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EXTRAORDINARY

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PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

WESTERN PROVINCE PROVINCIAL COUNCIL

Notification Published under Section 123(1) of the Local Authority Act, No. 15 of 1987 read with Section 2 of Provincial Council (Consequential Provisions) Act, No. 12 of 1989

THE, By-law mentioned hereafter made by the Minuwangoda Pradeshiya Sabha in terms of virtues vested upon it by Section 122 of Local Authority Act, No. 15 of 1987 read with Section 126 (IX) (K) of the said Act has been adopted by the resolution No. ෫෭ 03 of the General Meeting of the said Pradeshiya Sabha held on 26th of November 2013, I, Prasanna Ranatunga, the Chief Minister and the Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Power and Energy, Manpower and Employment, Economic Promotion and Trade of the Western Province Provincial Council do hereby notify the said By-law has been approved by me in terms of Section 123(1) of the Local Authority Act, No. 15 of 1987 read with Section 2 of Provincial Council (Consequential Provisions) Act, No. 12 of 1989.

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

Office of the Chief Minister,
“Shrawasthi Mandiraya”,
Colombo 07,
09th January, 2014.

MINUWANGODA PRADESHIYA SABHA

BY - LAWS

RELATING TO OFFENSIVE TRADES, DANGEROUS TRADES AND DANGEROUS AND OFFENSIVE TRADES

1. These By-laws are cited as By-laws relating to Offensive Trades, Dangerous Trades and Dangerous and Offensive Trades within the administrative limits of the Minuwangoda Pradeshiya Sabha.

2. These By-laws are enacted for the regulation, supervision, inspection and control of Offensive Trades, Dangerous Trades and Dangerous and Offensive Trades carried on within the administrative limits of the Minuwangoda Pradeshiya Sabha.



3. No person other than a holder of a licence issued by the Chairman of Minuwangoda Pradeshiya Sabha for the purpose shall carry on any offensive trade, dangerous trade or offensive and dangerous trade within the administrative limits of Minuwangoda Pradeshiya Sabha.

4. Every licence issued under the provisions of these By-laws shall be valid upto 31st of December of the year for which it had been issued unless it is cancelled earlier.

5. Unless the conditions in these By-laws are fulfilled the Chairman shall not issue a licence for any premises for carrying on any offensive trade, dangerous trade or offensive and dangerous trade.

- (i) The premises in which a trade is carried on shall have been recommended as suitable for the purpose by the Medical Officer of Health of the area ;
- (ii) The premise and or any building which is used to carry on the trade shall have been properly maintained in good repair ;
- (iii) Every building of the premises shall have good ventilation and light while every room shall have been fixed with windows that could be opened and the area of the open windows shall not be less than one fifteenth of the floor area of the room. However, when it is impossible to maintain the trading activities of the trade in a building other than a closed building or where the building is air-conditioned the provisions of this paragraph shall not apply ;
- (iv) While the minimum height of the walls of all the rooms shall not be less than 2.14 metres, the walls shall have been plastered with mortar and the inside applied with paints, in the events of them being built with bricks, cement blocks or cabook blocks. Otherwise when the walls have been built in wood together with aluminium or any other metal the planks shall have been painted on their surfaces ;
- (v) While the roof shall have been built using solid materials the eaves shall be at a height of at least 1.83 metres from the floor level and the reservation for the eaves shall be at least 01 metre in width ;
- (vi) The surfaces of the iron, other metals or timber used for the roof shall be applied with oil paints or paints ;
- (vii) The floor space shall be finished off with cement or tiled ;
- (viii) The premises shall be provided with a dust bin and adequate toilet facilities ;
- (ix) Internal wiring and the installation of electrical equipment and accessories in the premises in which the trade is carried on shall have been recommended by a qualified electrician.

6. In the event of the water used in the premises being kept in storage, sufficient safety measures to prevent pollution of water and growth of mosquitoes and larvae shall be put in place. In the event of the water used being stored in an underground water tank action shall be taken not to locate a suction pit or fertilizer pit or ash-pit less than 18 metres away from it.

7. Areas of the building which have been required to be painted in the manner set out in By-law No. 5 shall be painted at least once a year.

8. Every Licence holder shall store all materials necessary for carrying on the trade in such a manner that no offensive odours will emanate from them or create any nuisance.

9. Every licence holder when taking away things that can cause offensive odours or nuisances from the licensed premises along public thoroughfares shall take them in closed non-absorbant vessels to prevent odours or nuisances.

10. Every licence holder shall take adequate measures to release the oppressive steams, gases generated in a production process in his premises to the air at a suitable height and in a manner not to cause oppressive results.

11. Every licence holder shall provide sufficient drains in the premises and maintain them property and wash them daily.

12. Every licence holder shall construct the floor of the premises with solid materials and maintain them in good repair and shall caused them to be washed daily.

13. Every licence holder shall keep the equipment and utensils used in the trading activities cleanly and wash them daily.

14. Every licence holder shall remove the sweepings from the licensed premises daily together with the wasted materials and in covered utensils if they will not be used immediately.

15. Every licence holder shall wash and clean the tanks that are used to wash or Soak hides or similar materials after emptying them to prevent stinking.

16. Every licence holder shall ensure that waste water disposed after the use in the licensed premises will not be released to any river, stream, canal, anicut, well, tank or any reservoir and pollute the water in such river, stream, canal, anicult, well, tank or reservoir.

17. It shall be lawful for the Chairman or any Officer of the Pradeshiya Sabha specially appointed by the Chairman to enter a premises where an offensive trade, dangerous trade or offensive and dangerous trade is carried on during reasonable times and to examine the premises. It shall be the duty of the licence holder or the person in charge of the premises to allow such Examinations.

18. In the event of the licensed premises found to be carrying on the trade contrary to the provisions of these By-laws, it shall be lawful for the Chairman to take action to inform the licence holder in writing to accomplish the necessary conditions to restore the said premises to the proper order before a specified date. It shall be the duty of the licence holder to take action in accordance with the said notice.

19. The Offensive trades, dangerous trades and offensive and dangerous trades as determined by the Minuwangoda Pradeshiya Sabha have been included in Schedule I, Shedule II and Schedule III annexed hereto.

20. It shall be the duty of the Chairman on receipt of an application for a licence to carry on any trade to issue the licence within 30 days of it being received by him if the premises is suitable for carrying on the trade in accordance with the By-laws. If the Chairman refuses to issue the licence he shall inform so giving the reasons for his refusal.

21. It shall be an offence to violate any provisions in these By-laws and if found guilty by a competent court shall be liable for a fine not exceeding Rupees Seven Hundered and Fifty (Rs. 750/-) futhermore, if the violation is continued after the court verdict and even after a written notice is served by the Chairman or an officer authorized by him in that behalf there shall be an additional fine of Rs. 250/- per each day the violation continued.

Charges could be revised by Council resolutions that could be adopted in days to come by the Council.

22. In the By-laws unless the context othwise requires, "Licencee" means any person who has been issued a licence to carry on a trade under these By-laws.

"Persons" includes a corporate person or group of persons ;

"Sabha" means the Minuwangoda Pradeshiya Sabha ;

"Chairman" means the Chairman of the Minuwangoda Pradeshiya Sabha.

THE SCHEDULE I**Offensive Trades**

1. Processing and storing plumbago.
2. Manufacturing and storing for sale Fertilizer or Chemical Fertilizer.
3. Curing hides.
4. Keeping hides for sale.
5. Running an animal farm (for meat, milk or eggs).
6. Manufacturing maldivian fish
7. Manufacturing rubber or storing rubber sheets.
8. Running a veterinary clinic.
9. Storing of perishable foods for selling wholesale.
10. Keeping dry fish, salt or jadi exceeding 3 CWT.
11. Drying or freezing meat or fish or making jadi.
12. Making charcoal from coconut shells or timber.
13. Drying tobacco.
14. Manufacturing animal food.
15. Manufacturing poonac.
16. Fermenting animal meat or blood.
17. Manufacturing soaps.
18. Grinding or storing animal bones.
19. Storing tool boxes.
20. Keeping for sale new metals or old metals.
21. Keeping for sale debris of metal.
22. Manufacturing of furniture.
23. Manufacturing cane products.
24. Running a carpentry workshop.
25. Manufacturing syrups or fruit drinks.
26. Manufacturing of sweet-meats.
27. Soaking or curing coconut husks.
28. Manufacturing of brushes (Other than tooth brushes).
29. Manufacturing tooth brushes.
30. Collecting toddy.
31. Manufacturing vinegar.
32. Sawing timber.
33. Manufacture of paints, varnish or distemper.
34. Manufacture of soda.
35. Dying bristles.
36. Manufacture of leather products.
37. Packing in tins fruits, fish or other varieties of food.
38. Grinding coffee or grains.
39. Manufacture of baking powder.
40. Manufacture of gas mantles.
41. Manufacture of putty.
42. Manufacture of candles.

43. Manufacture of camphor.
44. Manufacture of writing ink, printing ink and stencil ink.
45. Manufacture of washing blue.
46. Manufacture of wax.
47. Manufacture of cosmetics and incense sticks.
48. Manufacture of chalks.
49. Manufacture of tyres or tubes.
50. Retreading of tyres.
51. Vulcanizing tyre tubes.
52. Manufacture of cement.
53. Manufacture of cement and asbestos based products.
54. Manufacture of sandpaper.
55. Manufacture of plastic items.
56. Manufacture of bricks.
57. Manufacture of textiles by power loom.
58. Manufacture of acids.
59. Cleaning of gunnies used for packing fertilizer, lime, flour or similar materials.
60. Mechanically manufacturing cement blocks.
61. Saree and fabric printing.
62. Manufacture of cement and concrete based products.

THE SCHEDULE II

Dangerous Trades

1. Quarrying or crushing metal.
2. Manufacture of cool drinks/sweetened drinks.
3. Manufacture of ice.
4. Manufacture of vegetables oil.
5. Manufacture of coconut oil.
6. Manufacture of animal oil.
7. Manufacture or storing of boxes of matches.
8. Manufacture of methilated spirit.
9. Manufacture of tea chests.
10. Manufacture of coir or other kinds of bristles.
11. Manufacture of coir or bristles based products.
12. Storing glass sheets.
13. Storing used cloths.
14. Manufacturing and stocking jewellery.
15. Mechanically sawing timber.
16. Quarrying limestones.
17. Running a machine operated smithy.
18. Storing empty bottles and empty gunnies.
19. Repairing bicycles and motor cycles.
20. Storing used papers and old newspapers.
21. Painting.
22. Storing crackers and items of fire work.

THE SCHEDULE III**Offensive and Dangerous Trades**

1. Cleaning plumbago
2. Processing cinnamon, cardamom or varieties of bristles using chemicals.
3. Dry cleaning or dyeing clothes.
4. Fabric printing or fabric dyeing.
5. Electroplating.
6. Formenting oil or animal fats.
7. Burning limestones.
8. Manufacturing crackers or other fire works.
9. Processing shark liver oil.
10. Manufacture of boats.
11. Charging or repairing batteries.
12. Soldering of metals.
13. Servicing motor vehicles.
14. Repairing motor vehicles.
15. Grating metals through machines.
16. Running a foundry.
17. Running a workshop for manufacture of tin products.
18. Building vehicle bodies.
19. Manufacture of insecticides, fungicides, weedicides and pesticides.
20. Manufacture of germicides.
21. Manufacture of mosquito coils.
22. Manufacture of wood preservatives.
23. Manufacture of glass mirrors.
24. Manufacture of glass products.
25. Manufacture soldering lead.
26. Manufacture of aluminium products.
27. Manufacture of barbed wire.
28. Manufacture of wire nails.
29. Manufacture of carbon papers or typewriter ribbons.
30. Manufacture of tin utensils, Steel drums or carbon tanks.
31. Manufacture of Galvanize buckets.
32. Manufacturing and repairing of air-conditioners, refrigerators or deep freezers.
33. Manufacture of break liners and clutch liners.
34. Manufacture of machineries.
35. Manufacture of electric items.
36. Manufacture of rubberized fibre.
37. Manufacture of electrical items.
38. Manufacture of chargeable batteries.
39. Assembling tractors.
40. Manufacture of radiators.
41. Manufacture or repairing of electronic equipments.
42. Manufacture of electric cell batteries.

43. Running an electrically and manually operated printing press.
44. Running a workshop to make artificial limbs and equipment for disabled persons.
45. Running a place for manufacturing or mixing all kinds of fertilizers.
46. Running a collection centre for collecting plastics, polythene, pieces of glasses.
47. Running a pit for soaking coconut husks
48. Running a mechanically operated tyre repairing centre.
49. Running a mechanically operated carpentry shop.
50. Burning coconut shells to obtain charcoal.
51. Storing more than 05 cwt. of coconut shell charcoal.
52. Drying plumbago.
53. Drying cinnamon, coir using sulphur smoke.
54. Dyeing cotton threads.
55. Running an oil mill.
56. Running a store of old metals.
57. Running a coir mill.
58. Running a garments factory.
59. Running a place for repairing electrical equipments, radios and television sets.
60. Storing cement.
61. Manufacture of yoghurts and milk based products.
62. Running a place for repairing injector pumps.
63. Running a place for servicing motor cycles and three-wheelers.
64. Running a place to stock and distribute ice-cream
65. Manufacture of desiccated coconuts.
66. Running a smithy.
67. Running a power loom factory.
68. Manufacture of coir a bristles and coir/bristle based products.
69. Manufacture of footwear by machines.
70. Making footwear manually.
71. Manufacture of mattresses by machineries.