the entire period when they are opened for the customers ;
 - (ii) 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 ;
 - (iii) wash basins with facilities to wash hands and soap or liquid soap for the use of employees providing services ;
 - (iv) a sufficient number of towels and aprons in light colours but not in dark colours for the use of the customers ;
 - (v) a movable receptacle with a tight lid to collect cut hair and other waste ;
 - (vi) at least one each of safety plugs fixed to each table in the event of electrically controlled instruments are used ;
 - (vii) a first aid box containing sufficient amount of first aid instruments and drugs as prescribed by the Municipal Commissioner.
5. All persons employed in each centre licensed under the By-laws in this part shall have been provided with first aid training and first aid rehearsal at least once a year in the manner recommended by the Municipal Commissioner.
6. The places in the licensed premises where it is required to be applied with paints in accordance with provisions in paragraph (b) of By-law No. 4, by all those who have obtained licences under the By-laws in this part, shall have been applied with paints at least once a year.
7. All those who have obtained licences under the By-laws in this part shall wash the floor of the licensed premises with disinfectants at least once in three months.
8. While 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, nobody else shall be allowed to do so.

9. The interior of a premises issued with a licence under the By-laws in this part shall not be used for cooking food or selling food or for exhibiting food for sale.
10. (a) Provided that the period of infection or of incubation of an infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in any form of sale or as an assistant of any person engaged in sale at any meat stall.
(b) 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.
(c) It shall be the duty of the licensee to refer all employees deployed at the meat stall to a medical test at least once a year.
11. After extending services to any customer suffering from any kind of infectious or contagious or skin disease or who have recently attended on a person suffering from such a disease —
(a) action shall be taken not to serve or to allow anybody else to serve any other customer unless such person who extended service cleans his hands using any kind of disinfectant ;
(b) action shall be taken not to use or to allow anybody else to use any kind of instrument used in respect of that customer unless it has been sterilized and unless the towels and aprons used have been washed using disinfectants and soap.
12. It is the duty of the licensee to ensure that all employees of the licensed centre —
(a) engage in their service daily only after a bath or body wash ;
(b) maintain their clothes in a clean and healthy condition ;
(c) keep their nails cut and without any dirt, and
(d) wash their hands with soap before serving each customer.
13. The licensee shall ensure that the,
(a) instruments used in the licensed centre are sterilized after each use ;
(b) brushes and combs are sterilized after washing well before use on each day ;
(c) receptacles, cups and soap brushes are washed in hot water after each use.
14. The licensee shall ensure —
(a) 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
(b) that the blade of the barber's knife containing changeable blades is changed, after each hair cut.
15. 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 meter 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.
16. 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. 15 action shall be taken to hand over such waste to an Municipal Council of Badulla scavenging vehicle in the manner prescribed under the waste management programme of the Municipal Council of Badulla.
17. 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.
18. The use of,
(a) any type of blood clotting pencil or any other substance, or
(b) 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.

19. 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.
20. Unless written permission of the 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.
21. The appropriate time for inspection of the provisions of the By-laws in this part by the Municipal Commissioner or by an Authorized Officer shall mean any occasion when service is being provided to the customers at the premises.
22. In the event of the premises issued with a license under the By-laws of this part fails to maintain it in accordance with any one of the provisions set out in By-law No. 4 or contravenes the provisions of any By-law of the By-laws set out in this part the 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.
23. Any licensee in receipt of a notice mentioned in By-law No. 22 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 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 four days.
24. When any licensee in receipt of a notice mentioned in By-law No. 23 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 Municipal Commissioner to cancel the licence issued to that premises.
25. Contravention of any provision in this By-law shall be an offence, and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
26. In this part, unless the context otherwise requires -

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

PART XIV

BY-LAWS RELATING TO FUNERAL SERVICE SUPPLY CENTRES

By-law relating to Funeral Service Supply Centres of Badulla Municipality are hereby enacted in terms of section, 272 under the powers vested in the Municipal Councils by section 267 of Chapter 252 of the Municipal Council Ordinance.

01. By-laws in this part are cited as the By-laws relating to regularize, supervise and control the funeral service supply centres within the area of the authority of the Municipal Council of Badulla.
02. Sheds or places maintained for cattle, sheep or goats are declared by this interim, constitution in accordance with the section 147 of the Municipal Councils Ordinance as an unpleasant or dangerous industry or a business.
03. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain funeral service centre within the area of Authority of the Municipal Council of Badulla.
04. Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the By-laws in this part.

05. Unless the following conditions in the By-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to funeral service centre.
 - (1) While there shall be a separate room for preparing dead bodies in the building where a funeral service centre is maintained the room shall have at least space not below eighty square feet to prepare one dead body. Moreover, a concrete slab sufficient for use in this task shall be made available and it shall be tiled and finished well.
 - (2) While the room where the dead bodies are prepared shall always be located separate from the exposition hall or halls of the Funeral Service Centre action shall be taken to prevent outsiders entering without permission.
 - (3) While windows allowing fresh air to a degree not less than one seventh of the area of the particular room where the dead bodies are prepared shall have been made available the work connected to it shall not be open to any outsider. Moreover the windows shall not be directly open to houses close to the premises of the funeral service centre.
 - (4) While sufficient receptacles to temporarily dump parts of the dead body removed in the process of preparing them shall be made available non-opaque receptacles that could be securely closed so as to prevent entry of flies, rats or other animals shall also be provided to collect blood flowing out of the dead body while it is being prepared or other fluids or waste water generated in the event of the body being washed.
 - (5) When arrangements are being made to keep dead bodies at the licensed premises for public homage action shall be taken to provide a sufficient number of chairs for the convenience of the people who come to pay last respects to the dead body and to allocate parking facilities for the vehicles of such guests.
 - (6) The place where the dead bodies are kept for public homage shall be separate from the exposition hall of the service centre and the room where the bodies are prepared.
 - (7) There shall be a register substantially prepared according to the specimen form given in the second schedule of the By-laws of this part.
06. Any person requesting a license under the provisions of the By-laws in this part shall forward to the Municipal Commissioner an application substantially prepared according to the specimen given in the schedule to this part.
07. If there is no order issued by a Magistrate or an Inquirer into Sudden Deaths in respect of a dead body the parts of the body removed in the process of preparing, it shall be securely interred in a pit four feet deep from the ground level before the elapse of six hours after the completion of preparatory activities.
08. If there is an order issued by a Magistrate or an Inquirer into Sudden Deaths in respect of the parts of the dead body removed in the process of preparing it, it shall be the duty of the licensee to act according to the order.
09. When there is no sufficient space at the funeral service centre to carry out the activities mentioned in the By-law No. 6 action shall be taken to securely inter the body parts at the depth prescribed in that By-law at the public cemetery of the Municipal Council of Badulla on payment of a fee to be decided by the Council from time to time.
10. The room where the dead bodies are prepared shall be maintained cleanly always having applied disinfectants. Moreover, sufficient first aid materials and other instruments shall be made available for the use of the staff when necessary.
11. It shall be the duty of the licensee to maintain records of the members of the staff employed at the Funeral Service Centre.
12. It shall be the duty of the licensee to supply security clothe, face masks and gloves in the manner prescribed by the Municipal Commissioner to all the employees serving in the rooms where dead bodies are prepared and to ensure that these employees wear those clothes and other apparatus when preparing dead bodies.
13. It shall be the duty of the licensee to refer all the employees being employed at the licensed premises to a medical examination at least once a year.
14. The interior of the vehicle or vehicles transporting dead bodies shall be cleaned with vacuum cleaners and disinfected at least once per day.

15. Polythene or any other non-decaying material shall not be used to cover the inside of a coffin or the entire dead body or a part of the dead body unless the dead bodies are in such a condition as to make it impossible to prepare due to excessive injuries caused or due to any other reasons.
16. No person other than one who has been duly empowered by the licensee shall prepare any dead body or transport any dead body.
17. Unless there is written permission granted to the licensee by the Municipal Commissioner under the conditions prescribed by him, no person shall bring or allow any body else to bring a dead body of a person presumed to have died due to cholera, plaque, smallpox, yellow fever or aids to the licensed centre.
18. No dead body shall be accepted by the licensee for preparing the body and organizing funeral arrangements, unless a formal death certificate issued by the Registrar of Deaths on the particular death has been forwarded to him.
19. Nobody shall prepare or accept for preparing a dead body unless a formal death certificate issued after an inquiry made by a Magistrate or an Inquirer into Sudden Deaths has been forwarded to him, when that death is a sudden death or when the death is suspicious.
20. If there is any order in regard to last rights of any dead body issued through a report released on completion of an inquiry into the sudden death carried out by a Magistrate or an Inquirer into Sudden Deaths, the licensee shall carry out the provisions of that order.
21. It shall be the duty of the licensee to maintain a document substantially prepared in conformity with the specimen form given in the Second Schedule of this part in respect of every preparation of dead bodies and supply of funeral Services carried out in the licensed premises or in any external premises and to submit it for perusal on demand by the Municipal Commissioner, by an Authorized Officer or any Police Officer.
22. In case of Centres maintaining services in keeping dead bodies for public homage action shall be taken to exhibit the bodies in a manner preserving the dignity of the dead person as well as the owners of the dead body.
23. It shall be the duty of the licensee to maintain the place where a dead body is kept for public homage cleanly and hygienically.
24. Nobody shall perform any activity within the premises of the funeral services centre that would cause harm or inconvenience to residents living close to the funeral service centre, or allow such things to happen.
25. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
 - (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastics or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) 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.
- (b) While waste material mentioned in sub-paragraphs (i) to (vi) in paragraph (a) shall not include any parts of dead bodies, it shall be the duty of the license holder to take action to appropriately remove in the manner set out in By-laws Nos. 6 or 7 any part or parts of the dead body taken away.
- (c) 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 programme of waste management launched by the Municipal Council the final disposal shall be done in the manner prescribed by the Municipal Commissioner.

26. The appropriate time for inspection by the Municipal Commissioner or by an Authorized Officer of the provisions of the by-laws in this part shall mean any occasion when a dead body is prepared or is kept for public homage.
27. In the event of the premises where a funeral service centre is maintained under a license issued under the by-laws of this part fails to maintain it in accordance with any one of the provisions set out in By-law No. 4 or contravenes the provisions of any By-law of the by-laws set out in this part the 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.
28. Any license in receipt of a notice mentioned in By-law No. 26 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 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 four days.
29. When any licence in receipt of a notice mentioned in By-law No. 27 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 Municipal Commissioner to cancel the licence issued to that premises.
30. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine note exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
31. In this part, unless the context otherwise requires -

“funeral Service Supply Centre” means a centre where a dead body is prepared so as to preserve it for sometime or where a dead body is prepared for last rites or place where a dead body is kept for a fee until it is taken to the cemetery for last rites;

“parts of the dead body” means any limb removed from the body of a dead person, or part of a limb or internal organ or blood flowing out of the body or any other fluid or any dress or dresses worn by the person at the time of death or any part of such dress or bandages, gauze or any other thing found in an injured part of the body.

“preparing of dead bodies” means preparing a dead body of a person so as to preserve it for some time in order to pay last respects, dressing a dead body, placing the body in a coffin and doing any other thing in this regard.

FIRST SCHEDULE

Application for a licence to maintain a Funeral Service Supply Centre

01. Name of the Applicant:
02. Address:
03. National Identity Card No.:... ..
04. The commercial name of the Funeral Service Centre and the Address:
05. Number of dead bodies that can be kept for preparation at a time:
06. Number of hearses owned by the institution:
07. Number of vehicles available for transport of bodies before preparation:
08. Manner in which parts of the body removed are disposed of:

09. In the event of acceptance of dead bodies for display:

(i) Number of dead bodies that could be displayed at a time:

(ii) Number of vehicles of the visitors that could be parked at a time:

10. Whether natural flowers are kept and sold? Yes/No :

11. The manner in which rejected flowers or plants are expected to be disposed of:

12. Number of employees of the institution: -

13. If a Manager has been appointed:

(i) Name of the Manager:

(ii) National Identity Card Number:

14. On placing my signature below I hereby accept that I agree to fully comply with the provisions in the by-laws in relating to regularize, supervise and control of funeral service centres and to comply with the other sanitary provisions prescribed by the¹ from time to time.

.....
Signature of Applicant.

Date:

SECOND SCHEDULE

BY-LAW No. 20

Register on Dead Bodies Prepared at the Funeral Service Centre or at any other place

Serial No.	Name of the Deceased	NIC No.	Gender	Date of Death	Death Certificate Registration No.		Dead Body		Owner of the Dead Body				Order of the Inquirir-into Sudden Deaths/ Magistrate		Signature of the Owner
					No.	Date	Date	Time	Name	Relationship to deceased	Address	NIC No.	Reference No.	Date	
1.															
2.															
3.															
4.															
5.															

N.B.— Sufficient space shall be provided in the columns in order to note down the information by using both the left and right pages of the Register.)

PART XV

SHEDS FOR CATTLE AND GOATS

This interim constitution regarding regulating, supervising and administrating sheds for cattle and goats within the area of Badulla Municipal Council is enacted by the Municipal Council, Badulla according to the powers vested to Municipal Councils by section 272 of the amendment 1979/42 for the Municipal Councils Ordinance 252nd authority.

01. This is called as, "The interim constitution for regulating or administrating sheds or places maintained for cattle, sheep or goats on the purpose of selling or looking after these animals within the area of Badulla Municipal Council.
02. Sheds or places maintained for cattle, sheep or goats are declared by this interim, constitution in accordance with the section 147 of the Municipal Councils Ordinance as an unpleasant or dangerous industry or a business.
03. The owner or the person who maintaining sheds for cattle or for having two or more cows, sheep or goats at any place within the ruling area of the Municipal Council, has to make an application to the Municipal Commissioner to obtain a permit for the purpose.
04. After paying the tax decided by the Municipal Council time to time for each animal, the Municipal Commissioner can issue a permit to have not less than three numbers of sheep or goats except bullocks more than one year old. Such permit should not exceed its validity after 31st December of the year it was issued.
05. The Municipal Commissioner can approve or reject to issue a permit on his opinion and limitations he decides that are suitable and he can cancel or withhold the same temporarily at any time. Also such an approval, rejection or withholding should be in writing and the reasons should be mentioned for doing so.
06. Without having such a permit or after rejecting to issue cancelling or withholding same, no person can use any place for such a purpose or no negligence done to any condition stated therein.
07. But, it is not applicable to a place handled by the Government or Provincial Council or which is under control of the Government or Provincial Council.
08. Each person who has obtained permission of the Municipal Commissioner to utilize a place for keeping cattle or any other animals for the purpose of selling or hiring out, is bound to submit a written declaration included the names of the present owners of each animal, the number and kind of animals he/she possess on the occasion the Municipal Commissioner ordered time to time.
09. The permit holder should not allow to store the waste of cattle or any other animals kept by him, at a place would be dirtied or in a manner of dirtying vessels water etc. using or expected to use.
10. The permit holder has to supply enough pure drinking water for the usage of animals kept by him. And also he has to give vaccination and other drugs for animals on the recommendation of the Municipal veterinary surgeon.
11. All the building using or are to be used for cattle should be laid stones or utilized any other suitable thing to the floor with sufficient slope enable to avoid absorbing wastes of the animals for the satisfaction of the Municipal Commissioner.
12. (i) While keeping such cattle or any other animals at the place as above the wastes, garbage's and dirt or other unpleasant and dangerous things gathering there should be directed to containers to the satisfaction of the Municipal Commissioner.
(ii) The bottom of containers should not be lower than the ground level of the adjoining land.
(iii) Always the permit holder must pay attention to keep the containers without leaking and absorbing wastes to the ground or any walls of the buildings nearby.
(iv) The permit holder has to provide a suitable cover of lid for the container.
13. If such a place used for keeping cattle or horses, he must arrange a separate portion laid with stones to wash cattle or horses to the satisfaction of the Municipal Commissioner.

14. The permit holder must maintain always every drainage connected with the place properly, efficiently and with a good hygienic condition to the satisfaction of the Municipal Commissioner.
15. The permit holder must make arrangements to clean and wash the place at least once a day. Also he must make arrangements to the dispose all the wastes, dirt, garbage and other unpleasant and dangerous things gathered inside the said place and containers according to the section 11 above to the satisfaction of the Municipal Commissioner.
16. (i) The lower edge of the roof of sheds for cattle should be 3 meters in height and the upper edge of the roof should be 3.6 meters in height from the floor. Also a portion of ground with 06 meters in length and 03 meters in width should be separated for each animal ;
(ii) But, in a common shed an extend of 3 square meters and 4 square meters should be separated respectively for each cow and buffalo.
17. Any disobeying to the interim constitution taken place or any negligence occurred for the advice of the Commissioner stating not to do such things, the Commissioner has powers to cancel the permit.
18. Negligence of any section in this interim constitution by anybody is an offence. If anybody has been found fault with for such an offence by any court –
 - (a) He/She has to pay a fine not more than Rs. One Thousand (Rs. 1,000) ;
 - (b) A fine not more than Rs. Two Thousand will be charged from the offender who did the same offence second time or more ;
 - (c) An extra fine of Rs. Two Hundred and Fifty (Rs. 250) will be charged from the offender who does the same offence continuously after handing over a written notice by the Municipal Commissioner.
19. Interpretation -
 - (i) The word “animals” means, cattle, sheep or goats ;
 - (ii) The word “shed” means, any place for keeping animals for the purpose of selling or rear and train.

PART XVI

OPPRESSIVE OR DANGEROUS INDUSTRIES OR BUSINESSES

According to the powers vested to Municipal Councils by sub-section 15 of Section 272 of amendment 42 of 1979 of the Ordinance of Badulla Municipal Council of Authority 252, the Municipal Council of Badulla declares the by-law regarding systemizing, supervising and controlling of oppressive or dangerous industries or business places within Badulla Municipal Council limits.

01. This is the by-law to systemize, supervise, control and collect fees regarding oppressive or dangerous industries or businesses and unpleasant or dangerous businesses within the territory of Badulla Municipal Council.
02. The industries or the businesses mentioned here in under Section number 03, are hereby declared as unpleasant or dangerous industries or businesses for affairs of Section 147 of Municipal Councils Ordinance.
03. None other than a permit holder is liable to carry out an oppressive or dangerous industry or business or an unpleasant industry or business stated in sub-title 1(one) of this by-law under a permit issued for the said affairs by the Commissioner of Badulla Municipal Council.
04. If not cancelled earlier, all such permits are valid till 31st December of the issued year.
05. Unless any building or its business premises used for oppressive or dangerous industry or business is in accordance with the following conditions, none is liable to obtain a permit for such an industry or business :–
 - (a) The premises should be well mended and built with good ventilation and light. All rooms should be contained with windows as for 1/15 of the floor when opened ;
 - (b) All rooms should have constructed by using red-brick, laterite, granite or cement blocks and the height of every part of the walls should not be less than 2, 14m. Inner died of the walls should be plastered with cement grout at least up to a height of 2m and the rest should be plastered with lime grout and colour washed ;

- (c) All roof-ends should be at a height of not less than 02m from the floor ;
 - (d) The roof should be constructed with permanent material ;
 - (e) All wood construction should be covered with oil paints ;
 - (f) The entire floor should be constructed with cement ;
 - (g) The premises should be constructed as for sufficient water draining ;
 - (h) The premises should be included with sufficient sanitary garbage-bins, latrines and urinals ;
 - (i) Sufficient extinguisher should be placed ;
 - (j) Should contain emergency exits.
06. All permit holders should store all materials used to carry out the business as to prevent position by air or by any other means.
 07. When material that may cause air pollution, is being transported *via* public places and along roads, they should be stored in unassertive containers with covers and transported as to avoid any harm to public.
 08. All permit holders should take steps to free the atmosphere at a higher elation as to avoid damage and harm by pollution. If not, they should be allowed to pass through fire or solidifying plant.
 09. All permit holders should get constructed sufficient drains within his business premises and get then maintained well and washed daily.
 10. All permit holders should see that the floor of their business premises is constructed with some kind of materials and maintained well and cleaned daily.
 11. All permit holders should take steps to colour wash their business premises annually during their period of business.
 12. Equipment including instruments and utensils used in the business should be kept well cleaned by the permit holders.
 13. All kinds of garbage and if not used for the business matters immediately, the waste material and by-products, should be put in suitable containers with covers and removed from the Municipal Council of Badulla.
 14. All tanks used for soaking or washing rather or any other material by the permit holders, should be emptied and cleaned as required, as not to pollute air.
 15. All permit holders should see that no river, stream, reservoir, well, lake, canal or drain or open water area is being polluted by washing harmful material or by some other means or draining, stinking or harmful water or any other fluid.
 16. It will be legal for any officer, Badulla Municipal Council authorized generally or especially, by the mayor, to enter and inspect any premises of existing oppressive or dangerous business or a oppressive and dangerous business, during office hours and the licensee or the person responsible for its management should allow for such inspection.
 17. If it is found at such an inspection that a licensed premises is not in accordance with the rules and regulations of the by-law, the mayor is entitled to warn the licensee in writing asking to make that premises is accordance with, the rules and regulations, within a given period and if not responded positively, the mayor is entitle to cancel that license.
 18. It is the duty of the mayor to issue a license within 30 days from the received date of an application to any person who had applied for, to carry out, any business under this by-law if that business place is in accordance with the relevant rules and regulations. If the application is being refused, it is also the duty of the mayor to inform the reasons for the refusal to the relevant applicant.
 19. All licensees should take steps to publish a list of employees names and addressed of the industry - business relevant to the license in Sinhala and Tamil languages along with the relevant license, within the relevant business premises.
 20. All notifications made under this by-law should be handed over to the proprietor or the person in charge of that place. If they are not available, the notification should be hung inside that licensed premises as to be seen clearly. It is not necessary to carry the name of the proprietor or the name of the person using that premises.

21. A licensee must pay a license fee to the Municipal Council which may be revised from time to time by the Council and published in the *Government Gazette* presentence 03 of this by-law.
22. When more than one industries or businesses needing a license are being carried out charged separated according to the land area used or reserved for each industry or business, under sentence 247 a(1) of Municipal Council Act.
23. It will be an offence to break any rule or regulation of this by-law and when the offender has been made guilty by a relevant law court, the maximum fine may be sentenced and when that offence is being convinced and made guilty again mayor or his authorized officer may notify about it in writing, charging a daily extra fine if the continuation has been done further, The maximum of all these fines should be according to the maximum fines stated in sub-sentence (2) and (3) of sentence 267 of Municipal Council Act.
24. Unless another meaning is needed regarding words used in this by-law, the following words carry the meanings stated in front of them :-
 - (i) "Licensee" - A person holding license to carry out a business under this by - constitution ;
 - (ii) "Person" - Also, a board of persons ;
 - (iii) "Person in charge" - A custodian, security person, property guard, manager, management of a certain business organization.

SCHEDULE - I

UNPLEASANT AND DANGEROUS BUSINESS OR TRADE

01. Manufacturing or storing chemical manure.
02. Seasoning skins.
03. Selling skins.
04. Animal Husbandry (for flesh, milk or eggs).
05. Maintaining a studio.
06. Maintaining a veterinary clinic.
07. Storing food items which can be spoilt easily for the purpose of selling.
- 08 Storing dried fish, salt, fresh fish or jade - more than 150kg.
09. Manufacturing or storing coal from coconut shell or wood.
10. Maintaining a place for preparing or storing tobacco.
11. Storing and maintain animal food.
12. Manufacturing and storing more than 200kg. of poonac.
13. Manufacturing soap.
14. Grinding or storing bones of animals
15. Storing new or old metals
16. Maintaining a place for storing metal wreckages.
17. Storing house hold goods or furniture and parts.
18. Manufacturing cane products.
19. Maintaining a carpentry workshop.
20. Manufacturing of syrup or fruit juice.
21. Manufacturing Sweets.
22. Soaking or fermentation of coconut husks.
23. Manufacturing tooth brushes.
24. Maintaining an ice factory.
25. Collecting toddy.
26. Manufacturing or storing vinegar.
27. Maintaining a place for sawing wood with machines or by hand.
28. Manufacturing or storing drawing paints, varnish or distemper more than 100 liters.
29. Manufacturing soda.

30. Manufacturing leather goods.
31. Filling fruits, fish or other food items in tins.
32. Maintaining a grinding mill for chilly, coffee, grains, flesh and sundries etc.
33. Manufacturing candles.
34. Manufacturing camphor.
35. Manufacturing Writing ink, stencil ink etc.
36. Producing washing blue.
37. Manufacturing wax.
38. Manufacturing and storing perfume.
39. Manufacturing school chalk.
40. Storing more than 50 tyres or tubes
41. Rebuilding tyres.
42. Maintaining a place for vulcanizing tyres and tubes.
43. Storing more than 1,000Kg of cement.
44. Manufacturing asbestos or cement products.
45. Manufacturing plastic goods.
46. Weaving clothes (Power loom).
47. Selling used sacks of fertilizer, lime powder etc. after cleaning.
48. Manufacturing cement blocks with machineries.
49. Storing more than 250kg of grains, flesh.
50. Storing more than 750kg of flour, salt for the purpose of selling.
51. Manufacturing garments.
52. Maintaining a printing house.
53. Maintaining a poultry farm with more than 100 birds.
54. Maintaining sheds for goats, cattle, pigs or sheep.
55. Storing bricks for tiles.
56. Maintaining a store for firewood.
57. Digging or blasting stones with machines or by hand.
58. Manufacturing or storing more than 100 bottles of cool drinks.
59. Manufacturing ice-cream.
60. Manufacturing or storing more than 300 liters of coconut oil.
61. Manufacturing or storing more than 100 dozens of match boxes.
62. Manufacturing or storing coir or fiber products.
63. Storing used clothes.
64. Making or repairing jeweleries.
65. Sawing timber with machineries.
66. Maintaining workshops utilizing machineries.
67. Processing rubber.
68. Storing sacks of fertilizer, lime powder or lumbago, dusting, cleaning or mending.
69. Processing mica.
70. Storing lime.
71. Storing more than 50kg coal of coconut shell.
72. Processing cinnamon, cardamom or coir with sculpture smoke.
73. Maintaining a establishment except a garage where charging or storing batteries using machineries.
74. Maintaining an establishment except a garage where vulcanizing tubes or tyres without using machineries.
75. Storing more than 50kg of cinnamon.
76. Storing more than 500kg of cocoa.
77. Making or storing making and storing coffins.
78. Producing or storing furniture or both producing and storing.
79. Storing rubber by licensed dealers.
80. Manufacturing or storing cane products or both manufacturing and storing.
81. Maintaining a weaving center using machineries.
82. Grinding floor or sundries.
83. Manufacturing rubber goods.

84. Sawing timber utilizing smoke, water or any other machine power.
85. Maintaining a store of
87. Producing of coconut oil with machineries.
88. Producing of gingerly oil.
89. Maintaining an oil press, or a mill operating by hands for crushing oil.
90. Producing coir/storign or both producing and storing.
91. Producing box of matches.
92. Storing cotton.
93. Storing more than 2271/2 liters of coconut oil.
94. Storing methylated spirit.
95. Manufacturing acetylene
96. Manufacturing cigarettes
97. Manufacturing beedi
98. Storing more than 250kg of paint of varnish
99. Storing more than 250kg of wooden boxes.
100. Manufacturing broom.
101. Manufacturing sweets.
102. Storing more than 100 sacks except sacks of fertilizer, lime or plumb ago.
103. Storing more than 150 used tyres or tubes.
104. Storing more than 50kg of coal except coal of coconut sell.
105. Manufacturing wooden boxes.
106. Maintaining an establishment except a garage of oxygen or welding utilizing engine power.
107. Maintaining an establishment except an iron or metal workshop utilizing machine power.
108. Maintaining an establishment except a garage where erpairing motor vehicles utilizing engine power/service center or repairing vehicles and service center.
109. Maintaining an establishment except a garage where servicing and repainting motor vehicles utilizing engine power.
110. Maintaining a printing house using engine power.
111. Maintaining a printing house using hand machine or foot machine.
112. Storing used cloths.
113. Maintaining a place for dry cleaning of clothes.
114. Maintaining a place for electronic lating metals with chromium gold, silver or copper without utilizing machine power.
116. Maintaining an establishment except a garage for electronic plating utilizing machine power.
117. A workshop for repairing motor vehicles and are wedding.
118. A place utilizing electricity or machine power to operate any kind of instrument.
119. Keeping any kind of plastic goods more than 50kg.
120. Manufacturing all kinds of plastic goods.
121. Keeping any kind of plastic goods more than 50kg.
122. Manufacturing all kinds of polythene.
123. Manufacturing and storing brooms.
124. Storing tea leaves more than 1,000kg.
125. Storing paper and/or any kind of paper production.
126. Manufacturing of garments.
127. A shop for rice and curry.
128. Chemical items.
129. Storing every kind of cracker more than 50kg.
130. Storing L. C. gas cylinders mroe than 150kg.
131. Manufacturing of hats and head-dress.
132. Storing every kind of rubber goods mroe than 100kg.
133. Storing chopped coconut more than 250kg.
134. Storing rubber seeds mroe than 250kg.
135. Storing acid more than 91 liters.
136. Maintaining a factory engaging more than 25 workers at a time.
137. Storing mineral oil, gas mineral oil products.
138. Storing cart riches and sculpture.

PART XVII

BY-LAWS RELATING TO ICE FACTORIES

By-law relating Ice Factories of Badulla Municipality are hereby enacted in terms of section 272 under the powers vested in the Municipal Councils by section 267 of Chapter 252 of the Municipal Council Ordinance.

1. By-laws in this part are cited as the By-laws in relating to regularize, supervise and control the ice factories maintained within the area of authority of the Municipal Council of Badulla.
2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain an ice factory within the Municipal Council of Badulla area.
3. Every licence issued under the provisions of the By-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the By-laws in this part.
4. Unless the following conditions in the By-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to any ice factory:
 - (a) The premises shall be kept in proper maintaining condition ;
 - (b) Every building of the factory shall have good ventilation and light. While every room shall have been fixed with windows that could be opened the area of the open windows shall not be less than one fifteenth of the floor area of the room ;
 - (c) While the minimum height of the walls of all rooms shall not be less than 2.14 meters the walls shall have been plastered with mortar and the insides applied with paints, in the event of their being built with bricks, cement blocks or cabook blocks. Otherwise when the walls have been built in wood together with aluminium or any other metal surfaces of the planks shall have been painted on their surface ;
 - (d) While the roof shall have been built using solid materials the eaves shall be at a height of at least 2 meters from the floor level and the reservation for the eaves shall be at least one meter in width ;
 - (e) The surfaces of iron, other metals or timber used for the roof shall be applied with oil colours or paints ;
 - (f) The floor space shall be finished off with cement or tiled ;
 - (g) A sufficient drainage system to drain off waste water flowing from rooms manufacturing ice from washing empty bottles and from bathrooms of the employees shall be put in place ;
 - (h) 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 ;
 - (i) While 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 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 ;
 - (j) 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 ;
 - (k) Action shall have been taken to dispose of waste produced in the licensed premises in the manner set out in By-law No. 11
 - (l) A sufficient suction pit shall have been prepared in order to dispose of waste water generated at the factory.
 - (m) Any lavatory, waste pit or open waste drain or suction pit constructed at the licensed premises shall not be located at a distance of at least below 16 meters from the room where ice is produced and the place where ice produced is issued to customers.
 - (n) While a separate room or a site shall have been made available to store fuels action shall not be taken to take fuel through the rooms storing ice and issuing ice to customers.
 - (o) General fire fighting instruments and electrical fire extinguishers shall have been provided.

5. Every space where paints need to be applied as set out in By-law No. 4 shall be applied with paints at least once a year.
6. The places where ice is produced and ice is issued to customers shall have been washed at least once a day.
7. The entire licensed site and the instruments used shall be cleaned every day and maintained in proper maintaining condition.
8. (a) Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in service in a licensed premises or as an assistant of any person engaged in service at such a premises.

(b) 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.

(c) 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.
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 the ice factory.
10. While non-opaque and easily cleaned utensils shall be used to store. Chemicals used in the manufacture of ice, these materials shall not be kept outside the stores unless they are kept in the ice manufacturing room for the manufacture of ice.
11. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
 - (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastics or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;
 - (vii) 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.

(b) Arrangements shall be made to allow free flow of waste water discharged from the licensed premises to a suction pit.

(c) 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 programme of waste management launched by the Municipal Council of Badulla the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
12. The appropriate time for inspection by the Municipal Commissioner or by an Authorized Officer of the provisions of the By-laws in this part shall mean any occasion when ice is manufactured in the factory or when ice is issued to customers.
13. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of ice manufactured or displayed for sale inside the premises of any ice factory, no licensee shall desist or prevent such purchase.
14. In the event of the premises where ice is manufactured under a license issued under the By-laws of this part fails to maintain it in accordance with any one of the provisions set out in By-law No. 4 or contravenes the provisions of any provision of the By-laws set out in this part the 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.
15. Any licensee in receipt of a notice mentioned in By-law No. 14 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 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 four days.

16. When any licensee in receipt of a notice mentioned in by-law No. 15 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 Municipal Commissioner to cancel the licence issued to that premises.
17. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :–
 - (iv) A fine not exceeding Rs. 1,000 if the offence is committed for the first time ;
 - (v) A fine note exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion ;
 - (vi) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
18. In this part, unless the context otherwise requires -

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

PART XVIII

REARING OF POULTRY FOR MEAT AND EGG WITHIN THE MUNICIPALITY OF BADULLA

Badulla Municipal Council do hereby enact the by-laws relating rearing of poultry within Badulla Municipality for meat and eggs under the section 272, according to the powers vested in the Municipal Councils by the Section 267 of the Municipal Council Ordinance (Chapter 252).

1. The by-law relating to formalizing, supervising and regulating the rearing of poultry within Badulla Municipality for meat and eggs.
2. It is hereby declared that the industry or the business of rearing poultry for meat and eggs is considered hazardous and unpleasant for the purpose of Section 147 of the Municipal Council Ordinance.
3. (a) No person shall engage in running a poultry farm within the Municipality without a valid licence issued for the purpose by the Municipal Commissioner ;
- (b) The validity of every licence issued under this by-law, if not cancelled at an earlier date as provided for hereinafter, shall expire on 31st December of the year for which it was issued.
4. It is prohibited to transfer any permit issued under this by-law to any other person whosoever.
5. Licence for a poultry farm shall not be issued unless it is conformity with the under shown stipulations. –
 - (a) The place intended for the poultry farm must be approved by the Municipal Commissioner ;
 - (b) The poultry farm must be constructed with spacious rooms and there must be separate enclosures meant for laying eggs ;
 - (c) The floor of the poultry pen must be cemented or made of water repellent material and must be surrounded by a wall measuring minimum 1.75 meters height. The walls must be plastered with cement or such other material ;
 - (d) The poultry pen must be minimum 20-25 meters away from any residential house or street in the vicinity and the waste matter getting collected in the poultry from must be buried daily or dumped into a biogas pit. More so, adequate arrangements must be made to dispose of such rubbish ;
 - (e) Buckets or such other receptacles must be placed in the poultry farm to put in injurious and unpleasant rubbish emanating from the poultry, and they must be kept closed to avoid flies getting into them ;
 - (f) The poultry must be kept confined to the poultry pen and must not be allowed to stray into neighbouring houses or lands with cultivations, causing damages or annoyance ;

- (g) The Municipal Commissioner shall not issue a licence to any person for the above activity, unless an Environmental Protection Licence has been first obtained by him.
6. It is lawful for the Municipal Commissioner or any officer of the Municipal Council duly authorized by the Municipal Commissioner in writing or such other form to enter into a licensed place at any justifiable time falling within dawn to dusk for any inspection and the licensee shall allow him to carry out his duty.
 7. Any licensed place if found to be not in compliance with any pre-requisite condition needed for issue of a licence as specified in these by-laws, the Municipal Commissioner shall make an official order in writing, notifying the licensee, the steps to be taken to rectify such shortcomings so as to be in compliance with the specified conditions.
 8. Where the notification under Section 07 could not be handed over to the licensee in person for some reason, it shall be left at his last known address or pasted on some prominent object or conspicuous place in the licensed place and this shall be deemed to be a formal serving of the notice.
 9. Every licensee shall keep his licensed place clean and in good sanitary condition.
 10. In the event of any poultry in the licensed places getting contracted with some disease or any fowl among them dying of such disease, the licensee shall inform the Veterinary Surgeon or the Medical Officer of Health-in-charge of the Municipality forthwith.
 11. In the event of any poultry in the licensed place dying of some disease or infection, the licensee shall bring it to the notice of the Veterinary Surgeon or the Medical Officer of Health-in-charge of the Municipality. Furthermore, the carcasses shall be buried or disposed by any other way with the approval of the Veterinary Surgeon or the Medical Officer of Health.
 12. It is lawful for any person authorized in writing by the Municipal Commissioner to seize any cock or hen straying out of the licensed place.
 13. Contravention of any provisions of these by-laws shall be an offence and any person committing such an offence shall be liable to be prosecuted before a Magistrate.
 14. When a licensee is found guilty of violating any provision of the by-laws by a Court for the second time or thereafter, the Commissioner shall have the power to cancel the licence of such licensee without any prejudice to whatever penalty imposed on him by the Court for such violations, the licensee shall have no right for claiming or receiving any compensation thereto.
 15. Every person employed at the poultry farm must be provided with protective clothes, equipments, gloves, gum boots and masks to ensure their safety.
 16. Every poultry farm must have adequate water facility for bathing and washing and for other needs of the farm-hands.
 17. The floor of the licensed place, including tools and other implements must be washed clean, to avoid causing any annoyance to the neighbours by the foul smell emanating from the poultry pen.
 18. There must be sufficient storage facilities to store the waste matter separately and the storage pit must be properly covered to check the stinking smell emanating from the rubbish dump.
 19. Stipulation shown below must be followed for the disposal of rubbish generated in the licensed place.
 - (a) Waste matter generated in the licensed place if not re-used, must be graded as indicated below and it shall be the duty of the licensee to put them in different bins or tanks meant for dumping of each grade :—
 - (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper related matter ;
 - (iv) polythene and plastic or polythene and plastic related matter ;
 - (v) iron and other metal or iron and other metal parts ;

- (vi) Residues of other materials as well as raw materials used in production and remains of materials got from by-products ;
- (vii) dangerous waste matter.
- (b) Waste matter thus graded must be stored in bins and tanks referred to in *para (a)* above and shall be finally disposed as stipulated by the Commissioner, unless they are disposed under the waste management program of Badulla Municipal Council.
- 20. When eggs are taken away from the poultry farm for the purpose of marketing the shells of the eggs must be cleaned well before they are sold.
- 21. If fowls are slaughtered for sale of meat, separate slaughter houses must be erected with all necessary facilities required for the purpose.
- 22. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of Law having judicial powers within Badulla Municipality, shall be liable to following penalties :-
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time ;
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion ;
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

PART IXX

MONEY CHANGERS IN THE MUNICIPALITY OF BADULLA

Badulla Municipal Council do hereby enacted the By-law relating to money changers in the Municipality of Badulla Municipal Council, in accordance with Sub-section 16 of the Section 272 and the powers vested in the Municipal Council of Badulla by Section 267 of Chapter 252 of the Municipal Council Ordinance.

1. This By-law may be cited as the By-law relating money changers functioning in the Municipality of Badulla.
2. No person shall engages himself in business activities as a money changer within the Municipality of Badulla unless he is in possession of a valid licence issued for the purpose by the Municipal Commissioner.
3. The validity of any such licence shall expire on the 31st December of the respective year for which it is issued.
4. No person shall be issued with a licence under this by-law unless the person pays the Council the relevant licensing fee determined from time to time by the Council and published annually in the Government *Gazette*.
5. Whosoever engages himself in any business referred to in Section 01 of this by-law without a valid licence issued for the purpose shall be guilty of an offence and shall on conviction after a summary trial before a Magistrate having judicial powers in the area of authority coming under Badulla Municipal Council, be liable to a fine as indicated below :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time ;
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion ;
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
6. Interpretation –

“Money Changing” means the changing of foreign currency, tourist cheques, bills of exchange, promissory notes and local cheques.

PART XX

ACCOUNTANTS AND AUDITORS IN BADULLA MUNICIPAL COUNCIL AREA OF AUTHORITY

Badulla Municipal Council do hereby enacted the by-law relating to accountants and auditors operating within the area of authority of Badulla Municipal Council, in terms of sub-Section 17 of the Section 272 in accordance with the powers vested in the Municipal Councils under Section 267 of Chapter 252 of the Municipal Council Ordinance.

1. The by-law may be cited as the by-law relating to accountants and auditors operating within Badulla Municipal Council area of Authority.
2. It shall be strictly prohibited any one to operate as an auditor or an accountant under the Company Act, No. 07 of 2007 within Badulla Municipality unless, under a valid license issued for the said purpose by the Municipal Commissioner.
3. Every licence issued under this by-law shall expire on the 31st December of the respective year for which it is issued.
4. No person shall be issued with a licence under this by-law unless the person pays the council the relevant licensing fee determined from time to time by the council and published annually in the Government *Gazette*.
5. Whosoever engages himself in any business activities referred to in Section 01 of this by-law without a valid licence issued for the purpose shall be guilty of an offence and shall on conviction after a summary trial before a Magistrate having judicial powers within the Municipality of Badulla, be liable to a fine as indicated below :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time ;
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion ;
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

PART XXI

BY-LAWS RELATING TO THE SALE OF FISH

by-law relating to sale of Fish of Badulla Municipality are hereby enacted in terms of Section, 272 under the powers vested in the Municipal Councils by Section 267 of Chapter 252 of the Municipal Council Ordinance.

1. The by-laws in this Part are cited as the by-laws relating to regularize, supervise and control the sale of fish within the area of authority of the Municipal Council of Badulla.
2. No person shall use any other premises than a market for the purpose of selling fish without a valid licence issued by the Municipal Commissioner.
3. Provided that the premises applied for is in conformity with the conditions set out below the Municipal Commissioner shall not issue a licence to anybody to carry on a fish sales centre –
 - (a) The place where fish is exhibited for sale shall be laid with tiles or plastered with cement or applied with rust proof metal sheets ;
 - (b) The floor of the premises where fish is exhibited for sale and the floor of the stores shall be finished off with cement or laid with tiles ;
 - (c) There shall be drains finished off with cement or laid with tiles with the necessary gradient to facilitate the flow of waste water ;
 - (d) While sufficient precautions shall be put in place to prevent the waste water draining through the drains referred to in paragraph (c) flowing to any public source of water, action shall be taken to drain off such waste water to a suction pit ;

- (e) The suction pit put in place to accept waste water shall not be opened to the air ;
 - (f) While containers sufficient to hold biodegradable waste produced at the fish market 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 of Badulla in accordance with provisions decided upon by the Council from time to time ;
 - (g) While water-sealed lavatory facilities sufficient 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.
4. 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.
 5. 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.
 6. 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.
 7. 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.
 8. 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.
 9. Any licensed fish stall shall be kept devoid of dogs, cats, rats or insects.
 10. (a) Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in any form of sale or as an assistant of any person engaged in sale at any fish stall ;
 - (b) 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 ;
 - (c) It shall be the duty of the licensee to refer all employees deployed at the fish stall to a medical test at least once a year.
 11. 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 the fish stall.
 12. It shall be the duty of the licensee to provide soap or soap fluid for the use of all persons employed at the licensed premises.
 13. The appropriate time for inspection of the provisions of the by-laws in this part by the Municipal Commissioner or by an Authorized Officer shall mean any occasion fish sales are done at the fish-stall.
 14. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories.–
 - (i) biodegradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastics or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;

- (vii) 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.
- (b) 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 programme of waste management launched by the Municipal Council of Badulla the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
15. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of any kind of fish kept for sale or displayed for sale or stored inside the premises of any fish stall, no licensee shall desist or prevent such purchase.
16. In the event of the premises where sale of fish is carried on 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-law No. 3 or contravenes the provisions of any By-law of the By-laws set out in this part the 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.
17. Any licensee in receipt of a notice mentioned in By-law No. 16 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 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 four days.
18. When any licensee in receipt of a notice mentioned in By-law No. 17 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 Municipal Commissioner to cancel the licence issued to that premises.
19. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
- (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
- (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
- (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

PART XXII

BY LAWS RELATING TO SALE OF MEAT

By-law relating to sale of Meat of Badulla Municipality are hereby enacted in terms of section, 272 under the powers vested in the Municipal Councils by section 267 of Chapter 252 of the Municipal Council Ordinance.

1. The by-laws in this Part are cited as the By-laws in relating to regularize, supervise and control the sale of meat within the area of authority of the Municipal Council of Badulla.
2. No person shall use any other premises than a market for the purpose of selling meat without a valid licence issued by the Municipal Commissioner.
3. Provided that the premises applied for is in conformity with the conditions set out below the Municipal Commissioner shall not issue a licence to anybody to carry on a meat sales centre.
 - (a) The place where meat is exhibited for sale shall be laid with tiles or plastered with cement or applied with rust proof metal sheets.
 - (b) The floor of the premises where meat is exhibited for sale and the floor of the stores shall be finished off with cement or laid with tiles.
 - (c) There shall be drains finished off with cement or laid with tiles with the necessary gradient to facilitate the flow of waste water.

- (d) While sufficient precautions shall be put in place to prevent the waste water draining through the drains referred to in paragraph (c) flowing to any public source of water, action shall be taken to drain off such waste water to a suction pit.
 - (e) The suction pit put in place to accept waste water shall not be opened to the air.
 - (f) While containers sufficient to hold biodegradable waste produced at the meat market 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 of Badulla in accordance with provisions decided upon by the Municipal Council of Badulla from time to time.
 - (g) While water-sealed lavatory facilities sufficient 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.
4. Provided that the meat is of an animal slaughtered at a slaughter house formally licensed under the provisions of the Butchers Ordinance, no person shall sell or exhibit for sale meat at any meat stall.
 5. 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 with disinfectant fluid the vehicle or the box or the other utensil used in transporting meat.
 6. 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 meat for sale.
 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. 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 had 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.
 9. When the Competent Authorized has *gazetted* a proclamation under the provisions of Section 17 of the Butchers Ordinance prohibiting the slaughter of animals in any slaughter house for food during a certain day no meat stall shall keep meat for sale at any meat stall or exhibit meat for sale or store meat.
 10. Any licensed meat stall shall be kept devoid of dogs, cats, rats or insects.
 11. 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.
 12. Action shall be taken to keep drinking water in sufficient quantities for the use of employees serving in the licensed premises.
 13. (a) Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in any form of sale or as an assistant of any person engaged in sale at any meat stall.
(b) 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.
(c) It shall be the duty of the licensee to refer all employees deployed at the meat stall to a medical test at least once a year.
 14. 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 the meat stall.
 15. It shall be the duty of the licensee to provide soap or soap fluid for the use of all persons employed at the licensed premises.
 16. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of any kind of meat kept for sale or displayed for sale or stored inside the premises of any meat stall, no licensee shall desist or prevent such purchase.

17. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
- (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastics or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;
 - (vii) 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.
- (b) 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 programme of waste management launched by the Municipal Council of Badulla the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
18. The appropriate time for inspection of the provisions of the By-laws in this part by the Municipal Commissioner or by an Authorized Officer shall mean any occasion meat sales are done at the meat-stall.
19. In the event of the premises where sale of meat is carried on 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-law No. 3 or contravenes the provisions of any By-law of the By-laws set out in this part the 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. Any licensee in receipt of a notice mentioned in by-law No. 19 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 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 four days.
21. When any licensee in receipt of a notice mentioned in by-law No. 20 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 Municipal Commissioner to cancel the licence issued to that premises.
22. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
- (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

PART XXIII

BY-LAWS RELATING TO AERATED WATER MANUFACTORIES

By-law relating to Aerated Water Manufactories of Badulla Municipality are hereby enacted in terms of section, 272 under the powers vested in the Municipal Councils by section 267 of Chapter 252 of the Municipal Council Ordinance.

1. By-laws in this Part are cited as the by-laws in relating to Regularize, supervise and control the manufactories of Aerated Water within the area of authority of the Municipal Council of Badulla.

2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain a soft drink manufacturing factory.
3. Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the by-laws in this part.
4. Unless the following conditions in the by-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to any manufacturer of soft drinks.
 - (1) The premises of the factory shall be maintained in very good condition;
 - (2) Every building of the factory shall have good ventilation and light. While every room shall have been fixed with windows that could be opened the area of the open windows shall not be less than one fifteenth of the floor area of the room;
 - (3) While the minimum height of the walls of all rooms shall not be less than 2.14 meters the walls shall have been plastered with mortar and the insides applied with paints, in the event of their being built with bricks, cement blocks or cabook blocks. Otherwise when the walls have been built in wood together with aluminium or any other metal surfaces of the planks shall have been painted on their surface ;
 - (4) While the roof shall have been built using solid materials the eaves shall be at a height of at least 2 meters from the floor level and the reservation for the eaves shall be at least one meter in width ;
 - (5) The surfaces of iron, other metals or timber used for the roof shall be applied with oil colours or paints ;
 - (6) The floor space shall be finished off with cement or tiled ;
 - (7) 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 ;
 - (8) 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 ;
 - (9) While 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 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 ;
 - (10) 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 ;
 - (11) While the premises used for the washing of empty bottles shall be located separate from the rooms manufacturing soft drinks only water issued with a quality certificate mentioned in paragraph (9) above shall be used for such activities ;
 - (12) 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 by-law No. 14.
 - (13) 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 least 15 meters away from the rooms manufacturing soft drinks.
 - (14) Action shall be taken not to locate a suction pit, or fertilizer pit or ash pit less 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.
5. Areas of the building which are required to be painted in the manner set out in paragraphs (3) and (5) of by-law No. 4 shall be painted at least once a year.
6. The floor of every room used for the manufacture of soft drinks shall be washed at least once every day.

7. Every room used for the manufacture of soft drinks and its environment, drains, furniture and instruments shall be kept in very good condition.
8. When cleaning bottles used to can soft drinks manufactured in a soft drink factory, a minimum of two tanks, viz,
 - (a) one tank for the removal of labels previously fixed in the bottles and for the initial cleaning, and
 - (b) the other tank for the final cleaning of those bottles,shall be used and the final cleaning shall be effected utilizing flowing water.
9. 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 by the producer of packing materials or the Medical Officer of Health is considered sufficient.
10. 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.
11.
 - (a) Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in service in a soft drinks manufacturing factory or as an assistant of any person engaged in service at such a factory.
 - (b) 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 soft drink manufacturing factory.
 - (c) It shall be the duty of the licensee to refer all employees deployed at the soft drinks manufacturing factory to a medical test at least once a year.
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 when they are on duty at the soft drinks manufacturing factory.
13. 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 the stores unless they are kept in the soft drink manufacturing room for the manufacture of soft drinks.
14.
 - (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
 - (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastics or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;
 - (vii) 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.
 - (b) 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 programme of waste management launched by the Municipal Council of Badulla the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
15. The appropriate time for inspection of the provisions of the by-laws in this part by the Municipal Commissioner or by an Authorized Officer shall mean any occasion when manufacturing activities are in progress.
16. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of any kind of soft drink manufactured at any soft drinks manufacturing factory or kept for sale, no licensee shall desist or prevent such purchase.

17. In the event of the premises where a soft drinks manufacturing factory 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-law No. 4 or contravenes the provisions of any By-law of the By-laws set out in this part the 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.
18. Any licensee in receipt of a notice mentioned in By-law No. 17 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 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 four days.
19. When any licensee in receipt of a notice mentioned In By-law, No. 18 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 Municipal Commissioner to cancel the licence issued to that premises.
20. Contravention of any provision in this By-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
21. In this part, unless the context otherwise requires -

“soft drinks” 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.

PART XXIV

BY-LAWS RELATING TO SALE OF FOODS AND BEVERAGES BY ITINERANT VENDORS

The Municipal Council of Badulla do hereby enact By-laws with a description relating to Sale of foods and Beverages by Itinerant Vendors usage in Badulla Municipality, in accordance with the provisions of para (a), subsection 20 of section 272 and under the powers vested in the Municipal Councils by section 252 of the Municipal Council Ordinance.

1. By-laws in this part are cited as the By-laws in relating to regularize, supervise and control the sale of foods and beverages by itinerant vendors within the area of authority of the Municipal Council of Badulla.
2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall sell foods and beverages in any place other than a hotel, shop or market in the Municipal Council of Badulla
3. (a) Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the By-laws in this part.
- (b) Notwithstanding anything stated in paragraph (a) it shall be lawful for the Municipal Commissioner to issue temporary licences for itinerant vendors when there is a public gathering like a festival or meeting or precession or a gathering of any other type in the area of authority of the Municipal Council of Badulla. Moreover, the particular licence shall be rendered invalid after the expiry of the date for which the licence was issued.
4. Unless the following conditions in the By-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to any itinerant vendor to sell foods and beverages.
 - (a) A closed receptacle or box that could prevent food or beverages available for sale being polluted by flies, insects, dust or water shall be kept in readiness.
 - (b) A holder made of stainless metal shall be available to be used when food is served to the customers.

- (c) If food or beverages are offered to the customers to be consumed then and there separate receptacles shall be available for such purposes.
 - (d) While separate receptacles shall be made available to collect leftover of food and left overs of beverages offered to the customers, these receptacles shall consist of tight lids.
5. Unless anybody engaged in itinerant vending is carrying out his/her activities so as not to cause inconvenience or danger to vehicles or pedestrians using any lane or road or to any person assembled at any public place no itinerant vending shall be done in any public premises.
6. All waste material generated while engaged in itinerant vending shall be categorized under the categories of:-
 - (i) bio degradable waste;
 - (ii) glass;
 - (iii) paper or paper based materials;
 - (iv) polythene and plastics or material based on polythene and plastics;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal;
 and action shall be taken to dispose of these waste materials belonging to each category in the manner prescribed by the Municipal Commissioner under the waste disposal programme of the Municipal Council of Badulla.
7. (a) Provided that the Municipal Commissioner has been made aware of by the Medical Officer of Health that a contagious disease or a disease in the abdominal area is spreading in the Municipal Council of Badulla area or there is the likelihood of such a disease spreading in the area, the Municipal Commissioner shall have the power, -
 - (i) to temporarily suspend any licence issued under the provisions in this part having stated the facts in writing;
 - (ii) to ban itinerant vending in any area under the purview of the Municipal Council of Badulla;
 - (iii) to take into his custody the licence temporarily suspended under paragraph (i) during the period of such suspension, and
 - (iv) to revalidate the licence suspended in the event of the Medical Officer of Health taking action to keep the Municipal Commissioner aware of the fact that the danger of the disease spreading has ended, before the date of expiry of the licence.
- (b) The Municipal Council of Badulla, the Municipal Commissioner, the Authorized Officer or the Medical Officer of Health shall not be subjected to responsibility in respect of any loss or harm caused to the licensee due to temporary suspension of any licence under paragraph (a).
- (c) In the event of the Medical Officer of Health keeping the Municipal Commissioner aware of the fact that the danger which caused the ban on itinerant vending in any part of the area of authority of the Municipal Council of Badulla under subsection (ii) of Section (a) have ended, it shall be the duty of the Municipal Commissioner to inform the licensees that permission will be granted to recommence itinerant vending in that particular area.
8. Whereas itinerant vending has been banned by the Municipal Commissioner in any area under the purview of the Council under by-law No. 7 nobody shall engage in itinerant vending in that area.
9. Even if a licence had been obtained under the By-laws of this part, any person suffering from any infectious, contagious, or skin disease or had recently suffered from such a disease or had recently nursed any person suffering from such a disease shall not engage in itinerant vending activities unless the period of infection and germination had elapsed.
10. While every licensee shall keep in his/her possession the licence issued under the conditions of this part on all occasions when he is engaged in vending activities the licence shall be submitted for inspection when requested to do so by the Municipal Commissioner or an Authorized Officer.
11. The appropriate time for inspection by the Municipal Commissioner or by an Authorized Officer of the provisions of the By-laws in this part shall mean any occasion when an itinerant vendor is engaged in itinerant vending.
12. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of any kind of food or beverages being sold by an itinerant vendor, no licensee shall desist or prevent such purchase.

13. In the event of any itinerant vending activity carried on 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-law No. 4 or contravenes the provisions of any By-law of the By-laws set out in this part the Municipal Commissioner shall take action to issue a written notice to the said licensee and it shall be lawful for him to cancel the licence issued for itinerant vending thereafter.
14. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
15. In the by-laws in this part, unless any other meaning is required,-
 “itinerant vending” means a trading in food or beverages kept in a receptacle or in a box or in any type of container or in any vehicle by bicycle or cart or trolley done by sale or exhibiting for sale or by sale through exhibition for the consumption of the public. It shall also include the sale of such commodities while travelling from place to place or staying at a certain place.

PART XXV

BY-LAWS RELATING TO LAUNDRIES

Badulla Municipal Council do hereby enacted the by-law relating to Laundries in the Municipality of Badulla Municipal Council, in accordance with sub-section 21 of the section 272 and the powers vested in the Municipal Council of Badulla by section 267 of Chapter 252 of the Municipal Council Ordinance.

1. By-laws in this part are cited as the By-laws in relating to regularize, supervise and control the laundries within the area of authority of the Municipal Council of Badulla.
2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain a laundry in any place within the area of authority of the Municipal Council of Badulla.
3. The Municipal Commissioner shall not issue a licence for a laundry unless the premises for which a licence is expected to be obtained conform to the conditions set out below ;
 - (i) Every room in the licensed premises shall have windows that could be opened to the outside. The area of the opened windows shall not be less than one fifteenth the area of the floor of the room.
 - (ii) the height of the walls of every room shall not be less than 2.14 meters ;
 - (iii) separate rooms shall be made available for soiled clothe and for washed clothe;
 - (iv) toilets shall have been built on the basis of at least one for each ten persons employed in the laundry;
 - (v) unless purification is done according to a standard recommended by the Medical Officer of Health Services the waste water disposed of shall not be allowed to flow into a public water course;
 - (vi) when waste water disposed of after washing clothes cannot be subjected to purification, such waste water shall be directed to a suction pit. Moreover, that suction pit shall not be open to the air and be located at a distance of not less than fifteen meters from a well situated close by;
 - (vii) the interior and exterior of the building used for the laundry shall be provided with sufficient system of fire fighting.
4. Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the by-laws in this part.

5. The interior of the premises used for every licensed laundry—
 - (i) shall be maintained in very good condition ;
 - (ii) shall not be used for household activities at any time ;
 - (iii) shall not be used to keep any animal or allowed to be used for such purposes.
 - (iv) shall not be used to keep soiled and washed clothes mixed or allowed to be used in that manner ;
 - (v) in the event of using charcoal for the purpose of ironing clothes action shall be taken to douse the remnants with water and to be collected in a separate receptacle. The burning of coconut shells or any other material to produce charcoal shall not be carried out within the licensed premises.
 - (vi) at the end of loss the day's activities action shall be taken to douse the fires generated in the laundry.
6. Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in any form of activity or as an assistant of any person engaged in any activity in the laundry.
7. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
8. In this part, unless the context otherwise requires -

“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 clothe and any well, tank or other source of water used for the purposes of the enterprise by such a person.

PART XXVI

BY-LAWS RELATING TO HOTELS

Badulla Municipal Council do hereby enact by-law relating to preventing and stopping of encroachments and obstructions of roads, streets and pavements, in terms of subsection (19) section 272 and in accordance with the powers vested in the Municipal Councils under Section 267 of Chapter 252 of the Municipal Council Ordinance.

1. By-laws in this part are cited as the by-laws in relating to regularize, supervise and control the hotels within the area of authority of the Badulla Municipal Council.
2. Provided that a valid licence issued by the Municipal Council for the particular function has been obtained no person shall maintain hotel within the area of authority of the Badulla Municipal Council.
3. Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the by-laws in this part.
4. Unless the following conditions in the by-laws of this part are fulfilled the Municipal Council shall not issue a licence to any hotel:—
 - (1) The premises shall be kept in very good condition;
 - (2) While the minimum height of the walls of all rooms shall not be less than 2.5 meters the walls shall have been plastered with mortar and both sides applied with paints, in the event of their being built with bricks, cement blocks or cabook blocks.

Otherwise when the walls have been built in wood together with aluminium or any other metal the planks shall have been painted on their surface ;

- (3) While every room of the premises shall be fixed with a ceiling, it shall be at a height of not less than 2.5 meters from the ground level.
- (4) Every room shall have windows that could be opened to the outside. The area of the opened windows shall not be less than one fifteenth the area of the floor of the room. However, when any room is air-conditioned this provision shall not apply.
- (5) The roof shall be made of some solid material.
- (6) The end of eaves shall be at least 2 meters above the floor level and the reservation for the eaves shall be at least 1.5 meters in width.
- (7) The floor of every room shall have been finished with cement or tiled.
- (8) While dust bins shall be placed to collect waste generated in the site the dust bins kept at the kitchen shall have lids to keep them closed so as to prevent entry of flies or other kinds of insects.
- (9) Necessary arrangements to comply with the requirements set out in by-law No. 17 shall have been put in place in order to dispose of waste produced in the premises.
- (10) Every table made use of at the kitchen of the premises -
 - (a) shall have their legs polished and applied with paints when they are built in wood, and the top surface of the tables shall have been covered with polished non-opaque materials or stainless and joint less metal sheets.
 - (b) shall have their legs painted when they are made of iron, steel or any other type of metal and the top surface of the tables shall have been covered with polished, non-opaque materials or stainless and joint less metal sheets.
- (11) Every table made available for use by the customers of the premises -
 - (a) shall have their legs polished and applied with paints when they are built in wood, and the top surface of the tables shall have been covered with polished non-opaque materials or stainless and joint less metal sheets.
 - (b) shall have their legs painted when they are made of iron, steel or any other type of metal and the top surface of the tables shall have been covered with polished, non-opaque materials or stainless and joint less metal sheets.
- (12) 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.
- (13) In the event of water used in the activities of the premises being kept in storage sufficient safety measures to prevent pollution of water stored shall be put in place.
- (14) A separate section shall be maintained in the premises to wash utensils used by the customers.
- (15) Separate lavatories and urinals shall have been provided for the use of the employees and the customers on the basis of one each for every ten males and females.
- (16) The walls of every lavatory and urinal shall have been built with bricks or cement blocks, cabook blocks or stainless metal sheets and plastered with cement and finished off with cement or tiled. Moreover, when there are other walls built with bricks or cement blocks or cabook blocks they shall be finished off with cement or tiled and when they are built in stainless metal sheets, the surfaces shall be painted.
- (17) A sufficient number of bathrooms shall have been built for the use of the persons employed at the premises and the prescriptions relevant to lavatories mentioned in paragraph (15) shall apply to the floors and walls of these bathrooms.

- (18) In the section assigned for the use of the customers of the premises 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 made-available.
 - (19) A suitable system of drains shall be made available to allow free flow of waste water disposed of from any section of the premises.
 - (20) In the event of the Municipal Council of Badulla maintaining a drainage system arrangement may be made to divert waste water generated at the premises to the said drainage system in the manner prescribed by the Badulla Municipal Council. Otherwise action shall be taken to divert such waste water to a suction pit.
 - (21) While general fire fighting instruments shall have been provided at the site electrically operated fire extinguishers shall have been made available if electricity supplies have been obtained to the site.
 - (22) The section where tea, coffee or milk is prepared shall have been covered with a stainless metal sheet or with tiles or with any other type of non-opaque material.
 - (23) The space allotted for each person for sleeping in the bed rooms set apart for the customers and the employees of the hotel shall not be less than at least four square meters.
5. It is the duty of the licensee to ensure that every space where paints need to be applied as set out in By-law No. 4 shall be applied with paints at least once a year.
 6. The licensed premises shall have been swept at least twice a day and the drains carrying waste water shall be cleaned and washed with water at least twice daily.
 7. No person shall be allowed to sleep in any other room than those which have been specifically declared as bed rooms in the licensed premises.
 8. The licensee shall not be allowed to sleep in any bed room, a number of persons not commensurate with the minimum space specified in paragraph (23) of By-law No. 4.
 9. While every licensed premises shall maintain a register to note the name, address and identity of each person coming to stay overnight in the licensed premises, it shall be the duty of the licensee to allow inspection of that register when it is so requested by the Municipal Council, Authorized officer or any Police Officer.
 10. Unless the bed sheets, pillow cases, sheets, towels and any other clothes used by any customer occupying any bed room of the licensed premises are washed and cleaned after being used by him no other customer shall be allowed to use them and the windows in that room shall have being left fully open for at least four hours before it is allowed to be used by any subsequent customer.
 11. It shall be the duty of the licensee to ensure that every room, staircase, veranda, drains and the entire area of the licensed premises are swept before noon everyday.
 12. Keeping any type of animal in any bed room, place where food is prepared or place reserved for partaking food in the licensed premises shall not be made.
 13. The lavatories and urinals at the licensed premises shall be cleaned at least twice a day and disinfected and maintained so as to prevent bad smell spreading. However, the cleaning of lavatories once a day in any room where customers are lodging is considered sufficient.
 14. Every receptacle, vessel and instrument used for preparation of food, for exhibition for sale and for the use of the customers in the licensed premises shall be washed in clean water before use and the licensee shall ensure that they are cleanly washed after use as well.
 15. While action shall be taken to categorize all waste collected in each section of the licensed premises according to the manner prescribed in By-law No. 19 and to put them immediately into a receptacle made of non-opaque material, such waste shall be removed from that site at least once a day or on a number of occasions if required. These receptacles shall be securely closed except when waste is put into them and waste is removed from them.

16. The waste removed from the licensed premises shall not be dumped at any time on the ground of the site or at various places around the premises.
17. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
 - (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastics or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;
 - (vii) 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.
- (b) 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 programme of waste management launched by the Municipal Council of Badulla the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
18. While every licensed premise shall be maintained free of rats, flies or any other kind of insects 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 animals.
19. While food served to the customers shall not be handled by bare hands, a spoon, fork or any other instrument shall be used to serve food.
20. Any kind of adulterated milk shall not be kept or sold in any licensed premises. For the purpose of this By-law adulterated milk shall mean milk mixed with water or any other kind of foreign matter or matters or cows milk with less than 85 percent solid milk which is not fat or with less than 35 percent milk fat or buffalo milk with less than 9 percent solid milk which is not fat or with less than 7 percent milk fat.
21. (a) Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in service in a licensed premises or as an assistant of any person engaged in service at such a premises.
- (b) Provided that a person is dressed in washed and clean clothes no person shall engage himself or employ anybody else in any duty at any licensed premises.
- (c) It shall be the duty of the licensee to refer all employees engaged with the licensed premises to a medical test at least once a year.
22. It shall be the duty of the licensee to supply safety mouth covering gloves and other safety materials necessary and to ensure that the employees are wearing these safety materials when they are on duty.
23. All employees of the licensed premises shall be supplied with pure water, clean towels, brushes to clean nails and soap or fluid soap.
24. The appropriate time for inspection by the Municipal Commissioner or by an Authorized Officer of the provisions of the By-laws in this part shall mean any occasion when production activities are carried on.
25. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of any kind of food kept for sale or displayed for sale in the premises, no licensee shall desist or prevent such purchase.

26. In the event of the premises where a hotel 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-law No. 4 or contravenes the provisions of any by-law of the By-laws set out in this part the 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.
27. Any licensee in receipt of a notice mentioned in By-law No. 26 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 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 four days.
28. When any licensee in receipt of a notice mentioned in By-law No. 17 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 Badulla Municipal Council to cancel the licence issued to that premises.
29. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
30. In this part, unless the context otherwise requires -

“Hotel” means a place where cooked rice and curries are prepared or stored or exhibited for sale and it shall also include a place where any type of prepared food or short-eat is prepared or stored or exhibited for sale or any place where customers are allowed to lodge.

PART XXVII

BY-LAWS RELATING TO EATING HOUSES, RESTAURANTS AND TEA OR COFFEE SHOPS

Badulla Municipal Council do hereby enacted the by-law relating to Eating Houses, Restaurants and Tea or Coffee Shops in the Municipality of Badulla Municipal Council, in accordance with sub-section 19 and 22 of the section 272 and the powers vested in the Municipal Council of Badulla by section 267 of Chapter 252 of the Municipal Council Ordinance.

1. By-laws in this part are cited as the by-laws in relating to regularize, supervise and control maintenance of eating houses, restaurants and tea or coffee shops within the area of authority of the Municipal Council of Badulla.
2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain an eating house, restaurant or a tea or coffee shop within the area of authority of the Badulla Municipal Council.
3. Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it was cancelled earlier under the provisions of the By-laws in this part.
4. Unless the following conditions in the by-laws of this part are fulfilled the Municipal Commissioner shall not issue a license to any eating place, restaurant or a tea or coffee shop:—
 - (1) The premises shall be kept in very good condition ;
 - (2) While the minimum height of the walls of all rooms shall not be less than 2.5 meters, both sides of the walls shall have been plastered with mortar and applied with paints, in the event of their being built with bricks, cement blocks or cabook blocks. Otherwise when the walls have been built in wood together with aluminium or any other metal the planks shall have been painted on their surface ;

- (3) While every room of the premises shall be fixed with a ceiling, it shall be at a height of not less than 2.5 meters from the ground level;
- (4) Every room shall have windows that could be opened to the outside. The area of the opened windows shall not be less than one fifteenth the area of the floor of the room. However, where any room is air conditioned, this provision shall not apply;
- (5) The roof shall be made of some solid material;
- (6) The end of eaves shall be at least 2 meters above the floor level and the reservation for the eaves shall be at least 1.5 meters in width.
- (7) The floor of every room shall have been finished with cement or tiled;
- (8) While dust bins shall be placed to collect waste generated in the site the dust bins kept at the kitchen shall have lids to keep them closed so as to prevent entry of flies or other kinds of insects;
- (9) Necessary arrangements to comply with the requirements set out in By-law No. 11 shall have been put in place in order to dispose of waste produced in the premises;
- (10) Every table made use of at the kitchen of the premises —
 - (a) shall have their legs polished and applied with paints when they are built in wood, and the top surface of the tables shall have been covered with polished non-opaque materials or stainless and joint less metal sheets;
 - (b) shall have their legs painted when they are made of iron, steel or any other type of metal and the top surface of the tables shall have been covered with polished, non-opaque materials or stainless and joint less metal sheets;
- (11) Every table made available for use by the customers of the premises —
 - (a) shall have their legs polished and applied with paints when they are built in wood, and the top surface of the tables shall have been covered with polished non-opaque materials or stainless and joint less metal sheets;
 - (b) shall have their legs painted when they are made of iron, steel or any other type of metal and the top surface of the tables shall have been covered with polished, non-opaque materials or stainless and joint less metal sheets;
- (12) While a quality certificate issued by the National Water Supply and Drainage Board on the suitability of the water used in 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 the manufacture of soft drinks it shall be presumed that this certificate has been obtained ;
- (13) 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 ;
- (14) A separate section shall be maintained in the premises to wash utensils used by the customers;
- (15) Separate lavatories and urinals shall have been provided for the use of the employees and the customers on the basis of one each for every ten males and females;
- (16) The walls of every lavatory and urinal shall have been built with bricks or cement blocks, cabook blocks or stainless metal sheets and plastered with cement and finished off with cement or tiled. Moreover, when there are other walls built with bricks or cement blocks or cabook blocks they shall be finished off with cement or tiled and when they are built in stainless metal sheets, the surfaces shall be painted;
- (17) A sufficient number of bath rooms shall have been built for the use of the persons employed at the premises and the prescriptions relevant to lavatories mentioned in Paragraph (15) shall apply to the floors and walls of these bathrooms.
- (18) In the section assigned for the use of the customers of the premises 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 made available;

- (19) A suitable system of drains shall be made available to allow free flow of waste water disposed of from any section of the premises;
- (20) In the event of the Municipal Council of Badulla maintaining a drainage system arrangement may be made to divert waste water generated at the premises to the said drainage system in the manner prescribed by the Municipal Council of Badulla. Otherwise action shall be taken to divert such waste water to a suction pit;
- (21) While general fire fighting instruments shall have been provided at the site electrically operated fire extinguishers shall have been made available if electricity supplies have been obtained to the site;
- (22) The section where tea, coffee or milk is prepared shall have been covered with a stainless metal sheet or with tiles or with any other type of non-opaque material.
5. It is the duty of the licensee to ensure that every space where paints need to be applied as set out in By-law, No. 4 shall be applied with paints at least once a year.
6. The licensed premises shall have been swept at least twice a day and the drains carrying waste water shall be cleaned and washed with water at least twice daily.
7. The lavatories and urinals at the licensed premises shall be cleaned at least twice a day and disinfected and maintained so as to prevent bad smell spreading.
8. Every receptacle, vessel and instrument used for preparation of food, for exhibition for sale and for the use of the customers in the licensed premises shall be washed in clean water before use and the licensee shall ensure that they are cleanly washed after use as well.
9. While action shall be taken to categorize all waste collected in each section of the licensed premises according to the manner prescribed in By-law, No. 11 and to put them immediately into a receptacle made of non-opaque material, such waste shall be removed from that site at least once a day or on a number of occasions if required. These receptacles shall be securely closed except when waste is put into them and waste is removed from them.
10. The waste removed from the licensed premises shall not be dumped at any time on the ground of the site or at various places around the premises.
11. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories:—
- (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastics or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;
 - (vii) 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.
- (b) 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 programme of waste management launched by the Municipal Council of Badulla the final disposal shall be done in the manner prescribed by the Municipal Commissioner.

12. While every licensed premise shall be maintained free of rats, flies or any other kind of insects 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 animals.
13. While food served to the customers shall not be handled by bare hands, a spoon, fork or any other instrument shall be used to serve food.
14. Any kind of adulterated milk shall not be kept or sold in any licensed premises. For the purpose of this by-law adulterated milk shall mean milk mixed with water or any other kind of foreign matter or matters or cows milk with less than 85 percent solid milk which is not fat or with less than 35 percent milk fat or buffalo milk with less than 9 percent solid milk which is not fat or with less than 7 percent milk fat.
15. (a) Provided that the period of infection or of incubation of an infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in service in a licensed premises or as an assistant of any person engaged in service at such a premises.
(b) Provided that a person is dressed in washed and clean clothes no person shall engage himself or employ anybody else in any form of duty at any licensed premise.
(c) It shall be the duty of the licensee to refer all employees engaged at the fish stall to a medical test at least once a year.
16. It shall be the duty of the licensee to supply safety mouth covering gloves and other safety materials necessary and to ensure that the employees are wearing these safety materials when they are on duty.
17. All employees of the licensed premises shall be supplied with pure water, clean towels, brushes to clean nails and soap or fluid soap.
18. No person shall smoke or chew betel leaves within the licensed premises.
19. The appropriate time for inspection by the Municipal Commissioner or by an Authorized Officer of the provisions of the by-laws in this part shall mean any occasion when production activities are carried on.
20. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of any kind of food kept for sale or displayed for sale in the premises, no licensee shall desist or prevent such purchase.
21. In the event of the premises where any eating place, restaurant or a tea or coffee shop 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-law, No. 4 or contravenes the provisions of any by-law of the by-laws set out in this part the 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.
22. Any licensee in receipt of a notice mentioned in By-law, No. 21 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 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 four days.
23. When any licensee in receipt of a notice mentioned in By-law, No. 22 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 Municipal Commissioner to cancel the license issued to that premises.
24. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
(i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
(ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.

- (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

25. In this part, unless the context otherwise requires -

“restaurant or eating house” means a place where cooked rice and curries are prepared or stored or exhibited for sale and it shall also include a place where any type of prepared food or short eat is prepared or stored or exhibited for sale ;

“ tea or coffee shop” means any place which is maintained for sale of tea or coffee with bakery products or short eats.

PART XXVIII

BY-LAWS RELATING TO LODGINGS HOUSES

Badulla Municipal Council do hereby enacted the by-law relating to lodings houses in the Municipality of Badulla Municipal Council, in accordance with Sub-section 22 of the Section 272 and the powers vested in the Municipal Council of Badulla by Section 267 of Cahpter 252 of the Municipal Council Ordinance.

1. By-laws in this part are cited as the By-laws in relating to regularize, supervise and control within the area of authority of the Badulla Municipal Council.
2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain a lodging house within the area of authority of the Badulla Municipal Council.
3. Every licence issued under the provisions of the By-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the By-laws in this part.
4. Unless the following conditions in the By-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to any lodging house :—
 - (1) The premises shall be kept in very good condition ;
 - (2) While the minimum height of the walls of all rooms shall not be less than 2.5 meters both sides of the walls shall have been plastered with mortar and applied with paints, in the event of their being built with bricks, cement blocks or cabook blocks. Otherwise when the walls have been built in wood together with aluminium or any other metal the planks shall have been painted on their surface ;
 - (3) While every room of the premises shall be fixed with a ceiling, it shall be at a height of not less than 2.5 meters from the ground level ;
 - (4) Every room in the licensed premises shall have windows that could be opened to the outside. The area of the opened windows shall not be less than one fifteenth the area of the floor of the room. However, where any room is air conditioned this provision shall not apply.
 - (5) The roof shall be made of some solid material ;
 - (6) The end of eaves shall be at least 2 meters above the floor level and the reservation for the eaves shall be at least 1.5 meters in width ;
 - (7) The floor of every room shall have been finished with cement or tiled ;
 - (8) While dust bins shall be placed to collect waste generated in the site the dust bins kept at the kitchen shall have lids to keep them closed so as to prevent entry of flies or other kinds of insects ;
 - (9) Necessary arrangements to comply with the requirements set out in By-law No. 21 shall have been put in place in order to dispose of waste produced in the premises ;

- (10) Every table made use of at the kitchen of the premises -
 - (a) shall have their legs polished and applied with paints when they are built in wood, and the top surface of the tables shall have been covered with polished non-opaque materials or stainless and jointless metal sheets ;
 - (b) shall have their legs painted when they are made of iron, steel or any other type of metal and the top surface of the tables shall have been covered with polished, non-opaque materials or stainless and jointless metal sheets.
- (11) Every table made available for use by the customers of the premises -
 - (a) shall have their legs polished and applied with paints when they are built in wood, and the top surface of the tables shall have been covered with polished non-opaque materials or stainless and jointless metal sheets ;
 - (b) shall have their legs painted when they are made of iron, steel or any other type of metal and the top surface of the tables shall have been covered with polished, non-opaque materials or stainless and jointless metal sheets.
- (12) 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 ;
- (13) 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 ;
- (14) A separate section shall be maintained in the premises to wash utensils used by the customers ;
- (15) Separate lavatories and urinals shall have been provided for the use of the employees and the customers on the basis of one each for every ten males and females ;
- (16) The walls of every lavatory and urinal shall have been built with bricks or cement blocks, cabook blocks or stainless metal sheets and plastered with cement and finished off with cement or tiled. Moreover, when there are other walls built with bricks or cement blocks or cabook blocks they shall be finished off with cement or tiled and when they are built in stainless metal sheets, the surfaces shall be painted ;
- (17) A sufficient number of bath rooms shall have been built for the use of the persons employed at the premises and the prescriptions relevant to lavatories mentioned in Paragraph (15) shall apply to the floors and walls of these bathrooms ;
- (18) In the section assigned for the use of the customers of the premises 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 made available ;
- (19) A suitable system of drains shall be made available to allow free flow of waste water disposed of from any section of the premises ;
- (20) In the event of the Badulla Municipal Council maintaining a drainage system arrangement may be made to divert waste water generated at the premises to the said drainage system in the manner prescribed by the Badulla Municipal Council. Otherwise action shall be taken to divert such waste water into a suction pit ;
- (21) While general fire fighting instruments shall have been provided at the site electrically operated fire extinguishers shall have been made available if electricity supplies have been obtained to the site ;
- (22) The section where tea, coffee or milk is prepared shall have been covered with a stainless metal sheet or with tiles or with any other type of non-opaque material ;
- (23) The space allotted for each person for sleeping in the bed rooms set apart for the customers and the employees of the hotel shall not be less than at least four square meters. Meanwhile every bedroom shall be provided with an almirah or cabinet to keep clothes, a towel rack, a table to keep the goods of the lodger or the lodgers and a bathroom with toilet facilities ;

- (24) In any licensed premises the bedrooms shall not at any time consist of -
- (a) more than one bed in a single room ;
 - (b) more than two single beds or a double bed in a twin room ;
 - (c) more than one double bed and a single bed or three single beds in a triple room ; and
 - (d) more than two double beds and a single bed or one double bed and three single beds in a family room.
5. Any person requesting a licence under the provisions of the by-laws in this part shall forward to the Badulla Municipal Council an application substantially prepared according to the specimen given in the schedule to this part.
 6. It is the duty of the licensee to ensure that every space where paints need to be applied as set out in by-law No. 4 shall be applied with paints at least once a year.
 7. The licensed premises shall have been swept at least twice a day and the drains carrying waste water shall be cleaned and washed with water at least twice daily.
 8. No person shall be allowed to sleep in any other room than those which have been specifically mentioned as bed rooms in the licensed premises.
 9. The licensee shall not allow a number of persons to sleep in any bed room, not commensurate with the minimum space specified in paragraph (23) in By-law No. 4.
 10. In respect of any lodging house 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 a triple room. However, when the age of anybody sleeping in any room that person is below 12 years shall not be considered as one person for the purposes of this by-law.
 11. While every licensed premises shall maintain a register to note the name, address and identity of each person coming to stay overnight in the licensed premises, it shall be the duty of the licensee to allow inspection of that register when it is so requested by the Municipal Commissioner, authorized officer or any Police Officer.
 12. While everybody lodging in any lodging house shall forward his/her identity to the licensee the relevant person shall sign the name in the column where his/her particulars are entered in the Visitors' Register maintained at the lodging house. Moreover, the licensee shall not allow any person not establishing his/her identity or refusing to sign the name in the column of the Visitors' Register where information in respect of his/her identity are entered, to stay overnight in any section of the licensed premises.
 13. While it is the duty of the licensee to ensure that any lodging house is not used for immoral activities any person shall not engage in singing songs or activating disk operating machines or making any unnecessary noise so as to creating inconvenience to other lodgers in the lodging house or residents living close by.
 14. Unless the bed sheets, pillow cases, sheets, towels and any other clothes used by any customer occupying any bed room of the licensed premises are washed and cleaned after being used by him no other customer shall be allowed to use them and the windows in that room shall have being left fully open for at least four hours before it is allowed to be used by any subsequent customer.
 15. It shall be the duty of the licensee to ensure that every room, staircase, veranda, drains and the entire area of the licensed premises are swept before noon everyday.
 16. Keeping any type of animal in any bed room, place where food is prepared or place reserved for partaking food in the premises shall not be made.
 17. The lavatories and urinals at the licensed premises shall be cleaned at least twice a day and disinfected and maintained so as to prevent bad smell spreading. However, the cleaning of lavatories once a day in any room where customers are lodging is considered sufficient.
 18. Every receptacle, vessel and instrument used for preparation of food, for exhibition for sale and for the use of the customers in the licensed premises shall be washed in clean water before use and the licensee shall ensure that they are cleanly washed after use as well.

19. While action shall be taken to categorize all waste collected in each section of the licensed premises according to the manner prescribed in by-law No. 19 and to put them immediately into a receptacle made of non-opaque material, such waste shall be removed from that site at least once a day or on a number of occasions if required. These receptacles shall be securely closed except when waste is put into them and waste is removed from them.
20. The waste removed from the licensed premises shall not be dumped at any time on the ground of the site or at various places around the premises.
21. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
 - (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastics or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;
 - (vii) 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.

(b) 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 programme of waste management launched by the Badulla Municipal Council the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
22. While every licensed premise shall be maintained free of rats, flies or any other kind of insects 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 animals.
23. While food served to the customers shall not be handled by bare hands, a spoon, fork or any other instrument shall be used to serve food.
24. Any kind of adulterated milk shall not be kept or sold in any licensed premises. For the purpose of this by-law adulterated milk shall mean milk mixed with water or any other kind of foreign matter or matters or cows milk with less than 85 percent solid milk which is not fat or with less than 35 percent milk fat or buffalo milk with less than 9 percent solid milk which is not fat or with less than 7 percent milk fat.
25. (a) Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in service in a licensed premises or as an assistant of any person engaged in service at such a premises.

(b) Provided that a person is dressed in washed and clean clothes no person shall engage himself or employ anybody else in any duty at any licensed premise.

(c) It shall be the duty of the licensee to refer all employees engaged at licensed premises to a medical test at lease once a year.
26. 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.
27. All employees of the licensed premises shall be supplied with pure water, clean towels, brushes to clean nails and soap or fluid soap.
28. The appropriate time for inspection by the Municipal Commissioner or by an Authorized Officer of the provisions of the by-laws in this part shall mean any occasion when the premises is opened to the public.

29. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of any kind of food kept for sale or displayed for sale in the premises, no licensee shall desist or prevent such purchase.
30. In the event of the premises where a lodging house 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-law No. 4 or contravenes the provisions of any by-law of the by-laws set out in this part the 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.
31. Any licensee in receipt of a notice mentioned in by-law No. 30 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 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 four days.
32. When any licensee in receipt of a notice mentioned in by-law No. 17 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 Municipal Commissioner to cancel the licence issued to that premises.
33. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
34. In this part, unless the context otherwise requires -

“double bed” means a bed at least 200 centimetres long and 125 centimetres wide with a mattress ;

“double room” means a room where space sufficient to get lodging facilities for two persons at a time is available with a double bed or two single beds ;

“family room” means a room where space sufficient to get lodging facilities for three persons at a time is available with two double beds and one single bed or one double bed and three single beds or five single beds ;

“single bed” means a bed at least 200 centimetres long and 95 centimetres wide with a mattress ;

“single room” means a room where space sufficient to get lodging facilities for one person only is available with a bed ;

“triple room” means a room where space sufficient to get lodging facilities for three persons at a time is available with a double bed and a single bed or one double bed and three single beds or five single beds ;

SCHEDULE

BY-LAW No. 5

Application for a Licence to Maintain a Lodging House

01. Name of the applicant:
Address :
National Identity Card No. :
02. Name of the Lodging House:
Address:
Name of the Manager/Guardian:
Telephone Number:
03. Year for which licence is applied:
04. 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:
- 05. The Number of employees (including the Manager) in the Lodging House:
- 06. 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:
- 07. Bathrooms:
 - (i) The number of male bathrooms:
 - (ii) The number of female bathroom:
- 08. The Number of Kitchens:
- 09. Source of water supply:
- 10. Methodology for the final disposal of solid waste:

I hereby certify that the above particulars are true and accurate. I agree to comply with the provisions in the by-laws in respect of regularize, supervise and control of the lodging house. I apply for a licence for the year 20.... to maintain the above lodging house under the above By-laws.

.....,
Signature of Proprietor,
Manager/Guardian.

PART IXXX

BY-LAWS RELATING TO PARKING OF VEHICLES AND TRAFFIC CONTROL

Badulla Municipal Council do hereby enacted the by-law relating to parking of Vehicles and Traffic Control in the Municipality of Badulla Municipal Council, in accordance with sub-section 32 of the section 272 and the powers vested in the Municipal Council of Badulla by section 267 of Chapter 252 of the Municipal Council Ordinance.

1. The By-laws in this part are cited as the By-laws relating to regularize Supervise and Control of parking vehicles and traffic control on the roads within the area of authority of the Badulla Municipal Council.
2. (a) The Badulla Municipal Council shall have the power to -
 - (i) ban the parking of vehicles;
 - (ii) limit the parking of vehicles;
 - (iii) allow parking on one side only;
 - (iv) ban or limit the loading or unloading of goods;
 - (v) ban loading and unloading of passengers;
 - (vi) name bus stops;
 - (vii) name one way streets and roads and to determine the direction of traffic,
on any section of any street or road in the area of authority of the Badulla Municipal Council ;
- (b) It shall be the duty of the Municipal Commissioner to take action to fix road signs on limitations at relevant places after placing any limitations made by Badulla Municipal Council under paragraph (a). While these road signs on the limitations shall be in accordance with provisions published in the *Gazette Extra-ordinary* 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.
3. Any driver of a vehicle being driven along any street or road located within or lying along the area of authority of the Badulla Municipal Council shall obey the Provisions depicted in a road sign or signs fixed under the Provisions in paragraph (b) of By-law No. 2.

4. Notwithstanding anything stated in the By-law No. 3 the limitations prescribed by any road sign fixed on the decision of the Badulla Municipal Council under the provisions of By-law No. 2 shall not apply in respect of, -
 - (a) a fire fighting vehicle or any other vehicle of the Badulla 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;
 - (b) 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 Badulla Municipal Council,
 and it shall not be considered as a violation of the provisions in By-law No. 3.
5. (a) The Badulla Municipal Council shall have the power to allocate, -
 - (i) any plot of land owned by the Council ;or
 - (ii) 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 Badulla Municipal Council.
 (b) The Badulla Municipal Council shall decide from time to time the type of vehicles that shall be parked in any vehicle park and the maximum number of vehicles that shall be parked at a time.
6. 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.
7. Action shall be taken to display easily readable notices in all 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 centimetres 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.
8. While 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.
9. It shall be the duty of the Municipal Commissioner to take steps to remove garbage collected within the premises of every vehicle park every day and to clean the lavatories using disinfectants daily.
10. 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.
11. 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 10 centimetres wide shall be marked to indicate the space allocated to each vehicle in the park.
12. An amount of money decided by the Badulla Municipal Council from time to time shall be charged for parking vehicles in a vehicle park. Moreover it shall be the duty of the Municipal Commissioner to display at the entrance prominently in all 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.
13. (a) (i) Any employee of the Badulla Municipal Council or
 - (ii) Any successful bidder selected by the Badulla 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 Badulla Municipal Council to collect charges made on vehicles parked in the vehicle park.
 (b) However, while the fees charged for parking vehicles in any vehicle park shall not exceed the fees decided by the Badulla Municipal Council in the manner stated in the by-law No. 12, 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.
14. It shall be the duty of the Municipal Commissioner to take action to see that every Vehicle Park Warden on duty is dressed in a suit to be decided by the Badulla Municipal Council and which would allow easy identification of the Park Warden.

15. (a) 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 paragraph (b) of bylaw No. 5 enters the vehicle park.
- (b) Before leaving the vehicle park, it shall be the duty of the driver of any vehicle parked in the vehicle park to -
 - (i) return the card mentioned in paragraph (a) to the vehicle park warden,
 - (ii) pay to the vehicle park warden parking fees decided upon by the Council in the manner set out in by-law No. 12;
 - (iii) obtain a suitable receipt mentioned in paragraph (b) of by-law No. 13.
16. (a) Any person shall not park or drive into a vehicle part 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 Badulla Municipal Council to be allowed into the Park for parking.
- (b) 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 it in order to take it out of the park, the provisions in paragraph (a) shall not apply for the other vehicle. However, such towing shall not be made in a manner causing any obstacle or harm to other vehicles parked in the vehicle park.
17. Any person shall not, -
 - (a) wash a vehicle or cause a vehicle to be washed;
 - (b) 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;
 - (c) make any noise which is considered unnecessary or oppressive when any repair mentioned in paragraph (b) are carried out.
 - (d) park the vehicle in any place in the vehicle park other than where it was originally parked without permission from the Vehicle Park Warden;
 - (e) park vehicles so as to block the lanes of the vehicle park or the gates at the entry and the exit;
 - (f) 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;
 - (g) blow the horn of any vehicle parked or entering or leaving the vehicle park,
 - (h) consume liquor or spit after chewing betel leaves or use indecent language or create commotion or engage in immoral activities, in any vehicle park.
18. While the responsibility in regard to the security of any vehicle parked in any vehicle park shall lie with the person who parks it in the vehicle park the Badulla Municipal Council or the 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.
19. 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 Municipal Commissioner or any Authorized Officer or the Vehicle Park Warden or any Police Officer requests it for inspection.
20. 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-law No. 7.
21. No person shall harm or deface any construction made or instrument found in any vehicle park.
22. The provisions of the by-laws in this part shall not apply to, -
 - (a) government vehicles ;
 - (b) vehicles of the Provincial Council ;
 - (c) vehicles of a local authority established within the Province, parked within any vehicle park established within the area of authority of the Municipal Council. However, the said provisions shall apply in respect of any vehicle of any State Corporation or Statutory Body in the manner set out in the by-laws in this part.
23. It shall be lawful for the 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.

24. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
- (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time ;
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion ;
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

25. In this part, unless the context otherwise requires -

“road” means any road, highway, lane, avenue, street, by-lane, pair of steps, stepping log or pedestrian bridge owned by the 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 a pavement by the side of a road fixed or erected in relation to any road, highway, lane, street, avenue or pair of steps possessed by the Badulla Municipal Council.

“vehicle” means any motor vehicle in conformity with the definition given in the Motor Traffic Act in respect of any motor vehicle.

FIRST SCHEDULE

Paragraph (b) of by-law No. 13

Badulla Municipal Council Vehicle Park at Vehicle parking fees Receipt No.
Registration No. of the vehicle:- Date:-20 Time of arrival:- a.m. / p. m. Time of departure:- a.m./p. m. Fees charged:- Rs.

SECOND SCHEDULE

Paragraph (a) in By-law No. 15

Front of the Card

Badulla Municipal Council Vehicle Park at..... Admission Card
--

Back of the card

This Card should not be transferred To be handed over when leaving the Vehicle Park
--

PART XXX

BY-LAWS RELATING TO FACTORIES

Badulla Municipal Council do hereby enact the by-laws relating factories under the section 272, according to the powers vested in the Municipal Councils by the section 267 of the Municipal Council Ordinance (Chapter 252).

1. By-laws in this part are cited as the By-laws in relating to regularize, supervise and control the factories within the area of authority of the Badulla Municipal Council.
2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain a factory within the area of authority of the Badulla Municipal Council.
3. Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the By-laws in this part.
4. Unless the following conditions in the By-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to any place maintaining a factory.
 - (1) The premises of the factory shall be maintained in very good condition ;
 - (2) Every building of the factory shall have good ventilation and light. While every room shall have been fixed with windows that could be opened the area of the open windows shall not be less than one fifteenth of the floor area of the room. However, where it is impossible to maintain the production activities of the factory in a building other than a closed building or where the factory building is air-conditioned the provisions of this paragraph shall not apply.
 - (3) While the minimum height of the walls of all rooms shall not be less than 2.14 meters the walls shall have been plastered with mortar and the insides applied with paints, in the event of their being built with bricks, cement blocks or cabook blocks. Otherwise when the walls have been built in wood together with aluminium or any other metal the planks shall have been painted on their surface ;
 - (4) While the roof shall have been built using solid materials the eaves shall be at a height of at least 2 meters from the floor level and the reservation for the eaves shall be at least one meter in width ;
 - (5) The surfaces of iron, other metals or timber used for the roof shall be applied with oil coloured or paints ;
 - (6) The floor space shall be finished off with cement or tiled ;
 - (7) While the employees of the factory shall be allocated lavatories on the basis of at least one for each group of ten employees, separate lavatories shall be set aside for males and females.
 - (8) Unless purification is done according to a standard recommended by the Medical Officer of Health, the waste water disposed of shall not be allowed to flow into a public water course.
 - (9) When waste water disposed of after production activities washing clothes cannot be subjected to purification, such waste water shall be directed to a suction pit as recommended by the Medical Officer of Health or the Chairman of the Central Environmental Authority. Moreover, that suction pit shall not be open to the air and be located at a distance of not less than fifty meters from a well situated close by.
 - (10) The interior and exterior of the building used for the factory shall be provided with sufficient system of fire fighting.
 - (11) Sufficient system of drainage shall have been put in place to freely drain waste water disposed of, from the rooms in the factory used for production activities, from washing for re-use of packing materials or other materials and from the bathrooms of the employees.
 - (12) At least one room shall have been made available for the storage of raw materials used in the production process, other chemicals, bottles or other packing materials used in packing any production. Sufficient security measures shall have been made available to maintain the said room free of rats and other kinds of insects.

- (13) While a quality certificate issued by the National Water Supply and Drainage Board on the suitability of the water used in the production process 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 productions it shall be presumed that this certificate has been obtained ;
- (14) In the event of water used in the manufacture of soft drinks and activities of the factory being kept in storage sufficient safety measures to prevent pollution of water stored shall be put in place. In the event of water used being stored in an underground water tank action shall be taken not to locate a suction pit, or fertilizer pit or ash pit less than 18 meters from it.
- (15) While the premises used for the washing of used packing material shall be located separate from the rooms where production activities are carried on only water issued with a quality certificate mentioned in paragraph (13) above shall be used for such activities ;
- (16) 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 By-law No. 15.
5. It shall be the duty of the licensee to maintain every section of the premises where a factory is functioning free of thorny bushes or thick growths and to prevent accumulation of water so as to facilitate breeding of mosquitoes and other larva.
6. Unless necessary precautionary any measures have been put in place to prevent spread of any gas with bad smell or poisons, nobody shall store or use within the factory premises or cause to store any kind of faeces, bone flour, fertilizer or any material emanating poisonous or oppressive bad smell.
7. Unless action has been taken to maintain sound control below the limit which could be termed as sound pollution according to the Provisions made by and according to the amendments made to these provisions from time to time by the Minister-in-charge of the subject of environment under the provisions of Section 32 of the National Environmental Act, No. 47 of 1980, nobody shall use any type of machinery generating sound or steam boilers or any other type of machine emanating sound when activated.
8. Unless a chimney has been installed to divert smoke generated from any oven, according to the Provisions made by and amendments made from time to time by the Minister-in-charge of the subject of environment under the provisions of Section 32 of the National Environment Act, No. 47 of 1980, no factory shall use any chimney emanating smoke.
9. Nobody shall use any steam whistle or steam alarm or siren for the purpose of signalling, calling, commencing activities or ending duties of the labourers or employees of any factory, or any other place or for any other matter. Any factory already using such steam whistle, or steam alarm or siren on the date of the implementation of the provisions of the By-laws in this part shall be entitled to a period of three months from the effective date to correct the said calling signals being used by the factory in conformity with the provisions in this By-law and no such signals shall be used thereafter.
10. The waste water disposed of after use by any factory shall not be released to a public water course at any time.
11. Areas of the building which have been required to be painted in the manner set out in By-law No. 4 shall be painted at least once a year.
12. Every room of the factory and its environment, drains, furniture and instruments shall be kept in proper maintaining condition.
13. When cleaning, packing materials already used by the factory in the production process, a minimum of two tanks, viz,
 - (a) One tank for the removal of labels previously fixed in the packing and for the initial cleaning; and
 - (b) the other tank for the final cleaning of those packing, shall be used and the final cleaning shall be effected utilizing flowing water.
14.
 - (a) Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in any form of activity in the factory;
 - (b) It shall be the duty of the licensee to refer all employees engaged at the factory to a medical test at least once a year.
15. 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.

16. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
 - (i) bio degradable waste ;
 - (ii) glass ;
 - (iii) paper or paper based materials ;
 - (iv) polythene and plastic or material based on polythene and plastics ;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal ;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line ;
 - (vii) 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.
- (b) 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 programme of waste management launched by the Badulla Municipal Council the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
17. The appropriate time for inspection by the Municipal Commissioner or by an Authorized Officer of the provisions of the By-laws in this part shall mean any occasion when production activities are done at the factory.
18. In the event of the premises where any production activity is carried on under a license issued under the By-laws of this part fails to maintain it in accordance with any one of the provisions set out in By-law No. 4 or contravenes the provisions of any By-law of the by-laws set out in this part the 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.
19. Any licenses in receipt of a notice mentioned in By-law No. 18 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 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 four days.
20. When any licenses in receipt of a notice mentioned in By-law No. 19 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 Municipal Commissioner to cancel the licence issued to that premises.
21. Contravention of any provision in this by-law shall be an offence and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties :
 - (i) A fine not exceeding Rs. 1,000 if the offence is committed for the first time.
 - (ii) A fine not exceeding Rs. 2,000 if the offence is committed for the first time on a subsequent occasion.
 - (iii) As regards to a subsequent offence, the Commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.
22. In this part, unless the context otherwise requires -

“factory” means any premises producing goods or any other product using any kind of raw materials or producing goods or any other product using any other product produced by another factory.