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EXTRAORDINARY

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PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

UVA PROVINCE PROVINCIAL COUNCIL

By-Laws relating to eradication of mosquitoes and disease inflicting insects within the Municipal Council area

THE draft By-Laws set out below, framed by me as the Provincial Minister-in-charge of the subject of Local Government under section (2) of the local authorities (standard By-Laws) Act No. 6 of 1952, read with the section (2) of the Provincial Councils (consequential provisions) Act No. 12 of 1989, are hereby published.

Municipal Councils are empowered by paragraph (h) of sub-section (5) of section 272 of the Municipal Councils Ordinance (Chapter 252) read with the section 267 of the said Ordinance to make By-Laws on eradication of mosquitoes and disease inflicting insects and the Municipal Councils of Uva Province are empowered to adapt the By-Laws in accordance with the provisions of subsection 3 of the Local Authority Standard By-Laws Act, No. 6 of 1952.

SHASHEENDRA RAJAPAKSA,
Provincial Minister of Local Government of the
Uva Province.

Uva Province Provincial Council,
King's Street,
Badulla.
28th September, 2010.

BY-LAWS

1. These By-Laws may be cited as “the By-Laws for the improvement of the environmental conditions within the area of Authority of Municipal Council by the prevention of mosquito breeding and disease inflicting insect breeding, and for the prevention of epidemics within such area of authority.”

2. No person shall do any act or cause any act to be done within the area of authority of any Municipal Council which may cause the breeding of or facilitating the breeding of mosquitoes or any other disease inflicting insects.

3. It shall be the duty of every owner or occupier of any premises whether resident or non resident, within the area of authority of a Municipal Council to cause—

- (a) Open tins, bottles, boxes, plastic cans, tyres, coconut shells, split coconuts, and any other article or receptacle or vessel found within such premises to be removed or destroyed.
- (b) gutters, down pipes and drains within such premises to be cleared of any obstructions so as to ensure smooth flow of water.

- (c) all water closets, tanks and other receptacles for water to be maintained in good repair closed and covered so as to make it mosquito-proof and insect proof and thereby prevent the breeding of mosquitoes and disease inflicting insects;
- (d) any well found in such premises to be maintained and kept in good repair thereby prevent the breeding of mosquitoes and disease inflicting insects;
- (e) any artificial pond or pool found in such premises to be emptied and cleaned at least once in every week;
- (f) measures shall be taken to prevent water getting collected in the drains found in such premises by allowing free flow of water and with regular maintenance;
- (g) shrubs, undergrowth and all other types of vegetation other than those grown for the purpose of food or for ornamental purposes and found within a range of five meters from any building within such premises which is used as a dwelling place, to be removed in entirety;
- (h) all quarries, abandoned gem pits, clay pits or any other pits within such premises and used for any other purpose, to be maintained in a manner so as to prevent water getting collected in them;
- (i) the removal and destruction of land grown ornamental plants and aquatic plant commonly known as “Diya parandel”, “Penda pasi”, “Telpasi”, or any other plants or aquatic plants found within such premises which may facilitate the breeding of mosquitoes and disease inflicting insects and, prevention of the floating of such plants along any water course, by the erection of suitable barriers;
- (j) any latrine, ditch, sewage, cess-pit or sealed pits found in such premises and its surroundings to be maintained and kept in good repair so as to make it mosquito proof and prevent the breeding of mosquitoes;
- (k) take necessary measures to prevent water getting collected in the monuments built in cemeteries or in any other place within such area.

4. The Mayor of the Municipal Council or any officer authorized in writing by him may, at any time of the day between 6.00 a.m. to 6.00 p.m. enter any premises within the area of authority of Municipal Council and inspect such premises to ensure the following:

- (i) whether such premises is a breeding place for mosquitoes;
- (ii) whether the occupier of such premises has complied with the provisions of the By-Laws;
- (iii) where measures have to be taken to prevent the breeding of and destroy the mosquitoes, what such measures are; and
- (iv) whether the spraying of insecticides in the premises was a success.

5. (i) The Mayor or any officer authorized in writing for the purpose by him may, after inspecting the premises, if necessary, require the owner or occupier of such premises by written notice, to adopt measures necessary to destroy the mosquitoes and eradicate the conditions favourable for the breeding of mosquitoes.

(ii) the owner or occupier of a premises to whom a written notice was given under paragraph (i) shall, comply with such notice within the period specified in such notice.

6. (i) No person who is the owner or occupier of any premises shall, without the written approval of the Mayor, construct any well, tank, pond, water receptacle, ornamental showers, or any other structure where water can get collected or stored;

(ii) Where any construction is done contrary to the provisions of paragraph (i) of this By-Law, the Mayor shall, by a written notice served on the owner or occupier of such premises, require him to fill up such well, tank, pond, water receptacle, ornamental shower or structure with specified material or destroy otherwise or alter same in the manner specified in such notice within the period specified in such notice.

7. (i) Any notice under By-Law 5 or 6 may be either duly served by delivering personally to the owner or occupier of the premises or by affixing such notice in a conspicuous place in such premises.

(ii) Where, more than two co-owners are in joint possession of any premises and if notice specified in By-Law 5 or By-Law 6 is duly served on one of them, all the co-owners are jointly and severally liable for failing to comply with the requirements of such notice or for non-performance of the requirement of such notice.

(iii) where the owner or occupier of any premises on whom a written notice has been served under By-Law 5 or By-Law 6, fails to comply with the requirements of such written notice, the Mayor or any officer authorized for the purpose by him in writing may, enter such premises at any reasonable time of the day between 6.00 a.m. to 6.00 p.m. with any assistants or servants and carry out or cause to be carried out the work or measures specified in such notice.

(iv) where any work or measures specified in a written notice served on any owner or occupier of any premises under By-Law 5 or By-Law 6 has been carried out by the Mayor or any officer authorized by him in writing the expenses incurred in carrying out such work shall be payable to the Municipal Council by such owner or occupier of such premises. The owner or occupier of the premises shall, within fourteen days from the date of a request under the hand of the Mayor for the payment of such expenses, to the Municipal Council and if he fails to make such payment as requested the provisions of the part XV of the Municipal Councils Ordinance shall be applicable.

8. Any person who contravenes of any provision of these By-Laws shall be guilty of an offence as per the Municipal Councils Ordinance.

9. Unless the context otherwise requires, in these By-Laws—

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

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

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

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

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

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

UVA PROVINCE PROVINCIAL COUNCIL

By-Laws relating to eradication of mosquitoes and disease inflicting insects within the Urban Council area

THE draft By-Laws set out below, framed by me as the Provincial Minister-in-charge of the subject of Local Government under section (2) of the local authorities (standard By-Laws) Act No. 6 of 1952, read with the section (2) of the provincial Councils (consequential provisions) Act No. 12 of 1989, are hereby published.

Urban Councils are empowered by paragraph (b) and (c) of subsection (9) of section 157 of the Urban councils ordinance (Chapter 255) read with the section 153 of the said ordinance to make by-laws on eradication of mosquitoes and disease inflicting insects and the Urban Councils of Uva Province are empowered to adopt the By-Laws in accordance with the provision of subsection 3 of the Local Authority Standard By-Laws Act No. 6 of 1952.

SHASHEENDRA RAJAPAKSA,
Provincial Minister of Local Government of the
Uva Province.

Uva Province Provincial Council,
King's Street,
Badulla.
28th September, 2010.

BY - LAWS

1. These By-Laws may be cited as “the By -Laws for the improvement of the enviornmental conditions within the area of Authority of Urban Council by the prevention of mosquito breeding and disease inflicting insect breeding, and for the prevention of epidemics within such area of authority.”

2. No person shall do any act or cause any act to be done within the area of authority of any Urban Council which may cause the breeding of or facilitating the breeding of mosquitoes or any other disease inflicting insects.

3. It shall be the duty of every owner or occupier of any premises whether resident or non resident, within the area of authority of a Urban Council to cause—

- (a) open tins, bottles, boxes, plastic cans, tires, coconut shells, split coconuts, and any other article or receptacle or vessel found within such premises to be removed or destroyed.
- (b) gutters, down pipes and drains within such premises to be cleared of any obstructions so as to ensure smooth flow of water.
- (c) all water closets, tanks and other receptacles for water to be maintained in good repair clased and covered so as to make it mosquito-proof and insect proof and thereby prevent the breeding of mosquitoes and disease inflicting insects;
- (d) any well found in such premises to be maintain and kept in good repair thereby prevent the breeding of mosquitoes and disease inflicting insects;
- (e) any artificial pond or pool found in such premises to be emptied and cleaned at least once in every week;
- (f) measures shall be taken to prevent water getting collected in the drains found in such premises by allowing free flow of water and with regular maintenance;
- (g) shrubs, undergrowth and all other types of vegetation other than those grown for the purpose of food or for ornamental purposes and found within a range of five loss meter from any building within such premises which is used as a dwelling place, to be removed in entirety;
- (h) all quarries, abandoned gem pits, clay pits or any other pits with in such premises and used for any other purpose, to be maintained in a manner so as to prevent water getting collected in them;

- (i) the removal and destruction of land grown ornamental plants and aquatic plant commonly known as “Diya parandel”, “Penda pasi”, “Telpasi”, or any other plants or aquatic plants found within such premises which may facilitate the breeding of mosquitoes and disease inflicting insects and, prevention of the floating of such plants along any water course, by the erection of suitable barriers;
- (j) any latrine, ditch, sewage, cess-pit or sealed pits found in such premises and its surroundings to be maintained and kept in good repair so as to make it mosquito proof and prevent the breeding of mosquitoes;
- (k) take necessary measures to prevent water getting collected in the monuments built in cemeteries or in any other place within such area.

4. The Chairman of the Urban Council or any officer authorized in writing by him may, at any time of the day between 6 a.m. to 6 p.m. enter any premises within the area of authority of Urban Council and inspect such premises to ensure the following:—

- (i) whether such premises is a breeding place for mosquitoes;
- (ii) whether the occupier of such premises has complied with the provisions of the by-laws;
- (iii) where measures have to be taken to prevent the breeding of and destroy the mosquitoes, what such measures are; and
- (iv) whether the spraying of insecticides in the premises was a success.

5. (i) The Chairman or any officer authorized in writing for the purpose by him may, after inspecting the premises, if necessary, require the owner or occupier of such premises by written notice, to adopt measures necessary to destroy the mosquitoes and eradicate the conditions favorable for the breeding of mosquitoes.

(ii) the owner or occupier of a premises to whom a written notice was given under paragraph (i) shall, comply with such notice within the period specified in such notice.

6. (i) No person who is the owner or occupier of any premises shall, without the written approval of the Chairman, construct any well, tank, pond, water receptacle, ornamental showers, or any other structure where water can get collected or stored;

(ii) Where any construction is done contrary to the provisions of paragraph (i) of this By -Law, the Chairman shall, by a written notice served on the owner or occupier of such premises, require him to fill up such well, tank, pond, water receptable, ornamental shower or structure with specified material or destroy otherwise or alter same in the manner specified in such notice within the period specified in such notice.

7. (i) Any notice under By -Law 5 or 6 may be either duly served by delivering in personally to the owner or occupier of the premises or by affixing such notice in a conspicuous place in such premises.

(ii) Where, more than two co-owners are in joint possession of any premises and if notice specified in By -Law 5 or by law 6 is duly served on one of them, all the co-owners are jointly and severally liable for failing to comply with the requirements of such notice or for non performance of the requirement of such notice.

(iii) Where the owner or occupier of any premises on whom a written notice has been served under By -Law 5 or By -Law 6, fails to comply with the requirements of such written notice, the Chairman or any officer authorized for the purpose by him in writing may, enter such premises at any reasonable time of the day between 6.00 a.m. to 6.00 p.m. with any assistants or servants and carry out or cause to be carried out the work or measures specified in such notice.

(iv) where any work or measures specified in a written notice served on any owner or occupier of any premises under By-Law 5 or By-Law 6 has been carried out by the Chairman or any officer authorized by him in writing the expenses incurred in carrying out such work shall be payable to the Urban Council by such owner or occupier or such premises. The owner or occupier of the premises shall, within fourteen days from the date of a request under the hand of the Chairman for the payment of such expenses, to the Urban Council and if he fails to make such payment as requested the provisions of the part IX of the Urban Councils Ordinance shall be applicable.

8. Any person who contravenes of any provision of these by laws shall be guilty of an offence as per the Urban Councils Ordinance.

9. Unless the context otherwise requires, in these By-Laws—

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

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

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

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

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

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

11 - 397-2

UVA PROVINCE PROVINCIAL COUNCIL

By-Laws relating to eradication of mosquitoes and disease inflicting insects within the Pradeshiya Sabha area

THE draft By-Laws set out below, framed by me as the provincial Minister-in-charge of the subject of Local Government under section (2) of the local authorities (standard By-Laws) Act No. 6 of 1952, read with the section (2) of the Provincial Councils (consequential provisions) Act, No. 12 of 1989, are hereby published.

Pradeshiya Sabhas are empowered by paragraph (O) of subsection (9) of section 126 of the Pradeshiya Sabhas at No. 15 of 1987 read with the section 122 of the said act to make by-laws on eradication of mosquitoes and disease inflicting insects and the Pradeshiya Sabhas of Uva Province are empowered to adapt the By-Laws in accordance with the provision of subsection 3 of the Local Authority Standard By-Laws Act, No. 6 of 1952.

SHASHEENDRA RAJAPAKSA,
Provincial Minister of Local Government of the
Uva Province.

Uva Province Provincial Council,
King's Street,
Badulla.
28th September, 2010.

BY-LAWS

1. These By-Laws may be cited as “the By-Laws for the improvement of the environmental conditions within the area of Authority of Pradeshiya Sabha by the prevention of mosquito breeding and disease inflicting insect breeding, and for the prevention of epidemics within such area of authority.”

2. No person shall do any act or cause any act to be done within the area of authority of any Pradeshiya Sabha which may cause the breeding of or facilitating the breeding of mosquitoes or any other disease inflicting insects.

3. It shall be the duty of every owner or occupier of any premises whether resident or non resident, within the area of authority of a Pradeshiya Sabha to cause—

- (a) Open tins, bottles, boxes, plastic, cans, tires, coconut shells, split coconuts, and any other article or receptacle or vessel found within such premises to be removed or destroyed.
- (b) gutters, down pipes and drains within such premises to be cleared of any obstructions so as to ensure smooth flow of water.
- (c) all water closets, tanks and other receptacles for water to be maintained in good repair closed and covered so as to make it mosquito-proof and insect proof and thereby prevent to breeding of mosquitoes and disease inflicting insects;
- (d) any well found in such premises to be maintain and kept in good repair thereby prevent the breeding of mosquitoes and disease inflicting insects;
- (e) any artificial pond or pool found in such premises to be emptied and cleaned at least once in every week;
- (f) measures shall be taken to prevent water getting collected in the drains found in such premises by allowing free flow of water and with regular maintenance;
- (g) shrubs, undergrowth and all other types of vegetation other than those grown for the purpose of food or for ornamental purposes and found within a range of five loss meters from any building within such premises which is used as a dwelling place, to be removed in entirety;
- (h) all quarries, abandoned gem pits, clay pits or any other pits within such premises and used for any other purpose, to be maintained in a manner so as to prevent water getting collected in them;
- (i) the removal and destruction of land grown ornamental plant and aquatic plant commonly known as “Diya parandel”, “Penda pasi”, “Telpasi”, or any other plants or aquatic plants found within such premises which may facilitate the breeding of mosquitoes and disease inflicting insects and, prevention of the floating of such plants along any water course, by the erection of suitable barriers;
- (j) any latrine, ditch, sewage, cess-pit or sealed pits found in such premises and its surroundings to be maintained and kept in good repair so as to make it mosquito proof and prevent the breeding of mosquitoes;
- (k) take necessary measures to prevent water getting collected in the monuments built in cemeteries or in any other place within such area.

4. The Chairman of the Pradeshiya Sabha or any officer authorized in writing by him may, at any time of the day between 6.00 a.m. to 6.00 p.m. enter any premises within the area of authority of Pradeshiya Sabha and inspect such premises to ensure the following :—

- (i) whether such premises is a breeding place for mosquitoes;

(ii) whether the occupier of such premises has complied with the provisions of the by-laws;

(iii) where measures have to be taken to prevent the breeding of and destroy the mosquitoes, what such measures are; and

(iv) whether the spraying of insecticides in the premises was a success.

5. (i) The Chairman or any officer authorized in writing for the purpose by him may, after inspecting the premises, if necessary, require the owner or occupier of such premises by written notice, to adopt measures necessary to destroy the mosquitoes and eradicate the conditions favorable for the breeding of mosquitoes.

(ii) the owner or occupier of a premises to whom a written notice was given under paragraph (i) shall, comply with such notice within the period specified in such notice.

6. (i) No person who is the owner or occupier of any premises shall, without the written approval of the Chairman, construct any well, tank, pond, water receptacle, ornamental showers, or any other structure where water can get collected or stored;

(ii) Where any construction is done contrary to the provisions of paragraph (i) of this By-Law, the Chairman shall, by a written notice served on the owner or occupier of such premises, require him to fill up such well, tank, pond, water receptacle, ornamental shower or structure with specified material or destroy otherwise or alter same in the manner specified in such notice within the period specified in such notice.

7. (i) Any notice under By -Law 5 or 6 may be either duly served by delivering it personally to the owner or occupier of the premises or by affixing such notice in a conspicuous place in such premises.

(ii) Where, more than two co-owners are in joint possession of any premises and if notice specified in By-Law 5 or By -Law 6 is duly served on one of them, all the co-owners are jointly and severally liable for failing to comply with the requirements of such notice or for non performance of the requirement of such notice

(iii) Where the owner or occupier of any premises on whom a written notice has been served under By -Law 5 or By -Law 6, fails to comply with the requirements of such written notice, the Chairman or any officer authorized for the purpose by him in writing may, enter such premises at any reasonable time of the day between 6.00 a.m. to 6.00 p.m. with any assistants or servants and carry out or cause to be carried out the work or measures specified in such notice.

(iv) Where any work or measures specified in a written notice served on any owner or occupier of any premises under By-Law 5 or By-Law 6 has been carried out by the Chairman or any officer authorized by him in writing the expenses incurred in carrying out such work shall be payable to the Pradeshiya Sabha by such owner or occupier of such premises. The owner or occupier of the premises shall, within fourteen days from the date of a request under the hand of the Chairman for the payment of such expenses, make such payment to Pradeshiya sabha and if he fails to make such payment as requested the provisions of the part VIII of the Pradeshiya Sabhas Act shall be applicable.

8. Any person who contravenes of any provision of these By-Laws shall be guilty of an offence as per the Pradeshiya Sabhas Act.

9. Unless the context otherwise requires, in these By-Laws—

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

“Chairman” shall mean the Chairman of the Pradeshiya Sabha;

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

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

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

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

11 - 397/3