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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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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 22nd January, 2016 should reach Government Press on or before 12.00 noon on 08th January, 2016.

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*.”

W. A. A. G. FONSEKA,
Government Printer (*Acting*).

Department of Government Printing,
Colombo 08,
01st January, 2016.



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

Provincial Councils Notifications

MUNICIPAL COUNCIL - BADULLA

By-Laws

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

Chamara Sampath Dasanayaka,
Uva Provincial Council,
Minister of Local Government.

18th November, 2015,
Badulla,
Uva Province.

PART 1

By-laws relating to Interpretation in respect of all standard by-laws

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

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

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

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

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

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

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

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

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

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

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

“Badulla Muniipal Council “ means the relevant Badulla Municipal Council.

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

PART II

By-laws relating to general provisions relevant to all standard by-laws

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

PART XXXI

By-laws relating to Advertisements

Badulla Municipal Council do hereby enacted the by-law relating to Advertisements in the municipality of Badulla Municipal Council, in accordance with subsection 27 of the section 272 and the powers vested in the Municipal Council of Badulla by section 267 of Chapter 252 of the Municipal Council Ordinance.

1. The by-laws in this part are cited as the by-laws relating to regularizing, control and supervision of advertisements displaying within the area of authority of the Badulla Municipal Council.
2. The Badulla Municipal Council shall determine from time to time as to which areas in the area of authority of the Council are allowed to display advertisements. While it is the duty of the Municipal Commissioner to take action to publish in the *gazette* a notification about the decision taken by the Council from time to time in respect of areas where display of advertisements would be allowed it shall be effective from the date the notification was published in the *gazette* or any future date specified in the *gazette* notification.
3.
 - (a) The Badulla Municipal Council shall have the power to erect and maintain hoardings where advertisements could be displayed in any plot of land owned by the Badulla Municipal Council in any area determined upon by the Council from time to time under by-law No. 2 or in a land owned by any other person and obtained by the Council on an agreement arrived at by the Council.
 - (b) The Badulla Municipal Council shall have the power to charge from the exhibitors a fee determined upon by the Council from time to time for displaying an advertisement in any hoarding erected by the Council under paragraph (a).

4. (a) Unless any person has a valid licence issued on being substantially prepared according to the specimen found in the First Schedule for the particular purpose by the Municipal Commissioner, nobody shall display or cause to be displayed an advertisement in any form so as to be seen when looked at from any public place in the area of authority of the Council.
- (b) Even after obtaining a valid licence for display of advertisements nobody shall display or let anybody else to display, at any place other than at a place or places specifically stated in the relevant licence, to be seen when worked at from any public place.
5. Unless it has not been cancelled already every licence issued under the by-laws in this part shall be valid only for the period specifically mentioned in the licence.
6. Anybody who expects to obtain a licence to display any advertisement shall forward an application substantially prepared in accordance with the specimen given in the second schedule to the Municipal Commissioner at least two days before the date on which the said advertisement is expected to be displayed.
7. Unless the applicant has fulfilled the provisions in this by-law the Municipal Commissioner shall not issue a licence for the display of any form of advertisement.
 - (a) The request shall be for the display in a place within the zone determined upon by the Council from time to time in accordance with the manner set out in by-law No. 2.
 - (b) The period of validity of the licence already issued to any other person in respect of the place for which the licence is currently requested shall have been terminated. However, this provision shall not be an obstacle to issue a licence to display an advertisement board nearby so as not to obstruct the viewing of the advertisement being displayed under a licence previously issued and still in force.
 - (c) The advertisement for which a display licence is sought shall not contain any scenes or words which are obscene or unpleasant or immoral or damaging any culture or harming any religion or community or race or which can cause such a situation.
 - (d) When a licence has been requested to display an advertisement in a hoarding erected by the Badulla Municipal Council, under by-law No. 3, there shall be sufficient space in the hoarding in order to display the relevant advertisement. Moreover, the period of time allocated for the advertisements already being displayed under a licence issued earlier shall have been terminated.
 - (e) The advertisement shall not be an advertisement or display prohibited or limited by a written law of the country.
 - (f) Every application forwarded to obtain a licence shall contain a specimen of the advertisement prepared on the scale 1:1000 on a paper 210 millimetres by 297 millimetres and a ground plan or plans of the place or places where the advertisement is expected to be displayed prepared on the scale 1:1000 on a paper 210 mm x 297 mm. Moreover, the exact length and the width of the advertisement shall have been indicated therein.
 - (g) When the place where the advertisement is to be displayed, -
 - (i) happens to be a hoarding erected by the Badulla Municipal Council under by-law No. 3, the fees determined upon under paragraph (b) of the by-law for the display of that advertisement on the hoarding shall have been paid to the Badulla Municipal Council
 - (ii) happens to be a place owned by any person other than the applicant, or by any other Authority written evidence ensuring that permission has been granted to display the advertisement at the particular place shall have been forwarded.
8. Anybody shall not fix an advertisement in a manner that may cause any obstacle or accident to a person walking hear the particular advertisement or to a vehicle being driven nearby. Moreover, fixing of electricity light rays or fluorescing of light so as to change the attention of a driver driving a vehicle or cause disturbances to his view shall not be done.
9. When conditions necessary for the issue of a licence under the by-laws in this part in respect of any application submitted have been fulfilled the Municipal Commissioner or the Authorized Officer shall inform the applicant about it. It shall be the duty of the Municipal

Commissioner or the Authorized Officer to issue the licence to the applicant making payment of the fees for the licence in the manner set out in by-law No. 10 and fees for the surety set out in by-law No. 11, after receipt of the above notice.

10. (a) while the licence fee to be paid to the Badulla Municipal Council on every licence issued under the by-laws in this part shall not exceed the annual value mentioned in column 1 of Medical Officer of Health, the maximum fees stated parallel in Column II, the Badulla Municipal Council shall levy that fee annually.
 - (b) Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the by-laws in this part.
 - (c) when it is required to display an advertisement during the succeeding year after the expiry of the period of validity of the licence currently issued for the display of any advertisement a new licence shall have been obtained on displaying the notice for such succeeding year. However, notwithstanding the amount of fees determined by the Badulla Municipal Council as charges intended to be made during the succeeding year in respect of licences to be issued for the display of advertisements the licence fees determined earlier shall be relevant for the new licence to be issued for the display of the said advertisement.
 - (d) It shall be the duty of the Municipal Commissioner to publish in the *gazette* a notification on the annual licence fees to be levied by the Badulla Municipal Council under the provisions of the paragraph (a).
 - (e) Notwithstanding anything stated in this by-law an advertisement in respect of any religious activity or any cultural activity held without charging any money shall be free of charges. However, the other provisions of the by-laws in this part shall apply in respect of any such advertisement in the manner set out.
11. (a) when a decision has been made to issue a licence in respect of any application forwarded for the purpose of displaying an advertisement the Municipal Commissioner shall not issue the licence for the said application until the applicant has deposited security money in the Badulla Municipal Council at the rates to be determined by Badulla Municipal Council from time to time.
 - (b) It shall be the duty of the Municipal Commissioner to publish in the *gazette* about the decision taken by the Badulla Municipal Council in respect of the rate of the deposit money to be deposited in the Badulla Municipal Council prior to issuing a licence to display any advertisement.
12. It shall be the duty of the licensee to indicate in the lower edge of the right hand side of each advertisement or advertisements the registered number of the licence issued in respect of all notifications to be displayed before such display is done.
13. (a) When any hoarding, support, construction or fitting of any form used for the fixing of any advertisement is in a state that might harm the environment or be a danger or risk to anybody or any property of any person, the Municipal Commissioner or the Authorized Officer shall have the power to direct the licensee through an order to bring it back to proper conditions within a specified period of time.
 - (b) It shall be lawful for cancel the issued licence for such advertisement and remove the advertisement by the Municipal Commissioner or authorized officer, when anybody in receipt of a notification under paragraph (a) has avoided acting in the manner provided for by the provisions of the notification.
 - (c) when any licence has been cancelled under the provisions in paragraph (b) the security deposit deposited at the Badulla Municipal Council in respect of displaying that advertisement shall accrue to the funds of the Badulla Municipal Council and nobody else shall have the right to claim the deposit money.
14. The Badulla Municipal Council shall not be subjected to any form of responsibility in respect of any damage, defacement or evacuation caused to any advertisement being displayed under a valid licence obtained for such display.
15. When any provision in the by-laws in this part has been violated the Municipal Commissioner or the Authorized Officer shall have the power to cancel any licence issued having invited the attention in respect of such violations.
16. It shall not be assumed as well as understood that the mere fact of issuing a licence under the by-laws in this part for the display of any advertisement tantamount to giving legal sanctions for the presentation of the meaning or the connotation embodied in the said advertisement.

17. The licensee shall be subjected to responsibility in regard to any damage or harm caused or likely to be caused to any party due to a support, fixing or any other thing used in this connection utilized for the construction of any advertisement or due to the menacing or connotation implied in the said advertisement.
18. It shall be the duty of the licensee to take action to remove the advertisement and all the other goods used in this regard out of the place or places where such advertisements were put in place, before the expiry of forty eight hours after the last day of the display of the advertisement mentioned in the application forwarded to obtain a licence under the by-laws in this part.
19. (a) After taking action in the manner set out in by-law No. 18, the licensee shall be able to withdraw the deposit money deposited at the Badulla Municipal Council before the issuing of the relevant licence on a written request made to the Municipal Commissioner.
- (b) On receipt of a written request in the manner set out in paragraph (a) it shall be the duty of the Municipal Commissioner to ensure, -
- (i) the licensee has properly accomplished the provisions stated in by-law No. 16, and
- (ii) that in the event of the hoarding being constructed by the Badulla Municipal Council no damage is caused to the hoarding while removing the said advertisement or due to any other cause, the licensee is held responsible, before releasing the said deposit money to the said licensee.
- (c) Unless the Municipal Commissioner is satisfied when ensuring in the manner set out in paragraph (b) that the licensee has acted in the manner stated in the by-law No. 18 and that no damage is caused to the hoarding of the Badulla Municipal Council the said deposit money shall not be released fully to the licensee. When any licensee has avoided acting in the manner stated in by-law No. 17 or when any damage has been caused to the hoarding of the Badulla Municipal Council, suitable action shall be taken to deduct from the deposit money expenditure that the Badulla Municipal Council would have to bear to effect the particular task or to repair the hoarding or to accomplish both, and only the balance remaining shall be refunded to the licensee.
- (d) When the money liveable by the Badulla Municipal Council in taking action in the manner stated in paragraph (c) is more than the deposit money deposited, the licensee shall pay the extra money payable to the Badulla Municipal Council.
20. The provisions in the by-laws in this part shall not be relevant for the display in front of any business premise or any factory within the area of authority of the Badulla Municipal Council to a single notice depicting the name, address and the nature of the enterprise being maintained at the said place of business or the nature of the products being produced at the factory, for a domestic name board and for a single advertisement carrying the phrase "on lease" or "for sale" or "available for rent" displayed on any property intended to be given in lease or for sale or to be given on rent. However, at any time when more than one such advertisement is displayed the provisions of this by-law shall apply in respect of all such additional advertisements.
21. The provisions of the by-laws in this part shall not apply in respect of advertisements displayed by the Government, Provincial Council or the Badulla Municipal Council
22. When an advertisement of any commodity or a service has been displayed together with the name, number and/or address of any business enterprise and when an advertisement of any form of commodity or service has been displayed in any household, such advertisement or advertisements shall be subjected to the provisions of the by-laws in this part. The owner, manager or anybody in-charge of the administration of the premises for the time being shall be considered as the person who should obtain the licence in respect of provisions of this by-law.
23. Nobody shall fix, paste, hang, keep tied or project any form of advertisement in a tree, a trunk of a tree, a branch or in any part found in a public place or close to such a place or attached to a public building.
24. In this part, unless the context otherwise requires -
- "advertisement" means an advertising notice or banner or cut-out or any form of model or notice or announcement or business notification containing any letters or words or illustrations used in advertising and displayed fully or partly over or on a land or building or a created structure and being displayed for the information or attention of the public and put in place by pasting, fixing, erecting, hanging or any other means;
- "cut-out" means, an advertisement pasted or fixed in any frame prepared using wood or any other materials;
- "hoarding" means any permanent board built in order to fix or hold any advertisement displayed for the information or attention of the public.

First Schedule

By-Law No. 4

Licence for the display of Advertisements in the area of authority of Municipal Commissioner

Licence fees paid: - Rs... .. Serial No. of the licence:

Amount of surety: - Rs... ..

Mr/Mrs /Ms. holder of National Identity Card Number and resident in
..... is hereby authorized to display an advertisement/advertisements at the following place/places within the area of authority of the
.....² during the period 20... to 20... subject to provisions in By-laws relating to regularising, Supervision and
control of advertisements.

Place/Places where authority has been granted to display advertisement/Advertisements.

- 1.
- 2.
- 3.
- 4.

.....,
Municipal Commissioner /Authorized Officer,
Municipal Council of Badulla.

Date: -

Second Schedule

By-law No. 6

Application for display of Advertisements

01. Name of the Applicant: -
02. Address: -
03. National Identity Card No.: -
04. Telephone No.: -
05. Particulars of the advertisement: -

(i) Size of the advertisement: Length: cm, Width: cm.

(ii) Number of advertisements:-

(iii) Contents of the advertisement:-

(iv) Manner in which it is put in place:-

(v) Locations in which it is put in place:-

(Please attach a specimen mentioned in paragraph (f) of by-law No. 7)

06. Period of validation of the licence applied for: -

Date of commencement: - 20...

Date of expiry: - 20...

I hereby promise to obey all provisions in the By-laws relating to regularizing, supervision and control of advertisements and to take action to remove the advertisement/advertisements relevant to the application and all materials used in this regard out of the place/places at my expense, before the expiry of two days after the termination of the period of validity of the licence.

.....

Signature of Applicant.

Date: -

PART XXXII

By-laws relating to Swimming Pools

Badulla Municipal Council do hereby enacts bylaws relating to Swimming Pools within the Municipality of Badulla, and to stipulate charges and fees for using such places where slaughtering is carried on, in accordance with the powers vested in the Council under subsection – 28 (B) to be read with section 267 and 272 of the Municipal Council Ordinance (Chapter 252) No.42 of 1979 (Amended)

1. By-laws in this part are cited as the by-laws relating to regularize, supervise and control the establishment and maintenance of swimming pools within the area of authority of the Badulla Municipal Council.
2. (a) Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain a swimming pool within the area of authority of the Badulla Municipal Council .
(b) Notwithstanding anything set out in paragraph (a), while a period of 4 months from the date the by-laws of this part come into effect would be given to obtain a license to maintain a swimming pool constructed within the area of authority of the Badulla Municipal Council the swimming pool shall not be maintained after the elapse of that period without obtaining a licence.
3. Unless the following conditions in the by-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to any swimming pool.
 - (a) shower-roses shall be provided for a pre-bath before swimming in the pool;
 - (b) sufficient provisions shall have been made to supply water made available for pre-baths at the swimming pool according to the standards prescribed by the Municipal Commissioner;
 - (c) necessary arrangements shall have been put in place to use sufficient disinfectants for supplies of water mentioned in paragraph (b);
 - (d) with a view to purifying and disinfecting the entire water capacity in the said swimming pool twice within a period of twenty four hours, a set of strainers with pumps circulating water shall have been fixed.
 - (e) the depth of the swimming pool shall be clearly marked on the platform of the swimming pool;
 - (f) a hand-rail and a ladder each made of stainless steel shall have been fixed to enter into the swimming pool and get out of it at a distance of at least 8 meters all around the Swimming Pool;
 - (g) the swimming pool shall be fixed with distinctive coloured tiles so that the bottom as well as the walls of the pool are clearly visible after it has been filled with water;
 - (h) if children under twelve years are allowed to swim in the pool, a separate section with a depth of not more than one meter shall have been constructed for such purposes.

- (i) if towers have been constructed to facilitate diving into the swimming pool they shall have been constructed in concrete and a strong ladder built in iron or steel shall have been fixed;
 - (j) a sufficient programme of life saving and first-aid shall have been put in place;
 - (k) separate dressing rooms and lavatories shall be made available to males and females using the swimming pool ;
 - (l) if swimming is allowed after 6.30 p.m., sufficient electric light shall be made available to the interior as well as the exterior of the pool site;
4. While a programme prescribed by the Medical Officer of Health shall have been put in place for disinfecting the water filled in the swimming pool instruments recommended by him shall also be made available.
5. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
- (i) bio degradable waste;
 - (ii) glass;
 - (iii) paper or paper based materials;
 - (iv) polythene and plastics or material based on polythene and plastics;
 - (v) iron and other kinds of metal or parts of iron and other kinds of metal;
 - (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line;
 - (vii) dangerous waste;
- and it shall be the duty of the licensee to see that they are put in separate containers or tanks put in place for that purpose.
- (b) Provided that the waste put in containers or tanks having being categorized in the manner set out in paragraph (a) above is disposed of under the programme of waste management launched by the Badulla Municipal Council the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
6. In respect of every swimming pool -
- (a) the enclosed areas shall be maintained in very good condition;
 - (b) a drainage system to allow free flow of water used in lavatories and bathing spots shall be made available;
 - (c) the waste materials deposited in the bottom shall be disposed of at least once daily;
 - (d) the entire water capacity of the swimming pool shall be purified and disinfected at least twice a day;
 - (e) the use of the swimming pool by the customers without taking a pre-bath and without wearing a swimming suit shall not be resorted to by anyone.

The floor and the walls of the lavatories and the places where shower roses have been provided for pre-baths shall be tiled.

7. In the event of the premises where a swimming pool is established under a license issued under the by-laws of this part fails to maintain it in accordance with any one of the provisions set out in by-law No. 3 or contravenes the provisions of any provision of the by-laws set out in this part the Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.
8. Any licensee in receipt of a notice mentioned in by-law No. 10 shall act in the manner prescribed in the notice before the date specified in the notice. At any time when acceptable reasons have been forwarded in writing the Municipal Commissioner shall have the power to extend the date specified in the said notice. However, the period of such extension shall not be more than four days.

9. In the event of the premises where a swimming pool is established under a license issued under the by-laws of this part fails to maintain it in accordance with any one of the provisions set out in by-law No. 03 or contravenes the provisions of any provision of the by-laws set out in this part the Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.
10. The appropriate time for inspection by the Municipal Commissioner or by an Authorized Officer of the provisions of the by-laws in this part shall mean any occasion when anybody is allowed to use the swimming pool.
11. When the Medical Officer of Health has decided that any type of epidemic or infection has gripped the area where the swimming pool is located or in its neighbourhood, the Municipal Commissioner shall have the power to order the closure of the swimming pool.
12. When any licensee in receipt of a notice mentioned in by-law No. 08 fails to act in accordance with the manner set out in the notice before the date specified in the notice or the date extended it shall be lawful for the Municipal Commissioner to cancel the license issued to that premises.
13. Every licence issued under the provisions of the by-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the by-laws in this part.
14. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
 - I A fine not exceeding Rs. 1000.00 if the offence is committed for the first time.
 - II A fine not exceeding Rs. 2000.00 if the offence is committed for the first time on a subsequent occasion.
 - III As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding R. 250.0 for each day he commits the offence.
15. In this part, unless the context otherwise requires -

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

PART XXXIII

By-laws relating to Playgrounds

Badulla Municipal Council do hereby enacts bylaws relating to Playgrounds within the Municipality of Badulla, and to stipulate charges and fees for using such places where slaughtering is carried on, in accordance with the powers vested in the Council under subsection – 28 (E) to be read with section 267 and 272 of the Municipal Council Ordinance (Chapter 252) No.42 of 1979 (Amended) .

1. The by-laws in this part are cited as the by-laws relating to regularizing, control and supervision of public playgrounds within the area of authority of the Badulla Municipal Council.
2. Anybody who expects to obtain a licence to make use of any playground owned by the Badulla Municipal Council shall forward an application substantially prepared in accordance with the specimen given in the First Schedule of the by-laws in this part.
3. Unless the following conditions have been fulfilled in issuing a licence to make use of any playground owned by the Badulla Municipal Council to anybody forwarding an application as stated in by-law No 2, the Municipal Commissioner shall not issue a permit.
 - (a) All applications for issue of a permit to make use of the playgrounds shall be considered in the sequence in which they were received by the Badulla Municipal Council. However, high priority shall be given to any application in respect of any matter relevant to any sport or sports from among the applications received for the use of a playground.

- (b) The permit shall be issued only after payment of fees for reservation of the playgrounds and deposit money on the basis of decisions made by the Badulla Municipal Council from time to time in accordance with the table set out in the Second Schedule.
4. On any occasion when any playground has not been reserved for any purpose according to the provisions of the by-laws in this part, it shall be the duty of the Municipal Commissioner to allow such playground to be used for sports activities or training in sports.
5. When an application forwarded for the reservation of a playground by any person is rejected it is the duty of the Municipal Commissioner to inform the applicant in writing on the day of such application itself about the reasons for such rejection.
6. Forwarding of an application to reserve a playground for use shall be done at least three days before the expected day of such use. An application made by anybody shall be forwarded at any time before the period of three days prior to the date on which the playground shall be reserved. Furthermore, the reservation made according to the said request shall be subjected to the provisions in by-law No. 7.
7. In the event of any applicant needing the cancellation of the reservation of any playground after it had been reserved under the provisions of the by-laws in this part, the Municipal Commissioner shall allow such cancellation, subject to the following conditions:
- (a) When the application for cancellation of the reservation is forwarded,
- (i) three months prior to the date on which the playground was reserved, five percent of the fees paid;
- (ii) two months prior to the date on which the playground was reserved, ten percent of the fees paid;
- (iii) one month prior to the date on which the playground was reserved, fifteen percent of the fees paid;
- (iv) fifteen days prior to the date on which the playground was reserved, twenty five percent of the fees paid;
- (v) Seven days prior to the date on which the playground was reserved, fifty percent of the fees paid;
- (vi) Three days prior to the date on which the playground was reserved, seventy five percent of the fees paid.
- shall be subjected to withholding in the funds of the Badulla Municipal Council.
- (b) When the application for cancellation of the reservation is forwarded in a period of time less than three days to the date on which the playground was reserved the fees paid shall not be refunded.
- (c) When any reservation has been cancelled the applicant shall have the right to get the money deposited for such reservation refunded fully;
- (d) A playground reserved by any person shall not be used for any other purpose than that for which it was reserved.
- (e) A permit issued in respect of reserving a playground shall not be transferred on any ground to any other person.
8. Only any money left behind after deducting, -
- (a) the cost of any damage caused to the playground or any section of it, in the event of such damages being caused and
- (b) the fees that shall be paid on behalf of the extra period of time the playground was utilized,
- shall be paid back to the applicant, out of the deposit money deposited at the Badulla Municipal Council, after the use of any playground reserved for any purpose.
9. In the event of the necessity to get the date of reservation of any playground changed the applicant shall forward a written request in this regard to the Municipal Commissioner. The amendment of the date of reservation made according to such request shall be subject to provisions in by-laws Nos. 3 and 6.
10. While nobody shall damage or let anybody else damage a playground owned by the Badulla Municipal Council, action shall not be taken to lead cattle, pigs, horses, ponies, asses or dogs in to the playground. Furthermore, action shall not be taken to enter any vehicle in to any playground without obtaining permission from the Municipal Commissioner .

- 11. In the event of any playground reserved under the provisions of the by-laws in this part being required for any essential matter of the Badulla Municipal Council, on the day of such reservation itself, the Municipal Commissioner shall have the power to cancel such reservation. However, if such cancellation is effected the applicant shall be informed in writing about the cancellation three days prior to the date of such reservation of the playground and the fees paid by him and the deposit money shall be refunded fully. Furthermore, such cancellation shall not be effected less than three days prior to the date of reservation.
- 12. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
 - 1. A fine not exceeding Rs. 1,000.00 if the offence is committed for the first time.
 - 11. A fine not exceeding Rs. 2,000.00 if the offence is committed for the first time on a subsequent occasion.
 - 111. As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250.0 for each day he commits the offence.
- 13 In this part, unless the context otherwise requires -

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

“sports” shall have the same interpretation contained in the Sports Law No. 25 of 1973.

First Schedule

By-law No. 2

Application for permission to use the Playground in Badulla Municipal Council

- 01. Name of the Applicant: -
Address: -
National Identity Card No.:-
- 02. Reason for application: -
- 03. Date and Time when the playground is required:-
From To Time

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

.....
Signature of the Applicant

Date: -

Second Schedule

Paragraph (b) By-law No. 3

Table of Fees charged for the use of a playground

	Name of the playground	Fees Rs.	Deposit Rs.	Fees for an extra hour Rs.
1.				
2.				

Part XXXIV

By - laws relating to Community Centres

Badulla Municipal Council do hereby enacts bylaws relating to Community Centres within the Municipality of Badulla, and to stipulate charges and fees for using such places where slaughtering is carried on, in accordance with the powers vested in the Council under subsection – 28 – (E) to be read with section 267 and 272 of the Municipal Council Ordinance (Chapter 252) No.42 of 1979 (Amended) .

1. The by-laws in this part are cited as the by-laws relating to regularizing, control and supervision of Community Centres within the area of authority of the Badulla Municipal Council.
2. Anybody who expects to obtain a permit to make use of any Community Centres owned by the Badulla Municipal Council shall forward an application substantially prepared in accordance with the specimen given in the First Schedule of the by-laws in this part.
3. Unless the following conditions have been fulfilled in issuing a permit to make use of any Community Centre owned by the Badulla Municipal Council to anybody forwarding an application as stated in by-law No. 2, the Municipal Commissioner shall not issue a permit.
 - (a) All applications for issue of a permit to make use of the Community Centres shall be considered in the sequence in which they were received by the Badulla Municipal Council. However, high priority shall be given to any application in respect of any matter relevant to any sport or sports from among the applications received for the use of a Community Centre.
 - (b) The permit shall be issued only after payment of fees for reservation of the Community Centres and deposit money on the basis of decisions made by the Badulla Municipal Council from time to time in accordance with the table set out in the Second Schedule.
 - (c) Notwithstanding anything stated in paragraph (b) no charges shall be made in respect of any meeting of a civil organization in the area where Community Centre is located or in respect of any public event being held by such organization.
4. Only any money left behind after deducting, -
 - (a) the cost of any damage caused to the Community Centre or any section of it, in the event of such damages being caused and
 - (b) the fees that shall be paid on behalf of the extra period of time the Community Centre was utilized,shall be paid back to the applicant, out of the deposit money deposited at the Badulla Municipal Council , after the use of any Community Centre reserved for any purpose.
5. When an application forwarded for the reservation of a Community Centre by any person is rejected it is the duty of the Municipal Commissioner to inform the applicant in writing on the day of such application, itself about the reasons for such rejection.

6. Forwarding of application to allocate a Community Centre for use shall be done at least three days before the expected day of such use. However, this limitation shall not apply in respect of a request to allocate a Community Centre in order to keep a dead body of anybody who had living in the Badulla Municipal Council area, or of a relative of such a person. An application made by anybody shall be forwarded at any time before the period of three days prior to the date on which the Community Centre shall be allocated. Furthermore, the allocation made according to the said request shall be subjected to the provisions in By-law No. 7.
7. In the event of any applicant needing the cancellation of the reservation of any Community Centre after it had been reserved under the provisions of the by-laws in this part, the Municipal Commissioner shall allow such cancellation, subject to the following conditions:
- (a) when the application for cancellation of the reservation is forwarded,
 - (i) three months prior to the date on which the Community Centre was reserved, five percent of the fees paid;
 - (ii) two months prior to the date on which the Community Centre was reserved, ten percent of the fees paid;
 - (iii) one month prior to the date on which the Community Centre was reserved, fifteen percent of the fees paid;
 - (iv) fifteen days prior to the date on which the Community Centre was reserved, twenty five percent of the fees paid;
 - (v) Seven days prior to the date on which the Community Centre was reserved, fifty percent of the fees paid;
 - (vi) Three days prior to the date on which the Community Centre was reserved, seventy five percent of the fees paid.

shall be subjected to withholding in the funds of the Badulla Municipal Council
 - (b) When the application for cancellation of the reservation is forwarded in a period of time less than three days to the date on which the Community Centre was reserved the fees paid shall not be refunded.
 - (c) When any reservation has been cancelled the applicant shall have the right to get the money deposited for such reservation refunded fully;
 - (d) A Community Centre reserved by any person shall not be used for any other purpose than that for which it was reserved.
 - (e) A permit issued in respect of reserving a Community Centre shall not be transferred on any ground to any other person.
8. In the event of the necessity to get the date of reservation of any Community Centre changed the applicant shall forward a written request in this regard to the Municipal Commissioner. The amendment of the date of reservation made according to such request shall be subject to provisions in By-laws Nos. 3 and 6.
9. In the event of any Community Centre reserved under the provisions of the by-laws in this part being required for any essential matter of the Badulla Municipal Council, on the day of such reservation itself, the Municipal Commissioner shall have the power to cancel such reservation. However, if such cancellation is effected the applicant shall be informed in writing about the cancellation three days prior to the date of such reservation of the Community Centres and the fees paid by him and the deposit money shall be refunded fully. Furthermore, such cancellation shall not be effected less than three days prior to the date of reservation.
10. While nobody shall damage or let anybody else damage a community centre owned by the Badulla Municipal Council, action shall not be taken to engage in smoking, consume liquor, engage in gambling or take part in any misconduct.
11. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
1. A fine not exceeding Rs. 1000.00 if the offence is committed for the first time.
 11. A fine not exceeding Rs. 2000.00 if the offence is committed for the first time on a subsequent occasion.
 111. As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

12. In this part, unless the context otherwise requires —

“Community Centre” means any property or premises allocated for the common use of the people living in the Badulla Municipal Council Area and maintained by the Badulla Municipal Council . Moreover it shall include the wall or fence erected around the Community Centre or any building constructed within the centre or any Section of such construction or any fittings or instruments.

“civil organization” means any volunteer organization established with the participation of the people living within the Badulla Municipal Council area and it shall also include any other Volunteer Organization established outside the area of authority of the Badulla Municipal Council for the benefit or development of the people of the area.

“public event” means any meeting, discussions medical clinic, presentation of aid, any other similar act or religious and social event and it shall not include any commercial event;

First Schedule

By-law No. 2

Application for permission to use the Community Centre in Badulla Municipal Council

01. Name of the Applicant: -----

Address: -----

National Identity Card Number: -----

02. Reason for Application: -----

03. Date and Time when the Community Centre is required: -

From ----- to ----- Time -----

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

Signature of the Applicant

Date: -----

Second Schedule

Paragraph (b) by law No. 3

Table of Fees Charged for the Use of a Community Centre

	<i>Name of the Community Centre</i>	<i>Fees Rs. Cts.</i>	<i>Deposit Rs. Cts.</i>	<i>Fees for an extra hour Rs. Cts.</i>
1.				
2.				

PART – XXXV

Library

Hereby it is declared the by laws regarding maintenance of a library under Section 272, according to powers assigned by sentence 267 of Municipal Councils Act of Authority 252.

01. This is the by-laws to systemize, manage and charge fees for libraries owned by the Municipal Council of Badulla.
02. The library established by the Municipal council of Badulla should carry the following sections:-
- Book lending section
 - Reading hall
 - Children's library
 - Magazine section
 - Mobile section
 - referring section
 - Audio - vassal unit including auditorium
 - "Nenasara" data-technological center.
03. I An advisory committee of public library should be formed and it should consist of the following:
- The Mayor of the Municipal Council (officially)
 - One person out of not more than 5 members of the M.C elected by the M.C.
 - Four recognized scholastic personalities living within M.C limits appointed by the council
 - A person named by the M.C. out of sponsors of the library, under the consent of the chairman of the library users club and the librarian.
 - The commissioner of local government or his nominee .
 - The commissioner of the M.C. shall be a committee member officially.
- I. The librarian should be responsible in maintaining discipline in the library and he/she shall be the secretary of the advisory committee officially.
- II. The persons appointed per sub-constitution (I) (a),(c) and (d) shall be in that office for a period of one year. If needed they may be reappointed too.
04. I. The Mayor shall be the chairman of the advisory committee, officially, and should preside at every meeting of the committee. In his absence a committee member or a M.C. member may be selected to preside the meeting by the committee members being present.
- II. If equal votes are received at any voting for some matter the presiding member should have a divider vote extra to his vote.
05. I. The quorum of the committee should be 05
- II. Any meeting of the committee should not be proceeded without a quorum of 05 members.
06. The committee should have the powers to give permission to use any section of the library for any cultural or educational matter under conditions considered as needed or to prohibit. a person to use any section of the library who has disobeyed any regulations of the by law.
- 07: I Any (Lending library) person who wish to be a Lending Library Member of the lending library has to fill an application form obtained from the librarian and fulfill the following needs.
- Should be above 14 years of age
 - Should be able to read.
 - A person who owns a house for the value of not below Rs. 15,000.00 should have become a guarantee for.
 - Should be a resident within M.C. limits.
 - The member should get his/her inhabitation confirmed by the relevant Grama Niladhari by getting his certificate in the application form.
 - The guarantor's inhabitation should be confirmed by referring the tax payers lists.
 - When the application form is completed it should be approved and sent back through post to get the address confirmed.
 - None other than a school student by depositing Rs. 50.00 non- scholar depositing Rs. 100.00 a person of outside the town area depositing Rs. 200.00 at the librarian should receive the membership.

- 07.2. Then the application form should be got approved from one of the following:-
- (a) A member of the Parliament of the district.
 - (b) A member of the Provincial Council.
 - (c) Mayor/Deputy Mayor
 - (d) A member of the M.C.
 - (e) A Principal of a school within the M.C. limits.
 - (f) A government servant obtaining an annual salary of over Rs.60,000.00.
- 07.3. The guarantor should be responsible for members' fine-money, lost or damaged to books or any other material belongs to the library.
- 07.4. A person has the right to approve an application per 07.2 above, need not get his application approved as such, but he should get his application approved per 07.1.
08. A member of the lending library should be responsible for the books he borrows for his/her membership card.
09. The librarian should issue two membership cards for each member of the lending - library. Each member is liable to takeaway one book at a 1 time keeping the membership card with the him.
10. If a membership card is lost, the owner of the card should immediately inform about it to the librarian. If the librarian is obvious that no books had been issued for that card, he may issue a second copy of that lost card by charging Rs.10.00 from that member. Yet that second copy should not be issued until at least 30 days have passed from the date the lost was informed to the librarian . That second copy of the card should not be a reason to avoid the responsibility of that member or the librarian for any issued books for the lost card.
11. If any change of the address or official address, the member occurs, he/she should inform in writing to the librarian within a period of one week under the bound to refund the deposited money or reissue membership cards. And reissuing of membership cards should be per librarians wish.
12. The members who change their inhabitation to outside of the M.C. limits or who do not use the library further, should handover their membership cards to the librarian to cancel them. If not done so, they should be responsible for the books they borrow using their cards.
13. The membership should be renewed once in two year. A newly completed and approved per. 7.1 (c) should be forwarded for the renewal . Rs. 25.00 should be deposited again for renovation.
14. (a) A borrowed book from the lending library should be returned within 14 days.
- (b) If not requested by any other member a borrowed book may be kept for another 14 days by returning the book to the library and borrowing it or by requesting to do so in writing, from the librarian.
17. No harm should be done in any means for books borrowed from the lending section. The members should use the books carefully without ending pages or markings on them and kept clean.
18. If any lending book is found damaged or harmed, it should be reported to the librarian by the borrower before taking it away. If that was not reported the borrower would be responsible for that damage.
19. If the librarian found that a borrowed book has been damaged or harmed by writing or marking in it (other than the changes may happen in normal use) when returns to the library he may charge the whole price of that book from the borrower. If that member failed to refund that money, the commissioner may take legal action to get charged that money along with the other charges too from that member.
20. The member borrowing a book from the lending section shall be responsible for that book.
21. (a) A book used or having a doubt have been used by a person having an infectious disease or a disease spreading by touch or a skin disease should not be returned to the library.
- (b) If such incident, said above, occurred the relevant book should be destroyed and the member should pay the amount of that book to the librarian to buy a new copy of the destroyed book.

22. If any grudge arises between two or more members due to asking to borrow the same book at same time. The librarians decision would be last.
23. At disclaiming the membership, the deposited money per 7:1 (e) should be refunded after deducting any owings to the library.
24. The lending - library should be opened from 8.00 am to 6.00 p.m. on every working day of the library.

The reference Section

25. Any person obtaining the membership of the reference section by depositing Rs.50.00 to the library, is entitled to use the reference section.
26. Any material (e.g books, magazines, newspapers, pictures, carryings, notes or any others) belongs to the reference section is prohibited to take away from the reference section without the permission of the M.C Commissioner.
27. The reference section of the library should be kept open to the public from 8.00 a.m.to 6.00 p.m. on working days of the library.

Reading section (Magazine Section)

28. Any material such as a book , magazine, newspaper, a picture, a plan, a note, a map etc. should not be taken out of the reading section without permission of the magazine section.
29. The magazine section should be kept open for the public from 8.00 a.m. to 6.00 p.m for other than on the closing days of the library decided by the M.C.

Children's library

30. All children resided within the M.C. limits or children of schools within M.C. limits may be enrolled as members of the children's library. Yet no children.
 - (a) Below 5 years and over 14 years of age.
 - (b) Unable to read should be enrolled as members of the children's library
32. Children wishing to obtain the membership of the children's library should fulfill the following needs.
 - (a) The relevant Grama Niladharee should have approved the inhabitation of the applicant in the application form.
 - (b) The guarantor's inhabitation should be confirmed by referring taxation sheets of the M.C.
 - (c) The approved application from should be sent to the member through post to get confirmed his/her address.
 - (d) A person resided within M.C limits should deposit a sum of Rs.25.00 and Rs.50.00 by persons outside the M.C limits to the librarian.
 - (e) One's parent or guardian should certify the application as the guarantor.
 - (f) School children should get their application forms signed by their school-principal to prove their studentship of the relevant school.
33. Two membership cards should be issued to a member of the children's library and he/she may obtain two books at a time for those two cards. when the books are borrowed the membership cards should be kept at the library.
34. As the card owners are responsible for the books they borrow for their cards they are advised to keep their membership cards safely without losing them.
35. The guarantors are responsible for members all fines and books or any other belongings of damaging the library or losing by the members of the children's library.
36. If a membership card issued under the above section 33 has been lost, that owner of the card should immediately inform about it to the librarian. The librarian may issue a second copy of the lost card to the member charging Rs.5.00 from him if the librarian is confident that no books had been taken away for that lost card. Yet the issuing of the new card should be delayed until 30 days have passed from the date the loss was informed. The second issue of the card should not be a reason for the member to free him/her from his/her responsibility for any book borrowed under the lost card.

37. If the books taken away from the children's library were not returned within a period of 14 days as stated in sentence 14 a fine of Rs.5.00 would be charged for every delayed day. Yet the days the library would be closed shall not be applicable for this purpose.
38. If a book taken away from the children's library had been delayed to return until before 30 days had passed, either the book or twice the prize of the book and other charges as decided by the commissioner of the M.C and the fine persentence 37 should be able to charge through legal action for the M.C from either the relevant member or from his parents or guardian.
39. If not for the days the library normally closes or for any other day the M.C decides to close, the children's library should be kept open from 8.00 a.m.to 5.30 p.m. for children every day.
40. The sentences 13,16,17,18,20,21 of this interim by-constitution should be relevant for the children's library , too.

Mobile - Library Section

41. Mobile library services should be started and maintained for a region decided by the M.C. Children's clubs should be established within that region under instructions of the community health or of an authorized officer and the members for the mobile library service should be recited from children club members.
42. No. Child.
 - a) Below 5 years and over 14 years of age.
 - b) unable to read
Should be joined as a member of the mobile-library.
43. All children wish to join as a member of the Mobil-library should fulfill the following needs.
 - (a) A deposit of Rs.25.00 should be kept with the librarian.
 - (b) Parents should be agreed as guarantors
 - (c) The consent of the community health assistant or the officer authorized, should be obtained for the application from.
44. The sentence number 33,34,35,36,37 and 38 of this by-constitution are relevant to the mobile-library service, too.
45. The **mobile** library service will be held every day other than the holidays and the days decided to closed the library by the M,C.
46. A person suffering from an infectious disease, a disease spreading by touch or a skin disease or had a disease recently or a person nursing such a patient, should not enter the library for any purpose until he/she is disinfections fully.
47. Anybody should not
 1. Behave indecently or unpleasantly inside or in the premises of the library.
 2. Damage or harm any goods, buildings or assets inside or around the library belongs to the M.C
 3. Stay in or idle about in the library building or in the premises for no acceptable reason.
 4. Spit or smoke within the library premises.
 5. Play cards or any other game in the library.
 6. Disturb the users of the library by means of shouting, singing etc.
 7. Enter the library in indecent clothes.
 8. Bring any dogs or another creatures.
 9. Come into the library after consuming liquor or drugs or bringing or food or sleep within the library building or in the premises.
 10. Assign his/her responsibility of protecting own things such as umbrellas, hats, walking-sticks, bags etc. to the staff or others in service at the library
 11. Enter or stay in places are not separated for the public in the library.
 12. Damage or harm anything belongs to the library in any sort of way in any means.
 13. Disturb the librarian or a person working under his consent when using the powers legally under this by-laws.

48. Even though a person has the right to use the library ..
- behaving indecently.
 - Using insulting or indecorous language,
 - betting or gambling or trying to stay for long after library hours within the library building/ the librarian or an officer or an employee of the library is entitle to send them out of the library.
49. If any of the sentences sentence out of sentence 26,29,46,47 or 48 of this constitution had been disobeyed by someone, he/she has to pay a fee ordered by the commissioner of the M.C, to the library fund.
50. If any sentence out of sentence 16,17,18,19,20.26,29,46,47 and 48 had been disobeyed by any member, his/her membership should be cancelled by the Mayor of the commissioner. Once cancelled membership should not be given back to him/her under any circumstances.
51. The M.C. shall maintain a library fund as sated below

The library - fund

- 51:1 *Aim:-*
This fund shall be named as “public library fund”
The aim of it to collect funds into it to supply needed books. magazines etc. and furniture and technological equipment’s needed to gain latest knowledge and data for the users of the library.
- 51:2 Obtaining donation for the fund Allocations of the M.C, aid gained from government departments, aid donated by well-wishers, money given by voluntary institutions and N.G.O.S and aid given by foreign countries would be added to this found. The daily income of the library too would be deposited to this fund and also the funds collected through various programs would be added to it.
- 51:3 The committee of the fund:-
The fund would be managed by a committee i,
It would be consist of
- Hon mayor or Deputy Mayor
 - The M.C. commissioner
 - Secretary of the M.C
 - Accountant of the M.C
 - Three members of the advisory committee (one should be a member of the M.C)
 - Chief librarian
 - Chairman or a member of the Ayurveda committee.
- The fund:-
Shall be consisted of 09 ,members, and the quorum would be 04. The chairman of committee would be the Hon.Mayor or Hon. Duputy Mayor and Secretary would be the Chief librarian, At least once a month, the committee should hold a meeting. If any amendment is made to the constitution, the consent of the library advisory board should be taken to it and then get it approved by the council.
- 51:4 *Maintaining the Fund:-*
The consent of the fund - committee should be taken for every payment. All money should be deposited in a current account or in a savings account. The accountant should forward an annual audit report before 31 st January of every following year. All accounts should be audited. The signatures of the following should be valued at bank affairs. The commissioner of M.C or the secretary or the chief librarian and the accountant of the M.C (essential)
- 51:5 *General matters :-*
All decisions taken externally through ambitions of the constitution relevant to the fund would be the decision of the committee of the fund.

“ NENASARA’ Data - Technology Center

52. I All children living within the limits of the M.C or all children studying in schools within the limits of the M.C may enroll as members of “Nenasara - Data technology center”
A child:-
- (a) Under 5 years or over 14 years of age
 - (b) Unable to read or operate a computer
(should not enroll as a member of the N.D.T.C.)
- II. All children wish to enter the N.D.T.C as a member should fulfill the following needs.
- (a) The applicant should get the application form signed by the Grama Niladhari to approve his/her inhabitants.
 - (b) The tax-register should be checked to approve the guarantors inhabitancy.
 - (c) After the approval of the application, it should be sent to the applicant by post to ensure the address.
 - (d) A person within the M.C limits should deposit Rs.25.00 and persons outside Rs.50.00 at the library.
 - (e) Father/Mother/Guardian should certify the application form as the guarantor.
 - (f) The school children should get their school principal’s signature into their application form as his/ her consent.
- III. A membership card of the N.D.T.C should be issued to all members of the N.D.T.C and they may use the computers of N.D.T.C forwarding that card.
1. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
1. A fine not exceeding Rs. 1000.00 if the offence is committed for the first time.
 - 11 A fine not exceeding Rs. 2000.00 if the offence is committed for the first time on a subsequent occasion.
 111. As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

Part XXXVI

Gully Vehicle service of Badulla Municipal Council

Badulla Municipal Council do hereby enact the by-law relating to supply of gully vehicles, provision of gully vehicle services, fixing of charges there of, and the recovery of such charges in terms of paragraph (B), of subsection – 05, section 272, in accordance with the powers vested in the Municipal Councils under section 267, Chapter 252 of the Municipal Council Ordinance.

1. This by-law may be cited as the by-law relating to provision of gully vehicle services of Badulla Municipal Council and fixing of relevant charges and stipulating conditions connected there of.
2. (a) This by-law is enacted to formalize and regulate the disposal of waste water, removal of waste matter, cleaning of sewage tanks, latrines, soakage pits and drains, and removal of waste water accumulated at blockages and transporting of such waste matter generated in the Municipality of Badulla, and disposing of them in a formal and methodical way.
- (b) with a view to maintaining the public sanitary care in a good standard the gully vehicle service of Badulla Municipal Council shall have to be made use of by all residents in the municipality for the purpose of disposing waste matter generated from houses , business places, government and non government institutions, religious places, schools, factories, public markets, economic centers, railway stations weekly/daily/Sunday fairs, common and public latrines, pit latrines, sewage tanks, septic tanks, gully tanks concrete buffalo tanks, plastic tanks and other artificial tanks.
- (c) With a view to maintaining a good/standard in sanitary care, a formal soakage pit or a sewage tank shall have to be constructed and maintained for effective disposal of waste matter and waste water generated from houses , business places, government and non government institutions, religious places, schools, factories, public markets, economic centers, railway stations weekly/daily/Sunday fairs, common and public latrines, pit latrines, sewage tanks, septic tanks, gully tanks concrete buffalo tanks, plastic tanks and other artificial tanks within the municipality.

3. (a) Gully service shall not be provided to any local government area outside the Municipality of Badulla without a permit issued by the Municipal Commissioner of Badulla Municipal Council or by any Authorized Officer.
- (b) Any person desirous of obtaining gully service shall have to furnish a duly perfected application prepared in accordance with the specimen set out in Schedule -01
- (c) Any such application shall be considered a formal agreement entered into between the Municipal Council and the applicant for the purpose of this by-law.
- (d) Gully services shall only be provided, upon completion of the application and having approved it and paid the relevant licensing fee. The relevant fees shall be determined from time to time by the Municipal Council and published in the Government *Gazette*.
- (e) Gully service shall be provided according to the priority list mentioned by the Municipal Commissioner.
- (f) The caretaker and his staff at the applicant's address shall extend their co-operation to the employees of the Municipal Council in disposing the waste matter in latrine pits, sewage tanks and gully pits without causing any sanitary problems to the people in the neighbourhood.
4. (a) The applicant shall have to agree with the decisions taken and instructions issued by the Municipal Council, in the event of any inability to provide gully service upon accepting the application owing to any obstacle or on account of any unavoidable circumstances.
- (b) no gully service shall be provided to any place, other than the place request for by the applicant in his application.
5. Supply of gully vehicle, provision of gully service and levying of charges and fees shall be determined by the Municipal Commissioner at Council any sittings, or be revised any such fees or charges determined on an earlier occasion.
6. (a) Fees or charges for provision of gully vehicle and services stipulated under paragraph – a above or any such charges revised from time to time shall have to be published in the Government *Gazette* annually.
- (b) Such fees or charges shall have to be displayed conspicuously at the count in the Municipal Council Health section where application are received, and in the Municipal Council, as well.
- (c) Fees or charges shall be stipulated having classified the nature of the locations or such other matters.
7. (a) The application in respect of any place for which the gully service is required shall be perfected by the applicant, owner, occupant, caretaker or the person responsible.
- (b) Moreover, the responsibility of this matter shall be borne by him/her.
- (c) In the event of any dispute comes up in regard to the ownership of the place, applicant, occupant, owner caretaker or person responsible, shall have to substantiate his/her claim for the ownership or the status of responsibility thereof.
- (d) In the event of any complication arises in regard to obtaining of gully service to any place or around any place, the applicant, occupant, owner, caretaker or person in control of such place shall bear the responsibility of any such complication
8. (a) In the event of any inability to take the gully vehicle to the intended place of operation because of the unfavorable physical characteristics of the land, or where it becomes impossible for any vehicle to use a road or a street till the gully service operation ends, any loss or damage sustained there of shall have to be borne by the applicant.
- (b) Where the gully vehicle cannot be driven on any road or street or where the vehicle cannot be driven upto the place of operation owing to the unfavorable physical characteristics of the land, any damage that would be caused to the vehicle shall have to be bare by the applicant.
- (c) The place for which the gully vehicle service is request must have been well maintained and shall be acceptable enough to receive such service.
- (d) Whenever the gully vehicle and the employees of the Municipal Council report for duty to provided gully vehicle service, if the applicant or other relevant person is not in the place or the place is closed preventing access, the applicant shall be responsible for the failure to prove the service.

- (e) The Municipal Council shall have the power to recover any fees as determined by the Council, inclusive of transport charges from the security deposit of the applicant , where a situation referred to paragraph (d) occurs.
- (f) The Municipal Council shall have the power to recover to transport charges and inspection fees from the security deposit, in case of any obstruction or such other cause making it impossible to provide the intend service to the applicant.
9. (a) When providing this service, if the applicant obtains the facility of storing waste matter and waste water separately charges shall be calculated based upon such facility.
- (b) Where it becomes impossible to provide gully vehicle services to any resident application within the Municipal limits, and if his security deposit has been appropriated to defray a part of any other administrative expences, the Municipal Commissioner shall have the power to recover such money , and any other tax payable to the Council by the applicant is if outstanding, to recover such money from the deposit, with the consent of the applicant.
- (c) The waste matte and waste water this removed shall be disposed without causing any sanitary hazard to the public health.
10. (a) The water used for cleaning of vessels appropriated for agricultural purposes shall not be released to a canal, brook or any water way, or to an open land. Such water must be stored separately and disposed by the gully service.
- (b) Water used for serving of vehicles must be released having purified it formally. Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
- (i) bio degradable waste;
- (ii) glass;
- (iii) paper or paper based materials;
- (iv) polythene and plastics or material based on polythene and plastics;
- (v) iron and other kinds of metal or parts of iron and other kinds of metal;
- (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line;
- (vii) dangerous waste;
- and it shall be the duty of the licensee to see that they are put in separate containers or tanks put in place for that purpose.
- (b) Provided that the waste put in containers or tanks having being categorized in the manner set out in paragraph (a) above is disposed of under the programme of waste management launched by the Municipal Council of Badulla. the final disposal shall be done in the manner prescribed by the Municipal Commissioner.
11. In shall be lawful for an officer authorized by the Municipal Commissioner generally or in writing to enter and inspect a house or a business place, during an appropriate time of the day, where waste water disposal is not done properly and give them necessary instructions how such waste water shall have to be disposed of.
12. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
- 1 A fine not exceeding Rs. 1,000.00 if the offence is committed for the first time.
- 11 A fine not exceeding Rs. 2,000.00 if the offence is committed for the first time on a subsequent occasion.
- 111 As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250 for each day he commits the offence.

13. In these by-laws , unless the context otherwise requires,

“the gully vehicle service” means to serve in the gully vehicle, provide services and vehicles and to remove waste water and waste water and waste matter.

Schedule 01

**Badulla Municipal Council – Municipal Health Department
Application for removal of toilet waste**

1. Name of applicant/institution
2. Postal address
3. Proximate distance from the Municipal Council office
4. Wheter the road is motorable for the gully vehicle to be safely driven to the place
5. The distance where hose-pipes need to be installed, the halted gully vehicle to the toilet pit
6. Whether there is a suitable place available to dispose of the waste matter
7. If there is no suitable place, to dispose of the waste matter, should it be taken back to the Municipal Council Gully Vehicle Center?.....
8. The date on which the service is required.....
9. How to reach the place? (Indicate in details).....
10. Telephone number of the house/institution

.....
Signature of applicant.

Date :.....

Submitted for approval for providing gully vehicle service to the aforementioned place.

.....
Public Health Inspector

Date :.....

Provision of gully vehicle service to the aforementioned place is approved/not approved.

.....
Municipal Commissioner
Badulla.

Date :.....

***For office use only
Charges for domestic service***

	Within the Municipality	Out of the Municipality
Service charges		
Transport charges		
Labour/driver allowance		
Charges for bringing back the extra		
Relevant vat charges		
Total amount payable		

Charges for commercial service (for 1 bowser load)

	Within the Municipality	Out of the Municipality
Service charges		
Transport charges		
Labour/driver allowance		
Charges for bringing back the extra		
Relevant vat charges		
Total amount payable		

Municipal Accountant

Submitted for charging Rs. as indicate above.

Public Health Inspector

Chief Public Officer of Health

Date.....

Health Supervisor

Please report after taking necessary action according to the above request.

Date.....

Public Officer of Health

Using Gulley Vehicle

1. Name and address of applicant :
2. Route taken :
3. Milometer indication at the time of start Milometer indication at the time of ending :
4. Date of Use :
5. Name of the employees deployed :
6. Time of commencement:
Time of ending

I, hereby certify that the aforementioned tasks are completed as mentioned above.

.....
Date

.....
Signature

7. Name of the owner of the house/institution

I, hereby confirm that the task was completed satisfactorily having emovedloads, and the gulley vehicle service was provided froma.m./p.m. toa.m./p.m. on as requested by me.

.....
Date

.....
signature of the applicant

I hereby report that the above mentioned tasks were completed appropriately

.....
Date

.....
Health Supervisor.

For office use

Municipal Commissioner/Municipal Accountant

- 1.
- 2.
- 3.

.....
Date

.....
Public Health Inspector.

Please refund the balance

.....
Date

.....
Municipal Commissioner.

PART XXXVII

Crematoriums

Badulla Municipal Council do hereby enacts bylaws relating to Crematoriums within the Municipality of Badulla, and to stipulate charges and fees for using such places where slaughtering is carried on, in accordance with the powers vested in the Council under Subsection – 267 and 272 of the Municipal Council Ordinance (Chapter 252) No.42 of 1979 (Amended) .

1. The by-laws in this part are cited as the by-laws relating to regularize, control and charge fees on the crematoriums of the Badulla Municipal Council
2. No dead body shall be cremated in any crematorium owned by the Council without a licence issued by the Municipal Commissioner or an Authorized Officer.
3. (a) Unless a Magistrate or an Inquirer in to Sudden Deaths has granted permission to cremate a dead body on completion of an inquiry made in respect of it by the said Magistrate or the Inquirer into Sudden Deaths, under the Criminal Procedure Code Act No. 15 of 1979, the Municipal Commissioner or the Authorized Officer shall not accept it for cremation or issue a licence to cremate it.
- (b) Unless the relevant crematorium of the Badulla Municipal Council has been named in the 7th column of the Death Certificate of a deceased, under “cause of Death and the place of the burial or cremation’ the Municipal Commissioner or the Authorized Officer shall not accept the dead body for cremation or issue a licence to cremate it.
4. (I) Anybody expecting to obtain a licence mentioned in by-law No 3. (hereinafter referred to as “the applicant”) shall forward an application substantially prepared in accordance with the Second Schedule to this part together with the documents mentioned below to the Municipal Commissioner or the Authorized Officer.
 - (II) (a) Identity Card or,
 - (b) the birth certificate of the applicant or,
 - (c) the birth certificate of the deceased or,
 - (d) the marriage certificate of the applicant or
 - (e) the certificate issued by the Grama Niladhari of the Division where the deceased was living,

in order to facilitate the establishment of the relationship between the deceased and the applicant.

- (III) If an inquiry under the Criminal Procedure Code Act No. 15 of 1979 had been made in respect of the death of the deceased, the certificate issued by the Magistrate or the Inquirer-into-Sudden Deaths under paragraph 41(e) of the Registration of Births and Deaths Ordinance giving permission to cremate the dead body or the certificate issued under paragraph 43(b) of the Registration of Birth and Deaths Ordinance, in the event of the dead body being of a still born person, and
- (IV) the death certificate of the deceased.
5. (1) While it is possible to determine by resolution approved by the Council the charges for the cremation of a dead body it shall be amended from time to time on such approval of a resolution.
- (11) While charges levied or amended from time to time under paragraph (1) above shall be published in the *Gazette* it shall be prominently displayed at the place where applications are received for booking the crematorium and at the crematorium.
- (111) The charges for the cremation of a dead body shall be levied under the classification set out in the 02 schedule of this part.
6. In the event of accepting any dead body for cremation in accordance with the application forwarded, the applicant shall be issued with the licence by the Municipal Commissioner or the Authorized Officer after charging the fees levied according to by-law No. 3. The time and the date on which the dead body due to be cremated according to the licence should be handed over to the Crematorium Keeper shall be clearly specified in the relevant licence.
7. In the event of a dead body being not accepted for cremation due to some reason the Municipal Commissioner or the Authorized Officer shall take steps to immediately inform the applicant in writing about it, specifying the reasons for such non-acceptance.
8. (I) The applicant or any authorized representative of him shall take possession of the ashes of the body before the elapse of seventy three days after the cremation of any dead body.
- (II) However, on a written request made by the applicant the Municipal Commissioner or the Authorized Officer shall extend the period during which the ashes are kept with the Crematorium Keeper.
- (III) The period of extension for the ashes to be kept in the custody of the Crematorium Keeper under paragraph (b) shall not be more than two months from the date of the cremation.
- (IV) The Municipal Commissioner or the Authorized Officer or the Crematorium Keeper shall have the power to dispose of the ashes that had not been removed even after the expiry of such period allowed for the removal of ashes.
- (V) It shall be the duty of the Municipal Commissioner or the Authorized Officer to make arrangements to bury the ashes not removed by any applicant or any authorized representative at the premises of the crematorium or in any crematorium.
9. (I) Nobody other than the Crematorium Keeper or his Assistants shall enter into the covered section of the chamber of the Crematorium after the closure of the security door of the chamber on introducing the dead body into the chamber of any crematorium without permission of the Municipal Commissioner, authorized officer or crematorium keeper.
- (II) Nobody shall enter into the premises of any crematorium without permission from the Badulla Municipal Council, Authorized Officer or the Crematorium Keeper.
- (III) Notwithstanding anything stated in paragraph (11):-
- (I) any other person or persons who participate in the handing over of a dead body for cremation with the person who had obtained a licence to cremate it or with his authorized representative; and,
- (II) any other person or persons who arrive at the crematorium on the specified date or earlier to receive ashes, with the person who had obtained the licence or with his authorized representative, shall be considered as persons who have been allowed to enter the premises of the crematorium.

10. Within the premises of any crematorium nobody shall,-
- (a) act in a manner disrupting peace ;
 - (b) damage or try to damage property within the premises of the crematorium belonging to the Badulla Municipal Council;
 - (c) obstruct the official functions of the Crematorium Keeper or any of his Assistants;
 - (d) decorate or paste notices within the premises of the crematorium.
11. (a) It shall be the duty of the Municipal Commissioner to maintain and operate the crematoriums in conditions suitable for cremation of dead bodies;
- (b) In the event of the closure of any crematorium for the purpose of repairs or maintenance activities, it shall be the duty of the Municipal Commissioner to display prominently a notice on it in all the three languages at the Office issuing licences for cremation of dead bodies and at the entrance to the crematorium premises.
- (d) In the event of a decision being arrived at to issue a licence on an application made for permission to cremate a dead body, it shall be the duty of the Municipal Commissioner or the Authorized Officer to register the death in the sequence such applications are received in a Register substantially prepared according to the Third Schedule to this part. This Register shall be maintained at the Office of the Badulla Municipal Council accepting applications.
- (e) (1) In the event of accepting any dead body for cremation in accordance with the application forwarded, the applicant shall be issued with the licence by the Municipal Commissioner or the Authorized Officer after charging the fees levied according to by-law No. 3.
- (11) The time and the date on which the dead body due to be cremated according to the licence should be handed over to the Crematorium Keeper shall be clearly specified in the relevant licence.
- (f) In the event of a dead body being not accepted for cremation due to some reason the Municipal Commissioner or the Authorized Officer shall take steps to immediately inform the applicant in writing about it, specifying the reasons for such non-acceptance.
12. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
- I. A fine not exceeding Rs. 1000.00 if the offence is committed for the first time.
 - II. A fine not exceeding Rs. 2000.00 if the offence is committed for the first time on a subsequent occasion.
 - III. As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding R. 250.0 for each day he commits the offence.
14. In by-laws of this part, unless any other meaning is sought,-
- “ashes” means any matter left behind after cremating a dead body;
- “cremation chamber” means the chamber where the dead body is kept and the outer chamber constructed outside the main chamber;
- “crematorium keeper” means any employee appointed by the Badulla Municipal Council to be in-charge of the crematorium and its functions;
- “crematorium premise” means the whole crematorium and the land on which it is located;
- “dead body” means the entire dead body of a deceased person or the dead body of a still born person or any part of a dead body.

First Schedule

By-law No. 3

Fees for use of the Crematorium

		<i>Rs. Cts.</i>
01.	To cremate the dead body of an adult living in the area of authority.	... ..
02.	To cremate the dead body of a person who is not an adult living in the area of authority.	... ..
03.	To cremate the dead body of an adult living outside the area of authority.	... ..
04.	To cremate the dead body of a person who is not an adult, living outside the area of authority.	... ..
05.	To cremate the dead body of an adult of a Samurdhi family living in the area of authority.	... ..
06.	To cremate the dead body of a person who is not an adult of a Samurdhi family living in the area of authority.	... ..

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

Second Schedule

By-Law No.4

(To be forwarded in duplicate)

Application for a licence to cremate a dead body at the crematorium of Badulla Municipal Council

01. Full name of the applicant: -
- Address: -
- National Identity Card No.: -
- No. and Name of the Grama Niladhari Division: -
02. Full Name of the deceased: -
- Sex: -
- Address of the residence: -
- No. and Name of the Grama Niladhari Division: -
- National Identity Card No.: -
03. Applicant's relationship to the deceased: -
- (Please annex a certificate stated in paragraph (a) of By-law No. 5 in order to establish the relationship)
04. Registration No. and Date of the Death Certificate: - (Annex a copy of the Death Certificate)
05. Name and Division of the Registrar of Deaths: -
06. Cause of Death: -
07. In the event of an inquiry being held into the Death: -(Annex the Certificate stated in paragraph (b) of by-law No. 5)
- Name and Designation of the Inquiring Officer: -
- Date of Inquiry: -
- Determination of the Inquiring Officer: -
- Has the Inquiring officer given permission to cremate the dead body? :-

08. Date and time applied for the cremation: - (According to the sequence of preference)

		<i>Date</i>	<i>Time</i>		<i>Date</i>	<i>Time</i>
	i.	... 20 ...	... .. Hours	ii.	... 20 ...	... .. Hours
	iii.	... 20 ...	... .. Hours	iv.	... 20 ...	... .. Hours

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

Date: - 20

.....,
Signature of the Applicant.

Second Schedule

Mr./Mrs./Miss

Sir / Madam

Refusal to issue a licence to cremate a dead body

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

- i.
- ii.
- iii.
- iv.
- v.

Date: - 20

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

Crematorium Keeper

..... Crematorium

Licence issued to cremate a Dead Body

- (a) Permission is hereby granted to cremate the dead body of at a.m. /p.m. on20 at the Crematorium.
- (b) The information given in the application overleaf has been entered in the Register according to by-law No. 6.
- (c) A sum of Rs.... has been charged through Receipt No. dated 20
- (d) Please take action to cremate the dead body after making necessary entries in the relevant Register as stated in by-law No. 11 with reference to information given in this licence.
- (e) The Serial Number of the Permit Register is

Date: -

.....
Signature of the⁵/Authorized Officer
(Please affix the Official Seal)

FOURTH SCHEDULE

REGISTER ON DEAD BODIES CREMATED AT THE CREMATORIUM AT BADULLA MUNICIPAL COUNCIL

Serial No.	Name of the Deceased	NIC. No.	Sex	Date of Death	Death Certificate Registration No.	
					No.	Date
1.						
2.						
3.						

REGISTER ON DEAD BODIES CREMATED AT THE CREMATORIUM AT BADULLA MUNICIPAL COUNCIL

Applicants		Permit No.	Receipts		Date of removal of ashes
Name	NIC. No.		No.	Amount	
				Rs. Cts.	

PART XXXVIII

THE USE OF LOUDSPEAKERS AND AMPLIFIERS WITHIN BADULLA MUNICIPAL COUNCIL AREA OF AUTHORITY

Badulla Municipal Council do hereby enact by-laws relating to the use of compact discs, loud speakers and amplifiers within Badulla Municipal Council area of authority, in accordance with subsection – 30 of section 272, under the powers vested in the Municipal Councils by section 267 (chapter 252) of the Municipal Council Ordinance.

1. This by-law may be cited as the by-law relating to formalizing, supervising and regularizing the administration of the operation of loudspeakers amplifiers, compact discs and other related implements within the Municipality of Badulla.
2. No person shall operate or cause anyone to operate compact disc players, loudspeakers, amplifiers or any such automatic or mechanical device that produces sound which would cause annoyance or nuisance to residents in a street or in the vicinity, or people going about in the streets, owing to the severity of frequency or continuity of occurrence of such appliances.
3. No person shall operate or cause anyone to operate equipment mentioned above, in any place except in a street public place, shop or business place, street that provide access to the public or any area adjacent to a public place. Any person who contravenes by – law shall be guilty of an offence and be liable for prosecution, provided that,
 - (a) Not less than three persons residing in the neighbouring gave complained to the Municipal Commissioner in writing about the annoyance, or
 - (b) The Municipal Commissioner has served a written order to such person indicating the nature of the complaint and the extent of the annoyance, immediately on receipt of the complaint or written a specific time limit, or
 - (c) The person has evaded or refused to comply with the order immediately on receipt of the order or within the time limit specified.
4. (i) The Municipal Commissioner shall disregard a licence or permit issued by any other authority to establish or function a business dealing with compact disc (CD) players loudspeakers amplifiers or such other audio equipments or any device that produces sound automatically or mechanically and shall issue a fresh licence instead for the purpose at his discretion giving due consideration to the time, time limit and location of such business.
 - (ii) Every licence issued under this by-law shall subject to the licensing fee determined by the Municipal Council and published in the Government *Gazette* annually, and the validity of the licence shall expire on 31st of December of the year for which it is issued unless the validity is terminated earlier for some reason under this by-law.
5. It shall be lawful for any officer of the Municipal Council who is authorized by the Commissioner by a letter issued to him generally or particularly to enter and inspect any such business place during any reasonable time between dawn and dusk of the day.
6. Where a licensed place is not maintained in accordance with the conditions specified in the licence or in any by-law, the Commissioner shall issue a notice on the licensee to take steps to restore the licensed place to conform with the conditions specified in the notice.
7. In the event of any failure to hand over the notice under subsection – 06 personally to the licensee for some reason or other such notice or announcement shall be left at the last known address of the licensee, in a conspicuous place. It shall be considered a formal handing over of the notice, for all purpose.
8. Where the time limit that ought be mentioned in the notice for restoring the licensed place in accordance with the conditions specified is not mentioned and the licensee if evades to comply with the stipulations made in the notice, the Municipal Commissioner shall revoke or suspend the licence of such persons after, seven (07) days from the date of handing over the notice.
9. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
 - IV. A fine not exceeding Rs. 1000.00 if the offence is committed for the first time.
 - V. A fine not exceeding Rs. 2000.00 if the offence is committed for the first time on a subsequent occasion.
 - VI. As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding R. 250.0 for each day he commits the offence.

Part XXXIX

Interim constitution regarding selling of chicken.

The interim constitution regarding sales, regulating, evaluating, controlling and levying charges for chicken stalls within the administrative area of Badulla municipal council with the powers vested to municipal councils that the 252nd authority in accordance with the sub-ordinance 272 of the amendment 42 of 1979 for the municipal council ordinance.

1. No person can use a place other than a market for the purpose of selling chicken without a permit issued by the municipal commissioner.
2. The municipal commissioner must not issue a permit to anybody for selling of chicken at a place except it is not accordance with the following regulation.
 - a. Chicken must be exhibited for sale, only in a suitable deep-freezer.
 - b. The floor of the chicken stall should be glazed with cement or should be tiled.
 - c. Exhibiting of chicken for the purpose of sales should be kept in a place where the sun light cannot be entered.
 - d. There must be a drainage system of glazed with cement or tiled with needed slope enable the dirty water could be flowed easily.
 - e. To avoid the dirty water flowing into a public drain, enough arrangements should be made and should be arranged to flow the dirty water into a separate and suitable pit.
 - f. The pit for the dirty water should not be opened.
 - g. Sufficient vessels should be kept to put the dirt disposed from the chicken stall and at the end of each day the dirt should be buried in a pit with a depth of 0.5 meter or handed over to the vehicle belongs to the municipal council of Badulla which collect garbage.
 - h. For the utilization of employees, water sealed toilets should be provided. Also health care systems and needed things should be provided to use after utilizing the toilets.
 - i. The places of selling chicken should be a room with an extent of 150 sq. feet at least.
 - j. Chicken except than the fowl killed at a place with the permission of the municipal commissioner should not be sold or exhibited.
 - k. The floor, tiled or cement plastered portion of walls, the log used to cut chicken, instruments and places used to exhibit chicken should be cleaned with insecticide at the end of each day after the business mattress of every permitted chicken stalls.
3. No person can transport chicken by an uncovered vehicle, box or any other vessel flies, insects or any other creature could enter into them. And also the vehicle, box or vessel should be cleaned with insecticide very soon after transporting chicken.
4. A permitted chicken stall and the surroundings, drains and all vessels used to store, prepare or sell chicken and instruments should be kept well cleaned and without unpleasant smell.
5. After business hours of the day, except either the remained chicken kept in a deep freezer or the deep freezer was in function from the time the chicken kept in, and to the time the stall open next day for business, it is not allowed to sell on the following day or to exhibit for sale or keep in the deep freezer or in the stall even.
6. Inside the place permitted any goods, clothes, mats and pillows or any other things except instruments, utensils, or vessels used for putting chicken
7. Permitted chicken stall should be kept without any creature like dogs, cats, rats or insects.
8. (a) A person who is suffering from any kind of communicable disease or skin disease or was nursing a person suffered from such disease recently or has not passed the period of sterility should not be allowed to be a worker or helper in the chicken stall.
 - (b) Unless wearing washed and cleaned clothes no person can do any job in a chicken stall.
 - (c) Allowing every employee of the chicken stall for a medical check-up at least once a year is a duty of the permit holder.
 - (d) Every employee of the chicken stall should be provided with mask, gloves and needed other safety things and it is a duty of the permit holder that confirming the employees are wearing them during the hours of working at the chicken stall.
11. Providing soap or liquid soap for the use of employees is a duty of the permit holder.
12. “Proper time to inspect the quality of the chicken stall for the municipal commissioner or an authorized officer” means, any time of selling chicken at the stall.

13. (a). All kind of waste things gathering inside the stall should be sorted out as below, unless those are not taken to use again,
- (i) Bio-garbage,
 - (ii) Glassware,
 - (iii) Paper or things made of paper,
 - (iv) Polythene and plastic goods or parts of them,
 - (v) Iron and metal goods or parts of them,
 - (vi) Remaining of raw materials used for production or co-production parts,
 - (vii) Damage garbage,

And it is a duty of the permit holder to make arrangements to put them in to separate vessels or tanks those are prepared for the purpose.

- (b). Garbage has being put into vessels or tanks according to (a) above, should be disposed as to the instruction of the municipal commissioner, unless disposing under the garbage management programme of the Badulla municipal council.
14. Buying a sample of chicken kept or exhibited for sale or stored inside the chicken stall by the municipal commissioner or an authorized officer should be legally allowed and any permit holder should not refuse to sell or disturb the buying.
15. If a place of selling chicken issued with permission under the by- laws of this section ended the continuation according to any of the regulation of the by-law 3 or if it is not accordance with any by law of this section, the permit holder should be informed with a notice by the municipal commissioner saying to that to fulfill all the requirements to set the place as to the regulations prior to the particular expiring date.
16. The permit holder who received such a notice mentioned in the by-law 16 above should carry out the advice given in that before the particular date. In an occasion an acceptable reason forwarded in writing, the commissioner should have the power to extend the date given. However, the duration of the extension should not exceed fourteen days.
18. If any permit holder neglected the regulations of these by-laws and criminated for the offence he/she will be charged with the following penalties mentioned in the sub-section 03 of section 267 of the municipal council ordinance.
- i. If the offence done for the first time, a penalty not exceeding Rs.1000
 - ii. If it is done for second time or continuously a penalty not exceeding Rs.2000
 - iii. for doing the same offence after handing over a written notification to the offender by the municipal commissioner, he/she will be charged with a penalty not exceeding Rs.250/= per day the offence occurring.

20. Interpretation-

× “Officer”	-	An officer of the council authorized by the Municipal Commissioner
× “Permit holder”	-	Owner of the chicken stall.
× “Chicken”	-	Uncooked flesh of fowls.
× “Continuously”	-	again and again or non-stop

Part XL

SLAUGHTER HOUSES

Badulla Municipal Council do hereby enacts bylaws relating to formalizing, regulating and supervising the management of slaughter houses functioning within the Municipality of Badulla, and to stipulate charges and fees for using such places where slaughtering is carried on, in accordance with the powers vested in the Council under subsection – 09 to be read with section 267 and 272 of the Municipal Council Ordinance (Chapter 252) No.42 of 1979 (Amended) .

1. a This by-law may be cited as the by-law relating to formalizing, regulating and supervising the management of the slaughter houses functioning within the Municipal Council, and to prevent unwarranted cruelty to animals.
- b Every slaughter house shall function under the supervision of an officer appointed for the relevant task by the competent authority, who shall be the Municipal Veterinary Surgeon or any officer acting for him.
2. No animal shall be slaughtered by any slaughter except during the time specified before hand by the competent authority.
3. No licensed slaughter shall slaughter animals in the slaughterhouse by the Municipal Veterinary Surgeon or the officer authorized by the Municipal Commissioner.
4. No Licensed Slaughter shall slaughter any animal unless a printed licence, duly perfected in accordance with the format approved by the Municipal Commissioner has been issued to him by the Municipal Veterinary Surgeon or the officer authorized by the Municipal Commissioner for the purpose. Prior to the issue of the printed licence, it has to be duly perfected and signed by the veterinary surgeon and the slaughter interesting the date of issued on the licence.
5. No person shall sell any animal for slaughtering to a licensed slaughter unless the slaughter produces a certificate issued to his benefit on the form specified under Chapter 473 of the Cattle Branding, Selling and Transferring Ordinance, or unless the person willing to sell any animal comes before the Municipal Veterinary Surgeon or the officer authorized by the Municipal Commissioner for the purpose, along with the slaughterer and produced a similar letter issued to his benefit and sign a declaration that he is willing to sell the animal to the slaughterer. This certificate must be furnished to the Municipal Veterinary Surgeon before the animal is led into the slaughterhouse.
6. It shall not be lawful for a licensed slaughterer or such other slaughter to furnish any false information in respect of any animal, or any certificate issued in respect of any animal carrying details that are in every way contrary to the branding marks found on the animal, for the purpose of obtaining approval for slaughtering animal. Any animal brought for obtaining such approval must be led away forthwith by the person who brought it and shall not be admitted to the premises of the slaughter house.
7. Any person who claims ownership of an animal exhibited in the slaughter house premises before slaughtering, action shall be taken in respect of such animal under the provision of Section 17 of this by-law, after making necessary payments, if any. Moreover the Police must be informed of this matter.
8. The animals brought into the slaughter house and the animals detained there, must be properly tethered to avoid straying them out.
9. The names of the workers whom any licensed slaughterer intends to be employed in his slaughter house shall have to be duly registered at the Municipal Council office. The Municipal Commissioner shall have the right to reject any name or cancel any name already registered. No licensed slaughter shall employ any person whose name are rejected or cancelled for any purpose whatsoever at the slaughter house.
10. Every licensed slaughterer shall have to forward a certified copy of his licence along with the certified copies of the registration certificates of his employees, immediately on receipt of them, to the Municipal Veterinary Surgeon or to the officer authorized by the Municipal Commissioner to be filed of record.
11. Skins, intestines and other throwaway fragments of the slaughtered animals must be heaped up at the specific place intended for, before they are clean and returned by the slaughter or by his employees.
12. In the event of any damage caused to the slaughterhouse on account of any activity of the licensed slaughter or of his registered employees, the licensee shall be responsible for such damage and bound to pay the cost of damage determined by the Municipal Commissioner as he thinks appropriate. Payment for such damage, if refused by the licensed slaughterer, the Municipal Commissioner shall either cancel the licence, or as an alternative recover such cost of damage from the guarantors of the licensee, or both.

13. No person shall suffering from leprosy or any skin disease or such other infections or contagious disease shall be permitted to enter a slaughterhouse or employed in slaughterhouse.
14. Meat of the slaughtered animals in a Municipal slaughter house shall be transported to the meat stalls within the Municipal limits only by vehicles provided for the purpose by the council. The slaughterer shall pay the relevant chargers in accordance with the changes annually revised and published in the Government *Gazette* by the Council.
15. The charges to be imposed on cattle and such other animals for the under mentioned activities shall be determined from time to time at the Council Sitting.
 01. For make use of the slaughter house for
 - a. Cattle(male)
 - b. Pigs
 - c. Sheep and goats
 02. For feeding 9for 24 hours or part of an hor0
 - a. Cattle
 - b. Pigs
 03. For sing the shed for
 - a. Cattle
 04. For sing the cattle market for
 - a. Cattle
16. No person shall slaughter any animal on whom a licence for slaughter has been issued unless all charges and expenses are paid to the slaughterhouse. In the event of such charges and expenses are not resolved, action may be taken under section – 17 of these by-laws.
17. Any animal detained in the slaughterhouse on account of defaulting payment of such charges and expenses, the Municipal Commissioner shall sell the animal by public action, giving necessary publicity, two days prior to the date of action. Any chargers or expenses incurred on such activity, or any money due to the council on such animal shall be deducted by the Commissioner from the proceeds of the action, and the balance shall be retained to be paid to the owner of the animal when asked for. Such money, if not claimed within one year shall be credited to the municipal fund.
18. Where the municipal Veterinary Surgeon or the officer authorized by the Municipal commissioner decides that any animal brought into the slaughter house is sick and not suitable for slaughtering, it shall be lawful for them to prohibit slaughtering such animal, not withstanding any licence for slaughtering has been issued on the animal, or not. No person shall slaughter in any such animal for reason whatsoever.
19. Animals dead or dying, or suffering from any disease shall not be brought into the slaughterhouse. Any such animal brought into the slaughter house shall be taken into custody and action be taken in the similar manner where animals suffering from infectious or contagious disease are normally dealt with.
20. Where the animals that are impounded have been contagious disease when they are brought to the slaughterhouse shall be destroyed or disposed in the manner the Municipal Commissioner fees appropriate and such animals shall be taken to a place or places, specified from time to time by the Commissioner, for disposal.
21. Any person who brings an animal for which a licence for slaughtering has been refused, or slaughtering is prohibited , he shall remove such animal from the slaughterhouse within (12) twelve hours from the time of refusal or prohibition, and if he defaults in doing so, the Commissioner shall case to sell the animal by public action giving notice, two days prior to the date of action, after having given necessary publicity . Any charges or expenses incurred on such activity or any money payable to the Council on such animal shall be deducted by the Commissioner from the proceeds of the auctions , and the balance shall be retained to be paid to the owner of the animal , when asked for. Such money , if not claimed not within one year, shall be credited to the Municipal Fund.

22. (a) Skins, intestines and throwaway fragments of the slaughtered animal shall not be removed from a public slaughterhouse by any person, unless he is in possession of a pass prepared according to the format specified by the Municipal Commissioner, signed and issued from the Public Health Inspector or any other officer authorized by the Commissioner. Any person carrying such throwaway remnants shall have to show his pass for inspection when requested by the police officer or any officer of the Municipal Council. Such throwaway remnant shall be impounded if the person fails to produce the pass and be taken to the Municipal Council office or to the Police Station and dispose them in any manner the Magistrate the Commissioner feels appropriate, and person shall not be entitled to any compensation.
- (b) Any animal, while being exhibited in the slaughterhouse premises, dies before slaughtering the person who had brought it to the slaughterhouse shall not be allowed to take it away from the premises, but shall bury it or dispose of it in any other manner under the supervision of the Municipal Veterinary Surgeon or the Public Health Inspector authorized by the Municipal Commissioner for the purpose.
23. No person shall take any dog into the slaughterhouse. The owner or the care taker of the slaughterhouse must ensure that no dog shall enter the slaughterhouse. Every dog found in the slaughterhouse shall be treated as a stray dog for the purpose of the this by-law.
24. No licensed slaughterer or any registered employee of him, or any other person allowed into the slaughterhouse, shall make any noise or engage in fights and quarrels or use abusive, defamatory or filthy words inside the slaughterhouse, any person violating this by-law shall be ejected by the Public Health Inspector or by his assistants.
25. It shall be unlawful for any person other than a licensed slaughterer to slaughter any cattle within the Municipal limits unless he possess a special licence issued by the competent authority. Any person who obtained any special licence shall slaughter the animal only at the place specified in the special licence, while complying with every condition laid down in the licence. The application for special licence must contain the details of the animal to be slaughtered which would be similar to the details mentioned in the specimen form given in Schedule (a) of the Cattle Branding, Selling and Transferring Ordinance (Chapter 473). The application shall have to accompany a report issued by the Grama Niladhari or Police Officer or an Officer of the Municipal Council of his area certifying that the animal belongs to the applicant. The applicant shall be liable to a fee determined by the Municipal Council time to time for issue of such special licence.
26. Every slaughterhouse must be washed clean and swept at least twice a day during any time specified by the Municipal Commissioner.
27. Every slaughterhouse must be white –washed at least once in three months during any time specified by the Municipal Commissioner.
28. The floor of every slaughterhouse must be paved with stones, floor tiles, concrete or pitch and the cavities of the joints must be filled and plastered with cement at least once a year.
29. Any animal approved for slaughtering, if found subsequent to its slaughtering that it had been subjected to some disease and not fit for human consumption, the Municipal Veterinary Surgeon or any other person authorized by the Municipal Commissioner shall take action forthwith to destroy it then and there. Or else, it shall be disposed in some other way to prevent it from being sold or using it for human consumption. In this regard the decision of the Municipal Veterinary Surgeon shall be final.
30. No person shall be admitted into the slaughterhouse, other than the slaughterer, his assistance officers of the Municipal Council attached to the slaughterhouse and other authorized personnel.
31. All remains such as intestines, hooves and other throwaway remnants of the slaughtered animal left behind in the slaughterhouse, shall be disposed in the similar manner in which the meat is disposed in the slaughterhouse, either by the slaughterer or by his assistants.
32. Skins, intestines and such other remnants of the slaughtered animal left behind in the slaughterhouse after lapsing of the time limit specified by the municipal veterinary surgeon shall be considered as waste matter meant for disposal and be treated as the property of the Municipal Council, and be disposed in any manner deemed appropriate.
33. (i) The meat of any cattle, goat, pig or sheep slaughtered outside the Municipal limits shall not be brought into the municipality unless under a permit issued by the competent authority of the area where the animal is slaughtered. However, the provision of the above by-law shall not apply to air tight canned tin food brought into the Municipal Council area of authority.
- (ii) No permit shall be issued to any person in respect of meat referred to in paragraph 1 above, unless the Chief Municipal Veterinary Surgeon or the Municipal Commissioner or any person authorized by the Municipal Commissioner for the purpose is entirely satisfied that the animal was in good health at the time of slaughtering and all pre safety measures have been taken to prevent the meat getting putrefied. The person concerned shall have to substantiate such facts by submission of written proof before any permit is issued to him.

- (iii) The appropriate authority shall have the power to reject at his discretion, the issue of a permit under paragraph – 1 above, or cancel any permit already issued, and the applicant shall have no right to claim any compensation in this regard.
34. (i) No person shall exhibit the sale of any kind of meat shown below within the municipal limits.
- (a) Meat of any sheep, goat, cattle or pig slaughtered outside the municipal limits, or
- (b) any imported meat (frozen, iced, salted, smoked or preserved in any other way) unless they are examined by the chief municipal veterinary surgeon or by any officer authorized by the Municipal Commissioner for the purpose and approves that such meat is fit for human consumption. However, this shall not apply to meat canned in airtight tins or containers referred to in aforesaid by-law.
- (ii) Any person desirous of getting the mat of any sheep, goat or cattle, slaughtered outside the municipal limits, examined by any officer mentioned in paragraph – b in section – 01 above, he shall have to transport such meat to the municipal slaughterhouse notifying the above officer in advance, at least twelve hours before the intended time of transporting such meat. Unless the above officers, namely the Municipal Veterinary Surgeon or any other officer authorized by the commissioner, slaughterhouse for examination.
- (iii) No person shall engage any of his agents or employees to transport any meat referred to in paragraph – 02 above, unless their names and address are registered in the Municipal Council office.
- (iv) Every person who brings meat referred to in paragraph -02 above into the municipal slaughterhouse to be examined by the Municipal Veterinary Surgeon or by any other officer authorized for the purpose by the Municipal Commissioner, such persons are liable for a charge determined at the Council Sittings for using the slaughterhouse. The charges shall be levied based on the number of kilograms brought into the slaughterhouse for examination.
- (v) No person shall transport any such meals mentioned in paragraph -02 from whatever place to the Municipal Council slaughterhouse, or from the slaughterhouse to any beef-stalls unless he complies with the undershown conditions.
- (a) Meat must be transported by a fully covered motor vehicle.
- (b) Such meat must be packed on the shelves or hung up on hooks meant for the purpose
- (c) For the purpose section -35 of this by-law the term “meat” includes beef as well.
35. No person shall transport any kind of meat unless such meat is well covered to be protected against sunlight, dust or rain and not to be seen by the public, and shall use only a fully covered motor vehicle when transporting meat from municipal slaughterhouse to beef-stalls or to any other place within the municipality. New skins shall not be transported or cause to be transported from one place to another exposing them to the public.
36. The Municipal Veterinary Surgeon or any other officer authorized by the Municipal Commissioner for the said purpose shall maintain a register prepared in line with the format approved by the council carrying all details of the cattle and such other animals examined including branding marks and all other relevant details. This register shall be kept at the slaughterhouse office on every day, except on Sundays and poya days, from 1:00 p.m. to 4:00 p.m. for public to go through it.
37. It shall be unlawful for any person other than a licensed slaughterer to slaughter any cattle, sheep, goat or pig unless he possesses a special licence issued by the competent Authority, or to act in contrary to the general meaning of the licence. Moreover, a fee decided at the council sittings shall levied on every such licence. Provided, however, that such special licence shall be issued by any officer authorized by the competent Authority in an emergency situation or it such slaughtering does not have any commercial significance. The officer shall recover on behalf of the council any fees liable and remit such fees to the Municipal Accountant’s office.
38. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
- (i) A fine not exceeding Rs. 1000.00 if the offence is committed for the first time.
- (ii) A fine not exceeding Rs. 2000.00 if the offence is committed for the first time on a subsequent occasion.
- (iii) As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding R. 250.0 for each day he commits the offence.

Part XLI

FINANCE ORDINANCES.

01. Glossary – the word “Municipal Commissioner” is included for ‘ Chief Officer.
02. Abbreviation “ G.F.O’ stands for ‘The Chief Finance Officer’ that means the Municipal Commissioner of the relevant municipal council and here upon it will be denoted as Municipal Commissioner and it will mean the officer in charge of all revenue collecting, financial managing and administrating.
03. The letters M.I.s means the ministry in charge of the subject of Uva province.
04. (1) “suitable report or equivalent” denotes’ any format or report instructed by the Ministry of Local Government and in an instance of such format or report has not been issued a report or any other document should be prepared per format approved by the Municipal Commissioner.
- (2) General Regulations.
 - (a) The Municipal Commissioner who is the chief finance officer too should be responsible for the overall management of finance and good administration and should supply appropriate instructions to the council and its committees.
 - (b) Each Chief Officer of each department should be responsible for the administration to the staff, protection and management of buildings, machinery and equipment goods finance and all other resources belong to the apartment.
 - (c) It is the responsibility of each department chief officer to see that these financial or finance are being observed within his/her work area.
05. (1) Controlling the Budget —
 - (a) The recurrent expenditure and income (*i.e* recurrent budget)
 - (b) The capital schemes and proposals (*i.e* capital recurrent budget) drafted budget regarding capital recurrent budget should be constructed each year with the instructions of the chief accountant under the supervision of the Municipal Commissioner.
 - (c) The Municipal Commissioner is entitled to obtain all information and data needed to prepare a budget draft from other officers of the council.
 - (d) Budget draft should be constructed in accordance with the relevant procedures and there formal formats should be followed,
 - (e) The sections of the drafted budget reports should be forwarded to the coordinative meeting of the constant committees and then the municipal Commissioner should forward it to the council adorning the recurrent and capital budget reports.
 - (f) Although the council had passed the annual capital budget report and even at a moment it had been considered as approved per sentence 2159 (a) 252 Authority of the Municipal Council Act the departmental chiefs should take the approval of the finance committee and the council for a suitable evaluation reports of finance to allocate finance or a new project.
 - (g) The chiefs of relevant departments are responsible to see that expenses are made only on purposes specially empowered by the passed budgets.
 - (h) In an occasion the expenditure under any expenditure head is likely to be exceeded the departmental heads should forward a confined report for the approval of the finance committee under the Municipal Commissioner’s consent.
 - (i) The Mayer may order to inter-change the money from an expenditure head balance to another expenditure which will exceed the due expenditure or to forward a supplementary estimate .
06. Accounts Units
 - (1) All account reports and work procedures should be in accordance to; event formats and instructions. In an occasion any relevant method or format is not available and if it is about some other department the finance report and the work procedure. Should be on a format approved by the chief finance officer.
 - (2) All official finance reports and annual income and expenditure balance sheets called by the Commissioner of Local Government should be completed by the Municipal Commissioner.
 - (3) All department heads should be aware to see that the following polices are applied when assigning accounting work.

07. Bank Accounts and Cheques:

- (1) Municipal Commissioner is responsible in applying a system to operate the accounts of the council.
- (2) All cheque should be ordered only under authority of the C.F.O and he is responsible to make sure that they are under good security,
- (3) All cheques issued under accounts of the council should be signed by two empowered persons by the council.

08. Orders for Work Equipment and Services:

- (1) In following matters i.e —
 - (a) Supplying public utilities services (e.g. supplying of water electricity etc.)
 - (b) Paying of installments of leasing covered by agreements (e.g. rentals)
 - (c) Minor buying's under petty-cash
 - (d) Except for alternative technical services supplied under agreements of building constructions and engineering services, relevant official formats should be used prior to supply or entrust all work material or services.
- (2) The chief Municipal accountant should be responsible for the security of order-books and the supply of them to the departments.
- (3) All department heads should issue a list of officers authorized to endorse its official orders.

09. Payments:

- (1) The commissioner of the municipal is responsible for payments for all invoices without delay.
- (2) At payments of authorize and regular categories (e.g employee salaries) payments could be made through cheques issued in the name of the (short) (cashier).
- (3) The chief officer issuing an order should be responsible for checking the relevant invoices and certifying them or of any other problems arising among the work of the department.
- (4) An officer certifying an invoice should be satisfied with the following:
 - (a) The work equipment or services had been truly done and they had been inspected and supervised and are up to the standards.
 - (b) The invoice had been well-checked
 - (c) The expenditure had been done properly and its done within the budget.
 - (d) Endorsements had been made where necessary in the register and the store registers.
 - (e) No prior payments had been done for the invoice.
- (5) The department head should forward a list of names and signatures of the senior officers the those who are entailed to certify invoice in that particular departments to the chief municipal accountant.
- (6) The certified invoices should be forwarded without any delay to the chief accountant of the municipal council and he may inspect or ask for, details that he considers as needed.
- (7) department heads should see that the officers supervising handing over of goods or work done are independent from the officers interfering into matters regarding ordering tendering or condition applying etc.
- (8) The commissioner of the municipal may entrust the power of obtaining a little sum of money to be spent as petty cash to an officer that sum should be keep on a Advance and should be handled in accordance with instructions issued by the Municipal commissioner.
- (9) Travelling/Subsistence/Member allowances—
 - (1) All requests of officers should be endorsed by the department head and forwarded to the chief accountant of the municipal.
 - (2) Requesting forms should be certified by the department heads or their authorized officers and forwarded to the chief municipal accountant. The name and specimen signature of such authorize officers should be conveyed to the chief accountant of the municipal.
 - (3) when certifying travelling or subsistence allowance by the departmental heads or their authorized officers it means that the relevant officers are satisfied that those allowances are due and reasonable to be paid.

11. Loans and investments;

- (1) The chief finance officer should be responsible to see that the approval of the council of members had been obtained for any loan reelected by the municipal council and all details are had been included correctly in relevant records.
- (2) Loan installments and interests :-
The chief finance officer should be responsible to ensure that regulations are included to pay loan interests regularly in the recurrent budget and regulation are included to pay loan installments in the capital budget and also to see that those payments are made on relevant days to loan lenders.
- (3) The extra funds not needed immediately for other needs of the council, may be invested in a bank by the chief accountant of the municipal under consent of the chief finance officer and the approval of the Mayer.

12. payments of salaries and pensions.

- (1) All offerings and payments of salaries and pensions and allowances of workers should be done per a system approved by the chief accountant of the municipal.
- (2) All matters influencing for payments including the following matters should be forwarded to the chief fiancé officer *via* the chief municipal accountant by the apartment head:-
 - (a) Appointments resignations and transfers
 - (b) Absence for work 9e.g .sick/unauthorized leave)
 - (c) Differences of salary scales.
- (4) All documents and reports should be certified by the departmental head or his authorized officer, names and signatures of the authorized officers should be forwarded to the chief municipal accountant.

13. Collecting of income:-

- (1) Collecting of all due income to the council should be done under a procedure managed by the C.F.O or approved by him.
- (2) To make easy to produce a debt account immediately, the department heads should inform the details of due charged for the council through supply of rental of gods services work done, lease agreements to the C.F.O through the chief accountant of this municipal.
- (3) The C.F.O should have the right to inspect the relevant reports or records to be satisfied with the amount of money due to the council.
- (4) All receipt books forms entrance tickets account books etc. should be supplied by the chief municipal accountant. When any format not approved by the minister in charge of the subject of local government is used to collect money, it should have been approved by the C.F.O under consent of the chief accountant of the M,C
- (5) All collected money should be deposited in a recognized bank without any delay through a procedure organized by the C.F.O and the chief accountant of the municipal.
 - a. All collected money should be deposited in the relevant bank in whole without holding back any money collected unless for instances especially approved by the C.F.O.
- (6) No personal cheque should be cashed on accounts of the M.C
- (7) For any money interchanged among two officers the receiver should have signed as proof.
- (8) The C.F.O and the chief accountant are responsible in applying a scheme to secure money.
- (9) If not for an alternating cash counters should be opened only from 9.00 a.m.3.30 p.m .If any officers had been entrusted to collect money in the riled they should be issued receipt books by the chief accountant. Receipt books should be contained with the originals and their copies only.
- (10) The entrusted officers to collect money should bank their collections on the collected day or next day itself.

The money collectors should produce used receipt books with the copies of receipts back to the relevant clerk in charge of this subject. That clerk in charge of the subject should check the duplicates of the receipts and cancel them in red ink and signature and date duplicate of last issued receipt and issue a general receipt for all the money had been collected by the collector. That officer collected the relevant money should bay the amount stated in that receipt to the cashier.

14. Reception of cheques;

The reception of cheques should handle care when a cheque is being returned no cheques should be accepted further front theirs payee and due money of that returned cheque should be collected in cash.

- (1) When money is being deposited through a cheque, a receipt should be issued for that cheque. The stamp saying valid after the is realized' should be placed on the receipt and signed.
- (2) All cheques ad money received by the office should be banked the following day, cash cheque with a prior ate or a following date should not be accepted.
- (3) Cheques should not be accepted for money to be obtained at a sale of asset belongs to the council, tender deposits or temporary lease rents.

15. Contracts for building constructions and engineering work.

- (1) An estimate ledger should be maintained to enter estimates approved by the council of members and its amounts an building constructions and engineering work. A register of survey too should be maintained for surveying records,
- (2) Payments issued for contractors should only be done on approval of the chief engineer or his authorized officer.
- (3) (3) The expenditure for all additional work or alteration should be estimated and conveyed to the approval of the council of member *via* finance committee by the chief engineer with the consent of the C.F.O. for all additional work or alteration the chief engineer or his authorized another engineer should have given his written approval.
- (4) A copy of a; alterations should be forwarded of the C.F.O by stating its economical result too in it,
- (5) Before issuing the fine; certification made by the contractor, the chief engineer should personally inspect that contract and approve the last payment for it.
- (6) Accounts for contracts should be investigated up to any extent the C.F.C divides. Further he should have the right to inquire in every way for his satisfaction about the accusation of accounts for contracts and call up clarifications or details about them.
- (7) It is the responsibility of the relevant technical officer to forward a report about the suitable steps taken by him to influence somewhat for the right to charge the estimated loss when a contract had been delayed than for the period of given time to complete the task to the relevant committee,
- (8) The requests made by the contractors regarding the matters seen clearly not relevant to the conditions of the contracts, should be forwarded to the C.F.O considering the legally binding and at a needed instance prior to coming into any agreement it should be conveyed to the C.F.O to consider it financially.

16. Internal; Audit”

An internal audit managed independently by the FC.F.O regarding accounts, Finance and other operations of the council should be maintained continually.

- (1) The chief internal auditor or his authorized officer should have the authority for the following.
 - (a) To enter any place or land of the council any time or moment as ordered by the C.F.O on special purposes.
 - (b) obtain all reports, vouchers, files etc. regarding financial or other businesses of the council
 - (c) To call explanation from any officer regarding any matter under inspection.
 - (d) To order any worker of the council to produce any finance stared goods or any other assets of the council under his responsibility.
- (2) It is responsibility of the internal auditor to prepare a monthly programmee covering all departments and get the approval of the C.E.O and audit it after inquiring from the relevant departments and forward the relevant report of it to the department head at the end of the exciting month and before the beginning of the following month. The chief internal auditor should see that whether each department is proceeding per survey reports and forward a report to the C.F.O.

17. Corruptions

- (1) Regarding the following.
 - (a) Finance stored foods asset paying labor, allowances.
 - (b) Regarding any suspicion corruption of the systems of the council procedures or any other matter relevant for advice, should be informed to the C.F.O by the internal audit officers immediately.

- (2) The internal auditor should take any steps needed to uncover any corruption roans suspect and he should prepare a report of the discoveries,
- (3) While forwarding he report to the C.F.O by the chief internal auditor, the C,E,O must take every steps regarded as needed according to the general law and the rules and regulations for the employees of the council.
- (4) All copy of the report of the chief auditor should be beware to the auditor general through the C.F.O

18. Physical asset inventory:

- (1) The department –head should be responsible with the technical officer to see that suitable records are kept for following belongs to the council.
- (2) Each chief of the apartment should maintain accepted inventories regarding the following kinds inside his department or under his responsibility,
 - (a) Vehicles and machinery / equipment
 - (b) tools/utensils
 - (c) Installations and furniture, office equipment, inside the offices and buildings
- (3) Each department head should be responsible holding an annual stock taking and taking suitable action regarding shortages and losses while forwarding reports about them.
- (4) No employer of the council should use machinery of the council without permission of the relevant department head Each department head should maintain records of maintaining of vehicles and machinery
- (5) Each department-head should be responsible of goods stocks and goods in the stores and should hold stock-takings and verification thorough officers, not in connection with stores management, including storekeepers.
- (6) Accepted documents regarding receiving's issuing exchanging stock takings, removals etc., should be maintained regularly.
- (7) If not for an approval of the council of members under the consent of the finance committee for an alteration, all excessive useless and stock removals should be auctioned under competitive tendering.

19. Insurance”

- (1) The municipal secretary is responsible for arranging all insurance work under orders of the council ad the C.F.O
- (2) Regarding all risks, liabilities, assets vehicles/machinery and any changes influencing risks or insurances should be informed to the C.F.O immediately by the department head. Needed amount of the coverings should be noted in each report.
- (3) If any incident takes place to request for an insurance claim such as a fire disaster, accident, loss etc. the department head should immediately inform the C.F.O about it.
- (4) The C.F.O should hold a feedback on all insurance policies in collaboration with the department-heads at least once a year.
- (5) The department head should consult the C,F,O regarding any damages claimed from the council.
- (6) A report regarding fire damages should be forwarded to the auditor general, too.

20. By-consecution for

- (1) Declaring tax orders for the following year should be done before 31st September each year.
- (2) This taxes should be charged in four quarters *i.e* before 31st March, 30th June< 30th September< 31st December,
- (3) If any changes are made in the percentage of the taxes, the approval for it should be taken from Hon, minister in charge of the subject local government before 30th September.
- (4) After declaring taxes that tax notice should be published in the government *gazette* as well as in at least two national newspapers circulated within the M.C. Limits of Badulla,
- (5) The tax-register should be prepared for the following year by 30 th September in each year.
- (6) A notification should be published to announce that the tax notification had been published in media stated in above (2) (4).
- (7) The notices stated in 235 (3) of authority 252 of Municipal Council act for the following year should be completed by 31st October every year.

- (8) The notices mentioned above should be delivered to all tax collecting places.
- (9) Steps should be taken to render commissions for the tax payers at collecting taxes and also to charge an over charging for payment done after the relevant quarter had been expired. The commissions to be given time limits and the overcharges to recharged would be revised by the minister in charge of the subject of local government now and them declaring regulations.
- (10) The owner or the resident who is not satisfied with the annual evaluation notice rendered to him per 235 (3) of the Municipal council act, he may forward his objections within thirty (30) days of time.
- (11) When appeals of objections are received they should be noted in the relevant book and informed the receiving within 14 days of time.
- (12) The Municipal Commissioner should inquire the objection within five (5) months' time and inform the relevant person.
- (13) The notice issued under chapter 235 (3) of municipal council act should contain a condition to say that although an objection had been forwarded the due tax should be played until a decision is made from the tax inquiry,
- (14) The inquiries of objections should be done by the municipal commissioner or his authorized officer.
- (15) If any alteration are to be made after the tax inquiry , it should be noted immediately in the tax register and undersigned by an executive officer to assure it,
Issuing warrants”
- (16) The Order should be issued under chapter 252 at the end of every quarter to the office collecting taxes. This should be done by the municipal commissioner or his authorized office
- (17) This Order should have period of time of return after filling it. This period should be up to a maximum of sixty days and after this period the officer collecting taxes should forward a report containing the steps he had taken along with the Order
- (18) The appointing of property prohibiting officers should be one by the municipal commissioner under the consent of the mayor.
- (19) If officers of the M.C. are engaged for property prohibition that may be payed an allowance prescribed by the council.
- (20) If officers from outside are engaged for the need the commission they should be payed should be decided by the council by ad then. Yet that payment should not exceed 15% from the collecting amount.
- (21) If external persons are appointed as property officer, a suitable security in cash and an insurance covering should be obtained.
- (22) Daily collected money by the external officers should deposit the collection the following working day at the council . Yet at the last working day of the week the collection should be deposited the same day.
- (23) Receipt books including duplicate pages should be issued to external officers. When collecting over sum of Rs. 100 by those officers through one receipt, a stamp for the value fixed by the government should be stacked in the receipt and signed an it and issued to the payer. When the sum is below Rs.100 a receipt should a stamp
- (24) The officer of prohibiting should not collect money on Order issued to him
- (25) When depositing collected money by the prohibiting officer along with he should produce the receipt books having the copies of the issued receipts to the income collecting clerk with a list of the details of issued receipts.
- (26) The income collecting clerk should compare the amounts in the list of receipt and duplicates an Order if they are in order cancel the duplicates in red ink. He/she should sign for on overleaf of the last duplicate of issued receipt and date it. Then a cash memo should be issued to the prohibiting officer to deposit collected cash along with it at the scruff,
- (27) If any difference is found between the duplicates and the balance sheet, the subject clerk should immediately inform about it to the prohibiting officer and the sectional head.
- (28) A Permit should be issued to property prohibiting officer to enter personal premises by the Mayer. This permit should be valid only from sunrise to sun-set.
- (29) If the property prohibiting officers are prohibiting any asset per Order issued under capter 252 of municipal council act, a description of that Property should be issued to the resident of that place.
- (30) A description of prohibited goods should be prepared in 03 copies and they should be got signed by the owner or resident of that property and issued the original to the resident he 2nd copy should be forwarded to the accountant of the income branch or his authorized officer the 3rd copy should be kept with the prohibiting officer. If the owner or the resident torque's to sigh the description it should be noted in all three copies.

- (31) If movable asset had been prohibited, they should immediately be handed over to the store-keeper of the council.
- (32) Commission –money to be paid for the prohibiting officers may be paid from the money received by the office or money they collect in the field and on notices of probating property they had issued.
- (33) When issuing receipts for the money charged from tax payers by the prohibiting officers, double side carbon papers should be used on the writing should be done with inerasable pencils or pens.
- (34) When a prohibiting officer goes on leave it should be got approved by the municipal commissioner or his authorized officer, and when going on leave he should hand over everything belongs to the council including the relevant certificate, receipt books etc. Obtained by him to the subject clerk .For collected so far , instructions in by laws (25) and (26) should be followed

set free from tax due to poverty.

- (35) When setting free from taxes reports should be obtained from the Grama Niladhari < Divisional Secretary and the revenue officer. Furthermore poverty should be approved by the social welfare officer.
- (36) If any confusion arises regarding a resident in a tax cut off, a report from the Grama Niladharee and the Divisional Secretary should be obtained and got the consent of the members of the council for that matter.
- (37) If any person resides for a continuous period of (100 ten years, requesting to set free from tax due to the poverty him. The period of residence should be certified by the Grama Niladhari and the certificate should be counter signed by the divisional secretary. Set free from tax due to uninhabitation.
- (38) If any building is being uninhabited for a long time and if requesting to set free from tax that request should be forwarded to the revenue officers and obtained a report .After that a monthly report should be supplied to assure inhabitation by the revenue officers.
- (39) When a revenue inspection report had been supplied tax should be cut off for the inhabitation period,
- (40) When any business matter is not been done at any business place and if a request is made for a tax cut off for that place, it may be given after a report has been obtained per the by law
- (38) if that place is not been used for any economically useful matter or storing any goods for the purpose of business.
- (41) For a tax free of a business place that is inhabitant the application should be made by the owner of that building.

Part XLII

BY-LAWS RELATING TO DAIRIES

Badulla Municipal Council do hereby enacted the by-law relating to Dairies in the municipality of Badulla Municipal Council, in accordance with subsection 23 of the section 272 and the powers vested in the Municipal Council of Badulla by section 267 of Chapter 252 of the Municipal Council Ordinance.

1. By-laws in this part are cited as the by-laws relating to regularize, supervise and control the dairies maintained within the area of authority of the Badulla Municipal Council
2. Provided that a valid licence issued by the Municipal Commissioner for the particular function has been obtained no person shall maintain a diary within the area of authority of the Badulla Municipal Council
3. Every licence issued under the provisions of the By-laws of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the By-laws in this part.
4. Unless the following conditions in the By-laws of this part are fulfilled the Municipal Commissioner shall not issue a licence to any diary.
 - (a) Sufficient buildings shall have been constructed to keep in hold the animals of the dairy in the proportion of at least 3 square meters for each animal;
 - (b) The height of the walls of the buildings keeping the animals shall not exceed one meter and while the walls shall be built with bricks, or cement blocks or cabook blocks and plastered with cement, both sides of the wall shall be finished off in cement.

- (c) While the poles constructed from the upper end of the walls to the roof of the buildings keeping the animals shall have been built in solid wood or iron or concrete, the upper end of the poles shall be at a height of at least 2.3 meters above the floor level and the poles shall be applied with paints.
 - (d) While the roof of the buildings keeping the animals shall have been constructed in any solid material the end of the roof shall be at a height of at least 2.3 meters from the ground level.
 - (e) The floor of the buildings keeping the animals shall be cemented.
 - (f) The buildings keeping the animals shall be in very good condition.
 - (g) Sufficient unpolluted water shall be provided for the drinking purposes of the animals of the dairy, for washing animals and to wash the buildings.
 - (h) Drains constructed with cement or concrete shall be provided so as to facilitate flow of water disposed after washing the animals, water disposed after washing the buildings keeping the animals, urine and faeces to a suction pit.
 - (i) While a separate place shall be set apart to dispose of faeces of the animals and left over grass and other food this place shall be located at least 10 meters away from the buildings keeping the animals and the milking room. Moreover this location shall be at a distance of at least 10 meters away from a public waterway or any well used for drawing water.
 - (j) The milking place and the place where milk is stored temporarily shall be located at a distance of at least 6 meters away from the place where the animals are kept.
 - (k) The building where milking is done shall have been built with bricks or cement blocks or cabook blocks and plastered with cement on both sides. While the height of the walls shall be at least 1.2 meters and the pillars built from the upper end of the wall to the roof shall be built in strong timber or iron or concrete, the pillar shall be applied with paints.
 - (l) While the floor of the building where milking is done shall be cemented the places where the floor meets the wall shall be in a circular shape. Moreover, the end of the eaves of the building shall be at least 1.8 meters above the ground level.
 - (m) While there shall be a table in the building where milking is done the surface of the table shall be fixed with tiles or joint less stainless metal sheet or impervious material.
 - (n) A hygienic waste disposal container shall be available at the place where milking is done.
 - (o) The building where milking is done shall be located at a distance of at least 10 meters away from any lavatory, waste pit, fertilizer heap or fertilizer pit or open drain carrying waste.
 - (p) While a separate building shall have been constructed to keep the sick animals at a distance of at least 20 meters away from the building keeping the animals this building shall have been constructed in accordance with provisions made in respect of the building keeping the animals.
 - (q) The drains shall have been created so as to prevent the flow of waste water from the building where sick animals are kept towards the building keeping the other animals.
 - (r) If milking is done mechanically instruments needed for daily sterilization of the machines and the containers collecting milk shall be provided.
5. All spaces prescribed in By-law, to have been applied with paints shall be so applied with paints at least once a year.
 6. The floor and the walls of the buildings keeping the healthy as well as the sick animals shall be washed at least once every day.
 7. The dairy and its environment, drains, furniture and equipment shall be kept in very good condition.
 8. (a) Provided that the period of infection or of incubation of a infectious, contagious or skin disease has not elapsed no person suffering from such disease or had contacted such a disease in the recent past or had been recently nursing anybody who is suffering from such a disease shall engage himself or employ anybody or let anybody else engage in any licensed premises or as an assistant of any person engaged in any licensed premises.

- (b) Provided that a person is dressed in washed and clean clothes no person shall engage himself or employ anybody else in any licensed premises.
- (c) It shall be the duty of the licensee to refer all employees engaged at the licensed premises to a medical test at least once a year.
9. It shall be the duty of the licensee to supply safety face-masks, gloves and other safety materials necessary and to ensure that the employees are wearing these safety materials when they are on duty at the dairy and that they take a thorough body wash before they engage in milking activities.
10. The buildings keeping the animals and the floor and surfaces of tables in the milking room shall be washed at least once every day.
11. While receptacles used in milking, storing of milk and transport of milk shall be those made of fine clay, galvanized iron or tin, enamel crated iron, smoothed aluminium, glass, porcelain or any other material, these receptacles shall not be kept in the building keeping the animals.
12. While it is the duty of the licensee to ensure sterilization of all receptacles used at the licensed centre and the instruments used in mechanical milking if it is done so, at least once every day he shall take action to clean the other receptacles and instruments daily.
13. While faeces and left over grass collected at the places where animals are kept shall be disposed of at least once every day these places shall be washed with water every day.
14. The receptacles being used at the licensed centre shall not be used for any other purpose than those prescribed.
15. Before commencement of milking activities it shall not be allowed to do so unless -
- (i) the udder of any cow has been washed with water;
 - (ii) the person milking the cow has washed both hands with soap or soap fluid;
 - (iii) the mechanical instruments used in milking have been sterilized, if milking is done mechanically.
16. It is the duty of the licensee to refer at least thrice a year all the animals bred in the dairy to the Veterinary Surgeon or to any representative named by him and obtain necessary medical advice and to act accordingly.
17. As soon as it is known that any animal in the Dairy has contacted any disease, it is the duty of the licensee to take action to separate the said sick animals from the building where they are kept and keep them in the building where sick are kept and to keep the Veterinary Surgeon aware of it.
18. Milk determined by the Veterinary Surgeon as that of an animal suffering from tuberculosis in the udder or in any other place, acute mastitis, foot and mouth disease, anthrax or actinomycosis in the udder or brucellosis, shall not be sold or allowed to be sold, or mixed with milk of other animals available for human consumption.
19. All animal food other than grass and hay available at the licensed premises shall be kept in suitable receptacles so as to prevent entry of rats.
20. The milk room shall not be used or allowed to be used for any other purpose other than that of storing and processing of milk.
21. No person shall dilute milk by adding water or any other foreign matter.
22. (a) Provided that all waste material produced at the licensed premises are recycled, action shall be taken to categorize the waste material under the categories. -
- (i) bio degradable waste;
 - (ii) glass;
 - (iii) paper or paper based materials;

- (iv) polythene and plastics or material based on polythene and plastics;
- (v) iron and other kinds of metal or parts of iron and other kinds of metal;
- (vi) left-over from other raw materials made use of in the production process or by products or other parts produced in the production line;
- (vii) dangerous waste;

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

- (b) Provided that the waste put in containers or tanks having being categorized in the manner set out in paragraph (a) above is disposed of under the programme of waste management launched by the Badulla Municipal Council the final disposal shall be done in the manner prescribed by the Municipal Commissioner .
 - (c) Notwithstanding anything stated in paragraph (b) the said provision shall not be an obstacle to make use of animal faeces and remnants of grass being categorized as bio-degradable waste in sub-paragraph (i) in paragraph (b) as fertilizer. However, in the event of such garbage being transported out of the dairy, they shall not be transported unless they are covered while being transported out of the dairy.
23. While a separate room shall be made available to store milk collected at the dairy the room shall be properly ventilated and secured so as to prevent entry of flies or other types of insects and rats.
 24. While no person shall sleep in any place licensed under the provisions of the by-laws in this part, action shall be taken not to keep or store any other material other than the instruments or materials used for the functions of the dairy. However, a rest room or dining room allocated for the employees of the dairy shall not be included to this.
 25. While the employees of the dairy shall be allocated lavatories in the proportion of at least one for each group of ten employees, separate lavatories shall be set aside for males and females. Moreover, such lavatories shall be located at least 15 meters away from the buildings where animals are kept, milk is drawn and milk is stored.
 26. Action shall be taken not to locate a suction pit, or fertilizer pit or ash pit less than 18 meters away from the building where water is being stored in the event of such water being stored in an underground water tank.
 27. All employees of the dairy shall be supplied with pure water, clean towels, brushes to clean nails and soap or fluid soap.
 28. Unless milk obtained from any dairy is collected in covered containers so as to prevent pollution by dust or other types of waste material such milk shall not be transported out of the licensed premises.
 29. The appropriate time for inspection of the provisions of the by-laws in this part by the Municipal Commissioner or by an Authorized Officer shall mean any occasion fish sales are done at the fish-stall.
 30. While it shall be lawful for the Municipal Commissioner or an Authorized Officer to buy a sample of any kind of dairy product kept for sale or displayed for sale or stored inside the premises of any dairy, no licensee shall desist or prevent such purchase.
 31. In the event of the premises where sale of dairy products is carried on under a licence issued under the by-Laws of this part fails to maintain it in accordance with any one of the provisions set out in by-law No. 4 or contravenes the provisions of any by-law of the by-laws set out in this part the Municipal Commissioner shall take action to issue a notice to the said licensee demanding him to accomplish necessary conditions to restore the said premises to the prescribed position before a specified date.
 32. Any license in receipt of a notice mentioned in by-law No. 31 shall act in the manner prescribed in the notice before the date specified in the notice. At any time when acceptable reasons have been forwarded in writing the Municipal Commissioner shall have the power to extend the date specified in the said notice. However, the period of such extension shall not be more than four days.
 33. When any license in receipt of a notice mentioned in by-law No. 32 fails to act in accordance with the manner set out in the notice before the date specified in the notice or the date extended it shall be lawful for the Municipal Commissioner to cancel the licence issued to that premises.

34. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
- 1 A fine not exceeding Rs. 1,000.00 if the offence is committed for the first time.
 - 11 A fine not exceeding Rs. 2,000.00 if the offence is committed for the first time on a subsequent occasion.
 - 111 As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250.0 for each day he commits the offence.
35. In this part, unless the context otherwise requires -
- “Animal” means, animals belonging to any kind of cattle, sheep and goats;
- “Dairy” means, the building and the premises where animals of a particular kind or a number of kinds are kept with a view to mainly implementing the function of obtaining milk and selling milk, and it shall include the said animals to;
- “Veterinary Surgeon” means, the Veterinary Surgeon of the Badulla Municipal Council When no any Veterinary Surgeon in the Badulla Municipal Council , any officer appointed by the Ministry of Health Services on behalf of the area of the Badulla Municipal Council shall also include.

Part XLIII

BY-LAWS RELATING TO CONSTRUCTION MATERIAL INDUSTRIES AND CONSTRUCTION MATERIAL STORES

Badulla Municipal Council do hereby enacted the by-law relating to Construction Material Industries and Construction Material Stores in the municipality of Badulla Municipal Council, in accordance with subsection 02 of the section 272 and the powers vested in the Municipal Council of Badulla by section 267 of Chapter 252 of the Municipal Council Ordinance.

1. The by-laws in this part are cited as the by-laws relating to regularize, supervise and control of places of construction materials industries and places of construction material storage within the area of authority of the Municipal Council Badulla.
2. Provided that a valid licence issued by the Municipal Commissiner for the particular function has been obtained no person shall maintain places of construction material industries or places of construction material storage within the area of authority of the Municipal Council Badulla.
3. Any person expecting a licence under the by-law No. 2 shall forward an application substantially prepared according to the specimen given in the Schedule.
4. Unless the following conditions in the by-laws of this part are fulfilled the Municipal Commissiner shall not issue a licence to anybody applying for a licence under by-law No. 3.
5. Every licence issued under the provisions of the by-law No. 3 of this part shall be valid up to 31st December of the year for which it had been issued unless it is cancelled earlier under the provisions of the by-law No. 13 in this part.
6. When the licence applied for under the by-laws of this part is in respect of an industry related to construction materials, -
 - (i) the premises where the industry is to be maintained shall be located at least 30 meters away from any residences close by;
 - (ii) sufficient precautionary measures prescribed by the Medical Officer of Helth shall be put in place in order to prevent any dust or steam generated there spreading to residences close by;
 - (iii) sufficient lavatories and urinals for the employees shall have been constructed and places for bathing shall also be made available;
 - (iv) sufficient drains shall have been constructed in order to facilitate flow of waste water;
 - (v) the security of accessories and electric circuits provided to fix electrical gadgets shall be ensured.

7. When the licence applied for under the by-laws of this part is in respect of a stores related to construction materials, -
- (i) the premises where the industry is to be maintained shall be located at least 05 meters away from any residences close by;
 - (ii) sufficient precautionary measures prescribed by the Medical Officer of Helth shall be put in place in order to prevent any dust or steam generated there spreading to residences close by;
 - (iii) sufficient lavatories and urinals for the employees shall have been constructed and places for bathing shall also be made available;
 - (iv) sufficient drains shall have been constructed in order to facilitate flow of waste water;
 - (v) the security of accessories and electric circuits provided to fix electrical gadgets shall be ensured.
 - (vi) sufficient parking facilities for the vehicles arriving there to transport stored materials shall be provided.
08. Any person issued with a licence under the by-laws in this part shall,
- (i) not direct waste water or impure water or any other fluid generated within the premises to a public water course or allow anybody else to do so,
 - (ii) Unless all waste matter generated within the premises is recycled, action shall be taken to categorize them as, -
 - (a) biodegradable waste;
 - (b) glass ;
 - (c) paper or paper related materials;
 - (d) polythene and plastics or materials related to polythene and plastics;
 - (e) iron and other metals or pieces of iron and other metals;
 - (f) remnants of other raw materials used in the production process or by-products or parts generated in the production process.
 - (iii) Action shall be taken to separately hand over waste material categorized under the provisions in paragraph (ii) above to a vehicle of the Council collecting waste matter or to a person engaged in collecting waste matter with permission from the Council, according to a time table in respect of collecting waste.
09. Anybody licensed under the by-laws in this part shall take action, -
- (i) to purify impure water, generated within his premises, and
 - (ii) to remove other kinds of fluids that are not impure water,
in the manner recommended by the Medical Officer of Helth.
10. While action shall be taken to transport raw materials used in the industry and the finished products so as not to expose them to the environment they shall not be stored or deposited in any public premises unless they are meant for a construction at any public place.
11. At every premises licensed under the by-laws in this part, -
- (i) a sufficient fire-fighting programme in the manner prescribed by the Municipal Commissiner shall be made available;
 - (ii) a first aid and treatment programme in the manner prescribed by the Medical Officer of Helth shall be made available;
 - (iii) while a suitable place shall be made available to the employees of the factory to partake food and change dresses, they shall be provided with face masks, gloves and other security costumes during the time they are engaged in the production process.

12. (1) It shall be lawful for the Municipal Commissioner, or for any Authorized Officer or officials to enter the premises at any time when work is in progress at the licensed premises and examine whether action is taken according to provisions of the by-laws in this part.
- (2) While it shall be duty of the licensee to offer necessary assistance for inquiries made by anybody mentioned in paragraph (1) above the said inquiries shall not be prevented or obstructed.
13. (1) If it were to be revealed at any inquiry made by any person mentioned in by-law No. 12 that the particular premises is maintained in violation of the provisions of the by-laws in this part the person carrying out the inquiry shall inform the licensee in writing to correct such violations.
- (2) Every person in receipt of a notice under paragraph (1) above shall take steps to complete the corrections mentioned therein before the date specified in the notice.
- (3) When the licensee is unable to act according to the manner mentioned in paragraph (2) above it shall be lawful to cancel the licence issued to the particular licensee.
14. (1) After the cancellation of a licence under the by-law No. 13 the person whose licence has been cancelled shall have the right to apply again to use the particular premises to maintain the industry further.
- (2) When a new licence is being applied for in the manner set out in paragraph (1) above the provisions in the by-laws Nos. 3, 4 and 5 shall apply.
15. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
- 2 A fine not exceeding Rs. 1,000.00 if the offence is committed for the first time.
- 12 A fine not exceeding Rs. 2,000.00 if the offence is committed for the first time on a subsequent occasion.
- 112 As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding Rs. 250.0 for each day he commits the offence.
16. Interpretation
"Building material" means - stone, stone powder, sand cement, iron and all other things utilized for construction work.

Part XLIV

INTERIM CONSTITUTION REGARDING PUBLIC FREQUENT SURROUNDINGS OF PRIVATE SCHOOLS, INTERNATIONAL SCHOOLS AND TUITION CLASSES.

According to the powers vested by sub sentence 28 (B) of sentences 272 and 267 of the Municipal council Act, the Municipal council of Badulla hereby declares the orders regarding public frequent surrounding of private schools, international schools and private tuition classes.

01. This is an interim constitution for public frequent surroundings of private schools, international schools and private tuition classes within the limits of Municipal council of Badulla.
02. It would be prohibited for any person or persons manage, supervise or maintain any public frequent surrounding of private schools, international schools and private tuition classes within the limits of the Municipal council of Badulla without a valid permit issued by the municipal commissioner of the Badulla M.C.
03. Any permit issued per interim constitution of this part, shall be valid till 31st of December of the year that permit had been issued for, unless for a prior cancelation had been taken place.
04. No permit should hold a private school, an international school or tuition class unless the due buildings had been constructed per orders and instructions of the Urban development Authority or per conditions stated below,

- A. The site plan, building plan, feasibility report should have been obtained.
 - B. The building should be strongly built and well maintained.
 - C. All walls of the class rooms in the premises should be at a height of at least three meter and they should have been built with red bricks, cement blocks or stones and both sides of walls should be plastered with a good finish and painted.
 - D. All class rooms should have good ventilation and light, and windows should have able to open and covering walls with wire-mesh, yet air-conditioning should not be a legal need. roofing sheet had been used, a ceiling should be made. Asbestos sheets (e) The roof should be covered with permanent material and if covered with roofing sheets a ceiling should be fixed. Asbestos sheets or tiles also may be used. And if a ceiling had been fixed, it should be at a height of not less than 2.5 meters from the floor.
 - E. Floor of all classrooms should be cemented and well finished or tiled.
 - F. The roof edges should be at a height of at least 2.2 meters and roof ends should be at least one meter distance from the walls.
 - G. When the place has several stories the work of the ground floor should be completed.
05. There should be sufficient separate garbage bins with suitable sizes to collect generated garbage within the premises and they should be hygienic and with lids to avoid entering flies or other insects.
06. The garbage generated in the premises should be removed regulations stated in sentence 07.
07. The garbage generated within the permitted place should be removed per following instructions,
- a. If not for the garbage generated within the permitted premises is being taken for reuse all the garbage should be categorized as follows,
 - (i) Biological garbage
 - (ii) Glass
 - (iii) Paper or papery materials
 - (iv) Polythene and plastics or polythene or plastic materials.
 - (v) Iron or other metallic or iron and other metallic parts.
 - (vi) Waste from other raw materials at producing or waste from by products.
 - (vii) Dangerous garbage.

It would be the responsibility of the permit holder to see that the above said categories go into separate containers or tanks arranged for each category.
 - b. The waste put into containers or tanks according to their categories should be removed under the garbage management programs of Badulla M.C. or per instructions of the commissioner.
08. The place should consist with a suitable water supply system.
09. The following toilet facilities should be supplied at the places where private schools, international schools, tuition classes are being conducted.
- a) All walls of latrines and urinals should be built with red bricks, cement blocks, stones or stainless steel sheeting and both sides of the walls should be plastered and smooth finished
 - b) All these places should be supplied with latrine facilities separately as male and female and one party should not be allowed to use other party's latrines or urinals.
 - c) All latrines and urinals should have sufficient water supply and each 50 students should have at least one latrine and two separate latrines as male and female for each 50 students were there are both male and female students.
10. All constructions done with wood, iron, or other metal within the premises should be painted.
11. Each 40 students should have at least a 20X20 feet class room and each child should have at least a space of 1.5X1.5 feet from the floor.

12. Each child should have a space of 1.5X2.0 feet for his/her desk.
13. All permitted premises should have completed the following needs;
 - I. First aid facilities should be available for any emergency.
 - II. A place for student's dining should be available and dining hall facility may be supplied.
 - III. Room for student's misbehavior should have obstructed.
 - IV. Should have rules and regulations for good discipline of children.
 - V. Data of all students should be collected into the first schedule through a bio data.
 - VI. A name list should be maintained according to the second schedule, based data obtained per above 13(V)
14. The vehicles relevant to students and teachers of all these centers should not be parked at any public place, road or street; but there should be parking facilities supplied for those vehicles by the centers by themselves.
15. Loud speakers should be supplied for classes with over 40 students and the buffels should be in good condition as for all the students to get clear hearing.
16. Buffels should be supplied for classes over 80students as to one for each 20 students and every student should get good clear hearing.
17. The black boards and white boards should be well seen by the children and the presentations to children through multi-media systems should be clearly seen and heard by the children.
18. A tax should be paid to the Badulla Municipal Council by the permit holder as follows. These taxes would be revised and published in the government *gazette* annually.
 - I. Private tuition classes with 40 students should pay a monthly fee of Rs.100.00 and extra Rs. 25.00 for each additional 40 children.
 - II. International schools should pay Rs. 200.00 for each grade.
 - III. Private schools have to pay Rs. 150.00 for each grade.
19. The commissioner or his authorized officer of the council, having a letter of authority issued generally or specially by the commissioner is entitled to enter any permitted centre at any reasonable moments within sunrise and sunset bound to give permission to do so.
20. If any permitted centre is found any conditions stated in the permit or in the interim constitutions through a notice had been neglected, the commissioner may issue an order by a notice to the particular permit holder to take necessary steps mentioned in that notice update the neglected or weak condition.
21. If any means the notice stated in above sentence 05 had been unable to handover to the permit holder, that notice may be left at place where the permit holder had been resided last or it may be pasted at the centre as to be seen clearly. It should be considered as the notice had been handed over to the permit holder.
22. If the permit holder fails to take necessary steps to update the conditions within the given time in the notice or within seven days, if no time had been given, and the commissioners may hold permit or cancel it.
23. Any person or person engaged in a business without a permit stated in the sub-constitution one (1) of these interim constitutions shall be liable for the following fines after made guilty at a court case filed at a judicial court within the limits of the Municipal Council of Badula.
 - I. If a fault done for the first time, a fine not exceeding Rs.1000.00
 - ii. If it for the second time a fine not exceeding Rs. 2000.00 per day.
 - iii. If the same guilty done continuously, and if it done for ever not obeying the instructions given by the municipal commissioner, an extra fine of two hundred and fifty for each day the guilty has been done.

PART- XLV

REGULATION IN CONNECTION WITH STORES

Badulla Municipal Council do hereby enacts bylaws relating to connection with stores within the Municipality of Badulla, and to stipulate charges and fees for using such places where slaughtering is carried on, in accordance with the powers vested in the Council under subsection 267 and 272 of the Municipal Council Ordinance (Chapter 252) No.42 of 1979 (Amended) .

1. There must be a store or stores for keeping needed goods that are purchased by the Municipal Council of Badulla.
2. The particular store or stores must be a building or a portion of a building which is constructed with firm materials, also the premises of the building must be covered with a parapet wall or a wire- mesh fence as unable to enter unpermitted persons for the sake of security purposes.
4. There must be only one door to enter the stores and it must be prepared enable to bring large goods in to the stores.
5. Store keeper or store keepers, assistants and other needed employees must be appointed. Except these persons, nobody must be allowed to enter into the stores without the permission of the mayor or the accountant who supervises the activities of the stores.
6. The stores must be with two portions. The first portion must be reserved for keeping goods taken over by the council and the second portion must be reserved for keeping goods that are delivered by suppliers but not checked and issued with quality assurance certificate.
7. Without a quality assurance that issued by suppliers, it must be not written the goods receiving form and must not kept in the main stores as shown in the section 21.
8. Keeping the stores and surroundings clean is a duty of the store keeper.
9. Goods in the store must arranged orderly enable to find quickly.
10. Submitting proposals to the relevant authorities regarding the security of the stores is a responsibility of the store keeper.
11. A lock must be fixed to the door with keys in duplicate. The duplicate key should be handed over to the commissioner of the municipal council and she/he must put it into a cover, seal the cover and keep it safely in his /her safe. The duplicate key must not be used in an occasion mentioned in section 13.
12. I. In circumstances the store keeper goes on leave , he must nominate a reliable and an equal graded officer of the municipal council to perform his duties. But, if assistants have been appointed, he/she must hand over the key to a trustworthy assistant and go on leave.
II. Anyhow, to perform duties on behalf of him a reliable assistant must be nominated early in writing.
13. In an occasion the key was not handed over due to an emergency need the commissioner of the municipal council appoint a committee including the accountant who supervises the stores activities and other two executive officers, hand over the duplicate key to the committee, open the stores and take action to issue needed goods.
14. The store keeper must attempt to have a normal stock of goods used to implement continuous services of the municipal council and he is responsible not to exceed the maximum stock mentioned in the “Bin Card”
15. In an occasion needed for purchasing goods,
 - (1) If it is for a special project, the executive officer in-charge for that project must prepare the form S.P.1 property and submit it to the officer in charge for distribution matters through the store keeper. But, the officer who is in-charge for the project must submit a report saying that funds allocated for the particular project through the budget or supplementary estimate.
 - (2) To obtain goods needed for daily use, the store keeper must prepare the form S.P. I. properly and hand over to the officer in charge for distribution.
16. If any approved prices, after receiving the form S.P. I., the distributing officer must send an order to an accepted supplier through the form S.P.2 shown here. If there is no approved price, a supplier could be selected according to the ordinance No.229 of the municipal council and send an order to him through form S.P.2. But, while purchasing a good worth not more than Rs.1500/= the regulations mentioned in the ordinance No.227 of the M.C. must be followed.

17. while purchasing goods worth more than Rs. 15,000/= the regulations mentioned in the tender procedures or the decisions taken by the council are to be followed
18. The form. S.P..2 must be prepared with 04 copies and the first copy must be sent to the supplier, the second copy to the store keeper. Third copy must be kept to attach to the voucher while making payments and the forth copy must be kept as the administrative copy.
19. The supplier must supply goods to the store keeper as to the copy received by him.
20. The store keeper must request the officer who uses the goods or an officer of the technical committee who has the technical knowledge to check up and issue a report of quality after keeping the goods in the first portion of the stores. The officer or the committee must check the goods and issue a proper certificate to the store keeper. In the event of a detailed report needed (ex. Electricity, Generator, Water pump) a report must be issued saying the goods are genuine.
21. After receiving the quality report, the quantity of the particular goods have been recommended as satisfied, the form S.P. .3 should be prepared with four copies. The first copy must be forwarded to the supplier, the second and third copies to the clerk who is in-charge for distribution and using the fourth copy, the goods must be entered in the "received" column of the Bin-card or cards. Bin-card must be a specimen as the S.P. .4 shown here.
22. The clerk who is in-charge for distribution must mark the prices of goods received by him in the both copies of S.P. .3 and send them to the clerk in-charge for maintenance of stock books.
23. After receiving. S.P. .3, the clerk who is in-charge for stock books must enter the prices of goods in proper pages of the stock book or books. Also, he must enter the page number of the stock book on both copies of S.P. .3 and one of them must be sent to the clerk who is in-charge for distribution. Stock books must be a specimen as the S.P. .5 shown here.
24. After marking S.P. .3, the clerk who is in charge for distribution must prepare a voucher and send it along with the invoice which was sent by the supplier and a copy of S.P. .2, to the account section. Payments for goods must be done from the debt account and they must not be paid from the expenditure head on any reason. The book-keeper must make all entries properly in each and every journals and ledgers at the end of each month
25. To give an information to take away the goods back those are rejected during the examination, the store keeper must inform to the accountant who evaluates the distribution.
26. The rules and regulations mentioned in section 5 must not be applicable to either the supplier who received an order for goods as per the S.P. .2 ""his representative or the supplier/his representative who comes to take away the rejected goods back.
27. While receiving goods from the stores for the utilization of the municipal council, the form of distribution (S.P. 6) attached herewith must be prepared with four copies, and hand over three of them to the store keeper and then the goods must be received.
28. The clerk who is in-charge for distribution of goods must issue goods in accordance with the 3 copies of S.P. .6 and make an entry in the distribution column of the Bin-card. To assure the entry he must keep one copy of the S.P. .6 with him and send the remaining two copies to the clerk who is in charge for stock books.
29. The clerk in-charge for stock books has to mark prices in the two copies of S.P. .6 and send one of them to the relevant department head for the preparation of job sheet. At the end of each month he has to schedule all the copies of S.P. .6 those are with him according to expenditure heads and send to the book keeper. According to the schedule, the book keeper must make entries in the relevant books, get them approved and enter in the main ledger too.
30. If any unused goods out of the purchasing, the attached form of S.P. 7 must be filled duly and handed over to the store keeper along with four copies. Three of them must be handed over to the store keeper along with remaining goods.
31. In accordance with the. S.P. .7 received, the store keeper must mark the remaining goods in the receipt column of the relevant Bin - Card and send to the clerk in-charge for stock books along with two copies of the S.P. .7.
32. The clerk in-charge for stock books must mark the prices of relevant goods in the two copies of the. S.P. 7 received, has to keep one copy with him and send the remaining one to the relevant department head. The value of goods must be deducted from the expenditure head of the schedule prepared under the 29th regulation that were entered in the copy he has with him and it must be entered as a receipt in the stock book. After deducting the value of these goods from the relevant expenditure head and balancing the account and send the schedule prepared under the 29th regulation to the book keeper.

33. An account must be maintained as “Stores account” in the main ledger which is in the account section. The account must be debited with a journal entry prepared according to the 23rd regulation and credited with a journal entry prepared in accordance with the 29th regulation and balanced the account at the end of each month.
34. If it happened to remove any materials after using and those are in a condition could be used again, the department head must assess the value of these goods. Also, he/she must prepare a form of S.P.7 and do the necessary things in accordance with the 28th regulation. But, to enter these materials, separate Bin-Card and stock books must be utilized. The value of these goods must be debited in the ‘Stores Account’. When these goods are distributed again, these regulations must be applied.
35. Provisions mentioned in these regulations must be followed when materials distributed directly from zones (Ex: metal, sand etc). But the technical officer in-charge for the zone must perform duties instead of the store keeper as mentioned in these regulations.
36. A survey must be done by a board of survey in connection with goods remaining in the stores and zones at the end of the year, before 31st December of each year. This board or boards must be appointed by the municipal commissioner and the board must be consisted with three members. At the end of the survey, the board must submit a report on it. The materials must be fixed with prices according to the stock book and total of prices must be compared with the balance of the ‘Stores Account’. If any difference arise, an immediate action to be taken to correct the error.
37. The report submitted by the board of survey under the 26th regulation must be forwarded to the financial committee and the general meeting too, and action must be taken in accordance with decision of the general meeting.

To the account clerk

Municipal council Badulla
Receiving goods to the stores

First copy.

Order No..... Application No. for goods

Date Estimates/work

Details of goods below from,
and I certify that the quantity received by me in good condition.

Item	Quantity	Particulars	Price		Ledger Page No.
			Rs.	cts.	

IMPORTANT

This is the only form for goods handed over to the stores and checked. This form is to be handed over to the treasurer of the municipal council, Badula.

Checked the prices and the stock and entered in the purchasing ledger.

Page No

.....

Checking clerk

.....

Stores clerk

Materials:-

Symbol:-

Unit:-

Stores Accounts Ledger

Venue:-

Stores No.:-

Rack No.:-

Bin Card No.:-

Stock Level:-

Maximum Quantity:-

Minimum Quantity:-

Quantity Ordering Again

Date	Receipts				Delivery				Stock			Signature of checking officer and date
	Goods receipt form No.	Quantity	Rate	Total	Goods order form No.	Quantity	Rate	Total	Quantity	Rate	Total	

(To the account clerk)

Municipal Council, Badulla
Distribution of goods

1st copy

Section:

No. :

Name of receiver : Goods application No.:

Date :

Estimate/work:

I certify that the quantity of goods detailed below received from the store keeper in good condition.

Item	Quantity	Particulars	Rate	Rs.	cts.	Stock ledger page No.

Signature of stores clerk/date :

signature of the purchaser/date :

Checked the rates, prices and accounts.

Entered in the account ledger.

.....No.....

Checking clerk.

20. Interpretation-

- “Officer” An officer of the council authorized by the Municipal Commissioner
- “Permit holder” - Owner of the chicken stall.
- “Chicken” - Uncooked flesh of fowls.
- “Continuously” - again and again or non-stop

Stores clerk.

PART XLVI

Interim Constitution Regarding Private Hospitals, Private Medical Clinics, Private Medical Laboratories and Private Pharmacies.

The Municipal Council of Badulla, hereby declare the interim-constitution regarding private hospitals private medical clinics, private medical -laboratories and private pharmacies, per schedule read with sentence 272 under powers vested by sentence 267 of Municipal Council Act of Authority 252.

01. The interim-constitutions of this part would be known as the interim constitutions to systemize the private hospitals, private medical clinics, private medical- laboratory and private pharmacies within the limits of Municipal Council of Badulla.
02. No person should carry out a private hospital a private medical Centre, a private medical-laboratory or a private pharmacy without a valid permit issued by the municipal commissioner for the relevant matter, within the limits of the municipal council of Badulla.
03. All licenses issued under these interim-constitutions would be valid only until 31st of December of the year of the relevant permit was issued for.
04. The Municipal Commissioner should not issue a permit for any sort of private hospital private medical clinic, private medical laboratory or private pharmacy unless the following regulation have of this interim-constitution had been completed in quite accordance with them.
 - (1) The place where any private hospital, any private medical treatment Centre, any private medical laboratory or any private pharmacy is being carried out should be kept in a well maintained manner.
 - (2) Any private hospital, any private medical clinic, any private medical laboratory or any private pharmacy should always be held at buildings formed in accordance with the rules and regulations of the housing and urban development act and not in buildings built out of them whatever. All buildings should be formed as to get necessary light and ventilation. All halls and all rooms should have fixed with windows enable to open, and when the windows are open they should not be less than 1/15 of the area of the floor of that particular hall or the room. Yet if any particular operations of any private hospital, private medical clinic, private medical laboratory or any private pharmacy cannot be carried out in such a building or the room or the building such operations are being carried out are being supplied with air conditioning facilities, then the regulations of this chapter should not be applied.
 - (3) Walls of all rooms or halls should be to the height not less than 2.14 m. and when those walls are built by using red-bricks or cement blocks or laterite, they should have plastered with cement grout and applied paint on inner sides or when walls are finished by using wood with aluminum or some other metal, wood should be applied with paints.

If a kitchen is being maintained at any private hospital, medical clinic, medical laboratory or pharmacy the walls of that kitchen should have covered with ceramic tiles at least up to of feet in height.
 - (4) The roofs should contain permanent material and roof-end should be at least 2m high from the ground level and the roof edging should be at least 1m wide.
 - (5) The material such as iron/steel, other metal or wood used for the roof should be coated with oil paints and maintained well-or else all rooms and halls should contain ceilings done with permanent material and painted or colour washed and maintained well.
 - (6) The floor should be cemented and finished with smooth cement coating or ceramic tiled yet the floors of all kitchens vaccinating rooms. Surgeries/ dressing-rooms, laboratories emergency treatment units of all private hospitals, private medical treatment centers private medical laboratories or private pharmacies should be ceramic tiled so as to clean the floor by washing it.
 - (7) All private hospitals, private medical clinics private medical laboratories, private pharmacies should have at least one latrine for each ten persons working in those institutions and also they should have separate lanterns for ladies and gents. It is also essential to have at least one latrine for each 50 persons separated as for ladies and gents. Who obtain indoor or outdoor services from these centres.
 - (8) If channel services are supplied by any private hospital or any private medical clinic more than 80% seating should be supplied for the patients coming there to obtain that service.

- (9) Easy entrance facilities should be supplied for the disabled who come to any private hospital, any private medical clinic, any medical laboratory or any pharmacy to obtain their services.
 - (10) All private hospitals, medical clinic, private laboratories, private pharmacies should apply a standardized cleaning system approved by the medical officer of health and no waste-water should be allowed to be released to public water streams, canals or drains from these centers.
 - (11) In an instant of enabling to refine waste water by any private hospital, private hospital, private medical clinic, private medical laboratory or private pharmacy, the waste water should be drained into an absorbent pit approved by the medical officer of health or the chairman of the central environment authority. This absorbent pit should be air-tightened and made as to be not less than 50 m away from any public water way or any well.
 - (12) The buildings used for any private hospital, any private medical center any private medical laboratory or any pharmacy should have a sufficient inside and outside fire - insurance coverage.
 - (13) A sufficient indoor water drainage system without blocks should have been applied to drain waste-water released when washing used material to be reused form rooms and waste-water released from workers' wash-rooms of any private hospital, any private medical clinic, any private medical laboratory or any private pharmacy.
 - (14) At least one separate room safe from mice and other insects etc. should be supplied to store drugs, chemicals, instrument and equipment, bottles used for various purposes and containers etc. And the deep-freezers and refrigerators used to store medicines and chemicals should be well maintained and the in well-functioning conditions.
 - (15) For water used for human consumption at above mentioned institutions a certificate of standard should be obtained from the National water supply and Drainage Board and this certificate should be renewed at least once in four months.
 - (16) If the water using by any private hospital, private medical center, private medical laboratory or any private dispensary is being stocked for using, sufficient protections should be supplied to avoid that water becoming spoilt and avoid breed of mosquitoes and other worms. If the water is being stocked in underground water-tanks, no garbage-pits, manure-pits or ash-pits should be there within the area of 18mtes. from them.
 - (17) The place where used containers or clothes are being washed should be separated from the room used for purposes of the center and the water used for washing should be only certified water as stated in chapter (15).
 - (18) The garbage formed due to activities of above stated centers should be removed per constitution for removing garbage by categorizing them into separate bins.
 - (19) Parts of human body removed by surgical operations at any private hospital or any private medical clinic should be buried only at a public cemetery of the Municipal council of Badulla and those institutions should make arrangements to do so.
 - (20) All private hospitals, private medical clinics and private medical laboratories should apply a suitable hygienic system to remove their used injection needles, syringes, wasted cotton and other harmful material. (Using incinerator).
5. All private hospitals, all private medical centers, all private medical laboratories and all private pharmacies should have supplied rest-rooms for their staff with sufficient space.
 6. The premises of all above mentioned centers should be maintained well without weeds and weedy-bushes etc. and water blocks etc. to avoid breeding of mosquitoes and other insects by the permit holder. .
 7. The aforesaid all institutions should not store or use or make use any substances producing any air polluting gases or bad smell unless they have applied any systems to avoid these pollutions.
 8. Private hospital, private medical center, private medical laboratory or private pharmacy should not use any machinery of steam-boilers unless they are in accordance with the orders made by the minister in charge of the subject of environment per Sentence 32 of National Environment Act 47 of 1980 and per amendments added to it now and then.
 9. No centers mentioned above shall have any hearths or other fire places producing smoke unless they have shimmies built per accepted standards of the orders made by the minister in charge of the subject of environment per Sentence 32 of the National Environment Act 47 of 1980 and revisions made to it from time to time.

10. All parts to be painted or colour-washed per this interim-constitution, should be painted or colour washed at least once a year.
11. All centers mentioned above should have all their rooms, surroundings, drains, furniture and all equipment well cleaned and maintained well.
12. When cleaning or washing reusing clothes, beddings, serviettes etc., at least —
 - (a) There should be one separate water tank for first round washing of them and,
 - (b) Another tank for final round- washing with drawing clean water.
13. (a) Any person having or having had recently, any infections, touch-infections or skin diseases or any person having had nursed such a diseased person recently should not be engaged in work at any private hospital, any private medical clinic, any private medical laboratory or any private pharmacy until the period of infection would be over.
 - (b) It would be the responsibility of the permit holder to see that all persons working at above mentioned centers undergo a medical inspection at least once a year.
14. It is also the responsibility of the permit holders of all private hospitals, private medical clinic, private medical laboratories and private pharmacies to supply the needed masks, gloves and other types of protective equipment to the workers of those centers according to their manner of work and the permit holders should also be strict for, that the workers use those equipments at work.
15. (a) If the permitted center is not recycling the garbage produced at its activities that garbage should be categorized into separate bins as follows:
 - (i) Biological garbage
 - (ii) Glass
 - (iii) Paper or paper made material
 - (iv) Iron or other metallic material or parts
 - (v) Polythene and plastics or material mixed with them.
 - (vi) Remains of other raw materials used at productions or by-product materials or parts.
 - (b) The garbage categorized as above should be removed per garbage management programme of the Municipal Council of Badulla or through a system approved by the Municipal Commissioner.
- (16) The time for inspections by the Municipal Commissioner or his/her authorized officers to ensure the regulations in this part of the interim constitution are being in operations at the relevant centers means any time they are functioning.
- (17) If any operations are found, not in accordance with the interim constitutions of this part at any permitted private hospital, private medical clinic, private medical laboratory or private pharmacy at on inspection by the municipal commissioner or his/her authorized officers, the commissioner should handover a notice to that permit holder including a definite date for that center to carryout all needs to bring back the center up to standards expected by the sub-constitutions.
- (18) A permit holder who receives a notice per above Sub-sentence (17) should take steps to carry-out everything mentioned in the notice. If any reasonable claim is made to the commissioner for postpone of the definite date stated in the notice to update the matters stated in the notice, the commissioner may do so. Yet that duration should not exceed 14 days.
- (19) It should be legal cancelling the permit of any permit holder who fails to complete the ordered work thorough the notice stated i above (17) before the fixed date or postponed fixed date stated in that notice.
- (20) Any permit holder made guilty due to breaking regulations of this interim constitution would be liable for the following fines per sub-sentence 03 of Municipal Council Act 267.
 - I. If the guilty done for the first time a fine of not exceeding Rs.1000/=
 - II. A fine not exceeding Rs.2000/= per day for a fault done for the second time.
 - III. If the guilty done constantly a notice from the mayor would be conveyed reminding about the fault done and if still repeated an extra fine not exceeding Rs.250/= per day would be charged.
- (21) The words or phrases used in this interim constitution of this part give the meanings as follows:
 - * 'The officer' An officer of the Municipal Council empowered by the Municipal Commissioner.
 - * 'Permit holder' The proprietor or the Managing Director / Manager of a private hospital, a private medical clinic,, a private medical laboratory or a private pharmacy.

Part - XLVII

BY-LAWS RELATING TO CONSTRUCTION OF BUILDING AND DRAINS

It is hereby declared that where a drain has been constructed on any land lying adjacent to a street, or where a land has been dug for such purpose, in accordance with the powers conferred on the Municipal Councils under Section 272 of the Municipal Councils Ordinance No.42 of 1979 (amended) of Chapter 252, the owner or the occupant of any house, land or premises located close by any such street shall not put up or install any structure, platform or bridge over the drain without the express approval of the Municipal Commissioner, and the owner or the occupant shall abide by whatever conditions laid down and comply with the Orders issued by him for executing any such work.

1. (a) Moreover, such constructions and installations put up over any bridge building or platform must be well maintained by the owner or occupant to the entire satisfaction of the Municipal Commissioner.
 - (b) Where the Municipal Commissioner comes to know of any such house, land building premises located as described in paragraph (a) above, having access with no bridge or platform or any other structure, but there exists the possibility of gaining access the through some other source without effecting any constructions mentioned hereinbefore, the Municipal Commissioner shall order the owner or the occupant of such place to put up the necessary structures forthwith and to maintain well, the drain running under any such house, land or building, and it shall be lawful for the commissioner to order the owner or the occupant to do so.
 - (c) The owner or the occupant of such house, land or premises defaults on carrying out the orders set down in the aforesaid notice, where the Municipal Commissioner specifies that the work must be completed within 30 days from the date of receipt of the notice, or within two (2) weeks from the date of receipt of the notice, if the work is urgent such defaulter shall be guilty of an offence and on the contrary the Municipal Commissioner shall cause some other person to execute such work, and the owner or the occupant shall be liable for the cost of work. In the event of evading payment of such cost of work, the commissioner shall take action to recover such money by way of an assessment tax.
02. (a) The Municipal Commissioner in his opinion, considers it necessary, he shall order the owners in writing that a land or courtyard adjoining a building or a footpath, lane or road lying in between a building or a row of buildings shall have to be paved with stones, appropriate to the situation, upto a distance not exceeding forty five (45) meters, in the manner prescribed by the Municipal Commissioner, within a reasonable time. It shall be lawful for the Municipal Commissioner to order the owners in writing to provide sufficient number of drains or pipes upto the nearest sewer or drain from such courtyard, land, lane, footpath or road to ensure efficient flow of water.
 - (b) Such drains and pipes must be made of material prescribed by the Municipal Commissioner and be of proper size, and shall be laid or constructed with proper level and slope and must be connected to the main pipeline leading to the sewer, at some point determined by the Commissioner.
 - (c) If the owner evades in executing the Orders specified in the notice within the prescribed time, he shall be guilty of committing an offence. On the contrary, the Municipal Commissioner shall engage officers authorized by him along with labourers to enter the relevant place and execute the specified work. The cost of labour incurred shall have to be borne by the owner.
 - (d) Nevertheless, the distance from the drains of the Municipal Council sewer or drain from the courtyard, footpath lane road, it exceeds thirty (30) meters. The above notice shall not be issued without the prior approval of the Municipal Commissioner.
 - (e) The building materials to be supplied by the owner shall have to be materials approved by the Commissioner.
 - (f) Where the owner requests the Municipal Commissioner to execute the work under By-law-02, the commissioner shall undertake to execute such work and if contended, the estimated expenditure shall be recovered fully from the applicant beforehand and execute such work.
03. (a) Where there is a private drain or a sewer located under a building, it shall be lawful for the Municipal Commissioner to inform the owner of such building, in writing giving reasonable time to fix a pipe, the Commissioner thinks appropriate, to the drain and sewer although they are located beneath the building, in order to provide them with proper ventilation.
 - (b) The ventilation pipes shall be of a particular and made of any material stipulated by the Municipal Commissioner and such pipes shall have to be raised to height ordered by him. If the owner defaults on acting in accordance with the stipulations laid down in the notice within the time specified, he shall be guilty of committing an offence moreover the commissioner shall cause to complete the relevant work through an officer authorized by him and permit him to enter the place with his labourers and bring the work to completion. The cost of work must be paid by the owner. In the event of refusing or evading payment, the commissioner shall recover such money from the owner by way of an assessment tax.

04. (a) Whenever, there is a need for constructing a drain or laying a pipe which connects any sewer with a drain in accordance with the provisions in section -10 of Chapter-252 of the Municipal Council Ordinance, the laying of a pipeline or constructing of a drain to convey the stagnant water in a building or its premises across a land lying in between the sewer and the common drain, any officer authorized in writing by the Municipal Commissioner shall execute such laying and constructing and shall accomplish the task. It shall be lawful for the Municipal Commissioner to give a week's notice to the owner or occupant of the land lying in between and thereafter the officer authorized for the purpose by the Commissioner shall enter the land and accomplish the laying of pipes or the constructing of the drain. The lessee, occupant or owner of such land shall not change, remove or repair any such drain or pipeline installed without the written consent of the Municipal Commissioner.
- (b) When constructing a drainage-sewer system across any land the probable loss or damage that might cause to the owner of such land there by shall have to be paid beforehand by the person executing the work and only thereafter the work has to be commenced.
05. (a) Whenever, there is an express need for constructing a drain or laying pipeline through a covered drain so as to connect a sewer with a common drain in accordance with section-110 of Chapter 252 of the Municipal Council Ordinance, and in the process, if requires to lay a pipeline or construct a drain to convey the stagnant water in a building or in its premises across a land lying in between the sewer and the common drain the Municipal Commissioner in his opinion considers that an official certification is essentially needed for declaring the necessity of such laying and construction, he shall issue such certificate in writing to the person concerned.
- (b) Upon issue of such certificate, having paid a reasonable compensation to the owner of the land lying in between, or after having submitted any such application for compensation, it shall be lawful for the person authorized too for the purpose, to enter the land lying in between, during whatever time reasonable, along with his labourers, workers, vehicles animals or other utilities after having informed the owner. Or occupant of the relevant land, that he is contemplating to construct a drain or lay a pipeline and after giving one week's notice, he shall accomplish the activity. In the case of any dispute arising it among the recipients, the matter shall be forwarded to two arbitrators for decision.
- (c) Of the two arbitrators, one shall be nominated by the authorized person and the other shall be nominated by the owners of the land in question. If the arbitrators find it impossible to come to a settlement in regard to compensation or the mode of dividing it among the recipients, they must bring the issue which they cannot agree with, to the notice of the arbitrators, and his decision shall be final. The notice sewed on the owners to nominate an arbitrator within ten (10) days from the date of receipt of notice, such arbitrator ought to determine the amount of compensation and basis under which the money shall be divided among the recipients.
06. Any person constructing a building approved by the Council, or enlarging an existing building or renovating it or repairing the front portion of a building, or any other structure over a drain, or any person constructing a latrine or a waste water pit with the approval of the Municipal Commissioner must inform the commissioner in writing within ten (10) days upon completion of such work.
07. It shall not be lawful to permit anyone to live in any abode excepting under the conditions hereinafter mentioned or in accordance with the orders made in respect of planning and buildings of the urban development authority.
- (a) Walls shall not be made be of cadjan except with laterite (cabook),wattle a daub, bricks or any other suitable material facilitation plastering and while washing, but any abode made of wattle and daub shall have to be made of any permanent material after two years' of its occupation.
- (b) There must be a door , measuring at least 2×9 meters in every room in a building meant for living and a window measuring (1/7) one seventh of floor area of any such room.
- (c) The walls shall always be not less than three (03) meters in height from the floor. However, the council shall have the liberty to increase such height further, depending on the location of the building .There shall be open space in between two rows of shanties or allotments measuring 4½ meters minimum.
- (d) Where any building or hut constructed contradictory to the provision of thin By-law, the Municipal Commissioner shall order the owner in writing to alter it or to demolish it.
07. Any person constructing a building or part of a building, without the permission of the Municipal Commissioner while thatching its roof with cadjan, leaves, straw, grass, wood splinters or such other easily inflammable materials, shall be guilty of committing an offence.
08. 1. Any building intended to be used as a residential abode if found to be not fit for human usage the Municipal Commissioner shall make a request to the Municipal Magistrate through one of his officers to prohibit such building from using if any further. The Magistrate shall issue a written order after an inspection, he considers appropriate or else he shall issue some other order which he considers reasonable and suitable.

2. Any such building subjected to a Prohibition Order, making it unfit for human usage, shall not be allowed to use by the owner or the occupant of the building or by anyone else until the magistrate revokes his decision by a written order.
09. Where the Municipal Commissioner in his opinion, decides that any building or a row of buildings used for residential purpose or for any other activity having constructed without sufficient height or proper drainage system causing practical problems in the disposal of garbage, where by people living in and around such abodes are often getting subjected to various contagious and infectious diseases, and further more located too close to one another further aggravating the health and sanitary condition of the people living in and around such abodes, the Municipal Commissioner shall give written notice to the owners of such land on which such buildings or erections are located, ordering him to remove such structures or alter them to suit the specified conditions or take steps to upgrade the existing conditions of such structures.
10. Where the owner or the occupant defaults on any payment mentioned in by-law-01,02 and 03 such money shall be recovered under the provisions of Chapter 252 of the Municipal Council Ordinance as an assessment tax under a distress permit.
11. Where the waste water of the existing buildings does not properly flow into a public drain, such water may be diverted into other drain or into soakage pits, if drains are not required.
12. It shall be unlawful for any person to divert soil or waste matter that he wants to dispose of, into a canal, drain, highway or public open place. Where waste matter and soil cannot be disposed without any prejudice to the provisions of the by-law No13, such waste matter shall be removed by an officer authorized by the Commissioner in writing and the expenses incurred on this shall be recovered from the relevant person in the form of an assessment tax.
13. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
 1. A fine not exceeding Rs. 1000.00 if the offence is committed for the first time.
 1. A fine not exceeding Rs. 2000.00 if the offence is committed for the first time on a subsequent occasion.
- 111 As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding R. 250.0 for each day he commits the offence.

14 Interpretation:

In these by-laws, unless the context otherwise requires

“Orders of the urban development Authority means the orders made by the Hon. Minister in charge of provincial administration subject under 8-of the urban development authority Act No. 41 of 1978 of the National State Assembly.

“Waste water” means the water let out from properties other than waste water let out from latrines.

PART – XLVIII

“FIRE -EXTINGUISH SERVICE”

According to the powers entrusted to the Municipal Councils under sub-sentence 26 that should be read with sentence 267 and 272 of edition 42 of 1979 of authority 252 - the Municipal Council ordinance, the Municipal Council of Badulla declare the by - constitution to systematize the prevailing regulations and conditions regarding applying and collecting charges, managing and supervising the present fire brigade of the Municipal Council of Badulla to obtain its services.

01. The by-constitution regarding the fire-extinguish service the fire-extinguish service of the Municipal Council of Badulla.
02. Account of officers regarded as needed by the Council from time to time may be appointed to the fire-brigade and regulations may be formed for those officers conduct, discipline promotions or for conditions of the service considering the regulations relevant to local government services, at suitable occasions.
03. The fire brigade should supply the services entrusted to it regarding fire and the charges decided by the council from time to time should be per charges mention in part IV of the schedule here. Yet these charges may be revised annually and published in the *government gazette* by the Municipal Council.

04. (I) An officer of the fire brigade who is been authorized formally by the chief officer shall have the following powers.
- (a) Enter any premises or any space during day or night at any time to extinguish any fire to **reuse** people from fire, to avoid spreading of fire or to take any other steps considered by the chief officer as needed for such matters .
 - (b) Enter at any reasonable time into any premises or place to order its owner the lessee or the resident to follow the steps of fire avoiding precautions within a given time stated in written papers that may be handed over to the owner or lessee or the resident of that premises or place by the chief officer.
- (II) An officer of the fire-brigade authorized by the chief officer of it shall have the following powers.
- (a) To close any road for transportation or after the direction of transportation to obtain sufficient room for fire-extinguisher tubes or hosepipes or to part extinguishing equipment.
 - (b) To pump out water to extinguish or stop spreading fire at any premises or place from any well or water tank.
 - (c) A driver of a vehicle trailing an extinguishing equipment may decide the speed of that vehicle, blow the siren to obtain sufficient room to drive that vehicle or drive that vehicle the opposite direction of a one-way road if needed.
05. (I) The council should enter an agreement with some statutory enterprise to confirm a sufficient supply of water to extinguish fire by the fire brigade.
- (II) The statutory water supply - enterprise should take steps to construct easy-obtainable extinguishing water-supply valves to supply water easily to fire-extinguishing water hose to extinguish fire within its supply area. These water supply valves should be pointed through a notice or a market as to be identified easily and its key too should be placed as to be obtained easily.
06. (I) No storied building should be used as a factory shop hospital business-place or an office unless for a holder of an existing fire-certificate for the particular place issued by the chief officer
- (II) Unless for a person fulfilling the following necessities in that premises, should have the right to obtain a fire -certificate:-
- (a) should have a reasonable amount of fire-rescue places and exits along with a reasonable protective walking distance,
 - (b) Should have well-operating sufficient extinguisher equipment and a self-operated extinguish programme,
 - (c) Should have a programme for fire - alarm for the residents.
 - (d) The building should be able to stand a fire
 - (e) Should have pre-fire quards.
- The chief officer should be satisfied with the above needs before issuing a fire certificate.
- (III) It would be legal for the chief-officer to notify the owner, lessee or the resident of any premises in written form asking to make available the conditions considered as needed by the chief officer within the premises.
07. The regulations applied to cinema halls, entertaining halls and other places used for public entertaining by-constitutions would be relevant to this part too.
08. Fire - protection orders for buildings.

Building other than used for residing matters should be built according to the following requirements additional to the requirements ordered by the council or any other written law.

- (01) (a) one hour fire resistor should be supplied for flats, offices, hospitals, hotels, schools and lodges.
- (b) Two hour fire resistor should be supplied for retail shops, factories, industry premises or similar buildings.
- (c) Four hour fire - should be supplied for goods stores or stores.
- (02) (a) A space of not less than 3 meters should be kept from a building of 2833 w.m. in volume, to another building. If any lessening of this distance from another building is to be done, the fire resistor of the outer wall should be increased by 1/2 an hour for every 61 cm or for a part of it. Anyhow in no place the distance should be less than 91 meters.
- (b) In any buildings with a volume of more than 2833 m, no space should be kept for an opening unless minimum space of 4,5 m. had been kept between those each building.

- (03) As tabled below at least two separate door openings should have been kept from a room contains the total residents weight or from a courted land to the exit more than the maximum load of permitted residents weight.

Serial No.	Kind of maximum residing's	Maximum residing weight with one door.
01.	More interruption	10
02.	warehouses, store-buildings	50
03.	Shops parted stores and business places	75
04.	Factories without	50
05.	Educational buildings	75
06.	Hospitals	25
07.	Hotels, food-houses lodges etc	20

- (i) No one should be made to walk a distance over 30 m. from any place of buildings up to the exit place mentioned above, except hospitals.
- (ii) Regarding hospitals no person should be made to walk over a distance of over 30m from any part of it up to the exit of it.
- (iii) Other than educational buildings stated in above table, all other school- classrooms should have at least two exists.
- (a) At least two free-exists should be there for each floor of all buildings over 12m.in height . It is also essential to have supplied a resume devise for each floor above first floor where people are resided or employed in work. No apartment over a floor which has rubber, copra, cotton, wool, coir, wooden-boxes, wood, paints, calcium carbide or mineral oil products stored should allowed to be reside.
- (b) All exits and entrances should be placed as follows:
- (i) They should be clearly seen or they should be pointed to be seen well. They should always be useable without any disturbances.
- (ii) When more than one exit is being need from a floor of a building, each exit should be formed as to be between a reasonable distance from each other. Doors for exit to stair-cases should be “push-out” kind of doors.

- (04) (a) Entrance for extinguishing.

An entrance without any disturbances to move should have supplied for buildings with store yes with an altitude of over 12m. or for buildings with an altitude of over 12m from found level and with volume not over 2833 cu.m. The said entrance should have a space of 3.65m in width and 4.6m in height as to make easy to enter extinguishing and rescue equipment.

- (1) Rising main pipes —

- (i) A dry rising main pipe should be fixed for a building with a height less than 13 m from the floor level of a story and a wet rising main pipe should have fixed for a building over 13m m in height have fixed for a building over 13 m in height.
- (ii) Two inlets for each rising main pipes (dry and wet) should be available for pumping water from fire brigade vehicles. These inlets should have non-reversible valves and they should be with a diameter of 1.2 cm instant.(These inlets for extinguishing machines should be supplied for entrances relevant to 04 (a) above.)
- (iii) Rising main pipes should be made available at places where the chief officer had approved.
- (iv) Each rising main pipe should be connected with each floor area of 1858 sq m should be supplied with one proper value for each floor area of 1858 or for a part of it each main pipe should be supplied with additional value from the main rising pipe of each stored above the ground floor an outlet should be supplied at a height of 91m from the found level.

- (v) Building with a height of over 36.5 m should be supplied with pipes with a diameter of 15cm.
- (VI) The wet rising pipes should be connected to the water-supplier as shown in the table (c) of the schedule (II) and when pipes of 06 cm had been fixed into a control valve with a diameter of 125 cm. a pressure of 13.5 kg each 645 sq.mm of the highest floor should allowed to be supplied by the pumping unit.
- (VII) Installing should be according to a recognized method or procedure.
 - (A) Main hydraulic hoses.
 - (i) All floors of buildings with a height of 30 m
 - (ii) All factories.
 - (iii) Store houses with an area over 371.5 sq .m

should have room for at least one hydraulic hose. The hose should not be over 30m and not less than 18 m and it should be made with strengthen rubber with a diameter of 2.5 an without convex bend and it should be ended with water taps having a control value of diameter of 4.8 or 6.3 mm. The end of the control value should be to a size to create a pressure to shoot out 2279 liter per minute to a distance not less than 06m .of the pipe should be kept of a place where the chief officer would approve permanently.

(B) Fire alarm.

Automatic or manual fire-alarms should be installed at the following places:-

- (i) A building with a ground of over 371.5 sq.m
- (ii) Any high building.

Regarding a manual fire-alarm the following should have supplied:-

- (i) Calling-points should be in red colour
- (ii) A calling - point should be covered with glass enabling to manipulate until the glass covering is broken.
- (iii) Manipulating instructions should be stated clearly.
- (iv) A point with electricity should not be kept encircled as to be handled by a person operating the alarm.
- (v) Calling points should be arranged for all parts of the building and the switch of the fire alarm should be placed as to avoid any person walking a distance more than 30 m. to switch on the fire-alarm.
- (vi) Calling -points should be placed at exit ways and specially at entering places to the floor of the stair-case. They should be placed at a height of 1.4 m from the floor level as to reach easily and well lighted.
- (vii) An indicating screen should be placed at a mid-point of the ground floor to indicate instantly the starting of the calling when a calling point had been operated.

(C) Sprinkler method :- Sprinklers should be fixed for all houses over 1350 sq m in of ground area.

- (I) No one should start on basic work in the plan prior to forwarding it to the chief officer for approval or start installing before his approval had been given for a likewise method.
- (II) The planning to install or widen a method of sprinkler should be forwarded by a qualified engineer approved by the chief officer and the person undertaking installing it should have signed in both copies of the planning papers.

(D) Portable extinguishers:-

When the chief officer had approved for portable extinguishers, the following equipment should be installed.

- (i) An approved liquid portable extinguisher of 9.09 litre or each 209 sq.m in area of each floor and yet the liquid capacity for each floor should not be less than 18.18 liters
- (ii) approved manual portable extinguishing pumps placed over containers always filled with water should be supplied with a total capacity of 9.09l for each 209 sq.m or for a part of it for each floor and the total for each floor should not be less than 18.18 liters.
- (iii) All floors should have red-painted buckets of 9.09 liters in capacity filled always with water should place not less than 06 (six) as to be 03 bucks for each 209 sq. m or a part of it

(E) when supplying equipment per above sentence(D) the chief officer may order to make relevant the conditions stated in schedule (iii) according to his wish.

09. (i) Internal stair - case should be formed as to enter any floor of the buildings . The places descending or ascending to any floor should be to same width of the stair- case. The stair-case should not have more than 16 step climbing sets and the steps should not be curved but should be straight. Each step should have a width of not less than 25 cm and a height of not less than 19cm. All stair-cases should have safety - support fences either side at a height of not less than one meter. Entrance of the descending stair-case to the floor should be straight to the entering level. All stair cases should have full coverage equal to other places of the building with fire resistance equipment. It would be restricted for any openings formed directly opposite the stair cases other than for exits and entrances. Fire resistance smoke guard, out - opening and automatically closing doors should be supplied at exits and entrance openings.
- (02) (a) For Buildings with over three (03) story's and when floor level is over 12 m height from the ground level a fire proof stair case (a stair-case to use to rescue from fire) should have been supplied and it should be placed anyone in the building to reach it without moving more than 30 m from any place of the building.
- (b) No opening should be kept on walls within 1.5 m from an outer fire-rescue stair case. The entering openings to the outer stair cases too should be per conditions of above sentence (a) means for inner stair-cases.
- (c) Me motor chamber should be constructed out of fully fireproof materials and should be parted from the lift cavity . A smoke outlet of not less than 929 sq.m should be supplied.
04. (a) When the top floor of the building had not roofed and yet it is being used for the flossing purposes and not used to sleep at night, those part should be considered as a story of the building ;_
 - (i) A top -floor garden
 - (ii) A sun-bathing house
 - (iii) A small chamber
 - (iv) A motor - room
- (b) It should be understood the need to have two sides to raise the rescue equipment considering to have a front side to enter the upper floor without any obstacles as enable to manipulate rescue equipment and another side for the same matter.
10. Keeping the goods mentioned in sub-schedule (iv) for trade or for some other reason and the businesses mentioned in it are declared as dangerous, Ehen considering their risk of fire premises mentioned in sub-schedule (iii) are subject to be inspected by the chief officer annually. The owners of them should have supplied sufficient extinguishing methods as for the satisfaction of the chief officer.
 - ii. Any person or persons disobeying any of these sub constitutions would be liable for the following fines after being made guilty by a relevant judiciary court within the limits of Badulla Municipal council.
 - (i) A fine of not more than Rs.1000/= for the offence done for the first time.

- (ii) If a fault done for the second time a fine of not more than Rs.2000/=
- (iii) If made guilty for a fault done often and had it been done repeatedly after it had been notified to him in written by the mayor, an additional fine of not more than Rs.250/= per day that fault have been continued would be liable.

12. If not for a different meaning is needed, the following words or phrases means these.

- (i) “Chief officer” = The chief officer of the fire extinguish services department of the M.C.
- (ii) “The fire - brigade” = The fire brigade maintained by the engineering department of the M.C

SCHEDULE I

Sentence -07

Serial No	Fire resistance needs	1/2 hour‘	01 hrs	02 hrs	04 hrs
01.	Walls and partitions				
	(a) thick brick (clay concrete)	11 1/2	11 1/2	21 1/2	21 1/2
	(b) Enstrengthened concrete thickness in centimetres	7 1/2	7 1/2	10	15
	(c) concrete blocks with charities thickness in centimeters	6 1/2	7 1/2	11	21 1/2
02.	Floors & roof enstrengthen thickness- thickness in meters	09	10	13	15
03.	R.S.S concrete - thickness in centimeters	2 1/2	2 1/2	05	06
04.	Doors and windows - thickness in cm (b) plywood	1 1/4 4 1/2	2 1/2 05	05‘05	

Schedule II

Table relevant for capacity of water - tanks high buildings and other buildings.

Serial No	Description	Area floor up to 465 sq.m	Floor area up to 465 to 929 sq .m	Floor area over 299 sq.m
01	Single floor	22.750 l	34.125 l	9.100 l for each additional 465 sq.m as to be 45.500 l
02.	from floors 01 to 10	13.650 l	15.925 l per floor	18.200 l per floor
03.	Buildings with over 10 floors.	11.375 / additional to above (02) per floor	09.100 l additional to above (02) per floor	9.100 l additional to above (02) per floor.

Schedule - III

Notes (i) At places where electrical equipment are available or places where good or material mentioned in below number (3) are stored or used, it is suitable to choose the kinds in the following table at a suitable ratio.

- (2) Some mixing may be done among various materials mentioned above.
- (3) class "a" abstraction - wood paper, cloth these goods and other class
"b" abstraction - inflammables carbonic material such as white spirit, paints lecher varnish enamel class
"c" abstraction - cars lorries, tractors, small electric or petrol.

Description water bucket liquid - extinguisher

(1) (a) caption and portable- hand extinguisher

(i) (b). caption

acceptable supply 3 buckets for each

class (note (3) one bucket portable hand extinguisher.

(i) Class "a" 3x9.9 l fire - 1x9.9 l liquid extinguisher

(ii) class "b" 1x9.9 l

(1) 2.27 kg - d chemical

power extinguisher

foam extinguisher

(ii) 2.27 kg carbon dioxide extinguisher

(iii) 4.5 extinguisher

(iv) 4.5 l steam solid extinguisher

(iii) class "c" 1x1.25 kg

carbon dioxide extinguisher

(i) 1.25 l c.t.c..extinguisher

(ii) 1.125 kg chemical Extinguisher

(iii) 1.25 l solid steam extinguisher

Note 2 (a) Ehen only electrical equipment's are available

- (b) Fire - extinguisher should be placed as to approach it easily and obtain it easily, too they should be placed normally along the corridors. A person inside a building should not have to be go more than 15 m to approach an extinguisher.
- (c) The extinguisher should be fixed to a rack or a bracket at a height of 91 command the directions to use thee extinguisher should be placed as to be seen clearly by all Schedule - 1

IV - Schedule

Unpleasant and dangerous business or trade :

01. Manufacturing or storing chemical manure
02. Seasoning skins
03. Selling skins
04. Animal Husbandry (for flesh, milk or eggs)
05. Maintaining a studio
06. Maintaining a veterinary clinic
07. Storing food items which can be spoilt easily for the purpose of selling.
08. Storing dried fish, salt, fresh fish or Jade - more than 150 k G.
09. Manufacturing or storing coal from coconut shell or wood.
10. Maintaining a place for preparing or storing tobacco.
11. Storing and maintain animal food.
12. Manufacturing and storing more than 200 Kg. of poonac
13. Manufacturing soap.
14. Grinding or storing bones of animals
15. Storing new or old metals
16. Maintaining a place for storing metal wreckages
17. Storing house-hold goods or furniture and parts.
18. Manufacturing cane products.
19. Maintaining a carpentry workshop.
20. Manufacturing of syrup or fruit juice.
21. Manufacturing sweets
22. Soaking or fermentation of coconut husks.
23. Manufacturing tooth brushes.
24. Maintaining an ice factory
25. Collecting toddy
26. Manufacturing or storing vinegar
27. Maintaining a place for sawing wood with machines or by hand
28. Manufacturing or string drawing paints, varnish or distemper more than 100 liters.
29. Manufacturing soda.
30. Manufacturing leather goods.
31. Filling fruits, fish or other food items in tins.
32. Maintaining a grinding mill for chilly , coffee, grains, flesh and sundries etc.
33. Manufacturing candles
34. Manufacturing camphor
35. Manufacturing writing ink, stencil ink etc.
36. Producing washing blue
37. Manufacturing wax.
38. Manufacturing and storing perfume.
39. Manufacturing school chalk
40. Storing more than 50 tyres or tubes
41. Rebuilding tyres.
42. Maintaining a place for vulcanizing tyres and tubes
43. Storing more than 1000 Kg, of cement.
44. Manufacturing asbestos or cement products
45. Manufacturing plastic goods.
46. Weaving clothes (Power loom)
47. Selling used sacks of fertilizer, lime powder etc. after cleaning.
48. Manufacturing cement block with machineries
49. Storing more than 250 Kg. of grains, flesh.
50. Storing more than 750 Kg. of flour, salt for the purpose of selling
51. Manufacturing garments.
52. Maintaining a printing house.
53. Maintaining a poultry farm with more than 100 birds

54. Maintaining sheds for goats, cattle, pigs or sheep.
55. Storing bricks or tiles
56. Maintaining a store for firewood.
57. Digging or blasting stones with machines or by hand.
58. Manufacturing or storing more than 100 bottles of cool drinks.
59. Manufacturing ice-cream.
60. Manufacturing or storing more than 300 liters of coconut oil.
61. Manufacturing or storing more than 100 dozens of match boxes
62. Manufacturing or storing coir or fiber products.
63. Storing used clothes.
64. Making or repairing jewelries.
65. Sawing timber with machineries.
66. Maintaining workshops utilizing machineries
67. Processing rubber
68. Storing sacks of fertilizer, lime powder or lumbago, dusting, cleaning or mending
69. Processing mica
70. Storing lime
71. Storing more than 50kg coal of coconut shell.
72. Processing cinnamon, cardamom or coir with sculpture smoke.
75. Maintaining an establishment except a garage where charging or storing batteries using machineries.
76. Maintaining an establishment except a garage where volcanizing tubes or tyres without using machineries .
76. Storing more than 50 Kg of cinnamon.
77. Storing more than 500Kg of cocoa.
78. Making or storing making and storing coffins.
79. Producing or storing furniture or both producing and storing.
80. Storing rubber by licensed dealers.
81. Manufacturing or storing cane products or both manufacturing and storing,
82. Maintaining a weaving center using machineries
83. Grinding floor or sundries.
84. Manufacturing rubber goods .
85. Sawing timber utilizing smoke, water or any other machine power.
86. Maintaining a store of
87. Producing of coconut oil with machineries
88. Producing of gingerly oil.
89. Maintaining an oil press. or a mill operating by hands for crushing oil.
90. Producing coir/storing or both producing and storing,
91. Producing box of matches.
92. Storing cotton
93. Storing more than 227 1/2 liters of coconut oil
94. Storing methylated spirit.
95. Manufacturing acetylene
96. Manufacturing cigarette
97. Manufacturing beedi
98. Storing more than 250 Kg of paint or varnish
99. Storing more than 250 Kg of wooden boxes.
100. Manufacturing broom.
101. Manufacturing sweets.
102. Storing more than 100 sacks except sacks of fertilizer, lime or plumbago.
103. Storing more than 150 used tyres or tubes.
104. Storing more than 50 Kg. of coal except coal of coconut sell.
105. Manufacturing wooden boxes
106. Maintaining an establishment except a garage of oxygen or welding utilizing engine power.
107. Maintaining an establishment except an iron or metal workshop utilizing machine power.
108. Maintaining an establishment except a garage where repairing motor vehicles utilizing engine power/service center or repairing vehicles and service center.
109. Maintaining an establishment except a garage where servicing and repainting motor vehicles utilizing engine power.
110. Maintaining a printing house using engine power.
111. Maintaining a printing house using hand machine or foot machine
112. Storing used cloths.

113. Maintaining a place for dry cleaning of clothes
115. Maintaining a place for electronic plating metals with chromium gold, silver or copper without utilizing machine power.
116. Maintaining an establishment except a garage for electronic plating utilizing machine power.
117. A workshop for repairing motor vehicles and are wedding.
118. A Place utilizing electricity or machine power to operate any kind of instrument.
119. Keeping any kind of plastic goods more than 50 Kg.
120. Manufacturing all kinds of plastic goods.
121. Keeping any kind of plastic goods more than 50 Kg.
122. Manufacturing all kinds of polythene.
123. Manufacturing and storing brooms.
124. Storing tea leaves more than 1000 kg.
125. Storing paper and/ or any kind of paper production.
126. Manufacturing of garments.
127. A shop for rice and curry.
128. Chemical items.
129. Storing every kind of cracker more than 50kg.
130. Storing L.C gas cylinders more than 150kg.
131. Manufacturing of hats and head-dress.
132. Storing every kind of rubber goods more than 100 Kg.
133. Storing chopped coconut more than 250 Kg.
134. Storing rubber seeds more than 250 Kg.
135. Storing acid more than 91 liters.
136. Maintaining a factory engaging more than 25 workers at a time.
137. Storing mineral oil, gas mineral oil products.
138. Storing cart riches and sculpture

Schedule - IV

The following charges for fire extinguish services would be relevant after veiling by the M.C from time to time and published in the Government *Gazette*.

1. Sum of Rs.100.00 would be charged from every business place within the m.c limits, per month and it may be paid to the M.C as an annual payment of Rs.1000.00 through a single payment.

Our services are avoidable outside the M.C limits to but under following conditions.

For one fire -call outside the M.C limits the charges would be as follows

- * Rs.7000/= + taxes would be relevant for reaching a riding/general place (eg. boutiques, small notes or small shops)
- * Rs.15000/=+ taxes for reaching a place of large super markets, factories or hotels for extinguish work.
- * Charges for the first hour or for a part of it would be Rs.1000/=
- * From the second hour Rs.750/= would be charged for each hour or a part of it.
- * Charges for the water Boucher (8000/=) would be Rs.4000/=
- * When using an additional pump the charge would be 2000/=
- * To send any other vehicle the charge would be Rs.3000/=
- * For a liter of liquid foam Rs.800/=
- * Rs.600/= for 1Kg of co2
- * Rs.750/= for one artificial breathing equipment
- * Rs.50000/= for an annual fire-coverage bond with Pradeshiya sabha around the M.C Rs.25,000/= for an annual fire-coverage bound with large factories or tourists - hotels

Conditions applied

2. An ambulance services including a well-trained rescue crew would always be on alert to transport any injured person or persons due to any accident, to the General Hospital, Badulla so as to avoid any post - injuries may occur while transporting.

If anyone other than a person met with an accident needs the service of the ambulance a charge of Rs.35/= per KM. would be relevant.

Rs.3000.00 + taxes per day would be charged for the ambulance service with two officers on alert. Rs.1000/= + relevant taxes would be charged for sport competitions not below 02 hour period of time.

Protection section in needed for:-

1. Planning of fire and life protection of all buildings (storied, stores, shop complex, school etc)
2. Giving advice for new building planning regarding fire and life protection and prescribe regarding them for local government institutions. carry out investigations about business places without essential fire protections and take necessary legal action against them.

The following charges would be applicable for services supplied by the protection section:-

- * Up to 300 sq. Rs.2,000/=
- * From 301 to 500 sq. Rs 4,000/=
- * From 501 to 700 sq. Rs.6,000/=
- * From 701 to 1000 sq. Rs.8,000/=
- * Over 1000 sq. = Rs.10,000/=

Training section / Unit

01. carryout training programmes within the fire extinguish unit.
02. Carryout programmes to train school children and the people how to act at a fire through applying extinguishing methods, ways of calling up the fire-brigade at a fire , to give first - aid to a person burned by a fire etc.
03. Carryout programmes to make aware of how factories or storied buildings may catch fire and how to act at such emergency situations and of fire protections programmes.
04. The programmes available at the extinguish unit_ charges to undergo a single day indoor fore extinguish course

i	Lecture charges (2 instructors at a time)	Rs. 600/=
ii	Training charges (2 instructors at a time)	Rs.1,600/=
iii	Refreshments charges	Rs. 800/=
iv.	Stationary charges	Rs. 500/=
v.	Amount gained by the M.C	Rs.2,500/=
	Total	Rs.6,000/=

* Charges for a 3 day extinguish indoor course to undergo at the extinguish unit:-

i	Lecture charges (Rs.200 per hour x 09 hrs.)	Rs. 1,800
ii	Training charges (Two trainers at a time)	Rs. 4,800
iii	Refreshments charges	Rs. 2,800
iv.	Stationary charges	Rs. 800
v.	Amount gained by the M.C	Rs. 6,800
	Total	Rs.17,000

5 day fire-extinguish course.

i	Lecture charges (Rs.200 per hour x 15 hrs)	Rs. 3,500
ii	Training charges (Two trainers at a time)	Rs. 8,000
iii	Refreshments charges	Rs. 4,000
iv.	Stationary charges	Rs. 1,500
v.	Amount gained by the M.C	Rs. 10,000
	Total	Rs.26,000

* Charges for one day external fire extinguish trainings

i	Lecture charges (for 3 hours)	Rs.2,000
ii	Training charges	Rs.2,000
v.	Amount gained by the M.C	Rs.3,000
	Total	Rs.7,000

PART XLIX

By-laws relating to Prevention of damages to thoroughfares and obstructions to road transport

THIS interim constitution regarding regulating, supervising and administrating by-laws with a description relating of formalizing of Prevention of damages to thoroughfares and obstructions to road transport usage in Badulla Municipality, in accordance with the provisions of para (b), Sub section – 06 of Section 272 of the amendment 1979/42 for the Municipal Councils ordinance 252nd authority.

1. The By-laws in this part are cited as prevention of damages to thoroughfares and obstructions to road transport within the area of authority of the Municipal Council
2. While nobody shall damage a thoroughfare owned by the Council, nobody shall engage in, -
 - (a) conducting sales;
 - (b) parking a vehicle in a place which is not one that has been allowed by the decision of the Municipal Council under By-laws in part XXXIII, unless it is due to some reason making it impossible to start the vehicle in order to take it out of the park or to drive it out of the park due to some other damage caused;
 - (c) repairing of vehicles or washing vehicles;
 - (d) unloading or stockpiling metal, sand, gravel, soil, bricks or logs except in the course of any activity done on the decision of the Badulla Municipal Council or the Municipal Commissioner for any repairs in any road;
 - (e) stockpiling condemned parts of vehicles, in a manner that would cause obstruction to vehicles or pedestrians using the road.
- 3(a)
 1. Within the street line limits of any road announced by the Badulla Municipal Council, any construction should not be done and any building materials brought for any other constructions should be put to any road or part of it, as disobeying the rules and regulations of the Municipal development ordinance.
 11. In case of a road that newly constructed or no street line limits announced, within the limits decided in a general meeting of the municipal council, any construction should not be done and any building material brought for any other construction work should not be out to any road or part of it as disobeying the rules and regulations of the municipal development ordinance.
- (b)
 01. Without a proper permission of the Badulla Municipal Council, no person can do any harm mentioned below to any road constructed in the administrative area of the Municipal Council.
 - i. Damaging of the surface of the road,
 - ii. Digging the road for the purpose of laying pipes.
 - iii. Drilling the bottom of the road for the purpose of laying underground telephone and electrical cables.
 02. While granting permission for the purpose mentioned in 3(b)01, above, would be considered only after paying the rates decided by the Municipal Council.
4. When action has been taken by any person in violation of provisions in the By-law No. 3 to stock any building material on any thoroughfare or part thereof possessed by the Badulla Municipal Council it shall be lawful for the Municipal Commissioner or an Authorized Officer to take action to remove those materials from that spot or to take possession of those materials. The person or the Council that took action to remove the materials out of the thoroughfare shall not be subjected to responsibility in regard to any shortfall, loss or damage caused to the person who stocked the relevant materials on the road, due to the actions taken by the Municipal Commissioner or the Authorized Officer in the above manner. Furthermore, the Council, the Municipal Commissioner or the Authorized Officer shall not be subjected to paying any amount of compensation in respect of the materials so removed.
5. Where any activity needed for the maintenance or repair of any thoroughfare owned by the Council is concerned, the Municipal Commissioner shall have the power to issue orders to -
 - (a) close for vehicular traffic, for any period of time, the whole length of the thoroughfare or a part thereof or any lane of the road in any direction;
 - (b) stock any building material or materials on any section of the thoroughfare;
 - (c) gain entry into any plot of land by the side of the relevant thoroughfare and to deposit some building materials on it;
 - (d) allow passage for vehicles through that land without causing any damage to property on that land.

6. No person shall take steps to act in contrary to any order issued by the Municipal Commissioner under by-law No. 5 or to obstruct any person who acts in conformity with that order or to cause to act accordingly.
7. Unless any person holds written permission issued by the Municipal Commissioner nobody shall collect or stockpile or remove metal, gravel, sand, soil or any other material lying on any thoroughfare owned by the Badulla Municipal Council.
8. While action shall be taken to divert to a suction pit water other than rainwater falling on any land or on the roof of any building constructed on that land, found in the plot of land or in the building on that land or waste water disposed of after use, such diversion shall not be made to any thoroughfare or any drain along the thoroughfare owned by the Council.
9. Unless steps have been taken to cover the materials being transported with a covering that prevents dispersion of the material in the form of dust or sand or small pieces, nobody shall transport any such material through any thoroughfare owned by the Council in any vehicle.
10. While nobody shall fill or damage a drain situated along any thoroughfare or obstruct the free flow of water along any drain in the event entry is required to any plot of land through such a drain it shall be the duty of the owner of that land to construct a bridge, a platform or an arch not less than 3 feet long.
11. Contravention of any provision in this by-law shall be an offence, and any person, if found guilty of such offence by a Court of law having judicial powers within Badulla Municipality, shall be liable to following penalties:
 - 1 A fine not exceeding Rs. 1,000.00 if the offence is committed for the first time.
 - 11 A fine not exceeding Rs. 2,000.00 if the offence is committed for the first time on a subsequent occasion.
 - 111 As regards to a subsequent offence, the commissioner shall issue a written notice to the person drawing his attention to his subsequent contravention and if he continues to commit the same offence over and over again, he shall be liable to a fine not exceeding R. 250.0 for each day he commits the offence.
11. In this part, unless the context otherwise requires -

“causing damage” means destruction, removal, defacement, overhauling, displacement, causing harm in any other way, pasting a poster or handbill on any section, application of paints, any other mucilage or tar, and it also includes changing, obliterating, scratching or removal of letters from a name board. However, it shall not include any activity done in respect of any repair to a road, undertaken by the Council Municipal Commissioner or any other officer authorized by the Municipal Commissioner .

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

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

PART L

Interim Constitution Regarding Digging Wells.

Badulla Municipal Council do hereby enacted the by-law relating to Interim Constitution Regarding Digging Wells in the Municipality of Badulla Municipal Council, in accordance with Sub section 28(E) of the section 272 and the powers vested in the Municipal Council of Badulla by section 267 of Chapter 252 of the Municipal Council Ordinance.

01. Unless obtained a written permission from the commissioner of the Municipality nobody can dig a well in the administrative area of the council.
02.
 1. Unless the plan and measurements of any well approved by the Commissioner of the Municipality or it does not agree with the approved plan and measurements a well could not be dug by anybody for the purpose of drinking water, domestic use, supplying water or for sale of water to the public.
 2. The commissioner of the Municipality should not approve the plan of a well or issue permit to construct a well within the area of 16 meters from the margin area of a toilet pit, dirty waterpit, sheds for pigs, cattle shed, damaged drain or a drain without side walls or a garden used for cultivation every year using manure continuously for crops.

03. A person should not do the following within the area of 30 meters;
- Constructing, allowing or approving to construct a toilet pit, dirty water pit, shed for pigs, cattle shed, damaged drain or a drain without side walls,
 - keeping collected, allowing or approving to keep any moment, any parts of animals or trees that could be decayed,
 - Giving room to gather or allow gathering garbage those are not removed at least once a week,
 - Allowing to be damaged any drain.
04. The owner, leaseholder or resident of a land or premises where a well being constructed to get water for the purpose of drinking or any other domestic use, is responsible to take the following necessary actions regularly;
- To avoid the flowing of water into the well from outside of it.
 - To avoid the leaking outer water into the well from the surface of five meters from the edge of the well.
 - To avoid the leaking of water from a depth of three meters from the surface of the land that the well is being constructed.
05. A dirty bucket or such a thing is not to be used to take water from a well utilized for the purpose of drinking or any other domestic need.
06. Nobody can wash cloths within a distance of five meters from the edges of a well used for supplying water for the public.
07. In an occasion, the municipal commissioner considered to scatter, to clean and insecticide or to repair a well used for the purpose of domestic need, the commissioner can inform the owner, leaseholder or resident of the land in which the well is being constructed denting to do the necessary thing according to the advice of the Medical Officer of Health and the owner, leaseholder or resident must carry-out the information.
08. Nobody can close a public well or pipe without the permission of the municipal commissioner. All the wells situated in the municipal area (public or personal) are to be registered in the municipal council.
09. Disobeying any regulations is an offence and if found guilty in front of a Justice of a court the following punishments would be applicable
- A penalty not exceeding Rs: one thousand (Rs: 1000.00) for the first time offence done.
 - A penalty not exceeding Rs: two thousand (Rs: 2000.00) for the second time or thereafter.
 - A penalty not exceeding Rs: two hundred and fifty (Rs: 250.00) per day when the offence done continuously, neglecting the regulations of the municipal commissioner.

Interpretation

“Council”- municipal council of Badulla

“Municipal Commissioner.”municipal commissioner of the M.C. Baulla

“Medical Officer of Health” M.O.H. officer and M.O.H office,Badulla

LI PART

By law of prevention Nuisance

Hereby be promulgated the prescription of prevention nuisance by the Badulla Municipal Council as the Section 272 according to the powers delegated by the Municipal Council ordinance Section 267 in the 252th chapter.

01. This is known as the by law of prevention Nuisance of Badulla Municipal Council.
02. In any time and in occasions seem those necessary that Municipal commissioner or by another officer that who delegated power by a written Notice by him prescribed to be removed the latrine or the substances in the sealed latrine in a period mentioned in the Notice or to the place mentioned where or make arrangement to be removed which in any house, outer house, building, covered place or to a owner of premises or resident, that house, or additional house, building, covered place or located in a premises in the Municipal limit is legitimate.
03. The substances contained in the water seal latrine or any toilet or in a thatch shed or pit, should not make arrangements to dump or dump or berry in the ground or berry on any or any place or land where there are any stream within 50 feet or brook or in a garbage pipe, drainage, lake, beck, pond, well or any dwell house, or premises or building, outer house or any house by any person.
04. If any toilet deserted after the business or any structural change in any premises or any toilet pit or toilet is needless to be used further or a pit which never manipulated any person should be cleaned completely by the possessor and dispatch all the contained faces and unpleasant substances should be emptied. Furthermore all the unpleasant substances with the soil and other feces which connected drains, pipes and the roof fixed with the latrine and pit should be removed safely. And they should be filled the latrines with apt substances such as non nuisance to any.
05. Whoever has intention to close a latrine pit or toilet or be filled, that person should be informed to the Municipal Commissioner or a officer to who given the written power by him before seven days except holidays by notifying the accurate time of commence or filling or closing the latrine or toilet pit before the task commenced and free access to be provided to enter to the premises to inspect the task to any officers of the Municipal Council while processing.
06. The owner of the house or land or resident should notify the house and the date intend to apply the work to the Municipal Commissioner according to the ordinance Section 01 or will to dispatch the substance which contained in a water – seal or latrine pit of any said land or house. Later a license should be given to a resident or owner to accomplish the task on the terms and condition which mentioned in that license to a person that who delegated power properly by the Municipal Commissioner under the inspection of a Municipal officer
07. The faces shouldn't be removed by any person except a worker of the council who is delegated due power for the task in houses or land in the Municipal limit.
08. The latrine facility should be set off one standard bucket for every ten who dwell in the Municipal limit, that Municipal commissioner considered that it is necessary to be put or removed properly by the tenant or the land or owner of the building or lessee in any house, building, land which made of a number of house holders or number of residents exceeding said one resident under separate agreement he tenants who use removing faces bucket toilet system.
09. The bucket should made of galvanized metal sheet and the weight of each standard bucket shouldn't exceed 4.54 grams and the internal quantify of it should be mentioned below. The height should be centimeter 28, Diameter centimeter 31 and the diameter of the bottom should be 23 centimeter.
10. The council shall be levied a fee from the owner of premises or tenant for providing a service by the council on concern of the task of collecting faces.
11. If the owing fee is not properly paid to the council according to the above section, it should be reported the judge that who has the power in the Municipal limit and if shown that amount should be paid after the summary case, the judge should give order to pay to the person who subjected to pay. Moreover that amount should be levied as a penalty which that judge imposed. If failed to pay, it should be levied as an assessment tax by the Municipal commissioner.
12. Each resident should allow the servant of the Municipal Council to access freely to their latrine to remove the faces in the house, land or premises in the time which that Commissioner prescribed.

13. (I) No any latrines should construct except incidentally planned and in a place where approved by the Municipal commissioner
- (II) Every latrines should be covered such as preventing successfully to any other residential building or all the internal part of the entrance of the latrine should be prevented of focusing to any street, railway line, public garden, public park or except the residential building of that latrine attached.
14. No any person should dump faces, cow-dung, or any dirty substances, dust, trash, ash, garbage or branches, swept garbage there in or on except the place which deemed under the Section 131 (Chapter 252) in the ordinance of Municipal Council.
15. No any person should excavate a pit on source of taking soil, or to dump dirt substances or garbage or any faces pit, lake, well or sump without a written authorization of the Municipal Commissioner.
16. No permit room to dispatch any dirty substances which hold stink to the open common drains or to a street from the said premises by the owner of any premises, tenant or resident.
17. (a) By any resident in any premises – Any dirty garbage substances should not dump or make **arrangements** dump except covered container or such as containerized in a well tied polythene bag.
- (11) No placing container or making arrangement to be placed or any other place except the street ,out of the premises in a determined time daily which notified accordingly time to time by the Municipal Commissioner.
- (b) No permit room to hold or dump any dirty garbage substances in a street by the resident of any premises and keeping clean the pavement with that street and in front attached to the own premises or all the drains of the surfaces and keeping free from dirty garbage should be the duty of the resident.
18. No collecting or removing dirty garbage from a public place or in a street of the Municipal council limit by any person unless a letter of power delegated by the Municipal Commissioner.
19. In accordance to the prescription in time to time by the Municipal council, the council could levy a fee from the resident or the owner of the premises for supplying container by the council to collect and dispatch dirty garbage from any premises.
20. The fee should be levied after the Government *Gazette* notification with the annual amendment which prescribed by the resolution of the council for below mentioned service.
- (a) Removing dirt garbage from the commercial and trade premises.
- (1) For fully buggy of impurities.
- (2) Half buggy of impurities

This by law defines that fully buggy of impurities mean, the height is in between 61 and 76 centimeters, the diameter is in between 38 and 61 centimeters. Further, half buggy of impurities mean that height should be in between 30.5 and 38 centimeters, the diameter should be in between 19 and 13.5 centimeters.

- (b) Removing cut trees, branches and debris from any premises.
- (1) For a filled tractor.
- (2) For a half filled tractor.
- (3) For a filled cart.
- (c) Cleaning a waste decompose tank.
- (d) Cleaning the congesting drains
- (1) For the drains of Private premises. (Domestic)
- (2) For the institution of Commercial or trade

The approved fee should be paid in advance to the Municipal Office.

- 21 Any person should not place or throw or dump any public place or park, drain, platform, pavement, any street except the garbage buggy which specially reserved for any ad hoc other waste or any other container.
- 22 (1) No any owner of any premises, tenant or resident, allow or place any nocuous impurities or unpleasant substances or a container of such substances such as dirt cause nuisance or nocuous to the neighbors.
(2) If learned that there is a breach in an occasion about Sub section (1) here, it is lawful to remove the cause of nuisance through entering to the premises where violated after on a general notification of Municipal Commissioner by the resident of the premises or by him or by any person which delegated power by a written document, the expenditure borne for that should be levied from the resident of the premises.
- 23 Any owner of a building is responsible of existing part of the building or impurities which manipulating there in, in a pipe which flow down or repairing in a pipe bowels, accommodating or maintaining properly. By a letter of notification of Municipal commissioner, could be ordered to do the work as such which considered that owner should be needed, the owner should accomplish the task mentioned in the notice in between the time period which certainly mentioned in the notice.
- 24 No person should spit from an open building or from a public vehicle including a hiring vehicle or a public pavement or a on a laid foot path.
- 25 (1) No person should dump, place, sift, shack, beat, remove, put, throw or agitate any ash, sand, coal, hair, feathers, or any substances which could be winnowed by the air to any public place or any premises in any time.
(11) If any breach taken place in the above Sub section (1) while running or halted vehicle, the driver of the vehicle in that time or the person be in-charge of should set the marks as that breach has done, unless the person prove that it was not happened as such, the person subjected to be guilty.
(111) No winnowed any sand, gravel, quarry etc, as disperse in the street while moving an obituary procession.
- 26 No any person should make a tent or collecting carts or tether any animal in any public ground in the Municipal limit or a ground belongs to the Municipal council or in- control of it or place, without a written authorization of the Municipal Commissioner.
- 27 If any public ground or place within the Municipal limit or a ground belongs to Municipal Council or a ground or place which under its control is prohibited under a public notice by Municipal Commissioner for a certain purpose, it shouldn't be make use of any purpose without a written permission of the Commissioner.
- 28 No person should conduct as causing aggrieve or causing anger to the other who manipulating the ground lawfully or agitating by a person who manipulate for his joyfulness in any public ground which belongs to the Municipal Council or which under its care. As such ground on the condition of conducting good manner and subject to the relevant rule determined by the Municipal Council, it is being opened for the public in the time day light generally until the gate closed for nighttime.
- 29 A person who do use amusement park or any ground with a pond which belongs to the Municipal Council or under its control, should not bath in the lake or pond or any action cause to be mess water therein or causing any aggrieve therein without authorization of the Municipal Commissioner, also should not break plants or trees and do not harm any trees or shrubs in the ground.
- 30 No any person shouldn't sleep any seat or keeping feet on them which supplied for the amusement or in a public place by the Municipal council.
- 31 The person who suffers from any diseases such as contemptible, infectious or communicable by contacting shouldn't sit or use any seat which supplied by the Municipal Council in the amusement park or a public place.
- 32 Do not sit or use by a male who exceeds twelve years where a label fixed such as mentioned "women and Children only" in an amusement park or a public place. The person who is charged under this by law holds the liability to prove the age below 12 one self.
- 33 No any person should use any residence or veranda or properly set up for in a residence and a part which was not approved in advance by the Municipal Commissioner or a part of any street or pavement or any property of Municipal Council or other asset of Municipal Council for keeping animals, washing and preparing them.
- 34 No carry out or permit to make arrangements or wash or prepare or wash an animal or any vehicle, in a park or any public park or any place where reserved as a public bus stand for vehicles or in a pavement or a street.

- 35 In a resident or place or any house where a cattle, horse, sheep, goat or pig died, it should be reported to the public health inspector within four hours after the death of the animal or if the death taken place at night, it should be informed within four hours after the sunrise and after the testing the carcass by a Authorized officer, the resident dispatch by his own expense to the place of determined for ad hoc manner of order given by the Municipal Commissioner to the resident or according to the prescription of the Commissioner, the expense of dispatching the carcass should be paid to the authorized officer.
- 36 The Municipal Commissioner could order to any owner of a land or a place to construct the fence or parapet wall where there aren't better fences or parapet wall in any land or place, in an occasion that there aren't fence or parapet wall as such, the Municipal Commissioner could order to renovate them to a proper condition or cut and shape the fence to the height not exceeding the height which prescribed time to time by the Municipal Commissioner from the base of adjoining road or order to slope the fence by the Municipal Commissioner to the owner of the land or place or lessee or resident and according to the Municipal Commissioner 's point of view, to cut and remove all the trees which low as impairments to any street or could be damaged to any street and could be ordered to trim the branches by the Municipal Commissioner.
- Written notice concerning the orders under this by law could be handed over to the owner, lessee or resident in accordance to the opportunities or could be sent by post to him, the owner, lessee or resident should act according to the order of the notice in between the time period or a time period that could be extended by the Municipal Commissioner. An owner of a land or place or lessee or resident should be maintained the land or place clean without bushes and darnel.
37. In an occasion that Municipal Commissioner considered, any branch of tree or fruit which is in the Municipal limit could fall on any house or building and hurt the resident, it is lawful making arrangement to send a written notice to the owner of the land where the tree stand or the resident by the Municipal Council to remove the branch or tree or fruit which being lowered. Moreover, if that owner or resident failed to cut or remove them within three days after notification, the task shall be accomplished by the Commissioner or any workers those who had the power by him. The expenses which borne that task shall be levied from that owner or resident. That expense shall be levied according to the provision section 294 and 295 in that ordinance, as expense of being ordered to be paid by the ordinance of (252th Chapter) Municipal council.
38. Whoever accomplished the activities mentioned below should be unlawful.
- (1) Transporting timber exceeding 600 feet length or other materials without tied their extremity to silinga cart.
 - (2) Carrying any timber exceeding 600 feet length or other materials without holding the extremity by another person.
 - (3) Transporting any iron rods by the cart without tied the extremity each gathered to prevent from the noisy, unless untied when transporting iron rods by a cart.
 - (4) Loading firewood, coop or any other materials exceeding than two meters high from the deck of the cart.
 - (5) Loading to a cart or vehicle such as outspread crosswise out of the wheels of a goods cart or vehicle or timber, firewood, coop, hay or any other type.
39. It is lawful to be detained by any authorized officer of the Municipal Council officer or Police officer until make arrangements to transport being able to non sanctioned or transport until the manner of non sanctioned by the said bylaw or transporting cart or timber or other materials which loaded said as above or any timber which inconsistent to the by law hereto before, the power delegated hereby to the officers to be detained those as such.
40. No any person should take any garbage, impurities, bricks, cabook, slote stones, boulder, lime or other goods or materials by a bullock cart or vehicle within the Municipal council area as causing any aggrieve to any road or as a hindrance to the road or negligence as causing aggrieve or manner of insecurity or not properly protected due to fall a part in the street.
41. No any person should ride any cart or vehicle which made for, transport goods or heavy goods such as to prevent transporting goods or heavy vehicle or riding along the street which notified by the *Gazette* notification as street by the Municipal Commissioner, without the authorization of the Municipal Commissioner.
42. (1) A person loiter purposelessly or stops in any street after directing by a Police officer to move forward without stagnating shall be considered as who cause a punishable offence and action should be taken against him according to the section 56.
- (2) In an occasion of that licensed vehicle driving slowly or in an occasion of pulling the vehicle, it should be driven along the left side edge of the street slowly, should pave way to move fast to the rear vehicles.
 - (3) No any person should allow a bicycle, tricycle or other vehicle including mechanical vehicle or animals or loading passengers or goods, to be moved, ride, tow or push on a pavement or on the path which reserved only for pedestrians. The prohibition in this rule shall not relevant to the infant cart.

- (4) No any person should allow or concede to be exhausted flue gas or visual stream exceeding the quantum from the mechanical process vehicle which cause harsh or nuisance to the public or make happen to any accident.
 - (5) If any person get caught holding a licensed vehicle in a public stand such as exceeding the number of vehicle authorized to be parked in any public stand and if that person rejected to remove the vehicle from the stand when ordered by the officer who had authorization by the Municipal Commissioner or any Police Officer, the person shall be considered as that who committed a punishable offence. (The number of redundant shall be considered by counting the licensed vehicle from the exit corner of the vehicle park in this section for this task.
43. Walls outside of the buildings or a wall adjoined any public street should be cleaned, painted, white wash and maintained by the owner, lessee or resident.
 44. (1) No anyone should catch fish or attempting to catch fish in any reservoir in the administrative limit of the council or any part of it through any method without authorization of the Municipal Commissioner.
(2) No anyone should catch fish or attempting catch fish in that reservoir area in the period, declared in an occasion by the Municipal Commissioner by means of announcement published in the *Gazette* to be considered and by a notice exhibited in the place for a time period depraved due to garbage or sewage any water in the reservoir in the administrative limit of the council.
 45. No anyone should have any net to catch fish or other instruments with his possession in any reservoir or its branch or in or on the embankment.
 46. No anyone should kill any animals in any manner or catch or kill or catch or attempt to kill which is in the reservoir or its branch or on or above and which is not a personnel property oneself.
 47. (1) No one shall put or paving way to put any garbage, impurities, dirty or other stinky or aggrieve materials to any reservoir or any water course which falls to the reservoir or stream.
(2) No anyone should wash food or cloth or animals or vehicles in a reservoir which in the administrative limit of the council or water course or stream unless issued an authorization by the council.
 48. The Municipal council could reserve a certain area in the reservoir for birds. No one could enter to the certain area for any purpose unless provided a proper power by the Municipal Commissioner.
 49. No anyone should not exhibit any mat, cloth or other object or materials in the street or hanging in the area of the street or in other manner. The authorization of the Municipal Commissioner should be obtained for the decoration of obituaries, political or any ceremonies and the relevant persons who exhibited should remove the decorations at the end of the ceremony, thus failed remove within two days, the expenses to be removed the decorations shall be levied from the relevant persons by the Municipal Commissioner.
 50. It is illegitimate to stick or supporting to be stick or encouraging to affix any posters, leaflet, handbill or other notice on any wall, buildings, house, place, tree except the prescribed place by the Municipal Commissioner.
 51. (1) when loading or unloading goods to any cart, some part of the cart is hold in leash or tied, except the animal possessed to the cart, any bull, horse, sheep, goat or other animal be holding any person, nourishing or strayed by tethering or tied any road in the Municipal area or any urban or State land shall being caught by that person or manage to catch through someone giving power of Municipal Commissioner is legitimate.
(2) However, every animal which caught by him as said above, should handed over to the Police officer who is in charge of the nearest police station without delay. Every officer who has caught as said above or taken up to the custody should be reported the Municipal Commissioner without delay. If there isn't any claim for the animal by any on the time reported, the Municipal Commissioner could give order to his officer take necessary steps for the protection, take care of the animal, and publish a *Gazette* notification according to the customary on the subject of catching.
(3) Unless paying an amount prescribed by a seconded proposal of the Council for the interest of the person who caught the animal as such and an additional amount to be paid to the said officer's interest which prescribed for taking care for each days by the said officer, the animal should not hand over to the owner.
(4) No person claimed the ownership of the animal within ten days after the day that animal was get caught or failed to pay the owing as said above, that animal can be sold in a public auction by that officer, and if there is any money left after paying the authorized payment to who caught the animal and receiving the amount which should be levied for burden and take care of the animal, it is legitimate to be paid to the Commissioner of the Municipal Council, hereby given ordered to the officer to do assignment as such.

52. It should not be legitimate to oppose by any to catch the animal while hem in bring inwards to a place subsequently or causing impairment by any immediately in an occasion of catching the animal.
53. No any person should light or attempting to light or switch off any street lamp or attempting to repair in any backhanded way as such lamp or climb to any post of lamp without or with a ladder unless a power of ad hoc document of Sri Lanka Electricity Board or the Council.
54. It should not be legitimate to close, fill up or causing interference to be flow freely any water in public drains or water course or other drains which supply service less than two stations where dispatch rainy waters by any person.
55. It should be legitimate to prescribe by the Municipal Commissioner in any time that Municipal Commissioner urge to prescribe to an owner of any place by a written notice to maintain the drains properly or make as mentioned in the notice within the period which shown in the notice those drains which considered necessary by the Municipal Commissioner.
56. No any person should sell any land where impurities drains or growing vegetables for consumption or using the impurities water to any vegetable plant.
57. A person any who violates any of the section of this by law shall be considered as committed a punishable offence, if anyone been guilty after filing a case in court which has court of law in the Municipal Council limit of Badulla:
- (a) Concerning the first offender may levied a penalty not exceeding (Rs.1,000.00) One Thousand Rupees,
- (b) Concerning the second offender may levied a penalty not exceeding (Rs.2000.00) Two Thousand Tupees,
- (c) Being guilty for continue offence concern, an additional penalty exceeding (250.00) Two Hundred Fifty Rupees shall be levied for the offence committing each day after a written notice by the Municipal Commissioner by paying attention to the relevant violation.

PART LII

PROPOSALS FOR MAINTAINING THE SWIMMING POOL AT THE BADULLA SPORTS COMPLEX

According to the powers entrusted to the Municipal Councils under sub-sentence 28(B) that should be read with sentence 267 and 272 of amendment 42 of 1979 of authority 252 - the Municipal Council Ordinance, the Municipal Council of Badulla declare the by - constitution to systematize the prevailing regulations and conditions regarding applying and collecting charges, managing and supervising the Swimming pool that conducted near the Municipal Yard at Greenlane Drive of the Municipal Council of Badulla to obtain its services.

01. Maintaining the swimming pool –

If the maintenance carried out by the Municipal Council a qalified staff should be recruited. Accordingly,

Time for the two shifts –

From 7.00 a.m. - 3.00 p.m.

From 3.00 p.m. - 10.00 p.m.

* Open for public - 11.00 a.m. – 9.00 p.m.

* Daily maintenance - 7.00 a.m. – 10.00 p.m.

9.00 p.m. - 10.00 p.m.

* Number of officers occupied for one shift :-

Officer in-charge - 01

Life guardian - 02

Pool assistant - 03

Security - 01

06. Needed staff for assistance –

Officer in-charge for the unit	- 01
Life guardian	- 04
Pool assistant	- 01
Security	- 02
	<u>13</u>
	=====

The above 13 officers are compulsory to carry out the two shifts. In addition to that service of a swimming adviser to be obtained even on allowance basis for a certain period. It is recommended a swimming adviser should work at least 04 hours per day.

07. Usage –

It is suitable to open the pool from 11.00 a.m. to 2.00 p.m. on week days for students and the evening hours for public.

The following conditions are proposed in connection with the above.

1. Fixing an hourly rate and grant permission to use the pool for those who use it daily,
2. Fixing a monthly rate and an admission fee and grant permission to use the pool on a card system,
3. Granting permission for school children in the evening hours on week days and charging a concession rate,
4. Granting permission for school children to use the pool only with the supervision of the adviser.

08. Charges as shown below-

Preliminary admission fee for school children	–	1000.00
Monthly charges	-	275.00
12% VAT	-	153.00
Gross admission fee	-	1428.00

Timing

Per week	-	7 ½ hours
Per day	-	2 ½ hours

(School children must present with the trainer)

For children above 08 years old

Monthly charges	-	275.00
12 % VAT	-	33.00
	-	308.00
Admission fee for adults	-	2500.00
Monthly charges	-	1475.00
12% VAT	-	477.00
	-	4452.00
Monthly charges	-	1475.00
	-	177.00
		1652.00
For adults (for one hour)		220.00
12% VAT		26.40
		246.40
For children (for one hour)		120.00
12% VAT		14.40
		134.40

For a foreigner (all charges included) 1000.00

09. Maintaining

The staff engaged in duties daily, compulsorily answerable for the maintenance of the swimming pool. This procedure should be implemented under the supervision of the officer in-charge.

Expenditure for Maintenance (Roughly – per day)

(For two shifts)

Officer in-charge	-	01
Life guardian	-	14
Laborer/ assistants	-	06
Security	-	02
		13

From 7.00 a.m. - 3.00 p.m.

From 3.00 p.m. – 10.00 p.m.

Officer in-charge	-	1,200.00
Trainer / adviser (1/2 day)	-	1,500.00
Chlorin 5 kg x 750/=	-	3,750.00
Life guardians (4 x 1500/=)	-	6,000.00
Assistants (6 x 900/=)	-	5,400.00
Security (2 x 1,200/=)	-	2,400.00
		20,250.00
Depreciation 5 %	-	1,012.50
25 % add. for water & electricity	-	5,062.50
Total amount	-	26,325.00
Current expenditure per day	-	26,325.00
Expenditure per month	-	7,89,750.00

If any complication in between Sinhala, Tamil and English versions the Sinhala version should be treated as perfect.

If any complication Sinhala version should be perfect

**NEWS CALES OF CHARGES FOR NOTICES AND ADVERTISEMENTS IN THE
"GAZETTE OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA"
EFFECTIVE AS FROM JANUARY 01st, 2013**

**All the Gazettes could be downloaded from the www.documents.gov.lk
(Issued every Friday)**

- All Notices and Advertisements are published at the risk of the Advertisers.
- All Notices and Advertisements by Private Advertisers may be handed in or sent directly by post together with full payments to **the Government Printer, Department of Government Printing, Colombo 8.**
- The office hours are from 8.30 a.m. to 4.15 p.m.
- Cash transactions will be from 9.00 a.m. to 3.00 p.m.
- All Notices and Advertisements must be pre-paid.** Notices and Advertisements sent directly by post should be accompanied by Money Order, Postal Order or Cheque made payable to the Government Printer. Postage stamps will not be accepted in payment of Advertisements. Post Office - Borella will be the paying office for Money Orders.
- To avoid errors and delay "copy" should be **on one side of the paper only and typewritten.**
- All signatures should be repeated in block letters below the written signature.**
- Notices re-change of name from Non-Government Servants and Trade Advertisements are not accepted for publication.
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- The authorised scale of charges for Notices and Advertisements is as follows from January 01st, 2013 :-**

	<i>Rs. cts.</i>
One inch or less	137 0
Every addition inch or fraction thereof	137 0
One column or 1/2 page of <i>Gazette</i>	1,300 0
Two columns or one page of <i>Gazette</i>	2,600 0

(All fractions of an inch will be charged for at the full inch rate.)

- The "**Gazette of the Democratic Socialist Republic of Sri Lanka**" is published every Friday. Day of publication is subject to alteration in any week where Public Holidays intervene.
- All Notices and Advertisements should reach the **Government Printer, Department of Government Printing, Colombo 8**, as shown in Schedule of Separate Notice published at the end of each part of the *Gazette* of the first week of every month.
- All communications regarding non-receipt, change of address and of the *Gazette* of the Democratic Socialist Republic of Sri Lanka should be addressed to the Government Printer, Department of Government Printing, Colombo 08.
- REVISED SUBSCRIPTION RATES EFFECTIVE FROM JANUARY 1ST 2013:**

***Annual Subscription Rates and Postage**

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***All single copies could be obtained from Government Publications Bureau, No. 163, Kirulapone Mawatha, Polhengoda, Colombo 05.**

IMPORTANT NOTICE REGARDING PUBLICATION OF GAZETTE

THE Weekly issue of the *Gazette of the Democratic Socialist Republic of Sri Lanka* is normally published on Fridays. If a Friday happens to be a Public Holiday the *Gazette* is published on the working day immediately preceding the Friday. Thus the last date specified for the receipt of notices for publication in the *Gazette* also varies depending on the incidence of public holidays in the week concerned.

The Schedule below shows the date of publication and the latest time by which notices should be received for publication in the respective weekly *Gazette*. All notices received out of times specified below will not be published. Such notices will be returned to the sender by post for necessary amendment and return if publication is desired in a subsequent issue of the *Gazette*. It will be in the interest of all concerned if those desirous of ensuring the timely publication of notices in the *Gazette* make it a point to see that sufficient time is allowed for postal transmission of notices to the Government Press.

The Government Printer does not accept payments of subscription for the Government Gazette.

Note.—Payments for inserting Notices in the *Gazette of the Democratic Socialist Republic of Sri Lanka* will be received by the Government Printer.

THE SCHEDULE

<i>Month</i>	<i>Date of Publication</i>	<i>Last Date and Time of Acceptance of Notices for Publication in the Gazette</i>
2016		
JANUARY	01.01.2016 Friday	18.12.2015 Friday 12 noon
	08.01.2016 Friday	23.12.2015 Wednesday 12 noon
	14.01.2016 Thursday	01.01.2016 Friday 12 noon
	22.01.2016 Friday	08.01.2016 Friday 12 noon
	29.01.2016 Friday	14.01.2016 Thursday 12 noon
FEBRUARY	05.02.2016 Friday	22.01.2016 Friday 12 noon
	12.02.2016 Friday	29.01.2016 Friday 12 noon
	19.02.2016 Friday	05.02.2016 Friday 12 noon
	26.02.2016 Friday	12.02.2016 Friday 12 noon
MARCH	04.03.2016 Friday	19.02.2016 Friday 12 noon
	11.03.2016 Friday	26.02.2016 Friday 12 noon
	18.03.2016 Friday	04.03.2016 Friday 12 noon
	24.03.2016 Thursday	11.03.2016 Friday 12 noon

W. A. A. G. FONSEKA,
Government Printer. (*Acting*)

Department of Government Printing,
Colombo 08,
01st January, 2016.