

N.B.— Parts I:III and III of the *Gazette* No.1833 of 17.10.2013 were not published.

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The Gazette of the Democratic Socialist Republic of Sri Lanka

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PART IV (A) — PROVINCIAL COUNCILS

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

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Note.— (i) State Employees Development Foundation (Incorporation) Bill is published as a supplement to the Part II of the *Gazette of the Democratic Socialist Republic of Sri Lanka* of October 04, 2013.

(ii) Sri Lanka Sethsewa Foundation (Incorporation) Bill is published as a supplement to the Part II of the *Gazette of the Democratic Socialist Republic of Sri Lanka* of October 04, 2013.

(iii) Fisheries and Aquatic Resources (Amendment) Bill is published as a supplement to the Part II of the *Gazette of the Democratic Socialist Republic of Sri Lanka* of October 04, 2013.

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 *Gazettes* should reach Government Press two weeks before the date of publication *i.e.* notices for publication in the weekly *Gazette* of 15th November, 2013 should reach Government Press on or before 12.00 noon on 01st November, 2013.

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,
01st January, 2013.



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

By - Laws

THE STANDARD BY-LAWS OF SOLID WASTE MANAGEMENT

Proposed by Ministry of Local Government and Provincial Councils

SHAN Wijayalal De Silva, the Chief Minister and the Minister of Finance and Planning, Law and Order, Transport, Water Supply and Drainage, Electricity, Engineering Services, Health and Indigenous Medicine and Local Government of the Southern Province Provincial Council, do hereby rescind the Standard By-Laws made by me relevant to the Solid Waste Management within the Municipal Council area and published in *Gazette* No. 1766 dated 06.07.2012 and No. 1806 dated 12.04.2013 of the Democratic Socialist Republic of Sri Lanka.

Further, the draft By-laws set-out below, framed by me as the Provincial Minister in-Charge the subject of Local Government under Section (2) of the Local Authorities (Standard By-laws) Act, No. 6 of 1952, read with the Section (2) of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 are hereby published.

Municipal Councils are empowered by Paragraph (b) of Sub-Section (5) of Section 272 and Section 129 of the Municipal Councils Ordinance (Chapter 252) read with the Section 267 of the said Ordinance to make By-laws on Solid Waste Management and the Municipal Councils of Southern Province are empowered to adopt the by-laws in accordance with the provisions of Sub-section 3 of the Local Authority Standard By-laws Act, No. 6 of 1952.

SHAN WIJAYALAL DE SILVA,
Minister of Finance and Planning, Law and Order, Transport,
Water Supply and Drainage, Electricity, Engineering Services,
Health and Indigenous Medicine and
Local Government, Southern Province.

Ministry of Finance and Planning, Law and Order,
Transport, Water Supply and Drainage, Electricity,
Engineering Services, Health and Indigenous Medicine
and Local Government
Southern Province Provincial Council,

26th day of September, 2013.

GENERAL

1. These By-laws are cited as By-laws relating to solid waste management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transportation, operation and maintenance of transfer stations, processing, treatment and disposal of "solid waste" generated in public places, private premises, at streets, thoroughfares within Municipal Limits and all other incidental activities thereto.
3. Every owner or occupier of any premises situated within the Council area shall keep the premises free of waste and in a healthy and pleasant condition.
4. The owner or occupier of any premises situated within the area of the Council shall collect, segregate, store, transport and remove the solid waste generated within the premises or cause to do so accordance with the provisions of these By-laws.
5. (i) Every owner or occupier of a premises shall collect solid waste generated within his own premises daily or in lesser intervals if required, by sweeping or using any other method.
- (ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding Sub-section of this By-law in accordance with the provisions of By-laws No. 8 to 20.
- (iii) Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put out for collection under the provisions of By-laws 8 to 20 shall be maintained in good condition and not put-out for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely

to collapse or split when reasonably handled. Council may provide such receptacles if they so wish subsidizing the cost in part or in full according to a decision made by the Council.

- (iv) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time schedule, operated in a Council area, as determined and publicly notified from time to time by the Council.
- (v) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental injurious or to health of occupants, visitors or neighbours or to the sanitary conditions in that area.
- 6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue or any other public place or premises or a drain or a waterway, water reservoir or the sea.
- (ii) No person shall burn waste by damaging the environment in an open space within the Municipal area.
- (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-law No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
- (iv) Waste not processed, treated or disposed of under the provisions of By-law No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-law Nos. 8 to 20.
- 7. (i) The owner or occupier of any premises may dispose the waste within such premises except -
 - (a) in areas where disposal of such waste is prohibited by the Council, or
 - (b) certain types of waste specified by the Council.
- (ii) The owner or occupier of any premises may burn waste in an incinerator or burner in such premises constructed in accordance with a plan and standard approved by the Commissioner or treat, process or bury waste in the manner approved by the Commissioner.
- (iii) Where any owner or occupier makes a request to the Commissioner for “compost barrel” the Commissioner may supply such equipments subsidizing the cost in part or in full provided the owner or occupier has sufficient space in the premises to maintain the equipment.
- (iv) The owner or occupier of any premises shall process or treat the garden waste collected within that premises in a manner approved by the Commissioner as far as practicable. Such owner or occupier shall hand over to Municipal Waste Collector any residual garden waste on payment of a fee specified as determined by the Council from time to time taking into consideration the nature of the disposal waste, to the Commissioner.
- (v) Any person who cuts any part of a tree or plant by the road side of a street, thoroughfare shall remove them or cause them to be removed forthwith.
- (vi) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.
- (vii) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Municipal area.
- (viii) Any applicant for construction or renovation of a house or any other premises shall include in his application details of solid waste generated in his premises and the manner of storing, treating or processing of discharged material.

RESIDENTIAL PREMISES

- 8. (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by any other method as follows :
 - (a) food waste and other bio-degradable waste;
 - (b) reusable and recyclable waste;

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- (c) hazardous waste;
 - (d) animal carcasses, body parts or dung;
 - (e) dust and other dry waste collected after sweeping the premises.
- (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for this purpose until removal. Food waste and other bio-degradable waste shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Municipal Waste Collector without delay following the payment of a fee to the Commissioner as determined by the Council from time to time for the Municipal area taking into consideration the nature of the disposable waste.
- (iii) Every occupier may handover to an authorized collector, types of waste specified in item (a) and (b) of paragraph (i). If the occupier fails to do so, he shall together with the type of waste specified in item (c) hand over to a Municipal Waste Collector or deposit in bins constructed for each waste type by the Council, or in bins or other receptacles provided by the Council for such wastes.
9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows:
- (a) food waste and other bio-degradable waste;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste;
 - (d) animal carcasses, body parts or dung;
 - (e) dust and other dry waste collected after sweeping the premises.
- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Commissioner and shall maintain them in a clean and sanitary condition.
- (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii), the Commissioner has the power to require the owner or occupier of that building, to provide such bins or receptacles on or before a notified date by the Commissioner and it is the duty of the owner or occupier to act in accordance with the requirements of the Commissioner.
- (iv) Every owner or occupier of a floor or a storey shall put segregated waste into the appropriate bin or receptacle.
- (v) It shall be the duty of an authorized collector to remove types of waste specified in items (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste of type (e) shall be handed over to a Municipal Waste Collector.
10. (i) It is lawful for the Commissioner to provide waste bins or receptacles for the use of shanty dwellers, after obtaining prior approval of the Council.
- (ii) The owner or occupier of every shanty shall put all collected waste from his place of residence, segregated as follows, into the nearest approved bins or receptacles supplied to his place of residence -
- (a) food waste and other bio-degradable waste;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste;
 - (d) dust and other dry waste collected after sweeping the premises.
- (iii) The Commissioner has the power to permit a waste collector to remove types of waste specified in items (a) and (b) of Sub-section (ii) of this By-law. Any such waste not removed together with types of waste of type (c) and (d) shall be handed over to a Municipal Waste Collector.

SHOPS AND OFFICES

11. (i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :-
- (a) food waste and other bio-degradable waste;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste;
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.
- (iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a) and (b) of Sub-section (i) of this By-law to an authorized waste collector.
- (iv) The owner or occupier of a shopping or an office complex with several storey and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Commissioner for depositing or collecting segregated waste from such shop or office.
- (v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this By-law shall put segregated waste into separate bins or receptacles. Every owner or occupier has the right to hand over to an authorized waste collector, types of waste specified in items (a) and (b) in sub-section (i) of this By-law.
- (vi) Types of waste specified in item (i) and any types of waste specified in items (a) and (b) of Sub-section (i) of this By-law, that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may be to a Municipal waste collector, following the payment of a fee to the Commissioner by the owner or occupier as the case may be as determined by the Council from time to time.
- (vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbors or persons engaged in services in such shop or office.
- (viii) For the purpose of this By-law, unless the context otherwise requires-
- “Occupier” means the owner of a shop, or occupier or caretaker of a business or an office,
- “Office” has the same meaning given in the Shops and Office Employees Act, No. 19 of 1954 (Chapter 129),
- “Shop” means place where goods are kept for wholesale or retail and includes a place where food or beverages are kept for sale, and a place where a barber shop or beauty salon is operated.

HOTELS

12. (i) Any hotelier or any person authorized by him in writing shall segregate waste collected at the premises or cause it to be segregated as follows :-
- (a) food waste and other bio-degradable waste;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste;
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Every hotelier or any person authorized by him in writing shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.
- (iii) Every hotelier or any person authorized by him in writing shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.
- (iv) Types of waste specified in items (a) and (b) in sub-section (i) of this By-law may be handed over to authorized collector.

- (v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to a Municipal waste collector on payment of a fee by the owner or occupier to the Commissioner as determined by the Council from time to time taking into consideration the nature of the waste.
- (vi) For the purpose of this By-law, unless the context otherwise requires, “Hotel” means a place with a without sleeping facilities where food of beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guest house, lodging house, rest house, pilgrim’s rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

VEGETABLE AND FRUIT STORES

13. (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :-
 - (a) vegetable, fruit or any other waste not suitable for human consumption;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste;
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Types of waste specified in item (a) of sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals. Other waste shall be put into any suitable bin or other receptacle.
- (iii) Types of waste specified in items (a), (b) and (d) of sub-section (i) of this By-law, may be handed over to an authorized collector. Any waste not so handed over together with types of waste specified in item (c) and (d) of sub-section (i) of this By-law shall be handed over to Municipal waste collector, on payment of a fee to the Commissioner, as determined by the Council from time to time.
- (iv) For the purpose of this By-law, unless the context otherwise requires “Vegetable and fruit store” means a place where vegetable and fruit are stored and kept or exposed for sale.

MEAT, FISH, POULTRY AND EGG STALLS

14. (i) No person shall slaughter any animal or bird other than those permitted under the provisions of the Butchers Ordinance in terms of a license issued by the Commissioner for that purpose, at the place specified therein.
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the type of animals or birds that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other condition the Council may think fit.
- (iii) The Commissioner may charge a fee as determined by the Council from time to time for the issue of a license under sub-section (i) of this By-law payable at time of issue.
- (iv) The owner or person who carried out the business of a stall for the sale of meat, fish or egg shall segregate their waste as follows:-
 - (a) carcasses or parts of carcasses or eggs not suitable for human consumption;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste;
 - (d) dust and other dry waste collected after sweeping the premises.
- (v) Segregated waste shall be placed in a separate bin or other receptacle types of waste specified in item (a) of sub-section (iv) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (vi) Types of waste specified in items (a), (b) and (d) of sub-section (iv) of this By-law, may be handed over to an authorized collector. Any such waste not handed over, together with type of waste specified in item (c) of sub-section (iv) of this By-law, shall be handed over to a Municipal waste collector, following the payment of a fee as determined by the Council from time to time before the spread of foul odor.

- (vii) For the purpose of this By-law, unless the context otherwise requires “meat, fish or egg stall” means a place where such items are stored for purpose of sale or kept or exposed for sale.

PAVEMENT HAWKING

15. (i) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Commissioner. Any such waste shall not be put on the pavement or highway or in a public place.
- (ii) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrian.
- (iii) Every pavement hawker shall segregate waste generated by reason of his business as follows:-
(a) food waste and other bio-degradable waste.
(b) reusable and recyclable waste.
(c) hazardous waste.
- (iv) Segregated waste shall be put into a separate bin or other receptacle. Types of waste specified in item (a) of sub-section (iii) of this By-law that may be eaten by insects, rats or animals shall be placed inside a secured receptacle, which shall be kept closed except when required to place additional waste inside.
- (v) Every pavement hawker shall be handed over daily such types of waste as specified in items (a) and (b) of sub-section (iii) of this By-law to an authorized collector or together with such types of waste as specified in item (c) of sub-section (iii) of this By-law to a Municipal waste collector. Receptacles with waste shall not be kept, on a pavement or roadside or highway, when the business is not in operation.
- (vi) Every pavement hawker shall pay a fee as determined by the Council from time to time before waste bins or other receptacles are handed over to a Municipal waste collector.
- (vii) For the purpose of this By-law, unless the context otherwise requires, “Pavement hawker” means a person who sells goods or provides a service on the pavement or roadside.

FACTORIES

16. (i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows:-
(a) bio-degradable waste
(b) reusable and recyclable waste.
(c) hazardous waste
(d) dust and other dry waste collected after sweeping the premises.
- (ii) Types of waste specified in items (a) and (b) of sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Municipal waste collector, on a payment of a fee as determined by the Council from time to time, to the Commissioner.
- (iii) Hazardous waste shall be removed according to the conditions set out in the Environmental Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.
- (iv) For the purpose of this By-law, unless the context otherwise requires, “Factory” has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

EXCAVATION, CONSTRUCTION AND DEMOLITION

17. (i) Every person who excavates any street road or any public place or constructs or demolishes, any structure shall store such waste so generated within the premises or in a place approved by the Commissioner until removal of such waste from such premises in an appropriate manner.
- (ii) The waste referred to in sub-section (i) of this By-law shall be handed over to a Municipal waste collector on a payment of a fee to the Commissioner as determined by the Council from time to time.

(iii) In this By-law, unless the context otherwise requires -

“For the purpose of this By-law, every person engaged in an act of excavation, construction or demolition” includes any person engaged for such service by an employer,

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

18. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, water, telephone facilities or any other public amenities shall obtain prior approval from the Commissioner.
- (ii) The Commissioner shall take into consideration the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job, and the cost of removal of such waste, if the applicant neglects to do so prior to giving approval under Sub-section (i) the applicant shall be required to pay a amount equivalent to the estimated cost as a deposit before approval is granted.
- (iii) Where a person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Commissioner and the resulting expenditure incurred may be set off from the moneys deposited under Sub-section (ii).

HOSPITALS

19. (i) The owner of a hospital shall segregate or cause to be segregated waste generated within the premises as follows :-
- food waste and other bio-degradable waste
 - reusable and recyclable waste.
 - hazardous waste, excluding type of waste item (d) in this sub-section
 - hazardous healthcare waste
 - dust and other dry waste collected after sweeping the premises.
- (ii) Types of waste specified in items (a) and (b) under sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste specified in items (c) and (d) of sub-section (i) shall be deposited in a bins or any other receptacles specially made for that purpose, and kept in a place set apart for that purpose, and shall be removed in accordance with the conditions set out in the Environment Protection License issued to that hospital under the National Environment Act, No. 47 of 1980.
- (iii) Types of waste specified in items (a) and (b) and (e) of sub-section (i) shall be handed over to an authorized collector or to the Municipal waste collector, following the payment of a fee as determined by the Council from time to time.
- (iv) In this by-law, unless the context otherwise requires -
- “Hospital” means any premises (howsoever described) used or intended to be used for the reception, nursing and treatment of persons or animals suffering from any illness or infirmity and includes a nursing home, clinic, medical centre, medical laboratory, maternity home and veterinary hospital.
- “Hazardous healthcare waste” means clinical waste, body parts, placentas, infectious and highly infectious waste and sharps.

OTHER PREMISES

20. (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :-
- food waste and other bio-degradable waste.
 - reusable and recyclable waste.
 - hazardous waste.
 - dust and other dry waste collected after sweeping the premises.

- (ii) Any organizer of any activity specified in Sub-section (i) shall inform the Council in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a fee as determined by the Council from time to time.
- (iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.
- (iv) Types of waste specified in items (a), (b) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to a Municipal waste collector, along with the type of waste specified in item (c) of Sub-section (i), on payment of a fee as determined by the Council from time to time.

STREETS AND PUBLIC PLACES

21. (i) The Commissioner in consultation with the Mayor and subject to the approval of the Council shall take steps to plan, supervise, control and administer the following.
- (a) to maintain in a clean and sanitary condition, the streets, public places thoroughfares, public drains, watercourses and public markets situated within the Municipal area;
 - (b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places;
 - (c) to provide mobile waste bins for use in a public places, at festivals, special events or any other event as determined by the Council where the Council decides to do so, or following a request from the organizers of such festival on special events;
 - (d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents;
 - (e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.
- (ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Council specifically for litter.

DUTIES OF THE MUNICIPAL COUNCIL

22. (i) The Commissioner in consultation with the Mayor and subject to the approval of the Council shall plan, supervise, control and administer following :
- (a) to encourage people to reduce, reuse and recycle waste;
 - (b) to conduct awareness programs or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste;
 - (c) to assist individuals and micro-enterprises engaged in reuse and recycling activities;
 - (d) to offer incentives to those involved in the reduction, reuse and recycle activities;
 - (e) to regulate different types of waste discharge system;
 - (f) to prepare a waste collection Schedule, setting out collection days, times, methods and fees as determined by the Council for different types of waste in different areas of the Municipality. This Schedule shall be publicly notified by the Council. It may include conditions for collection on public holidays;
 - (g) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to Schedule;
 - (h) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors;
 - (i) to handover to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places, and waste collected from public bins and waste collected by Council laborers, except for hazardous waste or other types of waste specified by the Commissioner;

- (j) to take appropriate measures to deal with segregated waste collected by Municipal waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste of these types in a manner, approved by the Commissioner;
- (k) to dispose of all hazardous waste in a manner approved by the Commissioner, in consultation with the Central Environmental Authority;
- (l) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or environmental protection license to burn waste or to maintain a sanitary landfill;
- (m) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste;
- (n) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Council for the construction or renovation of a house or other premises;
- (o) to prepare an internal Waste Management Plan for all council premises;
- (p) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually on a less frequent basis by the Council, according to the period it covers;
- (q) to investigate any complaint received by the Mayor and the Commissioner regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

PERMITS

23. (i) The Council may issue a permit to any person who re-uses or recycles waste material or manufactures compost, bio-gas or any other product where any person -
 - (a) carries out any business within the Municipal area or in any other local authority area, in terms of the By-laws as approved by the Council;
 - (b) possesses an Environmental Protection License, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980;
 - (c) Storage place for collected waste constructed in accordance with the standards approved by the Council;
 - (d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Council and without causing nuisance to people;
 - (e) agrees to handover to residual or reject waste or any other waste created as by-products during processing or treatment, to the Council as approved by the Council on payment of a fee the Commissioner for collection of such waste as determined by the Council from time to time, where the business is carried out within the Municipal Council Limits.
- (ii) Where the Council refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons for such refusal or rejection within thirty days of receipt of the application for the permit.
- (iii) The Commissioner shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and any other appropriate conditions.

- (iv) The Commissioner shall revoke the permit issued under this By-law in the event of non-compliance of the provisions of subsection (i) of this By-law.
- (v) No person shall collect or receive waste when a permit is revoked under the provision of sub-section (iv) In such event the Commissioner shall give sufficient publicity thorough media in order to bring awareness to the people of the revocation of such permit.

WASTE DISPOSAL AREAS

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

OTHER

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

INTERPRETATION

- 29. For the purpose of these By-laws, unless context otherwise requires -

“Authorized Collector” means a person who obtains a permit from the Commissioner to collect or receive waste under the provision of these by-laws.

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

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

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

“Collection” means the receipt of waste by an authorized collector or Municipal waste collector for transportation for refusing, recycling, processing, treatment or disposal facilities,

“Commissioner” means in relation to any Municipality, means the Municipal Commissioner of the Municipal Council constituted under the Municipal Council Ordinance (Chapter 252) for that Municipality and includes any Deputy or Assistant Municipal Commissioner of such Council and any person appointed to act as such Municipal Commissioner or such Deputy or Assistant Municipal Commissioner or any officer of such Council empowered by or under this Ordinance, to exercise, perform or discharge any of the powers, duties or functions of the Commissioner to the extent to which such officer is so empowered,

- “Compost” means the final product of the bio degradation of waste by micro organism and it is a humus that could be functioned as soil conditioner.
- “Council” meansMunicipal Council,
- “Council Area” or “Municipal area” means the area declared under the authority of the Municipal Council Ordinance (Chapter 252),
- “Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Municipal waste collectors,
- “Disposal” means the placement of all waste that is neither re-used, recycled, processes or treated, on or in land where it is intended to stay permanently,
- “Fee” means some fee determined by the Council from time to time,
- “Food Waste” means all meat, fish, eggs, vegetables, fruits and other edible materials that cannot be used for consumption,
- “Garden Waste” means parts removed from trees or plants in a home garden or stones, soil etc removed from a home garden,
- “Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature,
- “Municipal waste collector” means an employee engaged by the Council for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered into a contract with the Council to perform such duties.
- “Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person,
- “Public Place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public,
- “Recyclable waste” means by waste that can be used to produce new goods by changing that from in the process so that they are no longer recognizable as waste,
- “Reusable Waste” means waste that can be utilized after washing, disinfection or cleaning by other means,
- “Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in Sri Lanka to minimize the associated social, health and environmental impacts,
- “Segregation” means separating waste into different types according to the categories used in these By-laws.
- “Solid waste” means substances which have no consumer value to person who abandoned them and includes rubbish, garbage, litter, street sweepings, drain cleanings, dust, soil, mud and ash,
- “Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.
- “Transfer station” means any placed specified by the Council for this purpose where waste is transferred from smaller to larger vehicles for the purposes of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility
- “Transport” means transporting waste from the collection point to processing, treatment, or disposal facilities using sum form of human or animal or mechanically powered vehicle,
- “Treat” means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment.

**BY LAWS RELATING TO ERADICATION OF MOSQUITOES AND DISEASE INFLECTING INSECTS WITHIN
THE MUNICIPAL COUNCIL AREA**

SHAN Wijayalal De Silva, the Chief Minister and the Minister of Finance and Planning, Law and Order, Transport, Water Supply and Drainage, Electricity, Engineering Services, Health and Indigenous Medicine and Local Government of the Southern Province Provincial Council, do hereby rescind the By-Laws made by me relevant to the Eradication of Mosquitoes and disease inflicting insects within the Municipal Council area and published in *Gazette* No. 1766 dated 06.07.2012 and No. 1806 dated 12.04.2013 of the Democratic Socialist Republic of Sri Lanka.

Further, the draft By-laws set-out below, framed by me as the Provincial Minister in-charge the subject to Local Government under Section (2) of the Local Authorities (Standard By-laws) Act, No. 6 of 1952, read with the Section (2) of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 are hereby published.

Municipal Councils are empowered by Paragraph (h) of Sub-Section (5) of Section 272 of the Municipal Councils Ordinance (Chapter 252) read with the Section 267 of the said Ordinance to make By-laws of Eradication of Mosquitoes and Disease Inflicting Insects and the Municipal Councils of Southern Province are empowered to adopt the by-laws in accordance with the provisions of Sub-section 3 of the Local Authority Standard By-laws Act, No. 6 of 1952.

SHAN WIJAYALAL DE SILVA,
Minister of Finance and Planning, Law and Order, Transport,
Water Supply and Drainage, Electricity, Engineering Services,
Health and Indigenous Medicine and
Local Government, Southern Province.

Ministry of Finance and Planning, Law and Order,
Transport, Water Supply and Drainage, Electricity,
Engineering Services, Health and Indigenous Medicine
and Local Government,
Southern Province Provincial Council,
Galle

26th day of September, 2013.

By-Laws

1. These By-laws may be cited as the By-laws for the improvement of the environmental conditions within the area of Authority of Municipal Council by the prevention of mosquito breeding and disease inflicting insect breeding and for the prevention of epidemics within such area of authority.
2. No person shall do any act or cause any act to be done within the area of authority of any Municipal Council which may cause the breeding of or facilitating the breeding of mosquitoes or any other disease inflicting insects.
3. It shall be the duty of every owner or occupier of any premises whether resident or non resident, within the area of authority of a Municipal Council to cause—
 - (a) open tins, bottles, boxes, plastic cans, tyres, coconut shells, split coconuts, and any other article or receptacle or vessel found within such premises to be removed or destroyed;
 - (b) gutters, down pipes and drains within such premises to be cleared of any obstructions so as to ensure smooth flow of water;
 - (c) all water closets, tanks and other receptacles for water to be maintained in good repair, closed and covered so as to make it mosquito-proof and insect proof and thereby prevent the breeding of mosquitoes and disease inflicting insects;
 - (d) any well found in such premises to be maintain and kept in good repair thereby prevent the breeding of mosquitoes and disease inflicting insects;
 - (e) any artificial pond or pool found in such premises to be emptied and cleaned at least once in every week;
 - (f) measures shall be taken to prevent water getting collected in the drains found in such premises by allowing free flow of water and with regular maintenance;

- (g) shrubs, undergrowth and all other types of vegetation other than those grown for the purpose of food or for ornamental purposes and found within a range of five loss meters from any building within such premises which is used as a dwelling place, to be removed in entirety;
 - (h) all quarries, abandoned gem pits, clay pits or any other pits with in such premises and used for any other purpose, to be maintained in a manner so as to prevent water getting collected in them;
 - (i) the removal and destruction of land grown ornamental plants and aquatic plant commonly known as ‘Diya parandel’, “Penda pasi”, Tel pasi or any other plants or aquatic plants found within such premises which may facilitate the breeding of mosquitoes and disease inflicting insects and prevention of the floating of such plants along any water course, by the erection of suitable barriers;
 - (j) any latrine, ditch, sewage, cess-pit or sealed pits found in such premises and its surroundings to be maintained and kept in good repair so as to make it mosquito proof and prevent the breeding of mosquitoes;
 - (k) take necessary measures to prevent water getting collected in the monuments built in cemeteries or in any other place within such area.
4. The Mayor of the Municipal Council or any officer authorized in writing by him may, at any time of the day between 6 a.m. to 6 p.m. enter any premises within the area of authority of the Municipal Council and inspect such premises to ensure the following :
 - (i) whether such premises is a breeding place for mosquitoes;
 - (ii) Whether the occupier of such premises has complied with the provisions of the by-laws;
 - (iii) where measures have to be taken to prevent the breeding of and destroy the mosquitoes, what such measures are; and
 - (iv) whether the spraying of insecticides in the premises was a success.
 5. (i) The Mayor or any officer authorized in writing for the purpose by him may, after inspecting the premises, if necessary, require the owner or occupier of such premises by written notice, to adopt measures necessary to destroy the mosquitoes and eradicate the conditions favourable for the breeding of mosquitoes.
 - (ii) The owner or occupier of a premises to whom a written notice was given under paragraph (i) shall, comply with such notice within the period specified in such notice.
 6. (i) No person who is the owner or occupier of any premises shall without the written approval of the Mayor, construct any well, bank, pond, water receptacle, ornamental showers, or any other structure where water can get collected or stored.;
 - (ii) Where any construction is done contrary to the provisions of paragraph (i) of this by law, the Mayor shall, by a written notice served on the owner or occupier of such premises, require him to fill up such well, tank, pond, water receptacle, ornamental shower of structure with specified material or destroy otherwise or alter same in the manner specified in such notice within the period specified in such notice.
 7. (i) Any notice under By law 5 or 6 may be either duly served by delivering it personally to the owner or occupier of the premises or by affixing such notice in a conspicuous place in such premises.
 - (ii) Where, more than two co-owners are in joint possession of any premises and if notice specified in By law 5 or By law 6 in duly served on one of them, all the co-owners are jointly and severally liable for failing to comply with the requirements of such notice or for non-performance of the requirement of such notice.
 - (iii) Where the owner or occupier of any premises on whom a written notice has been served under by law 5 or by law 6, fails to comply with the requirements of such written notice, the Mayor or any officer authorized for the purpose by him in writing may, enter such premises at any reasonable time of the day between 6 a.m. to 6 p. m. with any assistants or servants and carry out or cause to be carried out the work or measures specified in such notice.
 - (iv) Where any work or measures specified in a written notice served on any owner or occupier of any premises under By law 5 or By law 6 has been carried out by the Mayor or any officer authorized by him in writing, the expenses incurred in carrying out such work shall be payable to the Municipal Council by such owner or occupier of such premises. The owner or occupier of the premises shall, within fourteen days from the date of a request under the hand of the Mayor for the payment of such expenses, to the Municipal Council and if he fails to make such payment as requested the provisions of the Part XV of the Municipal Councils Ordinance shall be applicable.

8. Any person who contravenes of any provision of these By-laws shall be guilty of an offence as per the Municipal Councils Ordinance.
9. Unless the context otherwise requires, in these By-laws —

“authorized officer” shall mean any officer in a Municipal Council authorized in writing by the Mayor of such Municipal Council;

“Mayor” shall mean the Mayor of the Municipal Council;

“disease inflicting insects” shall mean Mosquitoes and other insects which carries diseases.

“Occupier” shall mean a person in occupation of any premises or having the charge, management or control thereof, whether on his own account or as an agent of any other;

“owner” shall mean any owner or lessee of a premises or any person who has any right to the rent or produce of the premises;

“premises” shall mean, any land, house, building, or any construction, or any well, being used or abandoned or any abandoned ship, container or vehicle and also includes any pond, tank or any bank or any lake, water course, drain or river.

10-767/2

THE STANDARD BY-LAWS OF SOLID WASTE MANAGEMENT

Proposed by Ministry of Local Government and Provincial Councils

SHAN Wijayalal De Silva, the Chief Minister and the Minister of Finance and Planning, Law and Order, Transport, Water Supply and Drainage, Electricity, Engineering Services, Health and Indigenous Medicine and Local Government of the Southern Province Provincial Council, do hereby rescind the standard By-Laws made by me relevant to the Solid Waste management within the Urban Council area and published in *Gazette* No. 1766 dated 06.07.2012 and No. 1806 dated 12.04.2013 of the Democratic Socialist Republic of Sri Lanka.

Further, the draft By-laws set-out below, framed by me as the Provincial Minister in-charge the subject of Local Government under Section (2) of the Local Authorities (Standard By-laws) Act, No. 6 of 1952, read with the Section (2) of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 are hereby published.

Urban Councils are empowered by Paragraph (b) and (c) of Sub-Section (9) of Section 157 and Section 118 of the Urban Councils Ordinance (Chapter 255) read with the Section 153 of the said Ordinance to make By-laws on Solid Waste Management and the Urban Councils of Southern Province are empowered to adopt by-laws in accordance with the provisions of Sub-section 3 of the Local Authorities Standard By-laws Act, No. 6 of 1952.

SHAN WIJAYALAL DE SILVA,
Minister of Finance and Planning, Law and Order, Transport,
Water Supply and Drainage, Electricity, Engineering Services,
Health and Indigenous Medicine and
Local Government, Southern Province.

Ministry of Finance and Planning, Law and Order,
Transport, Water Supply and Drainage, Electricity,
Engineering Services, Health and Indigenous Medicine
and Local Government
Southern Province Provincial Council,
Galle.

26th day of September, 2013.

GENERAL

1. These By-laws are cited as By-laws relating to solid waste management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transportation, operation and maintenance of transfer stations, processing, treatment and disposal of “solid waste” generated in public places, private premises, at streets, thoroughfares within Urban Council Limits and all other incidental activities thereto.
3. Every owner or occupier of any premises situated within the Council area shall keep the premises free of waste and in a healthy and pleasant condition.
4. The owner or occupier of any premises situated within the area of the Council shall collect, segregate, store, transport and remove the solid waste generated within the premises or cause to do so accordance with the provisions of these By-laws.
5. (i) Every owner or occupier of a premises shall collect solid waste generated within his own premises daily or in lesser intervals if required, by sweeping or using any other method.
- (ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding Sub-section of this By-law in accordance with the provisions of By-laws No. 8 to 20.
- (iii) Any bag, sack, bin or other receptacle used by the owner or occupier for the storage or discharge of waste put out for collection under the provisions of By-laws 8 to 20 shall be maintained in good condition and not put out for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely to collapse or split when reasonably handled. Council may provide such receptacles if they so wish subsidizing the cost in part or in full according to a decision made by the Council.
- (iv) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time schedule, operated in a Council area, as determined and publicly notified from time to time by the Council.
- (v) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental injurious or to health of occupants, visitors or neighbours or to the sanitary conditions in that area.
6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue or any other public place or premises or a drain or a waterway, water reservoir or the sea.
- (ii) No person shall burn waste by damaging the environment in an open space within the Urban Council area.
- (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-law No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
- (iv) Waste not processed, treated or disposed of under the provisions of By-law No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-law Nos. 8 to 20.
7. (i) The owner or occupier of any premises may dispose the waste within such premises except -
 - (a) in areas where disposal of such waste is prohibited by the Council, or
 - (b) certain types of waste specified by the Council.
- (ii) The owner or occupier of any premises may burn waste in an incinerator or burner in such premises constructed in accordance with a plan and standard approved by the Secretary, or treat, process or bury waste in the manner approved by the Secretary.
- (iii) Where any owner or occupier makes a request to the Secretary for “compost barrel” the Secretary may supply such equipments subsidizing the cost in part or in full provided the owner or occupier has sufficient space in the premises to maintain the equipment.

- (iv) The owner or occupier of any premises shall process or treat the garden waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Urban Council waste collector any residual garden waste on payment of a fee specified as determined by the Council from time to time taking into consideration the nature of the disposal waste, to the Secretary.
- (v) Any person who cuts any part of a tree or plant by the road side of a street, thoroughfare shall remove them or cause them to be removed forthwith.
- (vi) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.
- (vii) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Urban Council area.
- (viii) Any applicant for construction or renovation of a house or any other premises shall include in his application details of solid waste generated in his premises and the manner of storing, treating or processing of discharged material.

RESIDENTIAL PREMISES

- 8. (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by any other method as follows-
 - (a) food waste and other bio-degradable waste,
 - (b) reusable and recyclable waste,
 - (c) hazardous waste,
 - (d) animal carcasses, body parts or dung,
 - (e) dust and other dry waste collected after sweeping the premises.
 - (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for this purpose until removal. Food waste and other bio-degradable waste shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a waste collector without delay following the payment of a fee to the Secretary as determined by the Council from time to time Urban Council area taking into consideration the nature of the disposable waste.
 - (iii) Every occupier may handover to an authorized collector, types of waste specified in item (a) and (b) of paragraph (i). If the occupier fails to do so, he shall together with the type of waste specified in item (c) hand over to an Urban waste collector or deposit in bins constructed for each waste type by the Council, or in bins or other receptacles provided by the Council for such wastes.
- 9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows:
 - (a) food waste and other bio-degradable waste,
 - (b) reusable and recyclable waste,
 - (c) hazardous waste,
 - (d) animal carcasses, body parts or dung,
 - (e) dust and other dry waste collected after sweeping the premises.
 - (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standards and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
 - (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii), the Secretary has the power to require the owner or occupier of that building, to provide such bins or receptacles on or before a notified date by the Secretary and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.
 - (iv) Every owner or occupier of a floor or a storey shall put segregated waste in to the appropriate bin or receptacle.
 - (v) It shall be the duty of an authorized collector to remove types of waste specified in items (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste of type (e) shall be handed over to a Urban Council waste collector.

10. (i) It is lawful for the Secretary to provide waste bins or receptacles for the use of shanty dwellers, after obtaining prior approval of the Council.
- (ii) The owner or occupier of every shanty shall put all collected waste from his place of residence, segregated as follows, into the nearest approved bins or receptacles supplied to his place of residence -
- (a) food waste and other bio-degradable waste,
 - (b) reusable and recyclable waste,
 - (c) hazardous waste,
 - (d) dust and other dry waste collected after sweeping the premises.
- (iii) The Secretary has the power to permit a waste collector to remove types of waste specified in items (a) and (b) of Sub-section (ii) of this By-law. Any such waste not removed, together with types of waste of type (c) and (d) shall be handed over to a Urban Council waste collector.

SHOPS AND OFFICES

11. (i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows —
- (a) food waste and other bio-degradable waste,
 - (b) reusable and recyclable waste,
 - (c) hazardous waste,
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.
- (iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a) and (b) of Sub-section (i) of this By-law to an authorized waste collector.
- (iv) The owner or occupier of a shopping or an office complex with several storey and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shop or office.
- (v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this by-law shall put segregated waste into separate bins or receptacles. Every owner or occupier has the right to hand over to an authorized waste collector, types of waste specified in items (a) and (b) in sub-section (i) of this By-law.
- (vi) Types of waste specified in item (i) and any types of waste specified in items (a) and (b) of Sub-section (i) of this By-law, that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may to a Urban Council waste collector, following the payment of a fee to the Secretary by the owner or occupier as the case may be as determined by the Council from time to time.
- (vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbors or persons engaged in services in such shop or office.
- (viii) For the purpose of this By-law, unless the context otherwise requires-

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

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

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

HOTELS

12. (i) Any hotelier or any person authorized by him in writing shall segregate waste collected at the premises or cause it to be segregated as follows :-
- (a) food waste and other bio-degradable waste,
 - (b) reusable and recyclable waste,
 - (c) hazardous waste,
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Every hotelier or any person authorized by him in writing shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.
- (iii) Every hotelier or any person authorized by him in writing shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.
- (iv) Types of waste specified in items (a) and (b) in sub-section (i) of this By-law may be handed over to authorized collector.
- (v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in item (i) shall be handed over to an Urban Council waste collector on payment of a fee by the owner or occupier to the Secretary as determined by the Council from time to time taking into consideration the nature of the waste.
- (vi) For the purpose of this By-law, unless the context otherwise requires, “Hotel” means a place with a without sleeping facilities where food of beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim’s rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

VEGETABLE AND FRUIT STORES

13. (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :-
- (a) vegetable, fruit or any other waste not suitable for human consumption,
 - (b) reusable and recyclable waste,
 - (c) hazardous waste,
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Types of waste specified in item (a) of sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals. Other waste shall be put into any suitable bin or other receptacle.
- (iii) Types of waste specified in items (a), (b) and (d) of sub-section (i) of this By-law, may be handed over to an authorized collector. Any waste not so handed over together with types of waste specified in item (c) and (d) of sub-section (i) of this By-law shall be handed over to Urban Council waste collector, on payment of a fee to the Secretary, as determined by the Council from time to time.
- (iv) For the purpose of this By-law, unless the context otherwise requires “Vegetable and fruit store” means a place where vegetable and fruit are stored and kept or exposed for sale.

MEAT, FISH, POULTRY AND EGG STALLS

14. (i) No person shall slaughter any animal or bird other than those permitted under the provisions of the Butchers Ordinance in terms of a license issued by the Secretary for that purpose, at the place specified therein.
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the type of animals or birds that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other condition the Council may think fit.

- (iii) The Secretary may charge a fee as determined by the Council from time to time for the issue of a license under sub-section (i) of this by-law payable at time of issue.
- (iv) The owner or person who carried out the business of a stall for the sale of meat, fish or egg shall segregate their waste as follows:-
 - (a) carcasses or parts of carcasses or egg not suitable for human consumption,
 - (b) reusable and recyclable waste,
 - (c) hazardous waste,
 - (d) dust and other dry waste collected after sweeping the premises.
- (v) Segregated waste shall be placed in a separate bin or other receptacle types of waste specified in item (a) of sub-section (iv) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (vi) Types of waste specified in items (a), (b) and (d) of sub-section (iv) of this By-law, may be handed over to an authorized collector. Any such waste not handed over, together with type of waste specified in item (c) of sub-section (iv) of this By-law, shall be handed over to a Urban Council waste collector, following the payment of a fee as determined by the Council from time to time before the spread of foul odor.
- (vii) For the purpose of this By-law, unless the context otherwise requires “meat, fish or egg stall” means a place where such items are stored for purpose of sale or kept or exposed for sale.

Pavement Hawking

- 15. (i) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. Any such waste shall not be put on the pavement or highway or in a public place.
- (ii) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrian.
- (iii) Every pavement hawker shall segregate waste generated by reason of his business as follows:-
 - (a) food waste and other bio-degradable waste,
 - (b) reusable and recyclable waste,
 - (c) hazardous waste.
- (iv) Segregated waste shall be put into a separate bin or other receptacle. Types of waste specified in item (a) of sub-section (iii) of this By-law that may be eaten by insects, rats or animals shall be placed inside a secured receptacle, which shall be kept closed except when required to place additional waste inside.
- (v) Every pavement hawker shall be handed over daily such types of waste as specified in items (a) and (b) of sub-section (iii) of this by-law to an authorized collector or together with such types of waste as specified in item (c) of sub-section (iii) of this By-law to a Urban Council waste collector. Receptacles with waste shall not be kept, on a pavement or roadside or highway, when the business is not in operation.
- (vi) Every pavement hawker shall pay a fee as determined by the Council from time to time before waste bins or other receptacles are handed over to an Urban Council waste collector.
- (vii) For the purpose of this By-law, unless the context otherwise requires, “Pavement hawker” means a person who sells goods or provides a service on the pavement or roadside.

Factories

16. (i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows:-
- (a) bio-degradable waste
 - (b) reusable and recyclable waste.
 - (c) hazardous waste
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Types of waste specified in items (a) and (b) of sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to an Urban Council waste collector, on a payment of a fee as determined by the Council from time to time, to the Secretary.
- (iii) Hazardous waste shall be removed according to the conditions set out in the Environmental Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.
- (iv) For the purpose of this By-law, unless the context otherwise requires, “Factory” has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

EXCAVATION, CONSTRUCTION AND DEMOLITION

17. (i) Every person who excavates any street road or any public place or constructs or demolishes, any structure shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.
- (ii) The waste referred to in sub-section (i) of this By-law shall be handed over to a Urban Council waste collector on a payment of a fee to the Secretary as determined by the Council from time to time.
- (iii) In this By-law, unless the context otherwise requires -
- “For the purpose of this By-law, every person engaged in an act of excavation, construction or demolition” includes any person engaged for such service by an employer,
- “Waste” includes earth, mud, dust, waste generated in construction from the use of building materials and waste generated during demolition of any construction.
18. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, water, telephone facilities or any other public amenities shall obtain prior approval from the Secretary.
- (ii) The Secretary shall take into consideration the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job, and the cost of removal of such waste, if the applicant neglects to do so prior to giving approval under sub-section (i) the applicant shall be required to pay a amount equivalent to the estimated cost as a deposit before approval is granted.
- (iii) Where a person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Secretary and the resulting expenditure incurred may be set off from the money deposited under sub-section (ii).

HOSPITALS

19. (i) The owner of a hospital shall segregate or cause to be segregated waste generated within the premises as follows :-
- (a) food waste and other bio-degradable waste
 - (b) reusable and recyclable waste,
 - (c) hazardous waste, excluding type of waste item (d) in this sub-section,
 - (d) hazardous healthcare waste,
 - (e) dust and other dry waste collected after sweeping the premises.

- (ii) Types of waste specified in items (a) and (b) under sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste specified in items (c) and (d) of sub-section (i) shall be deposited in a bins or any other receptacles specially made for that purpose, and kept in a place set apart for that purpose, and shall be removed in accordance with the conditions set out in the Environment Protection License issued to that hospital under the National Environment Act, No. 47 of 1980.
- (iii) Types of waste specified in items (a) and (b) and (e) of sub-section (i) shall be handed over to an authorized collector or to the Municipal waste collector, following the payment of a fee as determined by the Council from time to time.
- (iv) In this by-law, unless the context otherwise requires -

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

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

OTHER PREMISES

- 20. (i) Any person who carries out a business not specified in by-laws nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :-
 - (a) food waste and other bio-degradable waste,
 - (b) reusable and recyclable waste,
 - (c) hazardous waste,
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Any organizer of any activity specified in sub-section (i) shall inform the Council in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a fee as determined by the Council from time to time.
- (iii) Segregated waste shall be packed in separate receptacles and stored in a suitable place until removal.
- (iv) Types of waste specified in items (a), (b) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to an Urban Council waste collector, along with the type of waste specified in item (c) of sub-section (i), on payment of a fee as determined by the Council from time to time.

STREETS AND PUBLIC PLACES

- 21. (i) The Secretary in consultation with the Chairman and subject to the approval of the Council shall take steps to plan, supervise, control and administer the following:
 - (a) to maintain in a clean and sanitary condition, the streets, public places thoroughfares, public drains, watercourses and public markets situated within the Urban Council area,
 - (b) to provide, fix and properly maintain a sufficient number of waste bins or both sides of the streets or roads and in all public places,
 - (c) to provide mobile waste bins for use in a public places, at festivals, special events or any other event as determined by the Council where the Council decides to do so, or following a request from the organizers of such festival on special events,
 - (d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents,
 - (e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.
- (ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Council specifically for litter.

DUTIES OF THE URBAN COUNCIL

22. (i) The Secretary in consultation with the Chairman and subject to the approval of the Council shall plan, supervise, control and administer following :
- (a) to encourage people to reduce, reuse and recycle waste,
 - (b) to conduct awareness programs or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,
 - (c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,
 - (d) to offer incentives to those involved in the reduction, reuse and recycle activities,
 - (e) to regulate different types of waste discharge system,
 - (f) to prepare a waste collection Schedule, setting out collection days, times, methods and fees as determined by the Council for different types of waste in different areas of the Urban Council. This Schedule shall be publicly notified by the Council. It may include conditions for collection on public holidays,
 - (g) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to Schedule,
 - (h) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors,
 - (i) to handover to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places, and waste collected from public bins and waste collected by Council laborers, except for hazardous waste or other types of waste specified by the Secretary.
 - (j) to take appropriate measures to deal with segregated waste collected by Municipal Council waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste or these types in a manner, approved by the Secretary,
 - (k) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,
 - (l) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or environmental protection license to burn waste or to maintain a sanitary landfill,
 - (m) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,
 - (n) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble at the initial stage and on the completion of the specified works where an application is submitted to the Council for the construction or renovation of a house or other premises.
 - (o) to prepare an internal Waste Management Plan for all council premises.
 - (p) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually on a less frequent basis by the Council, according to the period it covers,
 - (q) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

PERMITS

23. (i) The Council may issue a permit to any person who re-uses or recycles waste material or manufactures compost, bio-gas or any other product where any person -

- (a) carries out any business within the Urban Council area or in any other Local Authority Area, in terms of the By-laws as approved by the Council,
 - (b) possesses an Environmental Protection License, issued in accordance with the provisions of the National Environment Act, No. 47 of 1980,
 - (c) Storage place for collected waste constructed in accordance with the standards approved by the Council,
 - (d) provides vehicles for transportation of collected waste in a sanitary manner as approved by the Council and without causing nuisance to people.
 - (e) agrees to handover to residual or reject waste or any other waste created as by-products during processing or treatment, to the Council as approved by the Council on payment of a fee the Secretary for collection of such waste as determined by the Council from time to time, where the business is carried out within the Urban Council limits.
- (ii) Where the Council refuses or rejects to issue a permit, the applicant shall be informed in writing of the reasons for such refusal or rejection within thirty days of receipt of the application for the permit.
 - (iii) The Secretary shall indicate in the permit, the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such waste and any other appropriate conditions.
 - (iv) The Secretary shall revoke the permit issued under this By-law in the event of non-compliance of the provisions of subsection (i) of this By-law.
 - (v) No person shall collect or receive waste when a permit is revoked under the provision of sub-section (iv) In such event the Secretary shall give sufficient publicity thorough media in order to bring awareness to the people of the revocation of such permit.

WASTE DISPOSAL AREAS

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

OTHER

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

INTERPRETATION

29. For the purpose of these By-laws, unless context otherwise requires -

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

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

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

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

“Collection” means the receipt of waste by an authorized collector or Urban Council waste collector for transportation for refusing, recycling, processing, treatment or disposal facilities;

“Secretary” means in relation to any Urban Council, means the Secretary of the Urban Council constituted under the Urban Councils Ordinance (Chapter 255) for that Urban Council any person appointed to act as such Secretary or any officer of such Council empowered by or under this Ordinance, to exercise, perform or discharge any of the powers, duties or functions of the Secretary to the extent to which such officer is so empowered;

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

“Council” meansUrban Council;

“Council Area” or “Urban Council area” means the area declared under the authority of the Urban Councils Ordinance (Chapter 255);

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

“Disposal” means the placement of all waste that is neither re-used, recycled, processed or treated, on or in land where it is intended to stay permanently;

“Fee” means some fee determined by the Council from time to time;

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

“Garden Waste” means parts removed from trees or plants in a home garden or stones soil etc removed from a home garden;

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

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

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

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

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

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

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

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

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

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

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

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

“Urban Council waste collector” means an employee engaged by the Council for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered into a contract with the Council to perform such duties.

10-767/3

BY-LAWS RELATING TO ERADICATION OF MOSQUITOES AND DISEASE INFLECTING INSECTS WITHIN THE URBAN COUNCIL AREA

SHAN Wijayalal De Silva, the Chief Minister and the Minister of Finance and Planning, Law and Order, Transport, Water Supply and Drainage, Electricity, Engineering Services, Health and Indigenous Medicine and Local Government of the Southern Provincial Council, do hereby rescind the By-laws made by me relevant to the Eradication of Mosquitoes and Disease Inflicting insects within the Urban Council area and published in *Gazette* No. 1766 dated 06.07.2012 and No. 1806 dated 12.04.2013 of the Democratic Socialist Republic of Sri Lanka.

Further, the draft By-laws set-out below, framed by me as the Provincial Minister in-charge the subject of Local Government under Section (2) of the Local Authorities (Standard By-laws) Act, No. 6 of 1952, read with the Section (2) of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 are hereby published.

Urban Councils are empowered by Paragraph (b) and (c) of Sub-Section (9) of Section 157 of the Urban Councils Ordinance (Chapter 255) read with the Section 153 of the said Ordinance to make By-laws of eradication of mosquitoes and disease inflicting insects and the Urban Councils of Southern Province are empowered to adopt By-laws in accordance with the provisions of Sub-section 3 of the Local Authority Standard By-laws Act, No. 6 of 1952.

SHAN WIJAYALAL DE SILVA,
Minister of Finance and Planning, Law and Order, Transport,
Water Supply and Drainage, Electricity, Engineering Services,
Health and Indigenous Medicine and
Local Government, Southern Province.

Minister of Finance and Planning, Law and Order,
Transport, Water Supply and Drainage, Electricity,
Engineering Services, Health and Indigenous Medicine
and Local Government
Southern Provincial Council,

26th day of September, 2013.

BY-LAWS

1. These By-laws may be cited as the By-laws for the improvement of the environmental conditions within the area of Authority of Urban Council by the prevention of mosquito breeding and disease inflicting insect breeding and for the prevention of epidemics within such area of authority.
2. No person shall do any act or cause any act to be done with the area of authority of any Urban Council which may cause the breeding of or facilitating the breeding of mosquitoes or any other disease inflicting insects.
3. It shall be the duty of every owner or occupier of any premises whether resident or non resident, within the area of authority of a Urban Council to cause.
 - (a) Open tins, bottles, boxes, plastic cans, tires, coconut shells, split coconuts, and any other article or receptacle or vessel found within such premises to be removed or destroyed;
 - (b) Gutters, down pipes and drains within such premises to be cleared of any obstructions so as to ensure smooth flow of water;
 - (c) all water closets, tanks and other receptacles for water to be maintained in good repair, enclosed and covered so as to make it mosquito-proof and insect proof and thereby prevent the breeding of mosquitoes and disease inflicting insects;
 - (b) any well found in such premises to be maintain and kept in good repair thereby prevent the breeding of mosquitoes and disease inflicting insects;
 - (e) any artificial pond or pool found in such premises to be emptied and cleaned at least once in every week;
 - (f) measures shall be taken to prevent water getting collected in the drains found in such premises by allowing free flow of water and with regular maintenance;
 - (g) shrubs, undergrowth and all other types of vegetation other than those grown for the purpose of food or for ornamental purposes and found within a range of five loss meters from any building within such premises which is used as a dwelling place, to be removed in entirety;
 - (h) all quarries, abandoned gem pits, clay pits or any other pits with in such premises and used for any other purpose, to be maintained in a manner so as to prevent water getting collected in them;
 - (i) the removal and destruction of land grown ornamental plants and aquatic plant commonly known as ‘Diya parandel’, ‘Penda pasi’, Telpasi or any other plants or aquatic plants found within such premises which may facilitate the breeding of mosquitoes and disease inflicting insects and prevention of the floating of such plants along any water course, by the erection of suitable barriers;
 - (j) any latrine, ditch, sewage, cess-pit or sealed pits found in such premises and its surroundings to be maintained and kept in good repair so as to make it mosquito proof and prevent the breeding of mosquitoes;
 - (k) take necessary measures to prevent water getting collected in the monuments built in cemeteries or in any other place within such area.
4. The Chairman of the Urban Council or any officer authorized in writing by him may, at any time of the day between 6 a.m. to 6 p.m. enter any premises within the area of authority of the Urban Council and inspect such premises to ensure the following :—
 - (i) whether such premises is a breeding place for mosquitoes;
 - (ii) Whether the occupier of such premises has complied with the provisions of the by-laws;
 - (iii) where measures have to be taken to prevent the breeding of and destroy the mosquitoes, what such measures are; and
 - (iv) whether the spraying of insecticides in the premises was a success.

5. (i) The Chairman or any officer authorized in writing for the purpose by him may, after inspecting the premises, if necessary, require the owner or occupier of such premises by written notice, to adopt measures necessary to destroy the mosquitoes and eradicate the conditions favourable for the breeding of mosquitoes.
- (ii) The owner or occupier of a premises to whom a written notice was given under paragraph (i) shall, comply with such notice within the period specified in such notice.
6. (i) No person who is the owner or occupier of any premises shall without the written approval of the Chairman, construct any well, bank, pond, water receptacle, ornamental showers, or any other structure where water can get collected or stored.;
- (ii) Where any construction is done contrary to the provisions of paragraph (i) of this by law, the Chairman shall, by a written notice served on the owner or occupier of such premises, require him to fill up such well, tank, pond, water receptacle, ornamental shower of structure with specified material or destroy otherwise or alter same in the manner specified in such notice within the period specified in such notice.
7. (i) Any notice under by law 5 or 6 may be either duly served by delivering it personally to the owner or occupier of the premises or by affixing such notice in a conspicuous place in such premises.
- (ii) Where, more than two co-owners are in joint possession of any premises and if notice specified in by law 5 or by law 6 is duly served on one of them, all the co-owners are jointly and severally liable for failing to comply with the requirements of such notice or for non-performance of the requirement of such notice.
- (iii) Where the owner or occupier of any premises on whom a written notice has been served under by law 5 or by law 6, fails to comply with the requirements of such written notice, the Chairman or any officer authorized for the purpose by him in writing may, enter such premises at any reasonable time of the day between 6 a.m. to 6 p. m. with any assistants or servants and carry out or cause to be carried out the work or measures specified in such notice.
- (iv) Where any work or measures specified in a written notice served on any owner or occupier of any premises under by law 5 or by law 6 has been carried out by the Chairman or any officer authorized by him in writing, the expenses incurred in carrying out such work shall be payable to the Urban Council by such owner or occupier of such premises. The owner or occupier of the premises shall, within fourteen days from the date of a request under the hand of the Chairman for the payment of such expenses, to the Urban Council and if he fails to make such payment as requested the provisions of the Part IX of the Urban Councils Ordinance shall be applicable.
8. Any person who contravenes of any provision of these By laws shall be guilty of an offense as per the Urban Councils Ordinance.
9. Unless the context otherwise requires, in these by laws -

“authorized officer” shall mean any officer in a Urban Council authorized in writing by the Chairman of such Urban Council;

“Chairman” shall mean the Chairman of the Urban Council;

“disease inflicting insects” shall mean Mosquitoes and other insects which carries diseases.

“Occupier” shall mean a person in occupation of any premises or having the charge, management or control thereof, whether on his own account or as an agent of any other;

“owner” shall mean any owner or lessee of a premises or any person who has any right to the rent or produce of the premises;

“premises” shall mean, any land, house, building, or any construction, or any well, being used or abandoned or any abandoned ship, container or vehicle and also includes any pond, tank or any bank or any lake, water course, drain or river.

THE STANDARD BY-LAWS OF SOLID WASTE MANAGEMENT

Proposed by Ministry of Local Government and Provincial Councils

SHAN Wijayalal De Silva, the Chief Minister and the Minister of Finance and Planning, Law and Order, Transport, Water Supply and Drainage, Electricity, Engineering Services, Health and Indigenous Medicine and Local Government of the Southern Provincial Council, do hereby rescind the standard By-Laws made by me relevant to the Solid Waste management within the Pradeshiya Sabha area and published in *Gazette* No. 1766 dated 06.07.2012 and No. 1,806 dated 12.04.2013 of the Democratic Socialist Republic of Sri Lanka.

Further, the draft by laws set-out below, frame by me as the Provincial Minister in-charge the subject to Local Government under Section (2) of the Local Authorities (Standard by-laws) Act, No. 6 of 1952, read with the Section (2) of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 are hereby published.

Pradeshiya Sabhas are empowered by Section 93 and Paragraphs (b) & (c) of Sub-section (IX) of Section 126 of the Pradeshiya Sabha Act No. 15 of 1987 to make by-laws read with the Section 122 of the said Act, on Solid Waste Management and the Pradeshiya Sabhas of Southern Province are empowered to adopt the by-laws in accordance with the provision of Sub-section 3 of the Local Authorities Standard by-laws Act, No. 6 of 1952.

SHAN WIJAYALAL DE SILVA,
Minister of Finance and Planning, Law and Order, Transport,
Water Supply and Drainage, Electricity, Engineering Services,
Health and Indigenous Medicine and
Local Government, Southern Province.

Ministry of Finance and Planning, Law and Order,
Transport, Water Supply and Drainage, Electricity,
Engineering Services, Health and Indigenous Medicine
and Local Government
Southern Provincial Council,

26th day of September, 2013.

GENERAL

1. These By-laws are cited as By-laws relating to solid waste management.
2. These By-laws are enacted for the regulation, supervision, inspection and control of segregation, storage, collection, transportation, operation and maintenance of transfer stations, processing, treatment and disposal of “solid waste” generated in public places, private premises, at streets, thoroughfares within Pradeshiya Sabha Limits and all other incidental activities thereto.
3. Every owner or occupier of any premises situated within the Pradeshiya Sabha area shall keep the premises free of waste and in a healthy and pleasant condition.
4. The owner or occupier of any premises situated within the area of the Pradeshiya Sabha shall collect, segregate, store, transport and remove the solid waste generated within the premises or cause to do so accordance with the provisions of these By-laws.
5. (i) Every owner or occupier of a premises shall collect solid waste generated within his own premises daily or in lesser intervals if required, by sweeping or using any other method.
(ii) Every owner or occupier shall segregate or cause to be segregated the waste collected in accordance with the preceding Sub-section of this By-law in accordance with the provisions of By-laws No. 8 to 20.
(iii) Any bag, sack, bin of other receptacle used by the owner or occupier for the storage or discharge of waste put out for collection under the provisions of By-laws 8 to 20 shall be maintained in good condition and not put out for collection, if they are torn, punctured, broken or softened by prolonged exposure to moisture or if for any other reason, they are likely to collapse or split when reasonably handled. Pradeshiya Sabha may provide such receptacles if they so wish subsidizing the cost in part or in full according to a decision made by the Pradeshiya Sabha.
(iv) The owner or occupier shall dispose any waste collected in the manner provided in Sub-section (i) and in accordance with the collection system and the time schedule, operated in a Pradeshiya Sabha area, as determined and publicly notified from time to time by the Pradeshiya Sabha.

- (v) The owner or occupier shall not collect, store or dispose of waste materials that are detrimental injuries or to health of occupants, visitors or neighbors or to the sanitary conditions in that area.
- 6. (i) No person shall discharge waste to a street, road, thoroughfare, lane, avenue or any other public place or premises or a drain or a waterway, water reservoir or the sea.
- (ii) No person shall burn waste by damaging the environment in an open space within the Pradeshiya Sabha area.
- (iii) Where any owner or occupier fails to obtain permission in terms of the provisions of By-law No. 7 to discharge, treat, process or dispose of any type of waste, he may hand over such waste to an authorized collector.
- (iv) Waste not processed, treated or disposed of under the provisions of By-law No. 7 or any type of waste not collected by an authorized collector under the provisions of (iii) above shall be removed in accordance with the provisions of By-law Nos. 8 to 20.
- 7. (i) The owner or occupier of any premises may dispose the waste within such premises except -
 - (a) in area where disposal of such waste is prohibited by the Pradeshiya Sabha; or
 - (b) certain types of waste specified by the Pradeshiya Sabha.
- (ii) The owner or occupier of any premises may burn waste in an incinerator or burner in such premises constructed in accordance with a plan and standard approved by the Secretary, or treat, process or bury waste in the manner approved by the Secretary.
- (iii) Where any owner or occupier makes a request to the Secretary for “compost barrel” the Secretary may supply such equipments subsidizing the cost in part or in full provided the owner occupier has sufficient space in the premises to maintain the equipment.
- (iv) The owner or occupier of any premises shall process or treat the garden waste collected within that premises in a manner approved by the Secretary as far as practicable. Such owner or occupier shall hand over to Pradeshiya Sabha waste collector any residual garden waste on payment of a fee specified as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the disposal waste, to the Secretary.
- (v) Any person who cuts any part of a tree or plant by the road side of a street, thoroughfare shall remove them or cause them to be removed forthwith.
- (vi) Every person shall take steps to prevent any animal under his control to pass excreta in a street, thoroughfare or in a public place. If excreta are passed, that person shall be responsible for cleaning up the excreta and disposing of it in accordance with By-law Nos. 8 to 20.
- (vii) No person shall discharge or deposit any types of waste from a vehicle to a street, road, thoroughfare or public place within the Pradeshiya Sabha area.
- (viii) Any applicant for construction or renovation of a house or any other premises shall include in his application details of solid waste generated in his premises and the manner of storing, treating or processing of discharged material.

RESIDENTIAL PREMISES

- 8. (i) Every owner or occupier of premises shall segregate the wastes collected by sweeping or by any other method as follows :-
 - (a) food waste and other bio-degradable waste.
 - (b) reusable and recyclable waste.
 - (c) hazardous waste
 - (d) animal carcasses, body parts or dung.
 - (e) dust and other dry waste collected after sweeping the premises.

- (ii) Every owner or occupier shall put the segregated waste into separate bags, bins or other receptacles and place them in an area reserved for this purpose until removal. Food waste and other bio-degradable waste shall be kept in a receptacle made of an impermeable material which will be properly closed preventing the entry of rats, insects and animals. Waste of animal carcasses, body parts or dung shall be handed over to a Municipal waste collector without delay following the payment of a fee to the Secretary as determined by the Pradeshiya Sabha from time to time for the Pradeshiya Sabha area taking into consideration the nature of the disposable waste.
 - (iii) Every occupier may handover to an authorized collector, types of waste specified in item (a) and (b) of paragraph (i). If the occupier fails to do so, he shall together with the type of waste specified in item (c) hand over to a Pradeshiya Sabha waste collector or deposit in bins constructed for each waste type by the Pradeshiya Sabha, or in bins or other receptacles provided by the Pradeshiya Sabha for such wastes.
9. (i) Every owner or occupier of each residence in a multi-storied building with a number of tenements, shall segregate their waste as follows:
- (a) food waste and other bio-degradable waste;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste;
 - (d) animal carcasses, body parts or dung;
 - (e) dust and other dry waste collected after sweeping the premises.
- (ii) The owner or occupier of a building specified in paragraph (i) shall provide three types of bins or receptacles in accordance with standard and specifications approved by the Secretary and shall maintain them in a clean and sanitary condition.
- (iii) Where the owner or occupier of a building specified in Sub-section (i) fails to comply with the provisions of Sub-section (ii), the Secretary has the power to require the owner or occupier of that building, to provide such bins or receptacles on or before a notified date by the Secretary and it is the duty of the owner or occupier to act in accordance with the requirements of the Secretary.
- (iv) Every owner or occupier of a floor or a storey shall put segregated waste into the appropriate bin or receptacle.
- (v) It shall be the duty of an authorized collector to remove types of waste specified in items (a) and (b) of Sub-section (i) of this By-law. Any such waste not removed, together with types of waste of type (e) shall be handed over to a Pradeshiya Sabha waste collector.
10. (i) It is lawful for the Secretary to provide waste bins or receptacles for the use of shanty dwellers, after obtaining prior approval of the Pradeshiya Sabha.
- (ii) The owner or occupier of every shanty shall put all collected waste from his place of residence, segregated as follows, into the nearest approved bins or receptacles supplied to his place of residence :
- (a) food waste and other bio-degradable waste.
 - (b) reusable and recyclable waste.
 - (c) hazardous waste
 - (d) dust and other dry waste collected after sweeping the premises.
- (iii) The Secretary has the power to permit a waste collector to remove types of waste specified in items (a) and (b) of Sub-section (ii) of this By-law. Any such waste not removed together with types of waste of type (c) and (d) shall be handed over to a Pradeshiya Sabha waste collector.

SHOPS AND OFFICES

11. (i) Every owner or occupier of a shop or office shall segregate waste collected in each complex as follows :-
- (a) food waste and other bio-degradable waste;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste;
 - (d) dust and other dry waste collected after sweeping the premises.

- (ii) segregated waste shall be put into separate bins or receptacles and stored in a suitable place until removal.
- (iii) The owner or occupier of a shop or an office may hand over types of waste specified in items (a) and (b) of Sub-section (i) of this By-law to an authorized waste collector.
- (iv) The owner or occupier of a shopping or an office complex with several storey and floors shall provide the required number of waste bins or receptacles for each shop or office in accordance with the standards approved by the Secretary for depositing or collecting segregated waste from such shop or office.
- (v) Any owner or occupier of a shop or office specified in Sub-section (iv) of this by-law shall put segregated waste into separate bins or receptacles. Every owner or occupier has the right to hand over to an authorized waste collector, types of waste specified in items (a) and (b) in Sub-section (i) of this By-law.
- (vi) Types of waste specified in Item (i) and any types of waste specified in Items (a) and (b) of Sub-section (i) of this By-law, that are not collected by an authorized collector shall be handed over by the owner or occupier as the case may to a Pradeshiya Sabha Waste Collector, following the payment of a fee to the Secretary by the owner or occupier as the case may be as determined by the Pradeshiya Sabha from time to time.
- (vii) It is the responsibility of each owner or occupier of any shop or office to remove waste and maintain waste bins or receptacles specified in this By-law so as not to cause any health hazard or sanitation problem to neighbors or persons engaged in services in such shop or office.
- (viii) For the purpose of this By-law, unless the context otherwise requires —

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

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

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

HOTELS

12. (i) Any hotelier or any person authorized by him in writing shall segregate waste collected at the premises or cause it to be segregated as follows :-
 - (a) food waste and other bio-degradable waste;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste;
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Every hotelier or any person authorized by him in writing shall put in suitable bins or receptacles the segregated waste and store in a suitable place until removal from the allotted space.
- (iii) Every hotelier or any person authorized by him in writing shall pack in a bin or other receptacle made of plastic or metal properly secured with a lid, all food waste and bio-degradable waste preventing the entry of flies, rats, insects or any other animal.
- (iv) Types of waste specified in items (a) and (b) in Sub-section (i) of this By-law may be handed over to authorized collector.
- (v) Any such waste not handed over under Sub-section (iv) of this By-law and types of waste specified in Item (i) shall be handed over to a Pradeshiya Sabha Waste collector on payment of a fee by the owner or occupier to the Secretary as determined by the Pradeshiya Sabha from time to time taking into consideration the nature of the waste.
- (vi) For the purpose of this By-law, unless the context otherwise requires, “Hotel” means a place with or without sleeping facilities where food or beverages or liquor are supplied for consumption on payment of money and it includes a restaurant, guesthouse, lodging house, rest house, pilgrim’s rest, rice and curry boutique, cafeteria and any other premises in which a business is carried out in a similar manner to a hotel.

VEGETABLE AND FRUIT STORES

13. (i) The owner or person in charge of every vegetable or fruit store shall segregate the waste collected within his own premises as follows :-
- (a) vegetable, fruit or any other waste not suitable for human consumption;
 - (b) reusable and recyclable waste;
 - (c) hazardous waste
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Types of waste specified in item (a) of sub-section (i) of this By-law shall be kept in a separate receptacle made of impermeable plastic or metal and shall be secured properly, preventing the entry of flies, rats, insects or any other animals. Other waste shall be put into any suitable bin or other receptacle.
- (iii) Types of waste specified in items (a), (b) and (d) of sub-section (i) of this By-law, may be handed over to an authorized collector. Any waste not so handed over together with types of waste specified in item (c) and (d) of sub-section (i) of this By-law shall be handed over to Pradeshiya Sabha waste collector, on payment of a fee to the Secretary, as determined by the Pradeshiya Sabha from time to time.
- (iv) For the purpose of this By-law, unless the context otherwise requires “Vegetable and fruit store” means a place where vegetable and fruit are stored and kept or exposed for sale.

MEAT, FISH, POULTRY AND EGG STALLS

14. (i) No person shall slaughter any animal or bird other than those permitted under the provisions of the Butchers Ordinance in terms of a license issued by the Secretary for that purpose, at the place specified therein.
- (ii) Every license issued under Sub-section (i) of this By-law shall specify the type of animals or birds that can be slaughtered, the manner in which the slaughter house shall be constructed and conditions relating to cleaning and removal of blood, intestines and other parts not taken for human consumption and other condition the Pradeshiya Sabha may think fit.
- (iii) The Secretary may charge a fee as determined by the Pradeshiya Sabha from time to time for the issue of a license under sub-section (i) of this by-law payable at time of issue.
- (iv) The owner or person who carried out the business of a stall for the sale of meat, fish or egg shall segregate their waste as follows:-
- (a) carcasses or parts of carcasses or eggs not suitable for human consumption
 - (b) reusable and recyclable waste.
 - (c) hazardous waste.
 - (d) dust and other dry waste collected after sweeping the premises.
- (v) Segregated waste shall be placed in a separate bin or other receptacle types of waste specified in item (a) of sub-section (iv) of this By-law shall be placed inside an impermeable receptacle and shall be secured properly, preventing the entry of flies, rats, insects or any other animals so as to prevent pollution.
- (vi) Types of waste specified in items (a), (b) and (d) of sub-section (iv) of this By-law, may be handed over to an authorized collector. Any such waste not handed over, together with type of waste specified in item (c) of sub-section (iv) of this By-law, shall be handed over to a Pradeshiya Sabha collector, following the payment of a fee as determined by the Pradeshiya Sabha from time to time before the spread of foul odor.
- (vii) For the purpose of this By-law, unless the context otherwise requires “meat, fish or egg stall” means a place where such items are stored for purpose of sale or kept or exposed for sale.

PAVEMENT HAWKING

15. (i) A pavement hawker who carries out a business which generates waste shall keep a bin or other receptacle for such waste, in accordance with the standards to be approved by the Secretary. Any such waste shall not be put on the pavement or highway or in a public place.

- (ii) No pavement hawker shall keep either a bin or other receptacle in such a way as to obstruct movement of vehicles or pedestrian.
- (iii) Every pavement hawker shall segregate waste generated by reason of his business as follows:-
 - (a) food waste and other bio-degradable waste.
 - (b) reusable and recyclable waste.
 - (c) hazardous waste.
- (iv) Segregated waste shall be put into a separate bin or other receptacle. Types of waste specified in item (a) of sub-section (iii) of this By-law that may be eaten by insects, rats or animals shall be placed inside a secured receptacle, which shall be kept closed except when required to place additional waste inside.
- (v) Every pavement hawker shall be handed over daily such types of waste as specified in items (a) and (b) of sub-section (iii) of this by-law to an authorized collector or together with such types of waste as specified in item (c) of sub-section (iii) of this By-law to a Pradeshiya Sabha waste collector. Receptacles with waste shall not be kept, on a pavement or roadside or highway, when the business is not in operation.
- (vi) Every pavement hawker shall pay a fee as determined by the Pradeshiya Sabha from time to time before waste bins or other receptacles are handed over to a Pradeshiya Sabha waste collector.
- (vii) For the purpose of this By-law, unless the context otherwise requires, "Pavement hawker" means a person who sells goods or provides a service on the pavement or roadside.

FACTORIES

- 16. (i) Every owner of a factory or a manufacturer shall collect waste generated by such factory within the factory premises and segregate them as follows:-
 - (a) bio-degradable waste
 - (b) reusable and recyclable waste.
 - (c) hazardous waste
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Types of waste specified in items (a) and (b) of sub-section (i) of this By-law may be handed over to an authorized collector. Any waste not so handed over, shall be handed over to a Pradeshiya Sabha waste collector, on a payment of a fee as determined by the Pradeshiya Sabha from time to time, to the Secretary.
- (iii) Hazardous waste shall be removed according to the conditions set out in the environmental Protection License issued under the National Environmental Act, No. 47 of 1980, for that business.
- (iv) For the purpose of this By-law, unless the context otherwise requires, "Factory" has the same meaning as in the Factories Ordinance No. 45 of 1942 (Chapter 128).

EXCAVATION, CONSTRUCTION AND DEMOLITION

- 17. (i) Every person who excavates any street road or any public place or constructs or demolishes, any structure shall store such waste so generated within the premises or in a place approved by the Secretary until removal of such waste from such premises in an appropriate manner.
- (ii) The waste referred to in sub-section (i) of this By-law shall be handed over to a Pradeshiya Sabha waste collector on a payment of a fee to the Secretary as determined by the Pradeshiya Sabha from time to time.
- (iii) In this By-law, unless the context otherwise requires -

" For the purpose of this By-law, every person engaged in an act of excavation, construction or demolition" includes any person engaged for such service by an employer,

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

18. (i) Any person who excavates any street, road or any public place for the purpose of providing gas, electricity, water, telephone facilities or any other public amenities shall obtain prior approval from the Secretary.
- (ii) The Secretary shall take into consideration the arrangements made by the applicant for the removal of waste, the quantity of waste that may be kept temporarily on the road or in a public place after completion of the proposed job, and the cost of removal of such waste, if the applicant neglects to do so prior to giving approval under sub-section (i) the applicant shall be required to pay a amount equivalent to the estimated cost as a deposit before approval is granted.
- (iii) Where a person fails or neglects to remove the entire quantity of waste or a part thereof, such quantity of waste shall be removed in a manner to be decided by the Secretary and the resulting expenditure incurred may be set off from the moneys deposited under Sub-section (ii).

HOSPITALS

19. (i) The owner of a hospital shall segregate or cause to be segregated waste generated within the premises as follows :-
- (a) food waste and other bio-degradable waste
 - (b) reusable and recyclable waste.
 - (c) hazardous waste, excluding type of waste item (d) in this sub-section
 - (d) hazardous healthcare waste
 - (e) dust and other dry waste collected after sweeping the premises.
- (ii) Types of waste specified in items (a) and (b) under sub-section (i) shall be deposited in separate receptacles and stored in a suitable place until removal. Types of waste specified in items (c) and (d) of sub-section (i) shall be deposited in a bins or any other receptacles specially made for that purpose, and kept in a place set apart for that purpose, and shall be removed in accordance with the conditions set out in the Environment Protection License issued to that hospital under the National Environment Act, No. 47 of 1980.
- (iii) Types of waste specified in items (a) and (b) and (e) of sub-section (i) shall be handed over to an authorized collector or to the Municipal waste collector, following the payment of a fee as determined by the Pradeshiya Sabha from time to time.
- (iv) In this by-law, unless the context otherwise requires -

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

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

OTHER PREMISES

20. (i) Any person who carries out a business not specified in By-laws Nos. 8 to 19 or any person who organizes and operates with the participation of the public, a religious, social, cultural or educational activity or due to maintenance of such an establishment as follows :-
- (a) food waste and other bio-degradable waste.
 - (b) reusable and recyclable waste.
 - (c) hazardous waste.
 - (d) dust and other dry waste collected after sweeping the premises.
- (ii) Any organizer of any activity specified in sub-section (i) shall inform the Pradeshiya Sabha in advance, so that special arrangements may be made to collect the waste from such activity. In such cases, waste collection may be subject to a fee as determined by the Pradeshiya Sabha from time to time.

- (iii) Segregated waste shall be packed in separate receptacles and stores in a suitable place until removal.
- (iv) Types of waste specified in items (a), (b) and (d) of Sub-section (i) of this By-law shall be handed over to an authorized collector or to a Pradeshiya Sabha wasted collector, along with the type of waste specified in item (c) of Sub-section (i), on payment of a fee as determined by the Pradeshiya Sabha from time to time.

STREETS AND PUBLIC PLACES

21. (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall take steps to plan, supervise, control and administer the following—
 - (a) to maintain in a clean and sanitary condition, the streets, public places thoroughfare, public drains, watercourses and public markets situated within the Pradeshiya Sabha area.
 - (b) to provide, fix and properly maintain a sufficient number of waste bins on both sides of the streets or roads and in all public places.
 - (c) to provide mobile waste bins for use in a public places, at festivals, special events or any other event as determined by the Pradeshiya Sabha where the Pradeshiya Sabha decides to do so, or following a request from the organizers of such festival on special events.
 - (d) to maintain in a sanitary condition, public waste bins or receptacles installed in residential areas and remove the waste deposited therein before it becomes a nuisance to nearby residents.
 - (e) to investigate any complaint received in respect of the activities specified in the preceding sections and take action forthwith.
- (ii) No person shall deposit household, commercial, institutional, industrial or other waste in any waste bin provided by the Pradeshiya Sabha specifically for litter.

DUTIES OF THE PRADESHIYA SABHA

22. (i) The Secretary in consultation with the Chairman and subject to the approval of the Pradeshiya Sabha shall plan, supervise, control and administer following —
 - (a) to encourage people to reduce, reuse and recycle waste,
 - (b) to conduct awareness programs or propaganda through media in relation to segregation, collection, storage, discharge and disposal of waste,
 - (c) to assist individuals and micro-enterprises engaged in reuse and recycling activities,
 - (d) to offer incentives to those involved in the reduction, reuse and recycle activities,
 - (e) to regulate different types of waste discharge system,
 - (f) to prepare a waste collection schedule, setting out collection days, times, methods and fees as determined by the Pradeshiya Sabha for different types of waste in different areas of the Pradeshiya Sabha. This Schedule shall be publicly notified by the Pradeshiya Sabha. It may include conditions for collection on public holidays,
 - (g) to collect any segregated waste, not hand over to authorized collectors separately, on time and according to Schedule,
 - (h) to transport, in a sanitary manner, hazardous waste and any other waste, that has not been handed over to authorized collectors,
 - (i) to handover to an authorized collector waste collected from street sweeping, cleaning the drains and the cleaning the public places, and waste collected from public bins and waste collected by Pradeshiya Sabha labourers, except for hazardous waste or other types of waste specified by the Secretary.

- (j) to take appropriate measures to deal with segregated waste collected by Pradeshiya Sabha waste collectors, including arrangement for the processing and treatment of part or all food and other bio-degradable, reusable and recyclable waste as much as practicable and to dispose of the rejects from such operations and other residual waste or these types in a manner, approved by the Secretary,
- (k) to dispose of all hazardous waste in a manner approved by the Secretary, in consultation with the Central Environmental Authority,
- (l) to obtain a license or environmental protection license in accordance with the provisions of the National Environment Act, No. 47 of 1980 and subject to the conditions specified in the license or environmental protection license to burn waste or to maintain a sanitary landfill,
- (m) to provide appropriate clothing, hand gloves, mouth covers and boots to every employee engaged in sweeping, collection, segregation, transportation, transfer and disposal of waste,
- (n) to check and approved details of the manner of disposal of solid waste generated on construction or renovation and the manner of storage, process and disposal of rubble and the initial stage and on the completion of the specified works where an application is submitted to the Pradeshiya Sabha for the construction or renovation of a house or other premises.
- (o) to prepare an internal Waste Management Plan for all Pradeshiya Sabha premises.
- (p) to prepare and implement a Solid Waste Management Action Plan in accordance with the National Strategy of Solid Waste Management and relevant legislation which covers at least each calendar year in detail and three years ahead for final disposal and such plan shall be approved annually on a less frequent basis by the Pradeshiya Sabha, according to the period it covers,
- (q) to investigate any complaint received by the Chairman and the Secretary regarding the activities referred to in items (a) to (p) within three days for any possible nuisance and within fourteen days for any other complaint and take action forthwith.

PERMITS

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

- (iv) The Secretary shall revoke the permit issued under this By-law in the event of non-compliance of the provisions of subsection (i) of this By-law.
- (v) No person shall collect or receive waste when a permit is revoked under the provision of sub-section (iv) In such event the Secretary shall give sufficient publicity thorough media in order to bring awareness to the people of the revocation of such permit.

WASTE DISPOSAL AREAS

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

OTHER

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

INTERPRETATION

- 29. For the purpose of these by-laws, unless context otherwise requires -

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

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

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

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

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

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

- “Compost” means the final product of the bio degradation of waste by micro organism and it is a humus that could be functioned as soil conditioner.
- “Pradeshiya Sabha” meansPradeshiya Sabha,
- “Pradeshiya Sabha Area” means the area declared under the authority of the Pradeshiya Sabha Act No. 15 of 1987.
- “Discharge” means where part or all of the waste produced by a person or premises and put out for collection either within or outside their premises or given to authorized collectors or Pradeshiya Sabha waste collectors,
- “Disposal” means the placement of all waste that is neither re-used, recycled, processed or treated, on or in land where it is intended to stay permanently,
- “Fee” means some fee determined by the Pradeshiya Sabha from time to time,
- “Food Waste” means all meat, fish, eggs, vegetables, fruits and other edible materials that cannot be used for consumption,
- “Garden Waste” means parts removed from trees or plants in a home garden or stones soil etc removed from a home garden,
- “Hazardous Waste” means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature,
- “Owner or occupier” includes the owner of the premises or any person who holds power of attorney on behalf of the owner or an agent or caretaker appointed to manage the industry, factory, estate by the owner or recipient of rent and does not include a manager who acts under the order of another person,
- “Pradeshiya Sabha waste collector” means an employee engaged by the Pradeshiya Sabha for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered into a contract with the Pradeshiya Sabha to perform such duties.
- “Public Place” means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, reservoir, pond, pool, lagoon, tributary, waterway, sea, beach or any other places commonly used by the public,
- “Recyclable waste” means by waste that can be used to produce new goods by changing their form in the process so that they are no longer recognizable as waste,
- “Reusable Waste” means waste that can be utilized after washing, disinfection or cleaning by other means,
- “Sanitary landfill” means the final disposal of waste in a ground in accordance with the accepted standards in Sri Lanka to minimize the associated social, health and environmental impacts,
- “Segregation” means separating waste into different types according to the categories used in these By-laws.
- “Solid waste” means substances which have no consumer value to person who abandoned them and includes rubbish, garbage, litter, street sweepings, drain cleanings, dust, soil, mud and ash,
- “Storage” means keeping waste within the premises of an owner or occupier or placing it at an approved public collection point.
- “Transfer station” means any place specified by the Pradeshiya Sabha for this purpose where waste is transferred from smaller to larger vehicles for the purposes of improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility
- “Transport” means transporting waste from the collection point to processing, treatment, or disposal facilities using sum form of human or animal mechanically powered vehicle,
- “Treat” means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment.

BY LAWS RELATING TO ERADICATION OF MOSQUITOES AND DISEASE INFLECTING INSECTS WITHIN THE PRADESHIYA SABHA AREA

SHAN Wijayalal De Silva, the Chief Minister and the Minister of Finance and Planning, Law and Order, Transport, Water Supply and Drainage, Electricity, Engineering Services, Health and Indigenous Medicine and Local Government of the Southern Provincial Council, do hereby rescind the By-Laws made by me relevant to the Eradication of Mosquitoes and disease inflicting insects within the Pradeshiya Sabha area and published in *Gazette* No. 1766 dated 06.07.2012 and No. 1806 dated 12.04.2013 of the Democratic Socialist Republic of Sri Lanka.

Further, the draft By-laws set-out below, framed by me as the Provincial Minister in-charge the subject to Local Government under Section (2) of the Local Authorities (Standard By-laws) Act, No. 6 of 1952, read with the Section (2) of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 are hereby published.

Pradeshiya Sabhas are empowered by Paragraph (o) of Sub-Section (9) of Section 126 of the Pradeshiya Sabha Act, No. 1987 read with the Section 122 of the said Act to make By-laws of Eradication of Mosquitoes and Disease Inflicting Insects and the Pradeshiya Sabhas of Southern Province are empowered to adopt by-laws in accordance with the provisions of Sub-section 3 of the Local Authority Standard By-laws Act, No. 6 of 1952.

SHAN WIJAYALAL DE SILVA,
Minister of Finance and Planning, Law and Order, Transport,
Water Supply and Drainage, Electricity, Engineering Services,
Health and Indigenous Medicine and
Local Government, Southern Province.

Ministry of Finance and Planning, Law and Order,
Transport, Water Supply and Drainage, Electricity,
Engineering Services, Health and Indigenous Medicine
and Local Government,
Southern Provincial Council,
Galle.

26th day of September, 2013.

By-Laws

1. These By-law may be cited as the By-laws for the improvement of the environmental conditions within the area of Authority of Pradeshiya Sabha by the prevention of mosquito breeding and disease inflicting insect breeding and for the prevention of epidemics within such area of authority.
2. No person shall do any act or cause any act to be done within the area of authority of any Pradeshiya Sabha which may cause the breeding of or facilitating the breeding of mosquitoes or any other disease inflicting insects.
3. It shall be the duty of every owner or occupier of any premises whether resident or non resident, within the area of authority of a Pradeshiya Sabha to cause—
 - (a) Open tins, bottles, boxes, plastic cans, tires, coconut shells, split coconuts, and any other article or receptacle or vessel found within such premises to be removed or destroyed;
 - (b) Gutters, down pipes and drains within such premises to be cleared of any obstructions so as to ensure smooth flow of water;
 - (c) all water closets, tanks and other receptacles for water to be maintained in good repair, closed and covered so as to make it mosquito-proof and insect proof and thereby prevent the breeding of mosquitoes and disease inflicting insects;
 - (b) any well found in such premises to be maintain and kept in good repair thereby prevent the breeding of mosquitoes and disease inflicting insects;
 - (e) any artificial pond or pool found in such premises to be emptied and cleaned at least once in every week;

- (f) measures shall be taken to prevent water getting collected in the drains found in such premises by allowing free flow of water and with regular maintenance;
 - (g) shrubs, undergrowth and all other types of vegetation other than those grown for the purpose of food or for ornamental purposes and found within a range of five loss meters from any building within such premises which is used as a dwelling place, to be removed in entirety;
 - (h) all quarries, abandoned gem pits, clay pits or any other pits with in such premises and used for any other purpose, to be maintained in a manner so as to prevent water getting collected in them;
 - (i) the removal and destruction of land grown ornamental plants and aquatic plant commonly known as “Diya parandel”, “Penda pasi”, Telpasi or any other plants or aquatic plants found within such premises which may facilitate the breeding of mosquitoes and disease inflicting insects and prevention of the floating of such plants along any water course, by the erection of suitable barriers;
 - (j) any latrine, ditch, sewage, cess-pit or sealed pits found in such premises and its surroundings to be maintained and kept in good repair so as to make it mosquito proof and prevent the breeding of mosquitoes;
 - (k) take necessary measures to prevent water getting collected in the monuments built in cemeteries or in any other place within such area.
4. The Chairman of the Pradeshiya Sabha or any officer authorized in writing by him may, at any time of the day between 6 a.m. to 6 p.m. enter any premises within the area of authority of the Pradeshiya Sabha and inspect such premises to ensure the following :—
- (i) whether such premises is a breeding place for mosquitoes;
 - (ii) Whether the occupier of such premises has complied with the provisions of the By-laws;
 - (iii) where measures have to be taken to prevent the breeding of and destroy the mosquitoes, what such measures are; and
 - (iv) whether the spraying of insecticides in the premises was a success.
5. (i) The Chairman or any officer authorized in writing for the purpose by him may, after inspecting the premises, if necessary, require the owner or occupier of such premises by written notice, to adopt measures necessary to destroy the mosquitoes and eradicate the conditions favorable for the breeding of mosquitoes.
- (ii) The owner or occupier of a premises to whom a written notice was given under paragraph (i) shall, comply with such notice within the period specified in such notice.
6. (i) No person who is the owner or occupier of any premises shall without the written approval of the Chairman, construct any well, bank, pond, water receptacle, ornamental showers or any other structure where water can get collected or stored.;
- (ii) Where any construction is done contrary to the provisions of paragraph (i) of this by law, the Chairman shall, by a written notice served on the owner or occupier of such premises, require him to fill up such well, tank, pond, water receptacle, ornamental shower of structure with specified material or destroy otherwise or alter same in the manner specified in such notice within the period specified in such notice.
7. (i) Any notice under by law 5 or 6 may be either duly served by delivering it personally to the owner or occupier of the premises or by affixing such notice in a conspicuous place in such premises.
- (ii) Where, more than two co-owners are in joint possession of any premises and if notice specified in by -law 5 or by-law 6 in duly served on one of them, all the co-owners are jointly and severally liable for failing to comply with the requirements of such notice or for non-performance of the requirement of such notice.
- (iii) Where the owner or occupier of any premises on whom a written notice has been served under by-law 5 or by-law 6, fails to comply with the requirements of such written notice, the Chairman or any officer authorized for the purpose by him in writing may, enter such premises at any reasonable time of the day between 6 a.m. to 6 p. m. with any assistants or servants and carry out or cause to be carried out the work or measures specified in such notice.

- (iv) Where any work or measures specified in a written notice served on any owner or occupier of any premises under by law 5 or by law 6 has been carried out by the Chairman or any officer authorized by him in writing, the expenses incurred in carrying out such work shall be payable to the Pradeshiya Sabha by such owner or occupier of such premises. The owner or occupier of the premises shall, within fourteen days from the date of a request under the hand of the Chairman for the payment of such expenses make such payments to the Pradeshiya Sabha and if he fails to make such payment as requested the provisions of the part VIII of the Pradeshiya Sabhaa Act, shall be applicable.
8. Any person who contravenes of any provision of these By-laws shall be guilty of an offense as per the Pradeshiya Sabhas Act.
9. Unless the context otherwise requires, in these By-laws -
- “authorized officer” shall mean any officer in a Pradeshiya Sabhas authorized in writing by the Chairman of such Pradeshiya Sabhas ;
- “chairman” shall mean the Chairman of thePradeshiya Sabhas ;
- “disease inflicting insects” shall mean Mosquitoes and other insects which carries diseases;
- “occupier” shall mean a person in occupation of any premises or havng the charge, management or control thereof, whether on his own account or as an agent of any other;
- “owner” shall mean any owner or lessee of a premises or any person who has any right to the rent or produce of the premises;
- “premises” shall mean, any land, house, building or any construction, or any well, being used or abandoned or any abandoned ship, container or vehicle and also includes any pond, tank or any bank of any lake, water course, drain or river.