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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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## PART IV (A) — PROVINCIAL COUNCILS

### Provincial Councils Notifications

#### MATALE MUNICIPAL COUNCIL

##### Part XV

The By-Laws Pertaining to Parking of Vehicles and the Control of Vehicles within the City

##### Part I — Parking of Vehicles

THE Municipal Commissioner may, subject to provisions in Section 02 of this By-Law, set apart for lease or rent, for the purpose of operating public stands or stands for vehicles for hire, any place declared to be suitable for the purpose within the Matale Municipality as a place (hereinafter in this By-Law referred to as “public parking lot”) for parking public vehicles and vehicles for hire, as per interpretation in section 23 herein.

02. (a) An annual permit may be obtained by a Government Department or Corporation or a body of persons not being a corporation or any person, having paid the fees specified in By-Law 02 (b) to the Commissioner for the purpose of parking vehicles of such Government Department or Corporation or body of persons not being a Corporation or any person, as the case may be, or for operating stands for vehicles for hire.

(b) An annual fee determined by the Matale Municipal Council by a resolution and published in the *Gazette of the Democratic Socialist Republic of Sri Lanka* subject to revision from time to time, shall be lived on each permit issued under By-Law 02 (a).

(c) Before obtaining a permit under Section (a) above, the institution or the person concerned shall enter into an agreement with the Municipal Commissioner.

(d) Every person who intends to park a vehicle in a public parking lot set apart by the Municipal Commissioner, shall get such vehicle registered by paying only once a fee determined by the Matale Municipal Council by resolution and published in the *Gazette of the Democratic Socialist Republic of Sri Lanka*, subject to revision from time to time, in respect of each such vehicle.

(e) The driver of every vehicle in respect of which a permit is obtained for parking such vehicle in a public parking lot, shall register himself with the Municipal Council under the number of such vehicle.

(f) Every permit issued under By-Law 02 (a) shall contain a distinctive number of the motor vehicle in respect of which it is issued and shall be valid for the period stated in the permit.

(g) Every person who obtains a permit under these By-Laws shall display such permit in a conspicuous place within the vehicle, so that it may be visible from outside the vehicle.

(h) All motor cars and vans for hire operating within the limits of Matale Municipal Council shall display a name board indicating the word "Taxi" in English in a conspicuous place within such vehicle. No car or van for hire which does not display a name board indicating the word "Taxi" shall enter or be parked in a parking lot set apart for vehicles for hire as provided for herein.

03. A notice prohibiting restricting or regulating the halting or parking of vehicles or indicating any parking place set apart for vehicles on any street or part of a street within the administrative limits of the Council may be exhibited by or by order of the Municipal Commissioner in that street or part of a street.

04. But relevant restrictions in By-Law 03 shall not be in force in the circumstances given below accept for such length of time as may be necessary for the purpose of :

- (a) In the event of obeying any traffic sign or notice erected or exhibited on that street or part thereof by any officer or authority ; or
- (b) following in due order the movement of any traffic on that street or part thereof at that time ; or
- (c) allowing any person to alight from or enter such vehicle ; or
- (d) loading goods into or unloading goods from such vehicle.

05. For the purpose of any prosecution for an offence under these by-laws, every notice within the administrative limits of the Council, purporting to be exhibited under By-Law 03 or by order of the Municipal Commissioner, shall unless the contrary is proved, be deemed to have been lawfully exhibited by the Municipal Commissioner.

06. Where the halting or parking of vehicles on any street or part of a street is not prohibited or restricted by any notice under By-Law 03, verbal directions or signals may be given by a Police Officer for the purpose of regulation of traffic on that street or part of a street and the driver of a vehicle shall not allow that vehicle to stand on that street or part thereof otherwise than in such position or for such time as may be indicated by the Police Officer.

07. (a) No motor vehicle shall enter or be parked in a public parking lot unless the driver is in possession of a valid permit issued on that behalf by the Municipal Commissioner.

(b) No person shall enter or park a vehicle other than a motor vehicle in a public parking lot.

08. The owner or driver of any motor vehicle parked in a public parking lot shall, whenever requested to do so, by a Police Officer or a Traffic Warden or a person authorized by the Municipal Commissioner for the purpose, produce for inspection of the permit issued in respect of that vehicle.

09. Where it is required in this By-Law that a permit shall be obtained for parking a vehicle in a public parking lot, it shall be an offence for any person to refuse the obtaining of a permit from the Municipal Council for parking a vehicle in a public parking lot or to refuse production of such permit when called upon to do so by a Police Officer or an authorized officer of the Municipal Council, and a fine in respect of such offence as may be determined by resolution by the Municipal Council from time to time may be levied from the driver concerned as a spot fine at the time such offence is committed and the monies so recovered shall be credited to the Municipal Fund.

10. Where any public parking lot is reserved for any specified class or description of motor vehicles, no person shall enter or park a motor vehicle not belonging to that class or description in such parking lot.

11. No person shall park a motor vehicle in a public parking lot in such a way as to obstruct any other motor vehicle entering or leaving that public parking lot.

12. Where separate passages for entrance and exit have been provided and indicated by notice or sign board at a public stand, no motor vehicle shall enter or leave that stand except by the appropriate passage.

13. All motor vehicles parked in a public stand where chains or posts or both chains and posts have been provided, shall be halted facing the same direction and one behind the other in the order of their arrival and shall at the request of any Police Officer, be moved up in due order as vacancies occur in front.

14. No person shall wash or cause to be washed any motor vehicle while it is parked in a public parking lot.

15. No person shall—

(a) effect any repair to any motor vehicle parked in a public parking lot unless such repair is essential for the purpose of removing the vehicle from the public parking lot ;

(b) in effecting such repair, cause any noise which is unnecessary or unreasonable having regard to the circumstances of the case.

16. No driver of a motor vehicle parked in a public stand shall :—

(a) start his engine, except for the purpose of changing position or departing from such stand ;

(b) sound any warning instrument affixed to the vehicle, except for the purpose of preventing any accident or assuming the safety of the vehicle or its occupants.

17. A fee determined by the Municipal Council by resolution and published in the *Gazette of the Democratic Socialist Republic of Sri Lanka* subject to revision from time to time, may be levied for every standard hour or a part thereof, in respect of parking of a vehicle in any public plot of land within the city, other than the public parking lot reserved for parking vehicles, in terms of Sections 01 and 02 of these By-Laws. The Municipal Commissioner can decide the periods of time a vehicle can be parked in a parking lot.

18. (a) No person shall within a public parking lot, behave in any disorderly manner or commit any nuisance.

(b) The owner of a vehicle shall be responsible for every driver of such vehicle, who behaves in a discourteous manner towards the public, and in the event of any such driver being proved to have behaved in a discourteous manner towards the public, the Municipal Commissioner may cancel the permit issued by the Municipal Council for parking of a vehicle, which is in possession of the driver, in that instance.

(c) Every driver found to be guilty in terms of Section (6) above shall not be eligible for registration with the Municipal Council for parking a vehicle in a public parking lot.

19. (1) These By-laws shall be in force and operative from 6.00 a.m. to 6.00 p.m. each day or during such times as may be determined by the Municipal Council, from time to time.

(2) The Commissioner may, by direction published in the *Gazette*, specify that these By-laws shall not be operative on certain days of the week or at the times during which these By-laws shall be operative.

20. The Council may, by a direction in writing exempt a specified person or specified class of persons from payment of any specific fees.

21. The Council may on its decision restrict the number of vehicles that can be halted in a vehicle stand at a given time.

## **Part II—Control of Vehicles within the City**

22. (a) The Council may, by resolution published in the *Gazette of the Democratic Socialist Republic of Sri Lanka*, subject to revision from time to time, decide on the direction to which vehicles shall be driven on roads and by roads within the city and the times during which such is allowed as directed by the Council, The Municipal Commissioner shall arrange for display of sign boards at appropriate places indicating the direction to which vehicle shall be driven and the times during which such driving is allowed.

(b) The direction specified in (a) above shall be binding on all the drivers of motor vehicles and operators for strict compliance.

(c) The direction specified in (a) above will not apply to garbage disposal vehicles and the vehicles engaged in fire extinguishing activities, belonging to the Matale Municipal Council.

23. *General Penalties.*—Any contravention of any of these By-Laws shall be a punishable offence and if a person who contravenes any of these By-laws is convicted after a summary trial instituted against him before a magistrate who has jurisdiction within the Matale Municipal limits, shall be liable to a fine not exceeding One Thousand Rupees (Rs. 1,000) for the first offence, to a fine not exceeding Two Thousand Rupees (Rs. 2,000) for second or subsequent offence. In the case of continued contravention after he has been convicted or after a written notice from the Municipal Commissioner served on such person, having drawn attention to the said offence, to pay a further fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

24. *Interpretation.*— In these By-laws, unless the context otherwise requires :—

“ Motor Car ”, “ Motor Coach ”, “ Motor Cycle ”, “ Lorry ”, “ Motor Vehicle ”, “ Omnibus ”, and “ Three Wheeler ” shall have the same meaning as in the Motor Traffic Act.

“ Parking ” means the bringing of a vehicle to a stationary position or causing it to wait for any purpose other than that of immediately taking off or setting down persons or goods.

“ Traffic Warden ” means a person authorized by the Municipal Commissioner to issue permits on his behalf for parking motor vehicles in a public parking lot.

“ Vehicle ” means any artificial contrivance, whether propelled mechanically or otherwise, which is used or capable of being used as a mean of transportation on land.

“ Commissioner ” means the Municipal Commissioner of the Matale Municipal Council.

“ Council ” means the Matale Municipal Council.

“ City ” means the Municipal limits of Matale as declared in the *Gazette Notification*.

In the event of any inconsistency among the Sinhala, Tamil and English terms, the term in the Sinhala language shall be in force and effective.

**THE BY-LAWS RELATING TO THE PARKING OF VEHICLES IN THE ADMINISTRATIVE AREA  
OF THE PALLEPOLA PRADESHIYA SABHA**

THESE By-laws are framed in terms of the provisions laid down in Section 122 and Sub-Section (f) of Section 226 of Pradeshiya Sabha Act, No. 15 of 1987.

2. The purposes of these by-laws in to cause the parking of vehicles in the administrative area of Pallepola Pradeshiya Sabha in a systematic manner to avoid the obstructions caused to the pedestrians and the vehicles that ply through the town and to do away with the inconvenience faced by the trade establishments and also to minimise the road accidents.

3. No hiring vehicles shall be parked in any place other than the places approved by the Council and decided by the Chairman out of the places denoted in the First Schedule.

4. No person shall park a hiring vehicle in vehicle stand without a permit issued by the Chairman or any person authorised by him.

5. Any permit issued in terms of these by-laws, if not cancelled earlier, is valid till the last day of the year in which it is issued.

6. Application forms for permits can be obtained from the office of the Pallepola Pradeshiya Sabha and application to be submitted to the Chairman. Such application must embody all the details required by the Chairman. (Second Schedule)

7. A fee decided by the Council from time to time shall be paid for such permits and such permits are not transferable.

8. Application Form to obtain a permit shall be obtained from the Pradeshiya Sabha on payment of a form fee which is fixed by the Council from time to time. A receipt shall be obtained for the payment.

9. New permit can be obtained any time of the year. But the permit issued in the previous year shall be renewed before 31st January of the succeeding year. Every permit lapses on the 31st day of December every year.

10. Every vehicle in respect of which a permit is applied shall be registered in the Department of Motor Traffic. A permit issued in respect of one hiring vehicle cannot be used in respect of another vehicle.

11. The charges of permits are as follows :

- (i) Hiring Vehicles fee : Rs. 1,000
- (ii) Three Wheel Vehicle fee : Rs. 500

These rates will be changed by the Council from time to time.

12. Before entering a new vehicle to the hiring vehicle stand, a permit must be obtained. If all the requirements are complied with a permit will be issued on recovery of usual charges, and thereafter the vehicle can be parked in the vehicle stand. The holder of a valid permit shall surrender it in case he wants to renew the permit, for the succeeding year.

13. If a vehicle ceases to park in the stand for a longer period or a vehicle to be kept for repairs for a period longer than two weeks, this office must be informed. If such information is not given, the permit will be cancelled.

14. The registered hiring vehicle owners shall be abide by the condition that the Council enforces from time to time.

15. Sale of a hiring vehicle or use a vehicle in some other area or temporary ceases to park in a stand, the Chairman of the Pradeshiya Sabha must be informed in writing.

16. A list of members of vehicles in respect of which permits are issued will be displayed in the office as well as in the respective stands or the information of the public. No vehicles in respect of which permits have not been issued shall not be parked in any of the stands.

17. Even if a permit had been obtained no vehicle shall be parked outside the stand, so as to obstruct the other vehicles. The permit is valid only to park the vehicles in the stand.

18. All the hiring vehicles shall be registered in the office of the Pradeshiya Sabha.

19. A notice regarding the parking area or the area prohibited for parking in the town or in the administrative area of the Council will be displayed in a street in a conspicuous place decided by the Chairman or on the orders of the Chairman.

20. Any area of a street in which parking is prohibited under by-law 19.

(a) Any Officer fails to obey the instructions or the Notice board and park the vehicle in the prohibited area of the street or section of the street ; or

(b) adhere to the procedure adopted in parking vehicles in such street ; or

(c) except to load or unload a vehicle shall not be parked in that area by any driver.

21. Area reserved for parking or prohibited for parking (in term of 19 by-law) the drivers shall obey the law orders given by a Police Officer.

22. The permit shall be renewed before 31st January every year. Thereafter Rs. 2 be recovered as a surcharge per every day will be recovered for each day. This surcharge will not be applicable to newly registered vehicles. This rate of surcharge will be revised by the Council from time to time.

23. In case a permit is lost or misplaced, sale of vehicle or damaged, a copy of the permit can be obtained on payment of 1/4 of the fee. This additional fee will be liable to revise by the Council from time to time.

24. The permit will have to be forwarded when demanded to do so by the Chairman or any person authorised by the Chairman or by a Police Officer to inspection.

25. Any contravention of any of the provisions of these by-laws is a punishable offence and liable to pay a fine not exceeding Rs. 750 if convicted by a Court of Law. Having drawn the attention to the continued contravention, he is liable to pay an additional fine of Rs. 250 for each day of the contravention is continued. These fines shall be credited to the funds of a Pradeshiya Sabha.

26. If any person is convicted by a Court of Law, more than twice, the permit issued to him will liable to be cancelled and no damages can be claimed for such cancellation.

27. Interpretation :

Chairman means the Chairman of Pallepola Pradeshiya Sabha. Authorised Officer means any Officer authorised by the Chairman.

Driver means a driver of three wheelers, vans, Lorries, buses, Tractors, cars, motor coaches, cabs and a driver of any agricultural vehicle.

Police Officer means any police constable including any Officer of the Police Department of Sri Lanka.

Parking means, bringing a vehicle to a stationary position except for loading and unloading a vehicle.

Hiring vehicles means transport of people and goods such as three wheelers, cars, vans, buses and vehicles used for transport of goods, such as lorries, tractors, trucks and farm vehicles but not carts and hand carts.

### First Schedule

The stands reserved for parking vehicles :

1. The three-wheel stand near the bridge of Ehelepola.
2. The three-wheel stand near the fair in Pallepola Town.
3. The main stand at the Akuraboda road about 50 Mts. away from the junction near the Bo-tree in the Pallepola Town.
4. Rusigama Junction.
5. Maningamuwa Junction.
6. Devarammulla Junction.
7. Millawana Junction.
8. Kobbewehera Junction.
9. 7th Post Junction.
10. Koswatte Junction.
11. Akuramboda Junction.
12. North Junction.
13. Kahapola Junction.
14. Aluthgama Junction.
15. Koholanwela Junction.
16. Paldeniya Junction.

### Second Schedule

#### APPLICATION FOR A PERMIT FOR PARKING A HIRING VEHICLE

1. The name of the owner of the vehicle : .....
2. Address : .....
3. N. I. C. No. : .....
4. Distinctive of Vehicle : .....
5. The type of vehicle : .....
6. The No. of the Revenue Licence : .....  
Year : .....
7. Insurance Certificate No. : .....  
Period of Validity : .....
8. Driver's Name : .....  
Driver's Address : .....
9. Purpose for which the vehicle is used : .....
10. Place where the vehicle is to be parked : .....
11. Year for which the permit is required : .....

.....  
Name of the Applicant.

.....  
Signature.

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