

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය
අති විශේෂ

The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1783/39 - 2012 නොවැම්බර් 09 වැනි සිකුරාදා - 2012.11.09

No. 1783/39 - FRIDAY, NOVEMBER 09, 2012

(Published by Authority)

PART IV (A) - PROVINCIAL COUNCILS

Provincial Council Notifications

NOTIFICATION UNDER SECTION 154 OF URBAN COUNCIL ORDINANCE (CHAPTER 255) READ WITH SECTION 2 OF PROVINCIAL COUNCIL (INCIDENTAL PROVISIONS) ACT, No. 12 OF 1989

UNDER the powers vested upon the Panadura Urban Council (Chapter 255) by subsection 157 (14a) read with Section 153 of Urban Council Ordinance the By-law made by the said Urban Council mentioned below has been adopted by the Resolution, tabled in the monthly meeting No. 4.1 held on 2011.11.29. It is hereby informed that, as per said Section 154 of Urban Council Ordinance (Chapter 255) read with Section 2 of Provincial Council (Incidental Provisions) Act, No. 12 of 1989, the said By-Law has been approved by me, Prasanna Ranathunga, The Chief Minister and the Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Power and Energy, Man Power and Employment, Economic Promotion and Trade of the Western Province Provincial Council.

PRASANNA RANATHUNGA,

The Chief Minister and the Minister of Finance and Planning, Law and Order,
Land, Education, Local Government and Provincial Administration,
Power and Energy, Man Power and Employment, Economic Promotion
and Trade of the Western Province Provincial Council.

Chief Ministry (Western Province)
Sravasthi Mandiraya,
Colombo 07.
07th November, 2012.

Panadura Urban Council

BY-LAW ON PARKING OF THREE-WHEELERS

1. These By-laws may be cited as By-laws of the Panadura Urban Council relating to Parking of Three-wheelers.
2. These By-laws shall be enacted for the purpose of regulating, controlling parking of Three-wheelers.

3. (1) The Three-wheeler parks within the limits of the Urban Council and the Maximum Number of Three-wheelers to be parked at each park shall be decided on a resolution passed by the Council and such decisions shall come into operation from the date of publication of them in the Gazette or from a date specified therein.

(2) If the Council is of opinion that the Number of Parks and the Number of Three-wheelers to be parked therein, decided under Section 3(1) above shall be amended, it may be done by a resolution passed by the Council and such amendment shall come in to operation from the date of publication of them in the Gazette or from a date specified therein.

(3) The Council shall seek recommendations of the Committee consisting of the persons referred to in the Schedule one in order to decide places of the Three-wheeler parks and to decide its rangers and the maximum number of Three-wheelers that can be parked in each park or to amend such decisions.

(4) A board shall be fixed at each park in order to identify the places to park Three-wheelers in terms of the Section 3(1) above and the code number of the relevant park shall be displayed in the board.

The maximum number of Three-wheelers that can be parked shall be displayed in the board in terms of Section 3(2).

(5) The Three-wheelers shall be properly parked and the manner in which they are to be parked shall be marked by an authorized officer of the Council with a white or yellow line of 4 inches in width.

4. It shall be legal to issue a license in the manner indicated in the Schedule Two of this By-law for parking Three-wheelers by the Chairman and to impose charges and collect charges for such purpose by the Urban Council.

5. When issuing licenses for Three-wheelers for the purpose of parking in a Three-wheeler park, priority shall be given to the Three-wheelers owned by the nearest residents.

6. (1) for the purpose of parking a Three-wheeler in the Three-wheeler park nearest to the permanent residence, a license shall be obtained from the Urban Council making an application as per specimen application form mentioned in the Schedule Three and the application form shall be obtained from on payment of Rs. 50/=.

(2) In case where the driver is the owner, the photo copies of the following documents of such person and in case where the driver is a hired person, photocopies of such documents of both hired driver and the owner shall be accompanied with the application. Such application shall be in the manner mentioned in the Schedule Three :—

(i) The National Identity Card and the Valid Driving License of the owner ;

(ii) Certificate of Registration of the Three-wheeler ;

(iii) The National Identity Card and the Valid License of the hired driver.

(3) A register shall be maintained in respect of Three-wheelers which have been obtained licenses issued by the Council and when cancelled such license, it should be recorded with red ink.

(4) The Council may issue licenses monthly, quarterly or annually for the purpose of parking Three-wheelers.

(5) A photo copy of the valid license shall be displayed on the front glass of the Three-wheeler which can be seen clearly.

(6) The right side of the Three-wheeler shall be blocked to prevent the passengers from getting into or getting out.

(7) The license shall be issued in the name of the registered owner of the Three-wheeler.

(8) The Three-wheeler owner shall renew the license two weeks before the expiry of such license.

(9) In terms of subsection 6(4) above license fee imposed on the monthly, quarterly or annually shall be decided by the Council and such fee shall be charged with effect from the date when such decision is published in the Gazette or such a date specified therein.

(10) In tems of By-law 4 Three-wheelers shall not be parked or entered into a Three-wheeler park unless the Three-wheeler possesses a valid license issued by the Council.

(11) Notwithstanding the possession of a valid license issued, a Police Office or the Chariman or an Officer who has been authorized by him may order that a Three-wheeler be removed temporarily from the park, and this license shall not be an obstruction to such order.

7. Other vehicle shall not be entered or parked in a Three-wheeler park.

8. Neither Three-wheeler nor any other vehicle shall be parked in the manner of blocking the entrance and the exit of the Three-wheeler Park.

9. No any other repairs shall be done in the Three-wheeler Park other than the repairs relating to removal of the Three-wheeler.

10. No Three-wheeler shall be parked in any other place awaiting hires other than the relevant parking place for which the license has been obtained.

11. These By-laws with regard to the Three-wheeler parking shall be enforced from 06:00 hours to 20:00 hours every day of the week.

(1) Time indicated in By-law No. 11 above may be amended by a resolution passed on a need of the Council and such amendment shall come into effect after publishing a notification in the Gazette.

12. At the time licensed Three-wheelers have been parked in an Three-wheeler park, the drivers shall not call and allow outsiders to come into the park and loiter in the park.

13. No person shall use drugs or conduct immorality or commit any oppressive act in a Three-wheeler park and it is a responsibility of the persons authorized to use the park, not to allow any person to commit such acts.

14. If there are any complaints from public regarding any misbehaving at Three-wheeler parks by any person who possesses a license, the Council reserves the authority to inquire into those complaints and to cancel his license if found guilty for the charges.

15. The driver or the owner of the Three-wheeler shall produce the original copy of the valid license on demand by the Chairman or an Officer authorized for his purpose by him or a Police Officer.

16. Violation of any Provision stipulated in the By-laws in an offence and after being convicted by a competent court shall be liable of a fine not exceeding a sum of Rupees Seven Hundred and Fifty (750/-). In an occasion of repeating such violation after being convicted by a competent court or after being handed over a written notice drawing the attention of the offence of such violation by the Chairman or an Officer authorized for this purpose by him, shall be liable of an additional fine not exceeding a sum of Rupees Two Hundred and Fifty (250/-) for each and every day of committing such offence repeatedly.

17. Notwithstanding anything mentioned contrary in these By-laws by a resolution passed by the Council, these By-laws may be amended, repealed by enacting new By-laws or enact additional By-laws.

18. Interpretation —

“Council” means, Panadura Urban Council ;

“Chairman” means, the Chairman of the Panadura Urban Council ;

“An Officer Authorized for the purpose” means, any Officer of the Urban Council who has been authorized by the Chairman ;

“An authorized Officer who has been delegated by the Chairman for the purpose” means, any Officer hold a permanent post of the Council who has been authorized by the Chairman in writing ;

“Limits” means, limits of Panadura Urban Council constituted under Section 2 in Chapter 225 of the Urban Council Ordinance No. 61 of 1939 and published in the Government Gazette by the Minister of Local Government, Housing and Construction on 10th of August, 1978;

“Three-wheeler” means, the Three-wheeler parked for hiring ;

“Hired Driver” means, a person who drives the Three-wheeler either the owner or any other person employed for driving by the owner of the Three-wheeler ;

“Parking Place” means, Three-wheeler Park determined on a resolution passed by the Panadura Urban Council ;

“Specific Parking Place” means, a specific parking place for which a License has been issued by the Chairman of the Panduara Urban Council ;

“Monthly” means, each month starting from 1st consisting 28, 30 or 31 days as applicable ;

“Quarterly” means successive three months starting from 1st of January up to 31st of December consisting of the number of days as defined in “Monthly” ;

“Annually” means, a calender year starting from 1st of January and ending on 31st of December ;

“Police Officer” means, the same interpretation as defined under Section 104 in chapter 53 of the Police Ordinance No. 16 of 1865 ;

“Other Vehicles” means, the same interpretation as defined in the Motor Vehicle Ordinance ;

“Registered Owner” means, the same interpretation as defined in the Motor Vehicle Ordinance ;

“Act of Nuisance” means, the same interpretation as defined in the Nuisance Ordinance.

19. If there is an inconsistency between Sinhala and Tamil texts of these By-laws, the Sinhala text shall prevail.

SCHEDULE ONE

By-law 3.3


The Road Committee to be appointed shall consist of the members mentioned below :-

1. The Chairman of the Committee shall be the Chairman of the Urban Council and the Secretary shall be the Revenue Inspector of the Council ;
2. The Secretary and the Technical Officer of the Urban Council ;
3. The Executive Engineer of the Road Development Authority or a representative nominated by him ;
4. The Chairman of the Provincial Road Development Authority or a representative nominated by him ;
5. The Chairman of the Road Passenger Transport Authority, Kalutara or a representative nominated by him;
6. The Chairman of the Sri Lanka Transport Board or a representative nominated by him ;
7. The Officer in Charge of the Traffic in the Police Stations coming under the jurisdiction of the Council or a representative from each station nominated by them ;
8. A representative from each Three-wheeler Drivers' Union within the jurisdiction on the Council.

Second Schedule

BY-LAW No. 4

Receipt No.: 0000 No: 0000



LICENCE FOR THE THREE-WHEELER PARK

Name :

Identification No. :

Fee :

Park :

Period of validity :

Date :

Chairman
Urban Council Panadura

A circle with a diameter of 13cm. A sticker with yellow colour back ground consisting of Urban Council badge as depicted in the diagram.

THIRD SCHEDULE

BY-LAW No. 6.2

Application for a Licence for Three-wheeler Park

1. (i) Name of Applicant : _____.
- (ii) Permanent Address : _____.
- (iii) Assessment No. : _____.
- (iv) Local Authority relating to Permanent Address : _____.
- (v) National Identity Card No. : _____.
2. (i) Registration No. of the Three-wheeler : _____.

(ii) State Whether the driver is the owner or the hired driver : _____.

(1) If the driver is the owner, valid driving Licence No. : _____.

(2) If he is a hired driver : _____.

(a) Name of the Driver : _____.

(b) Permanent Address : _____.

(c) N.I.D. No. : _____.

(d) Valid Driving Licence No. : _____.

3. Three-wheeler park for which the licence is applied.

4. Duration of the licence applied for a month/three month/a year.

I, declare that the above particulars furnished me are correct and I am aware that my licence for three-wheeler park is liable to be cancelled without prior notice in case such particulars are found to be false and I agree to comply with the provisions stipulated in the By-laws relating to the parking of three-wheelers imposed by the Urban Council.

.....
Date

.....
Signature of Applicant.

I approve the grant of licence to Mr./Mrs.for parking the Three-wheeler
No.at Three-wheeler park for a period of

Date :

CHAIRMAN,
Urban Council,
Panadura.