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The Gazette of the Democratic Socialist Republic of Sri Lanka  
EXTRAORDINARY

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No. 1575/25 - FRIDAY, NOVEMBER 14, 2008

(Published by Authority)

**PART IV (B) — LOCAL GOVERNMENT**

**Local Government Notifications**

**BY - LAWS**

**Kinniya Urban Council**

BY virtue of powers vested by Section 153 & 157 of the Urban Council Ordinance (Chapter 255) by Laws made by Kinniya Urban Council in the General Meeting held on 28.01.2008 and adapted by resolution No. 99 by the Council read with the Section 02 of the Provincial Council (Consequential act) Act, No. 12 of 1989 by virtue of powers vested on me by the said Urban Council Ordinance under Section 154, the following by Laws approved by me Sivanethurai Santhirakanthan the Chief Minister, Minister of Local Government and Provincial Council of Eastern Province shall be valid and this by laws shall have effect and valid upon the publication of *Gazette*, after it is table and adapted by the Provincial Council of Eastern Province.

S. SANTHIRAKANTHAN,  
Chief Minister,  
Minister of Local Government and  
Provincial Council  
Eastern Province, Trincomalee.

Chief Minister's Office,  
Eastern Province,  
Trincomalee.  
31st October, 2008.

**BY - LAWS**

These will be known as the series of By-Laws of the Kinniya Urban Council dated 28.01.2008

**1st CHAPTER**

**PART I -BY-LAWS PERTAINING TO GENERAL MEETINGS OF THE COUNCIL**

**1. Notice of Meetings :**

- (a) Unless the Council otherwise decides, the Council shall meet on a day of the last week in every months and a General Meeting of the Council shall at 2.30 p.m. or any other time as the Council may decide from time to time and terminate at 10.00p.m. "Provided that the Council cannot finish the business of the meeting for the day, Council shall hold the business of the meeting on any other day determined by the Council" and

- (b) The chairman shall cause to be served a written notice of every ordinary meeting or special meeting or an adjourned meeting embodying business to be transacted, to each Urban I Councillor at least before four days of that meeting.
- (c) Except the business stipulated in the notice of an ordinary meeting no other business shall be brought before or transacted at that meeting without the permission of the Council.

2. 1. *Notice of a special meeting.*—On a decision of the Chairman or on the written request of at least three Urban Councillors, a special meeting may be summoned on any matters and only that matter shall be discussed and under any circumstances, no any other matter shall be discussed.

2. *Quorum.*— If any meeting there is not a sufficient number of councillors present to form a quorum which shall be not less than 1/3<sup>rd</sup> of the number of Councillors in office on the date of the meeting, the Chairman or any other Councillor holding the Chair shall adjourn the meeting to such date not more than fifteen days after the date of the meeting so adjourned, as he thinks fit, and the business which would have been brought before the meeting so adjourned, if there had been quorum present, shall be brought before and disposed of at such adjourned meeting.

### 3. *Adjournment of meetings :*

- (a) The Chairman or any other member holding the chair, of any meeting, ordinary or special at which quorum of the Council present may, with the consent of the meeting, adjourn the meeting from time to time and no business shall be transacted with permission of the Council at any adjourned meeting other than the business left unfinished at the meeting from which such adjournment took place.
- (b) Notice of an adjourned meeting shall be served on Councillors in terms of Section I [b] of these by – Laws.

### 4. *Order of the business :*

- (a) Read the notice of summoning the meeting;
- (b) Confirm the minutes of proceedings of the last general meeting and the minutes of the proceedings of the special meetings, if held;
- (c) Special statements/announcements by the chairman;
- (d) Submit the statement of receipts and disbursements, particulars of revenue collected, progress report of the work, and reports of the Heads of Department to the meeting of the Council;
- (e) Resolve that the meeting be converted into a committee of the whole house
- (f) Consider the minutes of the proceeding of the meeting of the committee
- (g) Resolve that committee of the whole house into the meeting of the council
- (h) Consider the adoption of the proceeding of the committee of the whole house
- (i) Memorials, petitions, complaints and communications addressed to the Council;
- (j) Answer the questions for which due notice had been given according to the priority of receipt;
- (k) Motions of which due notice had been given;
- (l) Any other business.

5. *Strangers.*— Strangers including the press may be present at the meeting in the places set apart for them, but must withdraw when called upon to do so by the Chairman or any other Councillor holding the chair when in the opinion of the majority of the Councillors present at the meeting express by resolution such exclusion is advisable in the public interest. The person who has come as strangers shall not be allowed to take part in any business of the Council, and no Councillor shall speak referring to them or by name.

6. *Order of Precedence.*— For all purposes connected with the Council, the precedence and seniority of Councillor shall be regulated as follows :—

After the chairman shall rank the Deputy Chairman and then the Councillors in order of priority of their election and in the case of former Councillors re-elected, he must be given priority, as if he had been continuously holding the membership of the Council from the date of his first tenure of his membership of the Council.

7. *Minutes :*

- (1) The minutes of the Council's Meetings shall be kept by the Secretary or the officer acting on behalf, and that officer, after the Council circulate as early as possible among the Councillors, printed copy of the minutes, signed by the Chairman or any other Councillor held the chair. In these Minutes names of the Councilors present at the meeting and the decisions usually taken at Council Meeting shall be recorded.
- (2) If any Councilor attends the meeting, after starting of the meeting the time of his arrival shall be recorded in the minutes. Also if any member leaves the meeting before its conclusion, that time shall also be recorded.
  - (a) When there is a division on many questions in the Council the names of these Councillors who voted for against and abstained shall be recorded in the minutes. If a Councillor Dissents and if he states that he will submits his dissent in writing that shall be recorded in the minutes.
  - (b) The question as to the adoption of the minutes of the proceeding of the meeting in the following or subsequent meeting shall be decided, and any correction of the minutes can be done by a resolution moved with the permission of the Council.

8. *Memorials, appeals, petition, complaints and the letters submitted to the Council :*

- (a) A Councillor presenting a petition or memorial to the Council may state concisely the purpose of the petition or memorial.
- (b) Any petition or memorial or other communication which is not respectful in tone in every part of it and which does not contain name and address of the person by whom it was drafted shall not be presented by any Councillor.
- (c) It shall be competent for any Councillor to move that, such petition or memorial be read. In making such motion he shall state concisely his reasons for wishing to have it read.
- (d) No debate shall be permitted on such motion, nor shall any other Councillor speak upon or in relation to such petition or memorial, except to second the motion formally.
- (e) Such motion being seconded, the question shall be put whether the petition or memorial shall be read.
- (f) Petitions, Memorials, Complaints or any other document presented by one Councillor shall not be presented by any other Councillor.
- (g) When the Councillors explain at the Council, they shall not mention the names of the officers.

9. *Hearing petition.*—In any case wherein individual rights or interest may be affected by any act, order proceeding of Council, all parties so affected may be heard upon petition before the Council by a special committee of at least three Councillors appointed by the Council, for that purpose either in person or by Counsel.

After hearing, the report shall be submitted to the Council, There after the report shall be considered in details by having the Council resolved into a committee and take decisions.

10. *Witness :*

- (a) When it is intended to examine any witnesses, the petitioner or counsel or representative requiring such witnesses shall deliver to the Secretary, five days (exclusive of Saturday, Sunday and Public Holiday) at least before the day appointed for their examination, a list containing the names, addresses and occupations of such witness in writing to be present for such examination.
- (b) Thereafter the Secretary shall issue summons to each witness in form "A" give annexed schedule, These summons shall be handed over to the witness or kept at their addresses or handed over by a person assigned for that purpose by the Secretary at least three days before the dates the witnesses have been requested to be present.
- (c) The investigating into a petition shall be concluded within three months from the first date it was discussed at the Council.

### 11. *Question :*

- (a) Questions relating to the affairs of the Council may be put to the chairman.
- (b) At least five clear days notice-exclusive of Sundays and Public Holidays shall be given of such questions.
- (c) A written reply to each question shall be read at a meeting by the chairman, or by the Councillor presiding the meetings.
- (d) No Councillor shall address the Council upon any question nor shall the terms of any question contain any argument or imputation of any motive or expression of opinion or statement of fact, except in so far as may be necessary to explain such question.
- (e) Any Councillor may put a supplementary question for the purpose of further elucidating any matter or fact regarding which an answer has been given at a meeting.

Provided that the chairman or any other Councillor presiding at the meeting may disallow any supplementary question, if in his opinion, it infringes the preceding provisions of these by-laws as to the subject matter of questions, and in that case the question shall not appear in the record of the minutes of the Council.

### 12. *Motions :*

- (a) Every notice of a motion shall be in writing signed by the Councillor who is giving the notice. Unless such notice has been in the hands of the Secretary for seven clear days, exclusive of Sundays and Public Holidays before the meeting of the Councillor the motion shall not be included in the agenda.
- (b) All notices of motions shall be dated and numbered as received, and shall be entered by the Secretary upon the Agenda in the order in which they are received.
- (c) Before any notice of a motion is placed on the agenda paper, it shall be submitted to the chairman, who, if he is of opinion that it is out of order, shall order that such motion shall not be included in the agenda and shall cause the Councillor who gave the notice to be so informed.
- (d) Every motion of which notice is given shall be relevant to some question affecting the administration of the Council's affairs.
- (e) No motion to rescind any resolution which has been passed within the preceding six months, no any motion to the same effect as any motion which has been negatived within the preceding six months, shall be deemed to be in order unless notice thereof shall have been given and specified in the agenda, and the notice shall bear, in addition to the signature of the Councillor who proposes the motion, the signature of not less than one third of the total members in office; and when such notice has been disposed of: it shall not be competent for any member to propose any similar motion within the period of six months next following. Unless not less than two thirds of the total members in office have voted for the motion, the motion will not be accepted as adopted.
- (f) No motion shall be deemed to have been submitted for debate until it is proposed and seconded.
- (g) Any Councillor may formally second a motion or amendment by rising in his place and bowing to the chair without prejudice to his right to speak at a later period of a debate.
- (h) Before any motion of which previous notice has not been given is moved in Council, it shall be reduced to writing, signed by the mover and handed to the Secretary.
- (i) When a motion has been moved and seconded at a meeting and the debate thereon concluded, the questions thereupon shall be put to the vote by the chairman, or any other Councillor holding the Chair.

13. *Withdrawal of Motion or Amendment.*—Any Councillor may, with the leave of the Council granted without any dissenting vote, withdraw a motion or amendment moved by him. Such leave shall be granted without debate. It shall not be competent for any Councillor to speak on any motion after the mover has asked for such leave unless such leave has been refused. When a vote is taken against a withdrawal of such a motion, it shall be carried by a simple vote.

14. *Re-introduction for Motion.*—A motion which has been withdrawn may be moved again at any subsequent meeting; but no motion shall be proposed which is the same in substance as any motion which within the period of six months referred to in by-law 12(e) has been resolved in the affirmative or negative.

15. *Amendment :*

- (a) Every amendment shall be in writing and handover to the Secretary by the Councillor proposing it.
- (b) Every amendment shall be relevant to the motion during the discussion of which it is moved.
- (c) Every amendment shall be read before being moved.
- (d) No amendment shall be discussed or put to the Council until it has been seconded.
- (e) A Councillor who has seconded an amendment in a formal manner shall be permitted afterwards to speak upon it.
- (f) When ever an amendment to any motion under discussion has been moved and seconded No second or subsequent amendment shall be moved until the first amendment be carried, the motion as amendment shall take the place of the original motion, and shall become the question upon which any further amendment may be moved.

16. *Cessation of Debate.*— No Councillor shall speak at a meeting to any question after it has been fully put by the chairman or any other Councillor holding the chair of the meeting. A question is fully put when the voting has been taken thereon.

17. *Voting and Recording of Votes :*

- (a) The question shall be put by the chairman or any other Councillor holding the chair and the votes may be taken by a show of hands, and the result shall be declared by the chairman or any other Councillor holding the chair. If any Councillor calls for a division and in that event the votes shall be taken by the Secretary asking each member separately, according to the order of precedence, how he desires to vote, and record the vote accordingly.
- (b) On any question being put either in Council or in Committee, every Councillor present shall, unless he declines to vote, record his vote for the eyes or nose.
- (c) In the event of a Councillor declining to vote, the Secretary, in such case a division has been called for shall enter his name upon the minutes as having declined to vote.

18. *Casting Vote of the chairman or any other Councillor holding the Chair.*—The chairman or any other Councillor holding the chair shall have an original vote in common with other Councillors and also a casting vote if upon any question the votes are equal.

19. *Councilor Dissenting.*— It shall be competent for any Councilor who is in minority or any other Councillor dissenting on any matter to record the reasons for his dissent by the Secretary and such written dissent, if sent to the Secretary within three days of the meeting in question, shall be entered by the Secretary at the end of his minutes of the proceedings.

20. *Order of the Day.*—The “order of the day” shall include all business arranged according to by-law 5 of these by-laws. Unless otherwise resolved the business shall be taken in the order printed.

21. *Preservation of order :*

- (a) It shall be the duty of the chairman or any other Councillor holding the chair to preserve the order and his decision on all disputed points of order shall be final.
- (b) Councillor contravening these by-laws at a meeting may be immediately called upon to adhere to by-laws by the chairman or any other Councillor holding the chair of his own motion or any other Councillor rising to a point of order.

22. *Decision of Question of Order.*—When the question of order has been raised the Councillor who raised it shall resume his seat, and no other Councillor, except by leave of the chairman or any Councilor holding the chair, shall speak till the chairman or any other Councillor holding the chair has decided the question, after which the Councillor who was addressing the council at the time the question was raised shall be entitled to proceed with his speech, if he conforms the chairman or any Councillor holding the chair ruling. If he does not conform, the Chairman may refuse to allow him to proceed with his speech.

23. *Councillor not explaining or retracting.*—Any Councillor who fails to explain or to retract any objectionable words used by him or to offer apologies for the use thereof to the satisfaction of the Council, may be censured by the chair.

24. *Speaking by the chairman or any other Councillor holding the chair.*—When the chairman or any other Councillor holding the chair has expressed his desire to speak, any member then speaking shall immediately resume his seat. Also, when a Councillor addressing the meeting if the chairman or any other Councillor holding the chair makes a reply or a clarification on a matter raised in the Councillors speech, the relevant Councillor or any other Councillor shall not interfere in any way.

25. *Naming of Councillors :*

- (a) The chairman or any other Councillor holding the chair may name any Councillor who disregards the authority of the chair or abuses these By-laws of the Council, be persistently and willfully obstructing the business of the Council, the chairman or any other Councillor holding the chair may forth with put the question on a motion being made any Councillor or from the chair (no amendment, adjournment or debate being allowed) that “such Councillor be suspended from participating in Council Meeting”
- (b) If any such motion be carried and any Councillor be suspended under this rule, his suspension on the first occasion for two months and on the second or subsequent occasion for three months.
- (c) No more than one Councillor shall be named at the same time, unless several members present together have jointly disregarded the authority of the chair.
- (d) If any Councillor or Councillors acting jointly, who have been suspended under this by-laws from attending the Council, refuse at any time during the period of suspension to obey the directions of the chairman or any other Councillor holding the chair to withdraw from the precincts of the Council Chamber, the chairman or any other Councillor holding the chair may direct such steps to be taken as are required to enforce his decision.

26. *Irrelevance or Tedious Repetition.*—The chairman or any Councillor holding the chair after having called attention to the conduct of a Councillor who persists in irrelevance or tedious repetition, either of his own arguments or of the arguments used by the Councillors in debate, may direct to discontinue his speech.

27. *Disorderly Conduct :*

- (a) Every Councilor who is in the Council Chamber, during the Council Meetings or Committee Meetings shall conduct them selves orderly.
- (b) The chairman or any Councillor holding the chair may order Councillors whose conduct is grossly disorderly to withdraw immediately from the Council Chamber during the reminder of that day’s sitting, and direct such steps to be taken as are required to enforce his order.
- (c) If any occasion chairman or any other Councillor holding the chair, deems that his power under this by-law are inadequate he may name such Councillor or Councillors pursuance of By-law 25(a).

28. *Duty to obey Order of Suspension or Withdrawal.*— Councillors who are suspended under By-law 25(a) or are directed to withdraw under By-law 27[b] shall forthwith withdraw from the precincts of the Council Chair-

29. *Power to Adjourn.*—An adjournment of the discussion of any question may be moved by a Councillor at any time and if seconded, shall be forthwith put to the vote.

In the event of grave disorder arising at a meeting, the chairman or any other Councillor holding the chair, if he thinks necessary to do so, adjourn the meeting without putting the question of adjournment to the house, or suspend the meeting for a time to be fixed by him.

30. *Rule for Councillors speaking.*—In speaking on any proposition under consideration of the Council or the Committee of the whole Council the following rule shall be strictly observed.

- (a) The conduct of the business of the Council meeting shall be in Tamil, Sinhalese or English, and minutes of such meeting shall be kept in Tamil and Sinhalese. When necessary, minutes may be furnished in English in part or in full.
- (b) Every Councillor shall at a meeting address his observation to the chairman or any other Councillor holding the chair, and shall speak, standing from the seat allocated to him except in committee.
- (c) No Councillor shall be interrupted while he is speaking unless he is out of order.
- (d) When any Councillor finishes his observations he shall resume his seat, and any Councillor wishing to address the Council may then speak.
- (e) A Councillor shall not read his speech, but he may read extracts from written or printed papers in support of his arguments, and shall be held responsible for those extracts.
- (f) If two Councillors speak or desire to speak at the same time at a meeting, the chairman or the Councillor holding the chair shall call on the Councillor who first catches his eye.
- (g) Every Councillor shall confine his observations to the subject under consideration.
- (h) No Councillor shall impute directly or indirectly improper motives to any other Councilor and No member shall be addressed by name and all remarks of a personal nature shall be avoided.
- (i) A Councillor may speak on the question before the Council or any amendment proposed thereto.
- (j) No Councillor shall speak more than once on any proposition before the Council, except in explanation or to order, or when the Council in committee or as is provided by By-law 15.
- (k) By indulgence of the Council, a Councillor may explain matters of a personal nature, although there is no question before the Council, but such matters shall not be debated, and he must confine himself strictly to the vindication of his own conduct.
- (l) The mover of any resolution of motion may reply after all the Councillor present have had an opportunity of addressing the Council and before the question is put, but he shall strictly confine himself to answering previous speakers and shall not introduce any new matter into the debate. The right of reply shall not extend to mover of the amendment.
- (m) A Urban Councillor shall not speak or mention on any matter under the purview of a Court of justice.
- (n) When a Councillor is speaking he shall not refer to or showing a member or members of public or person or persons occupying the section allocated for them or allocated for personnels.

31. *Committee of Council :*

- (1) The Council may at anytime resolve itself into a committee of the whole Council, and on its resuming, the result of its deliberation shall be dealt with by the Council. The businesses of this Committee shall be recorded in minutes.
- (2) The standing committees shall not take a decision on any questions that has been referred to them but submits their recommendations on the questions that are referred to them.

32. *Special committees :*

- (i) The Council may from time to time appoint special committees, consisting of not less than two Councilors as it thinks fit for the purpose of inquiring into and reporting upon any matters connected with the purposes of the Councils.
- (ii) (1) The quorum for the meetings of every such committee shall be two.  
(2) The quorum shall be equal to 1/3 of the number or members consisting the committee and at least one Councilor named by the Council shall invariably be there.
- (iii) In the absence of the Chairman at a meeting of any committee, the Councilors present shall choose one of their own Councilors, to preside, and such Councilor shall for that meeting, have all powers of the chairman.

- (iv) When a committee shall have agreed to a report the same shall be signed by each of the Councilors thereof and shall be submitted to the Council.
- (v) In the event of any division taking place in a Committee a record thereof shall be entered in the minutes together with the motion or resolution proposed, the name of the proposer and the respective votes of the Councilors present.
- (vi) The press shall be excluded from all meetings of special and standing committees.
- (vii) If the Committee decided to call witnesses relating to matters discussed by any special committee, the committee has power to issue summons to such witnesses.

33. *Attendance.*—All Councilors shall sign an attendance register when they attend meetings of Council or Committee. Such book shall be in the custody of the Secretary.

34. *Program of Meetings.*—Council and Committee Meetings shall be programmed and full list of meetings shall be circulated among all Councilors and appropriate officers.

## SECTION II – STANDING COMMITTEES.

35. *Absence of Chairman of standing Committee.*—In the absence of the Chairman from any meeting of a standing committee the member of the committee concerned shall elect a Chairman for the meeting from among their own members.

36. *Quorum.*—The Quorum of a standing committee shall be three.

37. *Conduct of Business.*—The Chairman shall maintain order at all Committee Meetings, decide points of order, ensure the business is conducted effectively and adjourn the meetings when appropriate. He should allow free discussion and help to frame effective discussions. He should ensure that the minutes are properly prepared and sign them after obtaining the approval of the Committee.

38. *Reports to the Committee.*—Reports on subjects coming before the respective committees shall be submitted, and shall be so compiled as to supply back-ground information, suggested alternatives and fully reasoned proposals.

39. *Submission to Committee ;*

- (1) Any Member of a standing committee may submit any question to such committee is concerned for the consideration of such committee.
- (2) Any business proposed by the Chairman of a standing committee shall be considered in priority to any other business unless the Chairman otherwise determined, and the order in which such other business shall be considered, shall determined he the Chairman.

40. *Dissent.*—Where any member who dissents from the decision of the majority at a meeting of a standing committee so requires the dissent together with a statement of the reasons therefore shall be recorded in the minutes of the meeting and that statement shall be annexed to the report presented to the Council on that decision.

41. Special meeting of the standing committee can be held to consider a special matter or several matters.

The press shall be excluded from meetings of all the standing committees.

## SECTION III – COUNCIL AND COMMITTEE MEETING MINUTES.

42. The secretary shall be responsible for the following in respect of all Council and Committee Meeting minutes.

- (a) To prepare and process the Agenda and all documents in adequate time for dispatch to member.
- (b) To maintain up to date record of the names and addresses of all Committee member.
- (c) To register suitably the dispatch of papers.



- (d) To maintain a Register of Attendance and circulate to each Councillor present at the meeting for signature after obtaining signature of the Chairman.
- (e) To record the proceedings of the meetings carefully and accurately.
- (f) To dispose of all files and papers on which discussions or recommendation have been made to the relevant Chief officers (head of Departments).

*Interpretation :*

In these by-laws pertaining to Meetings unless the context otherwise requires.

“Council” means Kinniya Urban Council.

“Committee” means the committee appointed in terms of sec. 31 and 34 of this by law

Chairman” means the chairman of the Kinniya Urban Council.

“Urban Councillor” means the Urban Councillor of the Kinniya Urban Council.

“Secretary” means the Secretary or the officer who is on his behalf acting.

*Annexure*

*Section II (b)*

Schedule – A – From

SUMMONS TO A WITNESS

Re.....  
To.....

As you have been cited as a witness re above, you are hereby requested to be present before this Special Committee .....at.....

Secretary,  
Kinniya Urban Council.

Urban office,  
Kinniya,  
On.....

PART II - FINANCIAL REGULATIONS

1. Interpretation – (1) The designation “Chief Officer” denotes “The Chairman”.
2. The initial “C.F.O”. Denote Chief Finance Officer and it means “the Chairman” of this Council therein after mentioned as “the Chairman” who is the officer incharge of managing and administering the Council’s financial affairs including all revenue functions.
3. The initials “M.L.G E .P”. Denote the Ministry of Local Government of the -East Province.
4. The initial “C.U.A”. denote Chief Urban Accountant
5. The initial “C.O”. denote Chief Officer of department Urban council
6. The Term: proper records or such expression” includes any form or record prescribed by the Ministry of Local Government where no prescribed form or record has been issued a record or document shall be prepared in a form approved by the Chairman.

*General provisions-*

- (a) The Chairman, who is the Chief Finance officer, is responsible for the overall management and proper administration of the Council’s financial affairs and shall give appropriate financial advice to the Council and its Committees.
- (b) Each chief officer of the Department is responsible for accountability and control of the staff and the security, custody and control of all other resources including buildings, plants and equipment, materials cash and stores belonging to his Department.
- (c) Each chief officer of the Department is responsible for ensuring that these Financial Regulations are observed within their sphere of operation and activity.

### 7. *Budgetary Control :*

- (1) A draft budget shall be prepared in each year in consultation with the Chief Urban Accountant under the Supervision of the Chairman in respect of:
  - a. Recurrent expenditure and revenue (i.e Recurrent Budget)
  - b. Expenditure on capital projects and proposals (i.e. Capital Budget)
- (2) The Chairman shall be entitled to receive from other Council Officers all financial, statistical and other relevant information necessary for the preparation of the draft budgets.
- (3) The draft budgets shall be prepared in accordance with the prescribed procedures and shall follow the standard form of expenditure and revenue classification.
- (4) Chief officers approval in obtained of the departments are responsible for ensuring that the expenditure shall be incurred only for the purposes specifically authorized by the approved budgets.
- (5) Where it is appears that the provision of any head of expenditure is likely to be exceeded, the Chief Officers of the department shall consult with the Chairman and submit a joint report to the Council seeking necessary approval.
- (6) The chairman may approve the transferring money to the budget head of expenditure that exceeding, from the budget head of expenditure where sensing is available or the chairman may order to prepare and submit a supplementary budget to the council.

### 8. *Accounting System :-*

- (1) All accounting systems, records and procedures shall be in accordance with the prescribed format and instructions, where no standard system or format has been prescribed, financial record and procedure shall be in a form approved by the C.F.O after consultation with the chief officer of the department concerned if another department is involved.
- (2) The annual income and expenditure balance sheet shall be completed by the Chairman together with all official returns requested by the M.L.G.
- (3) All chief officers of department shall ensure that following principals are observed in the allocation of accounting duties.

### 9. *Bank Accounts and Cheques :-*

- (1) Subject to any direction from the M.L.G E.P.and the Council, the Chairman shall be responsible for making arrangements for the operation of Council's Bank Accounts.
- (2) All cheques shall be ordered only on the authority of the chief Finance Officer. He shall ensure that they are kept in safe custody.
- (3) All cheque drawn on the Council's bank accounts shall be signed by two officers and one of them shall be chairman and other one shall be specifically, authorized by the Council.
- (4) No Bank Account shall be allowed to go into overdraft without the approval of the Council.

### 10. *Order for Work, Goods and Services :-*

- (1) The prescribed form of official order shall be used for all works, goods and services before such work, supply or delivery except for:-
  - a. Supply of public utility services (e.g. water, electricity, bulk supply)
  - b. Periodical payments covered by lease/agreements (e.g. Rent)
  - c. Minor purchases from petty cash
  - d. Building constructions, engineering work and other technical services provided under contract agreements etc.
- (2) The Chief Accountant shall be responsible for custody of all order books and issue to Departments.
- (3) Each chief officer of the Department shall supply a list of officers in his department who are authorized to sign official orders.

11. *Payments:-*

- (1) The chairman shall be responsible for the prompt payment of all invoices.
- (2) In the payment of authorized and defined categories (e.g. employees' pay) of payments may be made by cheques
- (3) The chief officer issuing an order is responsible for examining, verifying and certifying the related invoices and for any other problem arising from the functions of his department.
- (4) Before certifying an invoice for payment, the certification officer must satisfy himself that:-
  - a. The works good or services have actually been carried out, examined and inspected and are on the specified standards;
  - b. The prices, calculations, discounts etc. on the invoice are correct;
  - c. The expenditure has been properly incurred and within the budget;
  - d. Where appropriate, necessary entries have been made in the assets register inventory or stores ledgers;
  - e. The invoice has not been paid previously.
- (5) The chief officer of the Department shall send the C.U.A a list of Senior Officers in his department who are Authorised to certify invoices together with their specimen signatures.
- (6) Certified invoices shall be passed promptly to the C..U..A who may carry out further checks and he is entitled to seek such information as he considers to be necessary.
- (7) Chief Officers of departments shall ensure that officers checking the delivery of goods or involved in execution of work are independent from those who place orders on negotiate prices or items.
- (8) The Chairman may authorize an officer to hold a small cash balance for the purpose of disbursing petty cash expenses. The balance shall be maintained on the imprest basis and operated in accordance with instructions issued by the chairman.

12. *Travelling, subsistence and members Allowances :-*

- (1) All claims from officers shall be submitted to the C.U.A duty certified by the Chief Officer of the department concerned;
- (2) Each chief officer of the department or any other officer authorised by him shall certify the claim forms and send them to the C.U.A. The name and the specimen signature of the officer authorised for certification shall be submitted to the C.U.A
- (3) It is presumed that the certification by the Chief Officer or other officer authorised by him shall signify that the certifying officer is satisfied that the journeys and expensed were authorised, necessary, and properly payable by the chairman.

13. *Loan and Investments :-*

- (1) C.F.O shall ensure that any loan borrowed shall be authorised by the Council and properly recorded in the prescribed records.
- (2) Principal of loans and Interest.-The C.F.O shall ensure that necessary provisions are made from time to time in recurrent budget for the payment of interest and provisions are made in the capital budget to pay the loan installment and such payments are made on the due date.
- (3) *The C.U.A* may in consultation with the finance officer invest surplus funds not immediately required for Council's purpose at a bank on the approval of the chairman.

14. *Salaries, Wages and Pension Payment :-*

- (1) The payment of all salaries, wages, pensions and allowances to employees shall be made by the C.U.A under program approved by him;
- (2) C.O shall notify the C.F.O through the C,U.A of all matters relating to payments including the followings:-
  - a. Appointments, resignations, transfer;
  - b. Absence (e.g. sickness, unauthorized leaves);
  - c. Changes in pay scales.
- (3) All documents and records shall be certified by the chief officers or by an officer authorised by him. The names and specimen signature of the authorised officers shall be sent to the C.U.A.

15. *Collection of Revenue :-*

- (1) Collection of all money due to the Council shall be done under arrangements controlled or approved by the C.F.O;
- (2) Each chief officer of the department shall notify to the C.F.O through C.U.A of any amount of debt due to the council arising from work done, goods supplied, leases agreements or services rendered to facilitate the prompt submission of a debtor's account;
- (3) The C.F.O shall have the right to inspect any record or document to satisfy himself as to the correct amount due.
- (4) All receipt forms, tickets, account books etc. shall be ordered and supplied by the C.U.A. where any record that has been not approved by the Minister incharge of subject of Local Government, Eastern Provincial Council relating to the collection of monies a form approved by the C.F.O on the recommendation of the C.U.A can be utilized;
- (5) All monies received, shall be deposited promptly in an approved bank by the C.F.O according to an arrangement made with the C.U.A;
- (6) Except where specifically authorised by the C.F.O all monies received shall be banked intact with no collections withheld;
- (7) Personal cheques shall not be cashed out of money held on behalf of the Council;
- (8) Any money transferred from one officer to another shall be vouched by the signature of the receiving officer;
- (9) C.U.A and the C.F.O shall ensure that an arrangement is made for the security of cash, the custody and safety of keys;
- (10) The Council unless and otherwise decide, receiving monies shall be carried out from 9.00 a.m. up to 3.30 p.m., if the officers of the Council have been authorised for the collection of monies in the field, the C.U.A shall issue sub-receipt books to them for receiving monies. Such receipt books shall be consisted of duplicated and originals only;
- (11) The officers authorised for the collection of monies in the field, shall deposit such monies in the Council on the same day or day after date of collection.

These officers shall prepare schedules of receipt issued by them from the duplicates and hand over the schedule together with the receipt books to the subject clerks. The subject clerks shall compare the receipt numbers and the amounts stated in the schedules with that of the duplicate receipts issued and if the entries tally with each other cancel the duplicates with red ink and initial and insert the date on the backside of the last receipt issued. Thereafter they shall write out general receipts and issues same to the officers concerned who shall deposit the monies stated in such receipts with the C.U.A.

16. *Receipt of the Cheques.*— Accepting cheques for the amounts due to the Council shall be done cautiously if a cheque is dishonored no further cheques shall be accepted from the debtor concerned and the value of the dishonored cheque shall be obtained in cash.

- (1) Anybody who makes payments in cheques, a receipt in acknowledgement of the payment must be issued. This receipt must be, signed and franked with the seal bearing the words "valid after realization";
- (2) All the monies and cheques required in the office shall be banked on the following day. No cash cheques or predated cheques or Anti-dated cheques shall be accepted;
- (3) No cheques shall be accepted for payments in the sale of Councils' assets or for tender deposits or temporary lease rent;

*17. Contracts for Building construction and Engineering works :-*

- (1) An estimate ledger shall be maintained to record the estimates approved by the Council for building construction and engineering works and to enter such payments. For this purpose, a register of measurements be maintained also. The relevant chief officer shall execute these activities according to the circumstances.
- (2) Payments to contractors on account of contracts shall be made only on a certificate issued by the chief technical officer or any other officer authorised by him.
- (3) The Chief Technical officer shall submit an estimate of expenditure in relation to every extra work and variation to the Council for approval in consultation with the C.U.A through the C.F.O.
- (4) A copy of each such variation shall be sent to the C.F.O with a statement of its financial effect.
- (5) Before the final certificate of completion of any contract prepared by the contractor is issued, the Chief Technical Officer personally shall examine such contract and certify final payment.
- (6) The C.F.O shall, to the extent he considers necessary, examine final accounts for contracts and he shall be entitled to make all such enquiries and receive such information and explanations as he may require in order to satisfy himself as to the accuracy of the accounts.
- (7) Where completion of a contract is delayed by more than the specific period, it shall be duty of the Chief Technical Officer concerned to take an appropriate action in respect of any claim for liquidated damages and to report his action to the C.F.O
- (8) Claims from contractors in respect of matters not clearly within the conditions of any existing contract shall be referred to the C.F.O for consideration of the authority's legal liability and where necessary, to the C.F.O for financial consideration before a settlement is reached.

18. *Internal Audit.*—A continuous independent internal audit, by controlled by the C.F.O shall be carried out in respect of the accounting, financial and operations of the Council.

- (1) The Chief internal Audit officer or his authorised representative shall have authority to.-
  - a. Enter at any time or any occasion, any Council premises or land, as ordered by the C.F.O.;
  - b. Have access to all records vouchers documents and correspondence relating to any financial and transactions of the Council;
  - c. Require and receive such explanations from any officer as are necessary concerning any matter under examination; and
  - d. Require any employee of the Council to produce cash, stores or any other property of the Council under his control.
- (2) The chief officer of Internal Audit is responsible to prepare the monthly report as may cover the all departments and to obtain approval for such report from the C.F.O and to audit same in consultation with relevant departments and to produce to the relevant chief officer before the beginning of the next month after expiry of the month.

The Chief Internal Audit Officer shall find out that the departments concerned are taking necessary steps stipulated in the audit report and submit a report to the C.F.O.

*19. Irregularities :-*

- (1) The Chief Internal Audit Officers shall notify the C.F.O. immediately of any suspected irregularity concerning:-
  - a. Cash, stores, property, payments, remuneration or allowances;
  - b. Any other matter involving Council systems, procedures and instructions.
- (2) The Internal Audit officer shall take necessary steps to investigate any irregularity or suspected irregularity and shall prepare a report on its findings.
- (3) The Chief Internal Audit Officer shall submit the said reports to the C.F.O who shall take whatever action deemed to be necessary in accordance with the general law and the Council's disciplinary code for employees.
- (4) A copy of the Chief Internal audit officer's report shall be forwarded through the C.F.O. to the Auditor-General.

*20. Physical Assets Register :-*

- (1) The Chief Officer in conjunction with the Technical Officer shall ensure that proper records are kept for the following items belonging to the Council:-
  - a. Lands, buildings and installed machinery/specifications;
  - b. Other fixed assets (e.g. roads, sewers and drains, water mains, electricity lines etc.)
- (2) Each Chief Officer shall maintain proper inventories showing adequate details of all items in the following categories within his department or under his control.
  - a. Vehicles and machinery/equipment;
  - b. Tools;
  - c. Fixtures and fitting of officer and buildings (fixtures, furnitures and office equipment)
- (3) Each chief officer of the departments shall be responsible for carrying out an annual survey on all items in the inventories and for reporting on and taking action in respect of any deficiencies and missing items.
- (4) No employee shall use Council vehicles and machinery unless authorised by the relevant chief officer of the department. Each chief officer shall maintain necessary records to control and record the use of vehicles and machinery.
- (5) Each chief officer of the department shall be responsible for the security and custody of stocks and stores held in his department and shall arrange for periodical surveys to be carried out by officers other than store keepers and staff involved in the custody and control of stores.
- (6) Proper records shall be kept for the purpose of recording all stores transactions including receipts, issues, transfer stock-takings, write-offs.
- (7) Surplus or scrap materials, stores and equipments shall be disposed of by competitive tender or public auction unless the Council authorizes other suitable action.

*21. Insurances :-*

- (1) The Secretary shall be responsible for arranging all insurances subject to the directions from the Council and the C.F.O.
- (2) The Chief Officer shall notify the C.F.O promptly of all risks, liabilities, properties or vehicles/machinery which require to be insured and of any alteration affecting risks or insurances. Each notification shall indicate the amount of cover required.
- (3) The Chief Officer shall notify immediately the C.F.O of any fire, loss, accident, damage or any event which may result in an insurance claim being made.
- (4) The C.F.O shall at least once a year review all insurance in consultation with the other Chief Officers of the Departments.
- (5) Chief Officer shall consult the C.F.O in respect of any indemnity which the Council is requested to give.
- (6) A report with regard to loss by fire shall be produced to the Author-General.

### **Part III**

#### **BY-LAWS RELATING TO CONTRACTS**

##### **(For the execution of Works, Supply of Materials and Services)**

1. Compliance with standing orders. - Every contract made by or on behalf of the Council shall comply with Law of Sri Lanka and with these standing orders and no exception from any of the provisions shall be made otherwise than by direction of the Council.

2. Advance Estimation of value of the proposed contract.

Before entering into a contract which is estimated to exceed the amount specified in Section 39[1] (Chapter 255) of the Urban Council Ordinance an estimate in writing of the probable expenditure of executing the work in a suitable manner shall be prepared by the relevant officer.

3. All quotations in terms of the Section 39[1](Chapter 255) of the Urban Council Ordinance shall be opened before the Secretary or the Chief Urban Accountant or a Board comprising of two staff officers (as necessary). There after having scheduled, submit them to the chairman for approval.

Quotations shall be called in writing by the Chief Officer of the Department concerned.

4. Where the Quotations exceeds the amount specified in Section 39[1] of the Urban Council Ordinance (Chapter 255) and the Council unless otherwise decide, tenders shall be called in accordance which these regulations, and open them by the Tender Board thereafter obtain the approval of chairman

a. A Tender Board shall be consisting of chairman, Secretary and the officer appointed by Commissioner of Local Government of Eastern Province for the consideration of tender Where the value of Tender exceeds five lacs, an evaluation committee shall be appointed by the Council, and where the value of tender does not exceed five lacs considering the nature of the contract, evaluation shall be done by the Chief Technical Officer of works with the participation of Chief Urban Accountant or the relevant Head of the Department;

b.

(1) Where the value of tenders for contract/supplies exceeds the amount specifies in Section 39[1] of the Urban Council Ordinance (Chapter 255) but does not exceed Rs. 500,000 or 'less than the amount estimated by the Council' tenders or quotations shall be called at least from three persons who have engaged in the performance of contracts, unless a list of registered contractors is maintained. If a list registered contractors is maintained, all the persons whose names appear in the list shall be requested to submit tenders/quotations.

(2) Where the value of maintenance and construction work is Rs. 100,000 or less after having published a notice, giving 14 days notice quotations shall be called from the contractors registered in the Council and the quotations be opened by a Quotation Committee and be submitted to the chairman together with the Chief Urban Works Technical officer's recommendations.

(3) The Contractors shall be registered with the council twice a year;

c. Where the estimated contract exceeds the amount specified in the provision of Section 39[1] (Chapter 255) of Urban Council Ordinance:

(1) At least 14 days before the closing date of the receipt of notice calling for tenders shall be published. Where the estimate exceeds Five Hundred Thousand Rupees the tender notice shall be published in two or more newspapers, which circulate within the urban area.

(2) With regard to the tenders, the value of which exceeds Five Hundreds Thousand Rupees, a tender notice giving 21 days (inclusive of non-working days and public holidays) shall publishes in one, two or more national newspapers,

(3) Such an advertisement, shall include-

- (i) the nature of the proposed contract or nature of the materials to be supplied;
- (ii) how the tender documents be obtained;
- (iii) the last date and time on which the tender documents will be issued;
- (iv) the last date of receipt of tenders, and the date, the time and the place of opening of tender;
- (v) the officer authorised to accept tender documents and his location;
- (vi) Amount of tender deposit and form fees;

(4) A senior officer who has a technical knowledge and an officer who has knowledge of financial management and a senior staff officer shall be appointed by the council to the evaluation committee, pertaining to the relevant section. Members of the evaluation committee shall be independent members from the relevant departments;

(5) *Particulars that shall be included in the form calling for tenders.*- The form calling for tenders and any other supporting documents shall be made available and shall include following particulars;

- (i) the work;
- (ii) the place where the work is to be executed;
- (iii) to place where the materials have to be supplied or any machinery to be installed;
- (iv) the time or times, and place, where the construction is to be executed, or service is to be rendered or and materials are to be supplied;
- (v) the mode of obtaining tender documents;
- (vi) the last day on which the tender documents will be issued;
- (vii) the date, the time and place of opening of tenders;
- (viii) the officer from whom further information could be obtained and his location (tender forms shall be issued to the tenders who are registered in the Council, or in the Institution of Construction Training and Development and the approved Societies);
- (ix) the possibility that the tenders could be sent by registered post or by hand;
- (x) procedure of submission of tenders;
- (xi) tenders are to be submitted in duplicate in a plain sealed cover or envelope addressed to the Chairman and marked "Tender" and the description of the proposed contract;
- (xii) In place of Tender Deposit, if the Council decides to obtain bid bond, action should be taken to obtain the bid bond from a state Banks. Bid bond for a minimum amount of 5% of the estimate shall be obtained;
- (xiii) tenderers or their authorised representatives may be permitted to be present at the time of opening of tenders;

(6) *Receiving of Tenders and their Custody:*

- (1) For the purpose of receiving tenders, a tender box fitted with padlocks shall be made available, and the key of that tender box shall be kept under the custody of the Chairman or the officer authorized by him.
- (2) The tenders received by post shall be deposited in the Tender Box promptly and in case the tenders are delivered by hand the person so deliver shall be asked to deposit it in the tender box.
- (3) The Tender Box shall be kept under the custody of the Chairman or an officer authorised by him;



(7) *Opening of Tenders ;*

- (a) The Tenders shall be opened before a Tender Board.
- (b) All Tenders received shall be opened, registered, date stamped and entered in a schedule.
- (c) After opening the Tenders and placing the date stamp, all members of the Tender board present shall place their initials in every page of the tenders.
- (d) After having opened the tender, the amount given in the tenders shall be read to be heard by the tenderers or authorised representatives present and ensure that other details given in that Tender are not divulge;

(8) *Late Tenders.*— Any tender received after proper time shall be returned promptly without opening, to the Tender by the Chief Officer concerned.

(9) *Evaluation of Tenders :*

- (a) Evaluation of Tenders not exceeding Rupees Five Hundred Thousand shall be done by the Chief Urban Accountant/the Chief Technical officer of works of the Council. Tenders exceeding Rupees Five Hundred Thousand shall be evaluated by the Tender Evaluation Committee.
- (b) When evaluating for the purpose of ascertaining the arithmetic accuracy of any tender if the amount given in any tender is increased the acceptance of the amount given in the Tender shall be recommended.
- (c) When ascertaining the arithmetic accuracy of any tender, if the amount given in the tender decrease, the acceptance of such lesser amount shall be recommended.

(10) *Acceptance of Tenders:*

- (a) All tenders received having evaluated shall be scheduled
- (b) After evaluation, the tender recommended as suitable shall be submitted to the chairman.
- (c) The chairman shall decide to accept lowest tender or tenders recommended for the purpose of the execution of works or provide any service or supply of material and to accept the highest tender or tenders for the purpose of selling an article or a leasing or a renting out. Besides another tender is accepted, genuine reasons shall be given for arriving at that decision, and such matters shall be recorded.
- (d) The Tenders who have submitted tenders exceeding the cost estimate shall be consulted as to whether such work could be carried out at the estimated cost. If the tenderers so consulted do not agree, all tenders shall be rejected. In such a circumstance, for that purpose, Tender Board may recommend to re-call tenders or such work to be executed by the departments.
- (e) Tenders which are 20% less than the amount of the cost estimate shall be rejected. But in a very particular situation, tenderers who have submitted tenders in a range between 20% and 30% less shall be called and inquire as to whether they could complete the relevant work satisfactorily conforming to the specified standards and The evaluation committee having obtained the consent to their satisfaction, such lowest may be accepted.
- (f) When accepting tenders, the urban council shall have the authority to order the acceptance of any tender or a part of a tender or to reject any tender or re-call tenders without assigning any reason.
- (g) The contracts of which the cost estimate is as per the circulars issued time to time may be awarded to the societies approved by the General Treasury without calling for tenders, If this limit of the cost estimate is altered by the Provincial Council or by the General Treasury time to time, action may be taken to award tenders within those limits.

- (h) Awarding tenders in that manner may be considered on a certificate issued by the Divisional Secretary to the effect that these societies possess financial ability, technical knowledge, and required machinery. Such societies shall be exempted from the tender deposit and the bid bond.
  - (i) Under any circumstance, contracts awarded to an approved society shall not be given on sub-contract;
- (11) For due execution of contracts, an agreement shall be signed between the contractor and the Urban Council. At least following particulars shall be included in this agreement;
- (i) Security deposit if the Council decides to obtain performance guaranty/bond should be furnished (the performance guaranty bond shall be obtained from any state banks in Sri Lanka);
  - (ii) The time on which the contract is to be completed;
  - (iii) Period of maintenance, liquidated damages;
  - (iv) Damage at the time of cancellation of the agreement;
  - (v) The officer who gives a decision, in the event of a problem that may arise;
  - (vi) The paying Officer;
  - (vii) Employment of citizens of Sri Lanka;
  - (viii) In the event an Arbitrator is appointed, the procedure to be followed by him;
  - (ix) Special matters that should be made relevant to the contract. (Final completion certificate relating to the contract re-construction);
  - (x) Accepted specifications, standard and code of conduct;
  - (xi) Any other legal stipulations (Ex. bonds, insurance or other conditions that should be made relevant);
  - (xii) Alteration of the nature of the contract;
  - (xiii) If the contract is not properly executed, appropriation of security deposit by the Council and canceling the contract;
  - (xiv) Application of the law of Sri Lanka to the contract;
  - (xv) Retention Money;
  - (xvi) Action to be taken in respect of printing mistakes and other matters;
  - (xvii) *Cancellation.*— In every written contract a suitably worded clause shall be inserted to ensure that the Council shall be entitled to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation:-
    - a. If the Contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or for bearing to do any action in relation to obtaining or the execution of any Council contract;
    - b. If the contractor shall have shown favor or disfavor to any person in relation to any Council contract;
    - c. If the acts described in (a) and (b) shall have been done by any person employed by the contractor or acting on his behalf (whether with or without the knowledge of the contractor);
    - d. If in relation to any contract with the Council the contractor or any person employed by him or acting on his behalf shall have committed any offence under the Bribery and Corruption Acts;
    - e. If the Contractor shall become bankrupt, having made an arrangement with the creditors, go into liquidation etc;
    - f. If the Technical officer certifies that the contractor-

- (1) has abandoned the contract,
- (2) has failed to commence the work,
- (3) has failed to proceed with the works with due diligence,
- (4) has fail within a reasonable period to pull down replace work after being instructed to do so,
- (5) is not executing the works in accordance with the contract.

A Para using suitable words shall be included in many written contract, empowering the Council to cancel the contract, and to recover all the losses resulting in such a cancellation from the contractor

(12) The following particulars shall be contained in a contract;

- (i) Letter of awarding the contract;
- (ii) Approved tender;
- (iii) Minutes of the discussion made in terms of By-Law No 10(E);
- (iv) Special conditions, specifications and plans;
- (v) Bill of quantities with rates;

(13) While executing the contract, if the additional works does not exceed 10% of the contracted amount that may be executed on the approval of the Chairman. (Action shall be taken by the Chief Officer, to obtain financial allocation in items of the Urban Council Ordinance);

(14) When calling tenders for contracts, evaluation of tenders awarding of tenders entering into agreements, and making payments, the instructions of the institute of construction Training & Development may be followed;

(15) When executing contracts if additional work has to be done in excess of 10% of the contracted amount, the approval of the council shall be obtained;

(16) *Price escalation.* - Price escalation may be considered after expiry of a year of awarding the contract and when an extensions are granted for some incidents occurred beyond the control of the contractor (such as civil war, floods and earth quake etc.) The Council may decide the payment of charges due to increase in prices on the recommendation of the Chief Urban Accountant and the Chief Urban Technical officer.

Interpretation;

The word "Technical officer" refers to any Technical officer engaged by the Kinniya Urban Council.

"The Chief Officer" refers to the person in charge of the Department which is responsible for the work.

## PART VI

### BY-LAWS RELATING TO THE OBTAINING OF RETURNS

1. When the Kinniya Urban Council, in terms of the powers vested in it, impose a tax on any business establishment or a license duty on Hotel, Restaurant or Lodging House Registered in the Tourist Board of Sri Lanka under Tourist Development Act, No 14 of 1968 by a resolution and the notification of which is published in the *Gazette of Socialist Republic of Sri Lanka*, the Chairman shall cause a notice to be issued to the business establishment, Hotel, Restaurant or Lodging House directing to furnish the details of the gross takings derived from such business or Hotel or Restaurant or Lodging House for a specified period stated in such notice or any other information or statement in order to compute the tax recoverable from such business undertaking or the license duty revisable on such Hotel.

2.

- (a) The Proprietor or the Manager of the business Hotel, Restaurant or Lodging House on whom a notice has been served under by-law I shall submit correct and accurate details specified in such notice within 14 days on the receipt of the notice, to the Chairman.
- (b) The Chairman or an officer authorised by him in writing shall have right to enter such place and inspect all documents relating to the receipts of that business, Hotel, Restaurant or Lodging House to ascertain that the details submitted by the proprietor or the Manager of the Hotel, Restaurant or Lodging House are correct and accurate.

The Proprietor or the Manager of that business, Hotel, Restaurant or Lodging House shall permit the Chairman or the officer so authorised by him to inspect such documents and to give them assistance in every respect.

In these by-laws, the Proprietor means in case of an individual business, the owner of that business, in case of partnership, the managing partner or all the partners, in case of a limited liability Company (Public or Private) the Managing Director, General Manager or any other person entrusted with the responsibility of management of such Company. This interpretation shall apply in case of a Hotel, Restaurant or Lodging House.

3. Any person who refuses to accept the notice served on him under by-law 2 or fail furnish correct information required by such notice or furnish incorrect information or a part of the information required, shall be guilty of a punishable offence and if convicted by a Magistrate who has jurisdiction within the Kinniya Urban Limits, shall be liable to pay a fine not exceeding Seven hundred and Fifty Rupees for the first offence and a fine not exceeding One Thousand Rupees for the second or subsequent offence and after conviction, an additional fine not exceeding Two Hundred and Fifty Rupees for each day of failure of furnishing such information to the Chairman. In addition to the fore-going punishments, the Magistrate may direct the person concerned to furnish the required information to the Chairman within a period, the Magistrate may think reasonable.

*Interpretation:*

“Chairman” means the Chairman of the Kinniya Urban Council.

“Total receipts” means the whole amount of money received or to be received for the services rendered when running the business, Hotel, Restaurant or Lodging House from the transactions with regard to such business, Hotel, Restaurant or Lodging House. But does not include the service charge paid by the customers for the services rendered by the employees of such Hotel, Restaurant or Lodging House.

#### PART VII-BY LAW RELATING TO THE REGISTRATION OF MORTGAGES

1. It shall be lawful for every mortgage of any immovable property situated within the urban council limit, or for his heirs or anyone of them or the legal representative of such mortgage if deceased, to cause any such mortgage to be registered at the Urban Council and every person holding any such mortgage and desiring to have it registered, shall either by himself or by his agent furnish to the Council with his name and address and with the name and address of the owner or mortgage of the property so mortgaged, together with any other particulars connected with its description or otherwise, necessary for the proper identification of the property. Thereafter, upon the payment of a fee as may be approved by the Council from time to time be paid by such person, the Chairman shall cause the aforesaid particulars to be entered in the book kept for that purpose in the office of the Council.
2. Every such register shall at all times, during the office hours of the Council be opened to the inspection of any person desiring to have such inspection on the payment of a fee approved by the Council from time to time.
3. In the event of any property concerning of which any such mortgage shall have been registered as provided in by-law I being seized in distress under Section 160 of the Urban Council Ordinance (Chapter 255), the Chairman shall, at least 14 days before advertising such property for sale under the said Ordinance, deliver by registered post or by hand (after placing their signatures) to the party who shall have registered such mortgage, notice in writing of the said seizer and of the amount of arrears of taxes, for realization of which such property shall have been seized.

4. It shall be lawful for any such mortgage or for his heirs or anyone of them or for his legal representative to pay the Council at any time before the scale of any property seized as mentioned in the by-law<sup>3</sup>, all arrears of taxes or the arrears in respect of which the seizure shall have been made, due by the owner of mortgage of such property and upon such payment being made the property shall be released from seizure.
5. The register of the registration of mortgage mentioned in the by-law [i] shall be prepared and maintained as per the Schedule hereto.

#### SCHEDULE MENTIONED IN THE BY-LAW V11

##### The Register of Registration of Mortgage

Address	Details of Property		Amount Paid	Date of Payment	Reference of the Land Registration office	Initials of Accountant	Exemption of Mortgage		Other Particulars	No.	Date of Registration	No. of Mortgage Bond	Name of Notary Public	The Name of the Person to whom the Mortgage was made	Address	The Name of the Owner of the Mortgage
	Ass. No.	Situation					Date	Initials of Accountant								

#### PART VIII – BY LAWS RELATING TO REGISTRATION OF NAME AND ADDRESSES OF OWNERS OF LAND AND BUILDINGS

1. Every owner of any land or building situated within the Kinniya Urban limits shall furnish to the Council.
  - (1) An abstract of title deed in the form set out in the Schedule hereto in respect of such land or building certified by a Notary Public; and
  - (2) A statement setting out;
    - (a) The assessment number, name of the street and description of such land or building.
    - (b) the meters & boundaries of such land or building and a survey plan and other particulars as may be necessary for identifying the same
    - (c) The date on which his possession for such land or building commenced.
    - (d) his full name and address
    - (e) Where he is co-owner, the full name and address of each co-owner, if they seek to register their names.
    - (f) a true photocopy of the deed Statement shall be submitted to the Council.

2.

- (1) Where there is a change in any of the particulars furnished in pursuance of by-laws, in respect of any land or building, the owner shall within three weeks of the date of occurrence of such change, furnish full particulars of such change to the Chairman.
- (2) In the event of a change of ownership of any land or building situated within urban limits, it shall be the duty of the new owner of such land or building to furnish to the Chairman within three weeks of such change, in the manner herein before provided, an abstract of title deed in respect of such land or building.
- (3) In the event of a variation of the name of Grantor in the abstract of title deed to the name set out in the assessment register maintained by the Urban Council, it shall be furnished a pedigree for a maximum period of 35 years which shall be certified by a Notary Public and be prepared under the register of office of Land Registration.

3.

- (1) The Chairman shall, in such manner as he may think fit, maintain a register of lands and buildings showing in respect of each land or building;
    - a. The assessment number and name of the of the street where such land or building is situated.
    - b. the name and the address of every person claiming to be the owner or a co-owner of such land or building; and
    - c. The date on which such person's possession is claimed to have commenced.
  - (2) "When an application has been received for the registration of land/building, if any other person has been registered for the same land/building. On such, an instance the Chairman shall sent the Registered Owner an intimation regarding the applicant who made the application of registration. If an objection in writing is not received within 14 days, by the Chairman, it shall be informed that action will have to be taken to register from the proposed registered property. If an objection is received, the Chairman shall cause an inquiry and take action.
  - (3) Where there are conflicting claims as to the ownership of any land or building by two or more parties, the names of all such parties shall be entered in the register as disputing claimants, until proof to the satisfaction of the Chairman, is furnished by that one of the parties on a judgment given by a court of competent jurisdiction to be the legal owner of such land or building.
4. Every person who furnished a statement of particular under by-laws 1 or 2 shall pay a registration fee prescribed by the Council by Resolution in respect of each land or building on which as a separate entry is required in the register.
  5. The register maintained under by-law 3, shall be opened at all reasonable hours to the inspection of any persons on payment of a fee prescribed by the Council for each unit of assessment if such person is neither the owner nor the occupier of such land or building comprising such unit of assessment.
  6. In these by-laws, unless the context otherwise requires "Owner" includes a co-owner.  
"Register" means the register maintained under by-laws.
  7. The council means Kinniya Urban Council

SCHEDULE

**Abstract of Title Deed**

	No of Deed
	Date
	Name of Notary Public
	Nature of Deed
	Grantor
	Grantee
	Boundaries and Extent
	Consideration
	Old Assessment Number
	Present Assessment Number
	Name of Street

PART IX-BY LAWS RELATING TO THE ACCOUNTANTS AND AUDITORS

1. Except under the authority of an annual license in that behalf issued by the Chairman, no person shall practice, within the Urban Council Limit, practice as an Accountant or Auditor or as an Accountant and Auditor under the Companies Act, No.17 of 1982.
2. Every license issued under these by-laws shall remain in force until 31<sup>st</sup> December of the year in respect of which it is issued.
3. No License shall be issued to any person under this part except upon the payment by that person to the Council such sum as may be approved by the Council from time to time.
4. Any person or persons who carries on a business contravening by-law 1 shall be guilty of an punishable offence and shall be liable to the following penalties, if such person or persons are convicted by a court of law which has jurisdiction within Kinniya Urban limits:
  - (a) To a fine not exceeding Rs. 750, for the 1<sup>st</sup> offence.
  - (b) a fine not exceeding Rs. 1,000 for 2<sup>nd</sup> offence.
  - (c) in the case of a continued contravention after conviction or after a written notice from the Chairman shall have been served on such person having drawn attention to said offence, he is liable to an additional fine not exceeding Two Hundred and Fifty Rupees (Rs.250) for each day continuing the contravention.

In these by-laws-

Chairman means the chairman of Kinniya Urban council  
Council” means the Kinniya Urban council.

## PART X - BY – LAWS RELATING TO THE MONEY CHANGERS

1.
  - (i). No person shall carry on the business of a money changer except under the authority of a license issued in that behalf by the Chairman.
  - (ii). Every license issued under this by-law shall expire on the thirty-first day of December of the year in respect of which it is issued.
2. No License under by-law 1 shall be issued to any person until he pay such license fee approved by the Council from time to time.
3. Any person who contravenes of any of these by-laws shall be guilty of an offence and if he is convicted in a court of law which has jurisdiction within Kinniya Urban Council limits, he shall be liable to the following penalties:
  - (a) To pay a fine not exceeding Rs. 750 for the 1<sup>st</sup> offence.
  - (b) a fine not exceeding Rs. 1,000 for 2<sup>nd</sup> offences.
  - (c) in the case of a continuing contravention, after conviction or after a written notice from the Chairman shall have been served on him having drawn attention on said offence, he is liable to pay an additional fine not exceeding Two Hundred and fifty Rupees (Rs. 250) for each day of continuing contravention.

In these by-laws-

“Chairman” means the Chairman of the Kinniya Urban Council.

“Council” means the Kinniya Urban council.

“Changing Money” means the change of foreign currency. Change of travelers’ cheques, change of exchange bills; change of promissory notes, and of local cheques.

## CHAPTER II

### PART I – BY LAWS RELATING TO THE LODGING HOUSES

1.
  - (1) No person shall use any house as a Lodging house except under the authority of a license issued in that behalf by the Chairman.
  - (2) Every license issued under paragraph (1) of this by-laws shall-
    - a. specify the number of single rooms and double in the house licensed as a lodging house and the number of lodgers to be accommodated in each such single room or double room; and
    - b. Expire on the thirty-first day of December of the year in respect of which it is issued.
2. Every application for a license under by-law I, shall be made substantially in the form (A) in the Schedule to these by-laws to the Chairman and shall be accompanied by a plan of the house to be licensed. Such plan must depict the internal arrangement of the house and indicate the bed rooms.
3. No person shall be entitled to a license under by-law 1 unless-
  - (a) he deposits with the Chairman certificates of good character obtained from three house-holders approved by the Chairman; and
  - (b) the house to be licensed is in conformity with the following conditions;
    - (i) The house must be substantially built and must be in good repair.
    - (ii) The Floor must be paved with bricks or cement or with lime concrete rendered with 1 inch of cement.
    - (iii) One side of each room intended for use as bed rooms should be at least 8 ft.



- (iv) The house must be provided with adequate drainage.
  - (v) The house must have adequate kitchen accommodation.
  - (vi) The house must be provided with sanitary dust bins of sufficient number and size to contain the refuse from the premises and sufficient bathing and latrine accommodation, such accommodation being not less than one latrine for every two persons for whose accommodation the premises are to be licensed.
  - (vii) The house must be provided with a pipe borne water supply form the town mains where available.
  - (viii) The area of a bedroom must be at least 90 sq.ft and such rooms must be provided with windows area of which shall be equivalent of 1/7 of floor area of the room for the proper ventilation.
4. Every licensee of a lodging-house shall keep affixed in a conspicuous position on the out side of that lodging house with his name and the words "licensed Lodging House" legibly painted thereon in Sinhala, Tamil, and English. He shall also keep affixed at a suitable place of that lodging house a board stating the number of persons permitted to sleep therein, in Sinhala, Tamil and English.
  5. No licensee of a lodging-house shall permit any person to sleep in any room, except in such rooms as are specifically set apart as sleeping rooms in the plan of the lodging-house which shall be attached to the license and signed by Chairman.
  6. No licensed of a lodging-house shall permit more persons to sleep in any room than the number specified by the Chairman in the licensed as the number allowed to sleep in that in that room.
  7. Where the Chairman has, by a notice in writing served on the licensed of a lodging-house, reduced for any reason stated in such notice, the number of persons permitted to sleep in any sleeping room in such lodging-house, the licensee shall not allow more persons that the number specified in the notice to sleep in such room.
  8. No licensee of a lodging-house shall permit males or females above ten years of age to occupy the same sleeping room except in the case of husband and wife or parents and children.
  9. No licensee of a lodging-house shall allow his premises to be occupied for immoral purposes. He shall maintain and enforce good conduct and decorum therein. If he is convicted by a trial instituted against him in contravention of this by-law or under the common law of the Country. It shall be lawful to cancel the license issued legally for that lodging-house.
  10. Every licensee of a lodging-house shall maintain a register of the name, occupation and address of each person occupying his premises.
  11. Every licensee of a lodging-house shall cause the windows of each of the sleeping rooms to be kept open to their full width for at least four hours each day, provided that the license shall not be required to cause any window to be opened or to be kept open when the state of the weather is such as to render it necessary that the windows shall be closed. These air-conditioned rooms too shall be provided with windows that can be opened.
  12. Every licensee of a lodging-house shall cause the internal wall and ceiling of every room to be lime washed or colour washed and the wood work to be painted or polished every year or when ordered by Chairman.
  13. Every licensee of a lodging-house shall cause every part of the lodging-house, its surroundings and drains to be kept in good repair, clean and free from effluvia arising from any drain, latrine, cesspit or other nuisance on the licensed premises. He shall cause the furniture, utensils and equipment to be kept in a clean and sanitary condition.
  14. every licensee of a lodging-house shall cause:-
    - a. Every room, passage, stair, verandah, drain and the land belonging to the premises to be swept at least once a day before noon and
    - b. All refuse, house waste or other offensive matter to be immediately placed covered receptacle made of zinc or galvanized i. on and to be removed from the premises daily. The receptacle shall always be kept covered except when refuse is being placed in it.

15. Where the latrine accommodation of a lodging house, in the opinion of the Chairman requires the services of a special Urban Labourer, the Chairman may require such license to pay a fee imposed by him for the use of the service of such a Labourer.
16. Where a system of water seal latrines is constructed, the licensee shall provide in the lodging house such number of water seal latrines as the Chairman may direct. All latrines in lodging house shall be water seal latrines. Such latrine shall be constructed as per the instructions given by a Public Health Inspector.
17.
  - (a) Where any workman employed in the lodging house is suffering from a infectious, contagious, coetaneous disease or a wound the licensee shall ensure that such a person is not employed in the lodging house.
  - (b) The licensee of such lodging house as is referred to in paragraph (1) of this by-law shall not receive any customer until the premises have been inspected and certified by the Medical Officer of Health or any of his assistants as free from infection.
  - (c) Each workman employed in a lodging-house shall be registered by the Chairman in the Urban Council and the Chairman shall issue an identity card with a photograph of each of them on recovering of a suitable charge. Also, the licensee shall refer each workman to the Medical Officer of Health or other qualified doctor and obtain from one of them a medical report before obtaining the license in each year.
18. It shall be lawful for the Chairman or any officer authorized by the Chairman or any Police Officer not below the rank of Inspector to enter and inspect any lodging-house and the license or the person in charge of such lodging-house shall permit him to enter and inspect such premises and shall render him all such assistance as may be necessary.
19. The Chairman shall keep a register of licensed lodging-house in form "B" in the Schedule to these by-laws.
20. Any person who contravenes of any of these by-laws shall be guilty of an offence and if convicted after a trial before a judge who has jurisdiction within the Urban Council limits, shall be liable to the following penalties :
  - (a) To a fine not exceeding Rupees seven hundred and fifty (Rs. 750.00) for 1st offence ; and
  - (b) A fine not exceeding Rupees one Thousand (Rs. 1,000.00) for 2nd subsequent offence ; and
  - (c) In the case of continued contravention, after he has been convicted or after a written notice from the Chairman shall have been served on him having drawn attention on such contravention, to pay an additional fine not exceeding Rupees Two Hundred and Fifty (Rs. 250.00) for each day of continuing the contravention.
21. On a second or subsequent conviction of a licensee for the contravention of any of by-law, the license of such licensee may be cancelled by the Chairman.

*Interpretation:-*

In these by-laws,

"The Chairman" means the Chairman of the Kinniya Urban Council ;

"Lodging House" means a house or a part of a house in which on a payment, lodging is provided for two or more persons who are not members of the same family but does not include a hospital or a rest house ;

"Single room" means a room in which only a single bed is provided.

**Form "A"**

**APPLICATION FOR REGISTRATION OF A HOUSE AS A LODGING-HOUSE FOR  
WHICH A RENT TO BE CHARGED**

I, the undersigned, hereby make application to have the under-mentioned premises registered as a fees living lodging-house under the By-laws adopted under the Urban Council Ordinance (Chapter 252)

**To the Chairman Kinniya Urban Council,**

Name of Applicant : .....  
Address : .....  
Day.....of.....20....  
Situation of the premises sought to be registered as a living lodging-house .....  
The number of floors to be used as a fees living lodging-house.....  
The number of single rooms set apart for lodgers (cubic capacity).....  
The number of double rooms set a part for lodgers (cubic capacity).....  
Signature and date of Applicant:- .....

**Form "B"**

**FORM OF LODGING-HOUSE REGISTER**

Date : .....  
Registration No : .....  
Situation of Lodging-House and Street No. thereof : .....  
Number of Bed Rooms:- Single Rooms:.....  
Double Rooms:.....  
No. of Kitchens:.....  
No. of Latrines:.....  
Capacity of Cesspit and Number (Length x width x height) : .....  
Nature of Water Supply : .....  
Maximum Number of Lodgers which can be received : .....  
Name of the Keeper : .....  
Signature of the Registering Officer : .....

**BY-LAWS RELATING TO THE BAKERIES**

**PART II**

1. In these By-laws "Bakery" means and includes any building or part of a building for any process connected with the baking of bread, making of cakes, buns, biscuits and food baked with flour for sale. Provided however, that the term "bakery" shall not be deemed to include—  
(a) any private residence or any other place where any process connected with the baking of bread or the making of cakes or of biscuits takes place not for sale but for the purpose of consumption on the premises.
2. No person shall, within the limits of the Kinniya Urban Council area keep and bakery without an annual license obtained from the Chairman. The Chairman shall issue license to all persons complying with the conditions provided for the issue of such license. Every such license shall remain in force until December 31st of the year in respect of which such license is issued, unless it shall have been previously cancelled as provided in By-Law No. 09 or 10.
3. No License shall be transferable and every such license shall be subjected to such fees as the Council imposes.

4. No person shall be entitled to a license to keep a bakery unless the premises to be licensed comply with the following conditions :
  - (a) That the site has been approved by the Chairman ;
  - (b) The premises is in good repair and well ventilates and well lighted and that every room is provided with windows capable of being opened, the area of which when open shall be not less than one-fifteenth of the superficial floor space of the room ;
  - (c) That the average height of every room is not less than 3 meter and the height in each place shall be more than 2 meters and the walls are built of brick, concrete, stone or cabook with the inside thereof lime-washed ;
  - (d) That all eaves shall be at least 1.8 meters above the ground ;
  - (e) That the roof is made of some permanent material ;
  - (f) That all the wood work is painted ;
  - (g) That the entire floor area shall be cemented ;
  - (h) That the premises are provided with adequate surface drainage ;
  - (i) That the premises are provided with a pipe borne or well supply of drinking water ;
  - (j) That the premises are provided with fire extinguishers to overcome fire accidents.
5. All notices in connection with the licensed premises or the licensed bakery shall be deemed to have served on the licensee when left with any person employed in the licensed premises or when affixed at such premises.
6. The licensee shall comply with the lawful requirements of any notice served on him by the Chairman within the period stated in such notice or if no such time is stated in the notice then within seven days from the service of such notice.
7. It shall be lawful for the Chairman or any officer of the Council generally or specially authorized in writing thereto by the Chairman, at all reasonable times to enter upon and inspect any licensed premises and to inspect any furniture, equipment, vehicle or utensil which is used or appears to be used for the purpose of a bakery.
8. Every licensee shall during the period of license, keep his premises, furniture and equipment in conformity with the conditions on which the license was issued.
9. On a second or subsequent conviction of a licensee by court for breach of any by-law relating to his licensed premises, such license shall be liable to cancellation by the Chairman.
10. If at any time during the period for which a license has been issued, the licensed premises cease to be conformed to the conditions laid down for it is issued. The Chairman may notice the licensee to do all things necessary to make the premises conform to such conditions and if the licensee fails to comply with the requirements of the notice, the Chairman may suspend or cancel the license.
11. Every licensee of a bakery shall keep affixed in a conspicuous position on the outside of his premises, a board with his name and the words “Licensed Bakery” in Sinhala, Tamil and English legibly painted thereon.
12. Every licensee of a bakery shall cause a copy of these regulations in Sinhala, Tamil and English and the license to be framed and hung in a prominent place in the licensed premises and shall also cause a list of the names and addresses of all employees (including the vendors of bread) to be kept in the bakery so as to be available for inspection at all reasonable times by the Chairman or any person authorized by him. Also, all employees of the bakery shall be registered in the urban office and such employees shall be made to be subjected to a medical check-up at least once a year and a medical report shall be submitted to the Chairman.
13. Every licensee of a bakery shall cause the walls of every room forming part of the bakery to be lime-washed twice a year in the months of June and December. The ceiling if not painted, it shall be painted four times a year in the months of March, June, September and December, the wood-work to be painted at least twice a year or at any other time so ordered by the Chairman in writing.

The roof of the rooms of kneading flour and storing flour shall be constructed with a ceiling.

14. Every licensee of a bakery shall cause the floor and the bricked or cemented portions of the walls and the tops of the tables to be washed every day. He shall cause every part of the bakery, its surroundings, drains, furniture utensils and equipment used in the making of bread to be kept in good repair, clean and free from effluvia arising from any drain, latrine, cesspit or other nuisance on the licensed premises. He shall cause all trade and domestic refuse to be immediately placed in an impervious covered receptacle which shall be removed from the bakery and cleaned once a day. The receptacle shall always be kept covered except when refuse is being actually placed therein.
15. Every licensee of a bakery shall use for the manufacture of bread good and wholesome flour, water and other materials. He shall store flour on a movable platform constructed in the manner herein specified and in a room with adequate ventilation set apart for the purpose and rendered flu-proof.  
The Platform shall be of any convenient length and breadth consisting of a single layer of stout plants supported on legs 30 centimeters high. The legs of the platform should not be permanently fixed in the floor. The edges of the planked top should stand out 23 centimeters away from the frame underneath, so as to prevent rats crawling up the legs and round the edge of the planked top. The platform shall be so constructed that there are no shelves or recesses under the planked top to provide harbour for rats.  
  
The platform should be a movable one, so that it may be lifted away from the position and the floor underneath may be cleaned. It should be placed at least 23 centimeters away from the wall. He shall keep the space beneath and around the platform free from all obstruction.
16. Every licensee of a bakery shall provide a sanitary dust bin to be kept on the licensed premises.
17. Every licensee of a bakery shall keep the bakery free from rats and shall cause all rat holes to be filled up with broken pieces of glass and shall plastered then with cement as soon as found.
18. No Person shall on any pretext whatsoever keep any animal or bird in a bakery.
19. No person shall spit within the bakery.
20.
  - (a) No person suffering from or who has recently suffered from any infections, contagious or loath some disease or has been recently in attendance on any person suffering from any such disease shall enter the licensed premises or take part in the manufacture of sale of any bread therein or engage in the transport of any bread there from.
  - (b) No licensee of a bakery shall connive at or knowingly permit the contravention by any person of the provision of the above By-Law 20 (a).
21. No licensee of a bakery shall or keep or allow to be stores or kept in the room where bread is prepared or in which the materials for making bread are stored any furniture. Cloths, sleeping mates or any articles other than those used in the manufacture of bread.
22. No licensee of a bakery shall use or allow to be used as a sleeping place, any place on the same floor of the bakery or forming part of the same building, unless such place is effectually separated from places where bread is prepared or stores or in which the materials there of are stored by a partition extending from the floor to the ceiling and unless such sleeping place is provided with an external window the area of which when opened shall be not less than one-fifteenth (1/15) of the superficial floor space.
23. All persons employed in the preparation and making of bread shall wash their hands before engaging in the process of making bread and shall wear clean white aprons covering the chest and body and a clean white cap or turban and a mask.

24. Every license of a bakery shall provide clean water, clean towels, nail brushes, and soap and keep them soap to be easily accessible to those engaged in the manufacture of bread. When making the bread, the persons who are employed in the process shall not smoke or chew of betel or any other thing within the bakery.
25. No cooking shall be done on the premises except in oven of the bakery or in a kitchen of not less than 7 squares meters and provided with an efficient smoke sent.
26. Every license of a shall cause to be fixed in a conspicuous place in the licensed premises a beam and scales with standard weights and if required by any purchaser, shall weigh any bread sold or exposed for sale in the said premises.
27. No licensee of a bakery shall allow any person to transport bread from his bakery for sale unless such person holds a card of registration signed by the Chairman and by the licensee of the bakery. The licensee shall keep a register of those to whom be issues cards and shall notify the Medical officer of Health if any change in the person using the cards.  
 If bread is transported, a covered box shall be used.
28. Any person who contravenes any of these by-laws shall be guilty of an offence and if he is convicted after a trial in a court of law which has jurisdiction within the Kinniya Urban Limits, such person shall be liable to he following penalties-
  - (a) To a fine not exceeding Seven hundred and fifty Rupees (Rs. 750,00) for first offence;
  - (b) A fine not exceeding one Thousand Rupees (Rs. 1,000) for second subsequent offence.
  - (c) In the case of a continuing contraventions after he has been convicted or after a written notice from the Chairman, shall have been served on such person having drawn attention on said contravention to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.
29. *Interpretation.*-In these by-laws Chairman means the Chairman of the Kinniya Urban Council "Council" means the Kinniya Urban Council. "Medical Officer of Health" means the Medical officer of health of Kinniya Urban Council.

#### BY-LAWS RELATING TO THE OVERCROWDING OF TENEMENTS - PART III

1. Whenever there shall be found at any time to be in any building a large number of persons than should in the opinion of the Medical Officer of Health, be found to be dwelling there, it shall be Lawful for such Medical Officer of Health to order the departure from such building of the number of persons in excess of the number which in the opinion of such Medical Officer should be found dwelling there, and if at any time after the giving of such order there shall be found in any such building, any number of persons in excess of the number who should be found dwelling there, the owner of such building shall be guilty of an offence.
2.
  - (1) If it shall appear to the Medical Officer of Health that any building used as a dwelling is overcrowded as to endanger the health of in mates thereof, he may apply to a judge who has jurisdiction within Urban Council limits to prevent such overcrowding and the said judge after such inquiry as he thinks fit to make, may by written order, require the owner of the building within a reasonable time not exceeding six weeks to be prescribed in the said order to abate the overcrowding thereof by reducing the number of lodgers, tenants, or other inmates of the said building or may pass such other orders as he shall deem just and proper.
  - (2) If the owner of the said building shall have rented out that building or the tenants shall have sub-let the same the landlords of the lodgers, tenants or other actual inmates of the same shall, for the purpose of this section, be deemed to by the owner of the building.
  - (3) It shall be incumbent on every tenant, lodger, or other inmate of the building to vacate on being required by the owner so to do in pursuance of any such requisition.

3. Any person who contrivance any of these by-laws shall be guilty of an offence, on convicted by a trial before a judge who has jurisdiction within Kinniya Urban limits, shall be liable to the following penalties.

(a) To a fine not exceeding Rs. 750,00 for the 1<sup>st</sup> offence;

(b) A fine not exceeding Rs. 1,000 for second subsequent offence;

(c) In the case of a continuing contravention after he has been convicted or after a written notice from the chairman shall have been delivered to such person, having drawn attention on such continued contravention to pay a further fine not exceeding Rs. 250 for each day of continuing of such contravention.

*Interpretation:*

“Medical Officer of Health” means the Medical Officer of Health of the Kinniya Urban Council or the Officer acting on his behalf.

“Urban area” means the Urban Council’s limits.

“Lessee” means the lessee, tenant or such lessee of any building.

BY-LAWS RELATING TO PUBLIC BATING PLACES - PART IV

1. Every well, the water of which is used for bathing purposes and is opened to the public, shall have a protecting wall of height of not less than seventy five (75) centimeters and be cemented outside the said wall for a depth of sixty centimeters below the surface of the ground.
2. The ground immediately surrounding every such public well shall be so sloped and paved as to allow the water to run down into a built drain leading to a proper outlet without soaking into the ground.
3. No person of one sex shall bathe, wash, or any way use of the water at any such public well or at any place set apart by the Council as a bathing place for the use of persons of the other sex.
4. The tubs used for bathing at such public well as aforesaid shall be painted at least once every half year and daily cleansed.
5. No person suffering from scabies (itch) or any other infections or contagious disease or who has recently recovered there from shall bathe, wash, or in any way use of the water at any such public well or at any place set apart by the Council as a bathing place.
6. It shall not be lawful for any person to wash or cause to be washed any cattle, horse, goat, pig, sheep, sag or any other animals or any clothes, mats or other things at or near any such public well or any place set apart as a bathing place or to lead, drive or take any such animal into any such bathing place for any purpose whatsoever.
7. No person shall commit a nuisance by obeying a call of nature at or near any such public well or at any place set apart by the Council as a bathing place.
8. Any public bathing place shall not be closed without the permission of the Chairman.
9. The owner or lessee of any such public well shall himself comply with the requirements of the foregoing by laws and shall not permit any infringement of the same.
10. Under any reason, no person shall pollute the water in a public well.

11. Contravention of any of these by laws shall be a punishable offence and if the relevant person is convicted after a trial instituted against him before a judge who has jurisdiction within Urban Council limits, shall be liable to the following penalties :—

- (a) To a fine not exceeding Seven hundred and fifty rupees (Rs. 750.00) for the first offence.
- (b) A fine not exceeding One thousand rupees (Rs. 1,000) for the second subsequent offence.
- (c) In the case of a continuing contravention after he had been convicted or after a written notice from the Chairman shall have been served on such person, having drawn attention to the said contraventions to pay additional fine not exceeding two hundred and fifty rupees (Rs. 250) for each day of continuing.
- (d) Where a well is closed, the judge may order that such well shall be opened.

Interpretation:

In these by-laws;

“Council” means the Kinniya Urban Council

“Chairman” means the Chairman of the Kinniya Urban council’s.

“Public bathing place” means the bathing places maintained by the Kinniya Urban Council.

#### BY-LAWS RELATING TO THE CATTLE MART, DAIRIES-PART V

1. The term “Urban Council Dairy” shall mean and include the Cattle Quarantine Station and the Cattle Mart. The term “Superintendent of the Urban Council Dairy” shall mean the officer appointed by the Chairman for the purpose of these by-laws.
2. No person other than a dairyman or milk vendor registered under the Ordinance shall removed milk from the Urban Council Dairy.
3. No person other than a registered dairyman or milk vendor shall engage in the milking of cattle or the handling of milk vessels within the Urban Council.
4. No person shall be registered as a dairyman or a milk vendor or an employee unless he has been passed by the city of Microbiologist or Medical Officer of Health as free from infections, contagious or loathsome disease.
5. No person shall be engaged in the milking of cows or the handling of milk vessels unless his person and clothing are clean.
6. No milking of cows within the Urban Council dairy shall be done except at such times and in such places as shall be directed by the Superintendent of the Dairy.
7. No milk vessels, except such as are approved by the Superintendent of the Dairy, shall be kept or used within the dairy.
8. All milk drawn within the Urban Council Dairy shall be taken direct from the milking place to the milk room within the dairy and shall be there strained in the presence of any officer under the Superintendent.
9. No cream shall be removed from, nor shall any water or other adulterant be added to any milk within the dairy.
10. As per the recommendation of the Veterinary Surgeon, Vaccination shall be carried out for all animals within the Dairy for the of infections diseases.



11. Any person who contravenes any of these by-laws shall be guilty of an punishable offence and shall be liable to following penalties if convicted after a trial in a court of law which has jurisdiction within the Kinniya Urban limits:
- (a) To a fine not exceeding Seven hundred and fifty rupees (Rs. 750) for the first offence.
  - (b) A fine not exceeding one thousand rupees (Rs. 1,000) for the second subsequent offence.
  - (c) In the case of a continuing contravention after he had been convicted or after a written notice from the Chairman shall have been served on such person, having drawn attention to the said contraventions to pay additional fine not exceeding two hundred and fifty rupees (Rs. 250) for each day of continuing.
  - (d) On the second or subsequent conviction of the Licensee, for the contravention of this by-law, he shall be liable to the cancellation of his license.

Interpretation:

“Council” means the Kinniya Urban Council.

“Chairman” means the Chairman of the Kinniya Urban council’s.

“Superintendent of the Dairy” means the officer in charge of the Dairy who is appointed by Kinniya Urban Council.

BY-LAWS RELATING TO THE HOTELS-PART VI

1.
  - (i). No person shall keep a hotel except on a license issued in that behalf by the Chairman.
  - (ii). Every license issued under paragraph (1) of this by-law shall, unless earlier cancelled under by-law 22, expire on the thirty first day of December, of the year in respect of which it is issued.
2. No person shall be entitled to a license to keep a hotel unless the premise to be licensed is in conformity with the following conditions :-
  1. The premises must be substantially built and must be in good ventilated and well lighted and provided with windows capable of being opened, the area of which when open must be not less than one-fifteenth of the superficial floor space and every room must have a minimum superficial area of eleven square meters.
  2. The walls of every room in every part must be not less than 3 meters in heights and must be lime washed.
  3. The all eaves must be at least 1.8 meters from the ground.
  4. The roof must be made of some permanent material.
  5. The wood work is painted.
  6. The ground floor must be cemented throughout.
  7. The premises must be provided with adequate drainage.
  8. The premises must be provided with sanitary dust-bin of sufficient number and size to deposit the refuse from the hotel and with such bathing and latrine accommodation as is sufficient to meet all sanitary requirements, such latrine accommodation must consist of at least one separate latrine for every two persons for whose accommodation the premises is to be licensed.
  9. The premises must be provided with a suitable supply of water and the supply of the drinking water and the bathing accommodation must be so arranged as to preclude the pollution of the drinking water by the persons bathing.
  10. The premises must have a separate room set apart as a Kitchen with an efficient out let for smoke.
  11. The premises shall be provided with sufficient fire extinguishers and fire staid requirement.

3.

- (i) If at any time during the period for which a license has been issued in respect of any hotel, any building used for the purposes that hotel ceases to conform to the provision of by-law 2, the Chairman may cause a notice to be served on the licensee of the hotel requiring him to do, before a date specified in the notice all things necessary to make such building conform to such provisions.
- (ii) No licensee of a hotel on whom a written notice is served under paragraph (1) of this by-law shall fail to comply with such notice within the time specified therein.
- (iii) Any notice under paragraph(1) of this by-law shall be deemed to have been served on the licensee if it is affixed to the premises at which the licensee carries on the business of the hotel or if it is left with any person employed in such premises by the licensee.

- 4. Every licensee of a hotel shall cause copy of these by-laws relating to hotel in Sinhala, Tamil and English and that license to be framed and hung in a prominent place in the hotel. He shall keep on the licensed premises a list of the names and addresses of all his employees so as to be available for inspection at all reasonable times by the Chair Man or any person authorised by him.
- 5. The Chairman shall cause a plan of the licensed premises to be attached to every licenses for a hotel and shall show on such plan of the sleeping rooms and the number of persons permitted to sleep in each such room being more than four square meters of the floor area of such room (two children under ten years being counted as one person for the purposes of these by-laws).
- 6. No licensee of a hotel shall permit any person to sleep in the hotel except in one of the rooms specified set apart as sleeping rooms in the plan of the hotel attached to the license.
- 7. No licensee of a hotel shall permit more persons to sleep in any room than the number of specified in the plan.
- 8. Every licensee of a hotel shall keep a register of the name, occupation and address of each person occupying the licensed premises.
- 9. Every licensee of a hotel shall cause the windows of each the sleeping rooms to be kept open to their full with for at least four hours each day :  
 Provided that the licensee shall not be required to cause any window to be opened or to be kept open when the state of the weather is such as to render it necessary that the windows shall be closed.
- 10. Every licensee of a hotel shall cause the internal walls and ceiling of every room to be lime-washed and the wood-work to be painted or polished once each year or when ordered by the Chair Man.
- 11. Every licensee of a hotel shall cause every part of the hotel, its surrounding and drains to be kept clean and good repair and free from effluvia arising from any drains, latrine, cesspit or other nuisance on the licensed premises. He shall cause the furniture utensils and equipment on such premises to be kept in a clean and sanitary condition
- 12. Every licensee of a hotel shall cause every room, passage, stair, veranda, drain and the land belonging to the licensed premises to be swept at least once a day before room.
- 13. Every licensee of a hotel shall cause all garbage, house refuse, or other offensive matter to be immediately placed in an impervious covered receptacle made of zinc or galvanized iron and to be removed from the licenced premises daily. He shall keep such receptacle always covered except when such garbage, house refuse or other offensive matter is being actually placed in such receptacle.
- 14. Every licensee of a hotel shall cause all cooked food to be kept in such manner as to be inaccessible to the flies and other insects.

15. No licensee of a hotel shall admit to the licensed premises any person suffering from any infection, contagious or cutaneous disease.
16. If any person in a hotel becomes ill from any infection or contagious disease, licensee of such hotel shall forthwith give notice of the fact to the public Health Inspector in whose division the hotel licensee situated or to the Chairman and such licensee shall cause such person from the hotel to be vacated, if so required by the Chairman and shall allow the bedding , clothing and other article used by the infected person to be disinfected or if necessary to be destroyed and the hotel to be fumigated , disinfected and lime-washed at the public expense in such manner as the Chairman may direct
17. [i] No licensee of a hotel where a cause of an infection or contagious disease has occurred, shall receive any customer, until the licensed premises has been inspected and certified by the Chairman as free from infection  
[ii] All employees engaged in the business of the hotel, shall be registered with Urban Council office and the Chairman shall issue to such person an identity card with a photograph of each of them by recovering suitable fee Also, the licensee shall refer them to the Medical officer of Health or other prominent doctor and shall obtain a medical report from on them in each year before obtaining of the license
18. No licensee of a hotel shall allow animal to be kept within the hotel.
19. Every licensee of a hotel cause the licensed premises to be kept free from rats and shall fill all rat holes with broken glass and plaster such holes with cement as soon as he discovers them.
20. [i] if shall be lawful for the Chairman of any officer of the council generally or specially authorized in writing by the Chairman at all reasonable times to enter and inspect any hotel  
[ii] The licensee or the person in charge of the hotel shall permit the Chairman or any officer authorized by the Chairman in writing to enter and inspect the premises and shall render the Chairman or such officer all such assistance as may be necessary.
21. Any person who contravenes any these by-laws shall be guilty of punishable offence and if convicted in a court of law which has jurisdiction within the U.C limits, shall be liable to the following penalties.
  - (a) To fine not exceeding Seven hundred and fifty rupees (Rs.750.00) for the first offence.
  - (b) To fine not exceeding one thousand rupees (Rs.1,000) for the second subsequent offence
  - (c) In cause of a continued contravention, after has been convicted or after a written notice from the chairman shall have been served on such person having drawn attention on said contravention to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs.250) for each day of continued the contravention.
22. On the second or subsequent conviction of the licensee for the contravention of these by-laws, the Chairman may cancel the license of such licensee

Interpretation :

In these by- laws:

“Chairman” means the Chairman of the Kinniya Urban Council

“Licensee of a hotel” means the owners or the Manager of a hotel or other person who is responsible for it management.

“Hotel” means the people in which food with lodging, accommodation is provided to the foreign and local visitors.

PART VII

By laws relating to the Eating House, Restaurants, and Tea and coffee Boutiques

1.
  - (1) No person shall establish or carry on the business of an eating house, or restaurant or a tea and coffee boutique except on a licensee issued in that behalf by the Chairman
  - (2) Every licensee issued under paragraph (1) of these by-laws shall, unless earlier cancelled under by-laws 25, expire on the thirty first day of December of the year in respect of which it is issued.
2. No person shall be entitled to a licensee to keep an eating-house or a restaurant or a tea and coffee boutique unless the premise to be licensee is in conformity with the following conditions.
  - (1) The premises shall be in good repair and well ventilated and well-lighted, and every room shall have a minimum superficial area of eleven square meters and shall be provided with windows capable of being opened, the area of which when open shall be not less than one-fifteenth of the superficial floor space. There shall be a floor area of at least 11 square meters with regard to Tea and Coffee Boutiques.
  - (2) The walls of every room in every part shall be not less than two meters in height, and shall be built of brick, stone, or cabock with the inside there of lime-plastered and lime-washed.
  - (3) The eaves shall be at least 1.8 meters from the ground.
  - (4) The roof shall be made of some permanent material.
  - (5) The wood work shall be painted.
  - (6) The floor shall be cemented throughout and walls shall be lime washed or painted.
  - (7) That place shall be provided with the facilities drainage system dust, bin and adequate latrines.
3.
  - (1) If at any time during the period for which a license has been issued in respect of any eating-house, restaurant or tea and coffee boutique, any building used for the purpose of that eating-house, restaurant or tea and coffee boutique ceases to conform to the provision of by-laws 2, the Chairman or any other person authorised by him may cause a notice to be served on the licensee of the eating-house, restaurant or tea and coffee boutique requiring him to do, before a date to be specified in the notice, all things necessary to make such building conform to such provision.
  - (2) No licensee on whom a written notice is served under paragraph 3(1) of these by-law shall fail to comply with such notice within the period specified therein.
  - (3) Any notice under paragraph 3 (1) of these by-law shall be deemed to have been served on the licensee if it is affixed to the premises at which the licensee carries on the business of the eating-house, restaurant, or tea and coffee boutique, or if it is left with any person employed in such premises by the licensee.
4. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall keep affixed in a conspicuous position on the outside of these premises a board with his name and the word "Licensed Eating-house" or "Licensed Restaurant" or "Licensed Tea and coffee Boutique" legibly painted therein in Sinhala, Tamil and English.
5. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall cause a copy of these by laws relating to eating-houses restaurants and tea and coffee boutiques in Sinhala, Tamil and English and the licensee to be framed and hung in a prominent place in such premises.

6. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall cause the walls of every room forming part or, the licensed premises to be lime-washed or painted twice every year in the months of June and December. The ceiling to be lime-washed or painted four times a year in month of March, June, September and December. The wood-work to be painted or polished every year or when ordered by the Chairman in writing.
7. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall cause every part of such premises, the surroundings and drains, to be kept clean and in good repair, and free from effluvia arising from and drain, latrine, cesspit, or other nuisance on the licensed premises. He shall cause the furniture, utensils and equipment used in the preparation, sale or consumption of food or drink to be kept in a clean and sanitary condition.
8. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall cause all utensils used in the preparation, sale and consumption of food or drink to be washed with soap and water at least once in twenty four hours. All utensils used for cooking and serving foods shall be without damages.
9. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall cause every utensil or receptacle used by a customer to be washed immediately after such use and before being used by any other customer.
10. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall cause all trade and domestic refuse to be immediately placed in an impervious covered receptacle and to remove from the premises daily. He shall keep such receptacle covered at all times except when refuse is being placed in it, and shall cause all waste tea, coffee, milk or remnants of food or cooking waste to be collected in such receptacle and not be thrown on the ground.
11. No licensee of any eating-house, restaurant, or tea and coffee boutique shall cause use any counter or other place from which Tea, Coffee, or milk served unless such counter or other place is covered with zinc or other impervious material.
12. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall cause a sanitary dust-bin, and at least two spittoons to be kept always at the licensed premises so as to be readily available to the premises as well as to the employees.
13. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall keep the premises free rats and shall fill up all rat holes with broken grass and plaster such holes with cement as soon as he discovers them.
14. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall provide the licensed premises with an ample supply of potable water.
15. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall keep or expose for sale any food unless such food is kept in a receptacle so constructed to prevent its contamination by flies, dust and vermin. He shall keep such receptacle a clean and sanitary condition. When serving food, an instrument used in serving of food shall be used
16. No adulterated milk shall be kept or sold on the premises of any eating house, restaurant, tea or coffee boutique.

For the purpose of these by-law "adulterated milk" means milk to which water or any other foreign liquid or substance has been added or any cow's milk which contain less than 8.5 per centum of milk solids not fat, or less than 3.5 per centum of milk fat, or any buffalo's milk which contains less than 9 percentum of milk solids not fat, or less than 7 per centum of milk fat, the person liable for a breach of these by-laws shall be the licensee.

17. No person shall spit within the licensed premises except in to a spittoon provided for the purpose.
18. No person who is suffering or has recently suffered from any infectious, contagious, or cutaneous disease, or who has recently been in attendance on any person suffering from such disease shall enter the licensed premises or take part in the preparation or sale of food or drink until the periods of infection and incubation have elapsed.

19. No licensee of any eating-house, restaurant, or tea and coffee boutique shall knowingly permit the contravention by any person of the provisions of by-law 17 or by-law 18.
20. No licensee of any eating-house, restaurant, or tea and coffee boutique shall allow any person to transport for sale cooked food from the licensed premises unless such person is in possession of a card of registration signed by the Chairman or any person authorised by him or by the licensee of the eating-house, restaurant or tea and coffee boutique and unless such food is carried in a closed basket, tin or other suitable receptacle, person who engage in the preparation and serving of food shall not smoke and chew of betel or any other thing, when doing so.
21. Every licensee of any eating-house, restaurant, or tea and coffee boutique shall take steps to ensure that every vehicle, basket tin or other receptacle used for carrying food is clean at the time any food is placed in it.
22. The Chairman shall, on application made to him by the licensee of any eating house, restaurant, or tea and coffee boutique, issue free of charge, cards of registration for use by every person employed by such licensee in carrying food for sale.
23.
  - 1) It shall be lawful for the chairman or any officer of the council generally or specially authorised in writing thereto by the chairman at all reasonable times to enter and inspect the eating-house, restaurant, or tea and coffee boutique.
  - 2) The licensee or the person in charge of the eating house, restaurant, or tea and coffee boutique shall permit the Chairman or such officer all such assistance as may be necessary.
  - 3) All employees engaged in the service of any eating-house, restaurant or tea and coffee boutique shall be registered in the urban council office by the Chairman and an identity card with a photograph of each of them shall be issued by him to such persons by levying a fee necessary. Also, in each year, before obtaining the licensee, every employee shall be referred to a prominent doctor through the urban council officer of Health and a medical report shall be obtained by the licensee.
24. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted after a trial in a court of Law has jurisdiction within the Kinniya Urban Council Limits, the relevant person shall be liable to the following penalties also,
  - (a) To a fine not exceeding Seven Hundred and fifty Rupees (Rs.750.00) for the first offence,
  - (b) A fine not exceeding one Thousand Rupees (Rs1,000) for the second subsequent offence.
  - (c) In case of a continued contravention after has ha been convicted or after the service of a written notice from the Urban council on him, having drawn attention on such contravention to pay an additional fine not exceeding two hundred and fifty rupees (Rs.250) for every day of continuing the contravention.
25. On the Second or subsequent conviction of the licensees for the breach of these by-laws the Chairman shall cancel the licensees of such licensee
26. Interpretation:-

In these by-laws-

“Chair man” means the Chair man of the Kinniya urban council”

eating house” means the place which the accommodation for consumption for rice, or any other food and drinks or facilities of such foods and drinks to be bought, is provided “Restaurant” means the place in which the eating accommodation of rice or any other food or facilities to be such food as well as liquor is provided for consumption.

“Tea and coffee Boutique” means the place in which prepared food or drinks is exposed for sale and is sold  
 But these do not mean the tea and coffee only

PART VIII -BY LAWS RELATING TO PUBLIC HEALTH.

1.
  - (1) It shall be lawful for any person authorized by the Chairman in writing to place or cause to be placed mark in a conspicuous part of the exterior of any house or building where a person is suffering from a disease of an epidemic endemic or contagious nature and to keep such mark affixed for such time as he may deem necessary.
  - (2) No person shall, without the permission of the Chairman, remove or obliterate any mark referred paragraph 1.(i) of these by-law.
2. No person who is suffering from any of the diseases referred to in by-law 3. [1] Shall willfully go into any road, path or public place.
3. No person shall willfully expose in, or take into, any road, path or public place, any child, or other person who is suffering from any disease referred to in by-law 1.
4. No person of one sex shall enter any enclosure at a public bathing place set apart by the Chairman for the exclusive use of the persons of the other sex.
5.
  - (1) No person who is suffering or has recently suffered from any contagious, coetaneous or infectious disease shall bathe or wash at any public bathing place, until the period of infection and incubation have elapsed.
  - (2) Water for the use of any person referred to in paragraph 5.[1]of these by-law shall be drawn by a health person and carried for use to a distance at least ten meters away from any public well or bathing.
6. No person shall use any receptacle which is not clean for the purpose of drawing water from any public well or bathing place.
7. No person shall :-
  - (1) Wash or cause to be washed any article whatsoever at or any near any public bathing place.
  - (2) Lead or drive or taken any animal into any bathing place for any purpose whatsoever or,
  - (3) In any manner, pollute the water or the precincts of any public well or bathing place.
8. It shall be lawful for the council by a resolution to prohibit washing cloths or bathing at any public well, spot or other watering place.
9.
  - (1) The council may in its discretion set apart special bathing places in any tank or other watering places washing, bathing water for human consumption and for bathing animal.
  - (2) No person shall use any place which has been set apart by the council under paragraph 9.[1] of these by-law for any purpose other than the purpose for which it has been so set apart.
10.
  - (1) No person shall allow a cesspit, cesspool, pigsty, gala, cattle shed, pit latrine or defective drain to remain or regularly manure any land for the purpose of cultivation within a distance of fifteen meters from any public well, spot, spring or other watering place for the supply of water for domestic purpose.
  - (2) No private well for the supply of water for domestic purposes shall be suck within a distance of 16 meters from any cesspit cesspool, pig-sty, gala, cattle, shed, pit latrine or defective drain or from any land regularly manure for the purpose of cultivation.

11. No person shall throw rubbish or noisome matter or unserviceable articles or any other thing on land belonging to any other person or on any public place or thoroughfare.
12. On the death of an animal, it shall be the duty of the owner thereof or in the absence of the owner, of the occupier of the premises in which the death occurs, to cause the body of the animal to be buried before the expiry of a period of twelve hours from the time of death.
13. The owner or occupier or if there is no occupier, the owner of any house within the urban area shall keep the land pertaining to such house in a clean and sanitary condition and free from weeds, bushes and other receptacles with water such as tyres, tins, king coconut empties.
14. No person shall defecate in any place which is not set apart especially for the purpose.
15. Any person who contravenes any of these by-laws shall be guilty of punishable offence and if convicted after a trial in a court of law which has jurisdiction within urban council limits, he shall be liable to the following penalties also.
  - (a) To fine not exceeding Seven Hundred and Fifty (Rs. 750.00) for 1st offence.
  - (b) a fine not exceeding One thousand (Rs1,000.00) for 2nd subsequent offence.
  - (c) In the case continued contravention, after he has been convicted or after a written notice shall have been served on such person by the chairman having drawn attention on such offence, an additional fine not exceeding two hundred and fifty rupees (Rs.250) for each day of continuing the contravention.

Interpretation:-

“Council” means the Kinniya urban council.

“Chairman” means the chairman Kinniya urban council.

“Medical officer of health” means the Medical officer of health of the Kinniya urban council or the officer acting for him.

#### BY-LAWS RELATING TO HAIRDRESSERS ‘AND BARBERS’ SHOP AND SALOON AND BEAUTY CULTURE CENTRES – PART IX

1. For the purpose of these by-laws, hairdressers ‘and barbers’ shops and saloons include where the Services of hairdressers, barbers and beauty culture makers are rendered for the public by such a shop, saloon and a centre.
2.
  - (1) No person shall establish a hairdresser’s or barber’s shop or saloon or carry on a business or help to do so except on a license issued in that behalf by the Chairman.
  - (2) Every license issued under this by-law shall expire on the thirty-first day of December of the year in respect of which it is issued.
  - (3) No person shall be entitled to a license under by-law 2,[1] unless the building or part of the building to be used as a hairdresser’s or barber’s shop or saloon and the equipment of the shop or saloon are in conformity with the following requirements:-
    - (1) The building or the part of the building to be used as the shop or saloon-
      - (a) Must be of permanent materials and must have a floor space of not less than 11 square meters.



- b. Must have it's walls lime-plastered, it's roof provided with a wooden or other similar ceiling painted white, it's floor cemented and the junction of the floor with the walls rounded off with cement.
    - c. Must be well lighted and well ventilated; and
    - d. Must be provided with satisfactory latrine accommodation.
  - (2) The shop or saloon must be provided with-
    - a. A sufficient supply of water at all times during which the shop or saloon is opened to customers.
    - b. Means for securing a supply of boiling water adequate for the purpose of washing or sterilizing the instruments or appliances in daily use.
    - c. A sufficient number of spittoons kept in such manner as to be readily available to customers and employees.
    - d. Facilities for the hairdressers or barbers to wash their hands during the course of their work.
    - e. A sufficient supply towels and overalls for the use of the customers.
    - f. A movable sanitary bin made of galvanized, iron or other equally suitable and impervious material covered with a close- fitting lid to deposit hair chippings and sweepings.
    - g. receptacles at the rate of one for each wash - stand containing disinfectant for sterilizing razors (use of the razors is prohibited) scissors, clippers and other instruments;
    - h. a tray with disinfectant for keeping the instruments and combs after use; and
    - i. A sufficient number of tables made of impervious material capable of being readily cleansed.
4. No license shall be transferable and every license shall be subjected to a fee as the Kinniya Urban Council may impose.
5. Every licensee shall comply with the requirements of any notice served on him by the Chairman within the time specified in such notice, or if no such time is specified in such notice within seven days from the service of such notice. Such notice shall be deemed to have been served upon such licensee if such notice is left with any person employed in the licensed premises or if it is affixed to a conspicuous place in such premises.
6. It shall be lawful for any officer of the council generally or specially authorised by the Chairman in writing in that behalf at all reasonable times to enter any licensed premises and to inspect any furniture, instruments, utensils, scissors and other instruments therein which is or appears to be used in connection with the business of a hairdressers shop saloon.
7. Every licensee shall keep his premises, furniture, equipment and instruments in conformity with the requirements set out in by-law 3.
8. If at any time, during the period for which a license has been issued, the licensed premises cease to conform to the requirements set out in by-law 3, the Chairman may notice the licensee to do all things necessary to make the premises, conform to such requirements and if the licensee fails to comply with the directions set out in such notice within the time specified therein, the Chairman may suspend or cancel the license.
9. On a second or subsequent conviction of a licensee for the breach of any of these by-laws, the license of such licensee may be liable to cancellation by the Chairman.

10. Every licensee shall cause the license and a list of the names and addresses of all his employees to be kept in the premises so as to be available for inspection at all reasonable times by the Chairman or any person authorised by the Chairman in – writing in that behalf.
11. The licensee of a hairdresser's or barbers' of barbers' shop or saloon shall-
  - (1) Keep affixed in a conspicuous position within the shop or saloon. a board hearing the words “ Licensed Hair dressing Saloon” or “ Licensed Barber Shop” and
  - (2) Keep affixed, in a conspicuous position within the shop or saloon, a framed copy of these by – laws in Sinhalese, Tamil and English.
12. The licensee of a hairdresser's or barber's shop or saloon shall-
  1. Cause the walls of the shop or saloon to be lime-washed and the ceiling to be painted at least twice a year in the months of June and December; and
  2. Because the floor, walls, ceiling, fixtures, furniture and equipment of the shop or saloon to be kept clean at all times.
13. The licensee of a hairdresser's or barber's shop or saloon shall not use or permit any other person to use shop or saloon as a place for sleeping or eating during the day or night.
14. The licensee of a hairdresser's or barber's shop or saloon shall not-
  1. Knowingly permit any person who is suffering from any kind of infections or contagious disease or who has recently been in attendance or any person suffering from any such disease to enter the shop or saloon for any purpose. A notice prepared by the health authorities in this regard shall be displayed at this place;
  2. Employ any person referred to in paragraph 14 (1) in any capacity in the shop or saloon;
  3. Knowingly permit any hairdresser or barber employed by him to attend on any person referred to in paragraph 14(1) in the shop or saloon;
  4. permit any such hairdresser or barber who has attended on any person referred to in paragraph 14(1) to attend on any other customer unless that hairdresser or barber washes and cleans his hands before attending on that other customer; or
  5. Permit any instrument that has been used on any person referred to in paragraph (1) to be used on any other person until it is sterilized.
15. [1] the licensees of a hairdresser's or barber's shop or saloon shall not permit any person-
  - [a.] to commence employment in the shop or saloon; or
  - [b.] to continue to be employed in the shop or saloon after the thirty-first day of January of any year; or
  - [c]. to resume work in the shop or saloon after he had suffered from or been in attendance or any other person suffering from any infections or contagious disease, Until the Medical Officer of Health has examined such person is free from any infections or contagious disease and in the circumstances set out in paragraph (c) that the period of infection and incubation has elapsed.

[2] It shall be the duty of the Medical Officer of Health to examine any person for purpose of paragraph (1) of this by-law and to give him a certificate free of charge.

16. The licensee of a hairdresser's or barber's shop or saloon shall take steps to ensure that every hairdresser or barber employed by him in the shop or saloon-
  - [1] Observes the utmost cleanliness in his work;
  - [2] Keeps his person and wearing apparel clean and in a good sanitary condition;
  - [3] Keeps his finger-nails short and free from dirt; and
  - [4] Washers his hands with soap and water immediately before attending to each customer.
17. The licensee of a hairdresser's or barber's shop or saloon shall-
  - [1] Cause the instruments used in the shop or saloon to be disinfected immediately before and after each occasion on which they are used by dipping them in boiling water or in any other satisfactory manner;
  - [2] Cause all hair brushes and combs used in the shop or saloon to be thoroughly washed, cleaned and sterilized every day before use and kept in a clean and sanitary condition at all times;
  - [3] cause all shaving mugs, cups and shaving brushers used in the shop or saloon to be thoroughly rinsed in hot water after each occasion on which they are used; and
  - [4] Cause all hair clippings and other refuse to be gathered after each customer has been attended to and to be deposited in sanitary bin provided in that behalf. No in any circumstance, such clippings and refuse shall be removed to a opened place, a drain or a place capable to be brought by wind.
18. The licensee of a hairdresser's or barber's shop or saloon shall cause all spittoons in the shop of saloon to be maintained in a clean and sanitary condition. He shall cause each spittoon to be emptied and cleaned once daily or more frequently if necessary and shall cause small quantity of disinfectant left in the spittoon.
19. The licensee of a hairdresser's or barber's shop or saloon shall not use or permit any hair dresser or barber employed by him in the shop or saloon to use on any customer-
  - [a] any styptic pencil, powder puff or sponge; or
  - [b] any alum or other material for the purpose of stopping any bleeding (unless such alum or other material is in powder or liquid form).
20. The licensee of a hairdresser's or barber's shop or saloon shall not supply for the use of any customer any towel which is not fresh from the wash or any overall which is not clear.
21. No person shall expectorate within any hairdresser's or barber's shop or saloon except into a spittoon provided for that purpose.
22. Except with the written permission of the Chairman, no licensee shall allow any business other than the business in respect of which the license is issued to be carried on in the licensed premises.
23. Each licensee shall display in their business premises a series of instructions made for by-laws 16-22 so as to be visible to the public.
24. Contravention of by-law2 shall be dealt with in terms of provisions stipulated in section 127D 2 {A} and {B} of the Urban council's Ordinance (Chapter 255) and contravention of the other by-laws stipulated herein shall be will be prosecuted before a judge who has the jurisdiction within the administrative limits of Kinniya Urban Council and if convicted he shall be liable to the following penalties.

- [a] To a fine exceeding Seven Hundred and Fifty (Rs. 750,00 rupees for the first offence.
- [b] a fine not exceeding One Thousand rupees (Rs.1000) for the second subsequent offence.
- [c] In the case of a continued contravention, after conviction or after a written notice from the Chairman have been served or him having drawn attention or to such offence, to pay a further fine not exceeding Two Hundred and fifty rupees (Rs.250) for each day of continuing same.

*Interpretation :*

“Chairman” means the chairman Kinniya Urban Council.

“Medical officer of health” means the Medical officer of health of the Kinniya Urban Council

“Council” means the Kinniya Urban Council.

BY – LAWS RELATING TO THE PREVENTATION OF NUISANCE – PART X

1. It shall be lawful for the Chairman or any other officer authorised by him at any time and as often as may appear to him necessary to require the owner or occupier of any house, out-house, building, enclosure or premises within Urban Council the limits by Notice in writing to remove or cause to removed the contents of any latrine ,privy pi or water closet in or belonging to such house, out-house, building, enclosure or premises to such place or places and within such time and in such manner as shall be set forth in the said notice.
2. No person shall bury or cause to be buried or deposit or cause to be deposited the contents of any latrine, privy, pit or water closet within any house, out-house, building or premises or in or on any land or place within one-hundred feet of any dwelling house, well, pond, lake, cannel, drain, sewer, stream or water-course. Upon receiving notice he shall at once remove the same in such a manner to such place and within such time as the Chairman or the other officer empowered by him for such purpose shall direct.
3. Any person who shall by any work or by any structural alteration of any premises, render the further use of a cesspit or latrine unnecessary, and the owner of any premises on which a disused cesspit or latrine is situated or a cesspit or latrine which has become unnecessary, shall completely empty such cesspit or latrine of all faecal or offensive matter which it may contain and shall completely remove so much of floor, wall and roof of such latrine or cesspit as can safely be removed and all pipes and drains leading thereto or there from or connected therewith and any earth or other material contaminated by such faecal or offensive matter. He shall completely close and fill up the cesspit with any suitable material and in such a manner as not to create a nuisance.
4. Every person who shall propose to close or fill up any cesspit or latrine shall, before commencing any work for such purpose, give to the Chairman or the other officer empowered by him in writing not less than seven days notice in writing exclusive of public holidays specifying the hour at which he will commence the closing and filling up of such cesspit or latrine, and during the progress of such work, shall afford any officer of the Kinniya Urban Council free access to the premises for the purposes of inspecting the same.
5. The owner or occupier of any house or land within the Kinniya Urban Council who is desirous of removing or who has been required as provided in by-law No.1 to remove the contents of any latrine, pit or water-closet on the said house or land, shall give notice to the Chairman of the day and house on which he intends to have the work done, upon permit to such owner or occupier to have the work done under the supervision of urban officer and upon such terms and condition in such permit by a person who has duly authorized by the Chairman.
6. No person other than a servant of the Council duly authorised for the same, shall remove night-soil from any house or land within the Kinniya Urban Council Limit.
7. In the case of any house, building, land or tenement in which the dry earth system of disposing of night-soil is in use and comprising more than one dwelling or occupied by more than one household under separate contract of tenancy, the owner or lessee of such accommodation not exceeding one standard bucket for every ten person therein residing, as the Chairman shall consider necessary for the proper storage and removal of night – soil.

8. Each standard bucket shall be made of galvanized sheet iron and shall not exceeding 4.54 Kilograms in weight and the following inside dimension; that is to say; height 28 centimeters; diameter at the mouth 31 centimeters; diameter at the base 23 centimeters.
9. The Council may impose and levy on the owner, or lessee of any premises such fee as the Council deems appropriate for the services provided in respect of collection and removal of night-soil from such premises.
10. Any sum payable to the Council under the foregoing by-laws, may if not duly paid, be reported to the Judge who has jurisdiction within Kinniya Urban Council limits and if after summary inquiry such sum appear to be due, such Judge shall order the same to be paid by the person liable therefore and the same shall be recovered as a fine imposed by such Judge if it is no so paid, also, it shall be recovered by the Chairman as an assessment rate.
11. Every occupier of a house, land or premises shall give free access to the servants of the Kinniya Urban Council to his latrine for the removal of night-soil within such hours as may have been fixed by the Chairman.
12. [1] No latrine shall be erected except on a site and according to the plan approved by the Chairman.  
  
[2] Every latrine shall be so screened that all parts of the interior of an entrance to such latrine shall be effectively excluded from view, from any street, railway, public, garden, public park or any domestic building other than that to which it belongs.
13. No person shall deposit any night-soil, cow dung, or other filth, dust, dirt, ashes, rubbish or refuse in or upon any place except such places as are provided under Section 118 of Urban Council the ordinance.
14. No person shall dig any cesspool, tank, well or pit or any excavation for the purpose of taking earth there from or for storing offensive matters or rubbish therein without the permission in writing of the Chairman.
15. No owner, lessee or occupier of any premises shall suffer any offensively smelling liquid to be discharged from the said premises into any street or opened public drain.
- 16 [A] No occupier of any premises shall-  
  
[1] Deposit or cause to be deposited any rubbish except in a covered receptacle and placed within such a receptacle; and  
  
[2] Place or cause to be placed any receptacle except on the edge of the street outside his premises at such hours daily as the Chairman shall from time to time appoint by notice duly given.  
  
[B] No occupier of any premises shall permit any rubbish to be deposited or to remain on street and it shall be the duty of such occupier to cause such street including pavements and all surface drains as fronts adjoins or abuts his premises to be cleaned and kept free of such rubbish.
17. No person shall collect or remove rubbish from any street or public place within the Kinniya Urban Council limits unless he be authorised to do so in writing by the Chairman.
18. The Council may charge a fee the owner or the occupier of any premises for the collection and removal of rubbish from such premises and for the supply of any receptacle by the Council at such rates as may from time to time be fixed by the Council.

19. Fees as prescribed by the Council by resolution will be charged from time to time for under mentioned services.

[a] Removal of rubbish from commercial and trade premises

- [1] For a full bin
- [2] For a half bin

In this by-law “a full bin” means a bin between 61 centimeters and 76 centimeters in height and 38 centimeters and 61 centimeters in diameters and “half bin” means a bin between 30.5 centimeters and 38 centimeters in height and 19 centimeters and 13.5 centimeters in diameter.

[b] Removal of tree cutting and debris from any premises

- [1] For a tractor load
- [2] For half a tractor load
- [3] For a hand cart load

[c] Cleaning of septic tanks

[d] Cleaning of drain blockages

- [1] For a drain in a private premises (domestic)
- [2] For a drain in a commercial or business establishment

The fees approved by the council shall be paid in advance to the Kinniya Urban Council office.

20. No person shall deposit, throw or drop any rubbish or any other waste material on any street, pavement, drains, park or any public place other than the dust bin or other receptacle specially set a part for that purpose.

21. [1] No owner, lessee or occupier of any premises shall keep or allow to be kept within such premises any rubbish, noxious or offensive matter or a receptacle of which such matter has been placed to be in a filthy or noxious state so as to be a nuisance to his neighbours.

[2] It shall be lawful for the Chairman or any person authorised by him in writing after reasonable notice to the occupier to enter upon any premises where any breach of sub-section (1) hereof had been found and to remove the cause of such nuisance. The Council may recover the expenses there by incurred from the occupier of that premises.

22. The owner of any building shall be reasonable for the repair, replacement, and maintenance of a chute or chute chamber which is serving such building or a part thereof. The Chairman may by notice in writing direct such owner to carry out such work as he may consider necessary and the owner shall comply with such notice within such period as may be specified therein.

23. No person shall spit in buildings opened to the public or public conveyances including those plying for hire or on any public pavement or paved footway.

24. [1] No person shall deposit, leave, sieve, shake, beat, move, drop, throw or agitate at any time, ashes, sand, coal, hair, feathers or any other thing in such manner that such thing is carried or likely to be carried by the wind to any premises or public place.

[2] Should any breach or sub – section (I) above occur or be suspected to have occurred from a vehicle, whether it be moving or stationary, the driver or any person who has the charge or control there of at the time shall be deemed to have committed such breach and shall be liable to conviction unless otherwise disproved by such person.

[3] Where there is a funeral procession no person shall spread any sand , gravel, metal dust etc. in any street.

25. No person shall picket animals or collect carts or form and encampment upon any public ground within Kinniya Urban Council or on any ground or place belonging to or in charge of the Kinniya Urban Council without the written permission of the Chairman.
26. No public ground or place within the Kinniya Urban Council or ground or place belonging to or in charge of the Kinniya Urban Council, shall without the written permission of the Chairman be used for any purpose prohibited by the Chairman by public notice.
27. No person using any public or recreation ground belonging to or in charge of the Kinniya Urban Council shall commit a disturbance there or behave so as to annoy other persons lawfully using the ground-such grounds will be opened to the public generally during the hours of day-light and until the gate are closed for the night, subject to the condition of good behavior and conformity to the rules laid down by the Kinniya Urban Council.
28. No person using any public or recreation ground belonging to or in charge of the Kinniya Urban Council with a tank in it shall bathe in such tank or do any other act tending to foul the water thereof or commit any nuisance therein or pluck plants or trees or do any injury to the trees and shrubs in the ground without the permission of the Chairman.
29. No person shall lie down or put either of his feet on any seat provided by the Kinniya Urban Council in any public place or recreation ground.
30. No person suffering from any loathsome, infections or contagious disease shall sit on or make use of any seat provided by Urban Council in any public place or recreation ground
31. No male above the age of twelve years shall sit upon or make any use of any seat in any public place or recreation which is labeled "For women and children only". The burden of proving that he is under 12 years shall be on any person charged under this by-law.
32. No person shall make use of any verandah of a dwelling-house or any portion of a dwelling-house not properly adopted for the purpose and previously approved by the Chairman or any part of any street or pavement or other Urban Council property for stabling washing or grooming animals.
33. No person shall wash or groom or permit or cause to be washed or groomed any vehicle or animal in or on any pavement, street or any place set a part as a public stand for vehicles or any public place or park.
34. The occupier of any house or premises within or upon which any cattle, horse, sheep, goat or pig may die, shall within four hours after its death or if death occur at night, within four hours after day-light, report its death to the Kinniya Urban Council officer and after inspection of the carcass by an authorised officer shall either remove it at his own expense in such manner as may be directed and to such place as may be appointed by the Chairman or shall pay the authorised officer the expense of removing or burying the carcass at such rate as the Chairman shall determine.
35. The Chairman may require the owner of any land or premises to surround such land or premises with boundary walls or good fences wherever they do not already exist and where such wall or fences do exist, the Chairman may require the owner, lessee or occupier of such land or premises to put them into a state of proper repair or to cut and trim the fences or lower the boundary walls so that they may not exceed such height from the base of the adjoining roadway as the Chairman may from time to time determine or to cut and trim all trees which by over-hanging any street are likely in the opinion of the Chairman to obstruct or cause damage thereto. Written notice of any requirement under this by-law shall be served on the owner, lessee or occupier as the case may be or posted to his address and the owner, lessee or occupier shall comply with the terms of the notice within such time as is mentioned therein or such extension of it as the Chairman may allow.

The owner or lessee or occupier of any land or premises shall keep the same clean and clear of bush and Underwood and weeds.

36. Wherever any tree or branch or fruit of a tree within the limits of the Kinniya Urban Council, shall be deemed by the Chairman to be likely to fall upon any house or building and injure the occupiers thereof, or whenever the same shall overhang any street, it shall lawful for the Chairman to cause notice in writing to be given to the owner or to the occupier shall not cut down or remove the same within three days after such notice, the Chairman or any officer or workmen authorised by him may enter upon such ground and cause the work to be done and expenses thereby incurred shall be paid by such owner or occupier and shall be ascertained and determined and recovered in the manner provided by sections 211 and 212 of the Urban Council Ordinance (Chapter 255) as if such expenses were expenses directed to be paid by the said Ordinance.
37. It shall not be lawful for any person to do any of the following acts:-
- [1] To remove timber or other substance of more than 6.00 meter in length in any cart without having one end thereof secured to another or sling cart.
  - [2] To carry timber or other substance of more than 6.00 meter in length without one and being carried by another person.
  - [3] To carry iron bars in any cart without duly fastening each end of the said bars so as to prevent the noise they would otherwise make.
  - [4] To lad firewood, casks or any other articles in a cart to any height exceeding two meters above the platform of such cart.
  - [5] To load on any cart or vehicle any timber, firewood, casks, straw of other goods of any description whatsoever so as to project laterally beyond the wheels of the said cart or vehicles.
38. It shall be lawful for any Kinniya Urban Council or Police Officer and they are hereby authorized to detain any cart in which any timber or other articles aforesaid has been loaded or is being conveyed contrary to the provisions of the preceding by-law until such timber or other article has been so loaded or arranged that it can be conveyed in a manner not prohibited by the said by-law.
39. No person shall convey in carts, hackeries or other vehicles any dirt, rubbish, bricks, cabboks, stone ballast, granite chunum or other articles or materials whatsoever in so careless or insecure a manner as shall lead to any annoyance or causing of any annoyance or obstruction of any road, street, or thoroughfare within the Kinniya Urban Council or without properly securing the same therein so as to prevent any part of same from falling into the street.
40. No person except with the written permission of the Chairman shall drive any cart or vehicle prohibited to carry goods or heavy articles along such street or streets as the Chairman shall have notified in the Gazette as reserved for goods or heavy vehicles.
41. [1] Any person who stands or loiters in any street after having been ordered by a Police Officer to move on shall be guilty of an offence and an action shall be taken against him in accordance with by-law 56.
- [2] Every person driving of a slow speed towing or a licensed vehicle shall keep to the extreme left hand side of the street leaving the middle of the left of the street for fast moving traffic.
- [3] No person shall drive, ride, load, draw or push a bicycle, tricycle or any other vehicle including mechanically propelled vehicles or animals in any foot-path or pavement set apart for the exclusive use of pedestrians. The prohibition contained in this rule shall not extend to perambulators.
- [4] No person shall cause or permit the emission of smoke or visible vapour from a mechanically propelled vehicle in such quantity so as to be a nuisance or to cause annoyance or danger to the public.



- [5] Any person found keeping a licensed vehicle in any public stand in excess of the authorised number of vehicles in such stand and refusing to withdraw the same when ordered to do so by an officer authorised by the Chairman or a Police Officer shall be guilty of an offence punishable.

(For the purpose of this section, vehicles found in excess after counting the authorised number from the vehicle exit place of the stand shall be deemed to be in excess)

42. The external walls of buildings and any wall adjoining the public street shall be kept clean and in proper repair with colour or lime wash by the owner, lessee or occupier.
43. [1] No person shall without the written permission of the Chairman Catch or attempt to catch by any means whatever any fish in any lake or in any part of its tributaries within the administrative limits of the Council.
- [2] Where the Chairman has, by notification published in the Gazette and by notice exhibited at the spot, declared that any piece of water within the administrative limits of the Council shall be deemed for a specified period to be polluted by refuse or sewage, no person shall catch or attempt to catch any fish by any means whatever in such piece of water during such period.
44. No person shall have in his possession any net or other contrivance for catching fish in or upon any part of or the banks of any lake or its tributaries.
45. No person shall by any means whatever kill or capture, or attempt to kill or capture any animal which is not his own private property in or on or over any portion of any lake or of its tributaries.
46. [1] No person shall throw or cause to be thrown any dirt, rubbish, filth or other noisome or offensive matter or thing into any lake or into any stream or waterway leading into the lake.
- [2] No person shall bathe, or wash cloths, animals, or vehicles in any lake, stream, or waterway within the administrative limits of the Council unless so permitted by the Council.
47. The Kinniya Urban Council may reserve defined areas in any lake as sanctuaries for wild birds. No person unless duly authorised by the Chairman shall enter into or upon such defined area for any purpose whatever.
48. No person shall hang up or otherwise expose any mats, cloths or other substances or materials on or at the site of any street. The permission from the Chairman shall be obtained for the decorations used for a funeral, political or any other kind of ceremony and the relevant persons shall remove such decorations at the end of that ceremony, and if they fail to do so, within two days of the end of same ceremony, the Chairman shall recover the expenses incurred for removal of such decorations from the persons concerned.
49. It shall not be lawful for any person to attach or affix any posters, placards, hand bills, other notices to or on any wall, building, house, premises, tree or other place or support to do so, save and except in any place which the Chairman may at any time appoint.
50. [1] It shall be lawful for any person thereto authorised by the Chairman to seize any of, horse, sheep, goat or other animal which he may find tied, tethered, straying or tended upon any Urban or state land or thoroughfare within the Kinniya Urban Council or cause the same to be seized unless any such animal belongs to any path to which it is tied or tethered, whilst the same is being loaded or unloaded.
- [2] Provided that every such animal seized by him as aforesaid shall be forthwith delivered into the custody of an officer of the Police in charge of the nearest police station and every such officer seizing or receiving any such animal as aforesaid shall forthwith report such seizure to the Chairman and the Chairman shall if at the time of such report no claim be made to such animal, direct such officer to take necessary steps for the safe custody and maintenance thereof and to publish such seizure in the usual manner.

- [3] No such animal seized as aforesaid shall be delivered to the owner thereof unless upon the payment to the Chairman of such sum as may be prescribed by a resolution of the Council, for the use of the person by whom the same shall have been seized and of a further sum as prescribed for each day during which the same shall have been kept in custody of the said officer for the use of such officer.
- [4] If no person shall claim such animal, or pay such dues as aforesaid within ten days after the animal shall have been seized, it shall be lawful for such officer and he is hereby required to sell the same by public auction and after payment of the approved seized and of the sum due to himself for the custody and maintenance thereof, to pay the remainder of the produce of sale, if any, to the Chairman of the Kinniya Urban Council.
51. It shall not be lawful for any person to offer any resistance to any such animal seizer after such has been seized and is being brought to the pound or any obstruction to such animal seizer when about to seize any such animal.
52. No person shall light or extinguish or attempt to light or extinguish any lamp in any street within the limits of the Kinniya Urban council or shall under any pretence, attempt to repair any such lamp or climb up whether by means of a ladder or otherwise, any column supporting any such lamp unless such person is authorised thereto in writing by the Electricity Board of Sri Lanka or by the Council.
53. It shall not be lawful for any person to cover up fill up, obstruct or interfere with the flow of water of any public drain or other water course or any other drain which serves not less than two premises for the disposal of waste water or rain water.
54. It shall be lawful for the Chairman at any time as may appear to him necessary to require the owners of any premises by notice in writing to contract such drains as he may deem necessary with in such time in such manner as shall be set forth in the said notice and to require proper maintenance of such drain.
55. No person shall grow vegetables for sale or consumption upon any land into which polluted water drains or shall use polluted water for any such vegetables.

Any person who contravenes any of these by-laws shall be guilty of an punishable offence and if convicted in a court law which has jurisdiction within the Kinniya Urban Council limits, shall liable to the following penalties.

- [A] To a fine Seven hundred and fifty Rupees (Rs.750,00) for the first offence.
- [B] A fine not exceeding One Thousand Rupees (Rs.1000) for the second subsequent offence.
- [C] Incase of a continued contravention, after he has been convicted or after the service of a written notice from the Chairman Two Hundred and fifty Rupees (Rs.250) for every day of continuing the contravention.

*Interpretation :*

In these by laws-

“Council” means the Kinniya Urban Council.

“Chairman” means The Chairman of the Kinniya Urban Council.

“Polluted water” means any water contaminated by sewage, sullage or the draining from bathing places.

“Rubbish” means ashes, dust, sweepings, refuses sewage, soil, dung, filth, dirt or any other waste material.

“Receptacle” means any bin, buzz, or other container of such dimension and design as may be approved by the Chairman.

“Premises” means a house, a group of houses, a flat, tenement and the land pertaining there to.

“Noxious matter” means any matter caused for annoyance.

BY-LAWS RELATING TO THE OBTAINING OF LICENCES TO KEEP STABLES, CART STANDS AND  
YARDS FOR CATTLE AND GOATS - PART XI

1.
  - i. The owner or user of any of the following places, viz, any lively or hack stable, horse lines, veterinary infirmary, cart stand, cattle shed or yards in which two or more horses or head of cattle or sheep or goats are kept or allowed to be together, shall apply to the Chairman for an annual license for the use of such place for any of the purposes aforesaid.
  - ii. The Chairman may give an annual license for the keeping of not less than 03 sheep or goats or three head of cattle upon payment of a fee determined by the Council from time to time for each sheep or goat and for each head of cattle other than draughts cattle above the age of one year. Such a license will not be valid after 31<sup>st</sup> December, of the year of issued.
  - iii. The Chairman may in his discretion and under such restrictions and regulations thinks fit, grant or refuse and may at any time cancel or suspend such license. Every order refusing, canceling or suspending such license shall be in writing and shall state the grounds on which it proceeds.
  - iv. No person shall without such license, or after a licence has been refused, cancelled, or suspended by the Chairman, use any place for any of the said purposes or infringe any of the conditions under which such license is granted. Provided that this section shall not apply to any of the above mentioned places in the occupation or under the control of central Government of NEP provincial Council.
2. Every person who may have obtained from the Chairman a license for the use of any premises for the purpose of keeping of hoes, cattle, or other for -footed animals for sale or hire or for sale of the produce thereof, shall from time to time wherever required by the Chairman, furnish a statement in writing containing the name of each of the persons who own any of the horses, cattle or other four-footed animals for the time being kept in the said premises and the number of respective numbers of each class of animal so owned by him or them./
3.
  - i. Licensee shall no cause or suffer the dung of any horses, cattle or other four-footed animals kept on the said premises to be deposited in such a situation or in such a manner as to pollute any water supplied for the use of or used or likely to be used by milk cows or horses or other four-footed animals or in any dairy or for cleansing or washing vessels used or intended for milk.
  - ii. The licensee shall provide potable water for the use of the animals in the licensed premises. Also, when carrying out vaccination, for the prevention of infection diseases, it shall be done under the supervision of the Veterinary Surgeon.
4. The licensee shall cause the floor of every building used or to be used for stabling horses or cattle to be paved or made with suitable materials and sloped and drained to the satisfaction of the Chairman, so as to prevent any soakage into the ground of urine or other filth.
5.
  - i. The licensee shall provide upon or in some convenient place in the immediate neighbourhood of the said premises, a suitable receptacle or receptacles to the satisfaction of the Chairman for dung, manure, garbage, filth or other offensive or noxious matter which may from time to time be produced in the keeping of any such horses, cattle or other four-footed animals as a aforesaid upon the premises.
  - ii. The licensee shall cause such receptacle or receptacles to be constructed so that bottom or floor thereof shall not in any case be lower than the surface of the ground adjoining such receptacle.
  - iii. The licensee shall also cause such receptacle or receptacles to be constructed in such a manner and of such materials and to be maintained at all times in such a condition as to prevent any escape of the contents thereof or any soakage there from into the ground or into the wall of any building.
  - iv. The licensee shall cause such receptacle or receptacles to be furnished with a suitable cover.

6. The licensee shall provide upon or in connection with the said premises, if used for keeping horses or cattle, a paved space to the satisfaction of the Chairman on which such horses or cattle can be washed.
7. The licensee shall cause every drain or means of drainage upon or in connection with the said premises to be maintained at all times in good order and efficient action to the satisfaction of the Chairman.
8. The licensee shall once at least in every day, cause the said premises to be thoroughly cleaned and flushed and shall cause to be removed from the receptacle or receptacles provided in accordance with the requirements of by-law 5 all dung, manure, garbage, filth, urine or other offensive or noxious matter produced in or upon the said premises and placed or accumulated in such receptacle and shall cause the same to be deposited in such place as the Chairman from time to time direct.
9. Stables for horses or cattle shall not be less than three meters in height measured from the surface of the floor to the top of the wall-plate or lower wall-plate in the case of lean-to roof and not less than 3.6 meters in height measured from surface of the floor to the top of the ridge plate or upper wall-plate in the case of a lean-to roof. Each horse shall have a minimum floor space of 3 meters by 2.4 meters clear of all obstructions and each head of cattle and each buffalo a similar minimum floor space of 1.8 meters by 9 meters.

Provided that in the case of cow sheds in dairies lateral space provided for a milk cow shall be 1.2 meters and a each buffalo 1.5 meters and where a separate shed is kept for dry cows, the lateral space in this shed shall be at least 9 meters.

10. Where the contravention of provisions referred to in these by-laws for the keeping of stables, cart stands and cattle and goats shed is committed if any person fails to stop the continue of such a contravention and to comply with those by-laws when so required by the Chairman, the Chairman shall have power to cancel the license of such person.
11. Any person who contravenes of any of these by-laws shall be guilty of a punishable offence and if convicted after a trial in a court of law which has jurisdiction within the Kinniya Urban Council limits, shall be liable to the following penalties.
  - a. To a fine not exceeding Seven Hundred fifty Rupees (Rs. 750) for the first offence.
  - b. A fine not exceeding One Thousand Rupees (Rs. 1,000) for the second subsequent offence.
  - c. In case of a continued contravention after he has been convicted of after a written notice from the Chairman shall have been served on such person, having drawn attention on said offence, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

Interpretation:

In these by-laws-

“Council” means the Kinniya Urban Council

“The Chairman” means the Chairman of the Kinniya Urban Council.

PART XII - BY-LAWS RELATING TO THE CONSTRUCTION AND MAINTENANCE OF PRIVIES AND LATRINES.

1. The owner or occupier of any premises shall not construct on such premises any privy or latrine unless he has obtained a permit in that behalf from the Chairman.
2. Where any person makes an application for a permit under by-law 1, the Chairman may requires such person to furnish a plan and specifications of the privy or latrine which he intends to construct.
3. The Chairman may, in any permit granted by him under by-law 1, direct the applicant to provide a privy or latrine of such type as may have been approved by the Council and in such a position on the premises as may be specifies in the permit.
4. If any privy or latrine has been constructed on any premises without a permit from the Chairman or contrary to any requirements specified in the permit issued under by-law 1, the Chairman may by notice in writing served on the owner or occupier of the premises, direct such owner or occupier to close such privy or latrine within such time as may be specified in the notice.
5. The Chairman may, by notice in writing served on the owner or occupier of any premises, direct owner or occupier to construct on such premises a privy or a latrine of such size and type as may have been approved by the Council and in such a position on the premises and without connecting drains as may be specified in the notice.
6. The Chairman may, by notice in writing served on the owner or occupier of any premises provided with any privy or latrine, direct such owner or occupier to repair, alter or reconstruct such privy or latrine in such manner and within such time as may be specified in the notice, if in the opinion of the Chairman, such privy or latrine-
  - a. is structurally defective; or
  - b. is unsuitable for the purpose for which it is used; or
  - c. is unsanitary or dangerous to health; or
  - d. does not about upon, or cannot conveniently be served from a path provided by the Council for the removal of night soil
7. Every occupier of any premises provided with a privy or latrine shall maintain such privy or latrine at all times in a sanitary condition and in good repair.
8. When the Council by resolution decides that in any specified area paths should be provided by the owners or occupiers of premises in such area for the efficient removal of night soil the Chairman may, by notice in writing served on the owner or occupier of any premises in such area, direct such owner or occupier to provide within such time as may be specified in the notice a path of such width in no case exceeding three meters and in such a position either at the back of or parallel to the premises as the Chairman may specify in the notice.
9. No one shall disturb the workmen or any other person to enter or obstruct the vehicles used for removal of night-soil in a septic tank or on house refuse on any premises to a private road or a land or laying pipes used for that purpose.
10. The Chairman may refuse to approve any plan drawing or specification of any building which any person intends to erect unless such person agrees to construct in that building a privy or latrine of such size and type as may be approved by the Council.
11. Any person who contravenes of any of these by-laws shall guilty of a punishable offence and if such person convicted by a trial instituted before a judge who has due jurisdiction shall be liable to the following penalties.
  - a. to a fine not exceeding Seven Hundred and fifty Rupees for 1<sup>st</sup> offence;
  - b. a fine not exceeding One thousand rupees for 2<sup>nd</sup> subsequent offence;
  - c. In case of continued contravention after he shall have been convicted or after a written notice from the Chairman shall have been delivered to such person, having drawn attention on said offence, to pay a further fine not exceeding two hundred and fifty rupees for each day of continuing the contravention.

Interpretation:

“The Chairman” means Chairman. Of the Kinniya Urban Council

“Council” means the Kinniya Urban Council.

BY-LAWS RELATING TO THE OPERATION OF RECORD PLAYERS,  
 LOUDSPEAKERS, ETC-PART X111

1. No person within the Kinniya Urban Council limits, by operating or permitting any other person to operate any Record player, Loudspeaker, Amplifier or other instrument automatically or mechanically producing or reproducing, produce or cause to be reproduced any sound which, by reason of its volume or its continuous nature, causes a nuisance to the occupants of premises in the neighbourhood or to the pedestrian in any street.
2. Prosecution can be done in respect of any such contravention against any person operating or causing or permitting any other person to operate any instrument as aforesaid in any place other than a street, public place, shop or place of business or a place which adjoins any street or public place and to which the members of the public are admitted.
  - a. if complaint of the nuisance is made to the Chairman in writing by not less than three residents of the neighbourhood affected by the nuisance; and
  - b. if written notice is served on that person by the Chairman setting out the nature of the complaint/nuisance forthwith or within a specified period; and
  - c. If that person fails or refuses to comply with such notice forthwith on receipt thereof or within the period specified therein.
3.
  - i. The Chairman shall issue a license even if a license is issued by any other authority to establish or carry on the business which deals with any record player, loudspeaker, amplifier or other audio equipment or instrument automatically or mechanically producing or reproducing sound. The Chairman shall consider the times, periods and places for the issuing or not issuing the license and issue of such license may be done on the discretion of the Chairman.
  - ii. Every license issued under this by-law shall be subject to such fee as the Council may impose and shall expire on the thirty first day of December of the year in respect of which it is issued, unless it is cancelled earlier under these by-laws.
4. It shall be lawful for the Chairman or for any officer of the Council generally or specially authorised in writing by the Chairman, at all reasonable times between sun rise and sun set to enter upon and inspect any licensed premises.
5. In the event of the licensed premises ceasing to be in conformity with the conditions laid down in the license or in any of these by-laws, the Chairman may, by written notice served on the licensee, require him to take such measures as may be specified in the notice in order to bring the premises into conformity with these conditions.
6. Where for any reason, personal service of any notice under by-law 5 cannot be effected upon a licensee, the notice shall be deemed to be duly served on him if it is left at his last known place of residence or is affixed to or on a conspicuous object or in a conspicuous position upon the licensed premises.
7. If the licensee shall fail to comply with the requirements of any notice served on him, within such time as may be stated in the notice and if no such time is stated, seven days from the service of the notice, the Chairman may suspend or revoke the license.
8. Every person who contravenes any of these by-laws or fails to comply with any provisions imposed in these by-laws shall be guilty of a punishable offence and if convicted after a trial before a court of law which has jurisdiction within the Kinniya Urban Council limits shall be liable to the following penalties.
  - a. To a fine not exceeding Seven Hundred And Fifty Rupees (Rs.750) for the first fine.
  - b. a fine not exceeding One Thousand Rupees (Rs.1,000) for the second subsequent offence.
  - c. In case of continued contravention after he shall have been convicted or after a written notice from the Chairman shall have been delivered to such person, having drawn attention on said offence, to pay a further fine not exceeding two hundred and fifty rupees for each day of continuing the contravention.

Interpretation:

“The Chairman” means the Kinniya Urban Council Chairman.

“Council” means the Kinniya Urban Council.

“Court with Jurisdiction” means the court which has jurisdiction within the Kinniya Urban Council limits.

BY-LAWS RELATING TO THE SWIMMING POOLS-PART XIV

1. In this by-law "Swimming Pool" shall mean any swimming pool to which the public has access whether by payment or not or a private swimming pool.
2. No person shall establish, manage, operate or run a swimming pool without first obtaining an annual license from the Chairman complying with the conditions and standards provided for the issue of such license.
3. No person shall be entitled to a license to keep a swimming pools unless such swimming pool complies with the following conditions:
  - (1) The water serving the swimming pool and all fixtures including toilets, and showers shall meet all applicable requirements for potable water.
  - (2) All swimming pools shall be equipped with a circulation system, consisting of at least a pump or pumps, piping, a filter or filters, water conditioning and disinfecting equipment and other necessary equipment. The capacity of the circulation system shall be sufficient to clarify and disinfect the entire volume of swimming pool water three times in twenty four hours.
  - (3)
    - a. All swimming pools shall be equipped with a filtration system for the purpose of clarifying the swimming pool water. This filtration system shall be an integral part of the circulation system.
    - b. all filtration in a swimming pool shall be equipped with a pressure or gauges so that pressure or vacuum readings, as appropriate may be obtained both at the inlet and outlet of the filters.
  - (4) Every swimming pool shall be equipped with a disinfectant feeder or feeders and other chemical feeders as may be required to maintain the microbiological, chemical and physical characteristics of the swimming pool water within prescribed limits.
  - (5)
    - (j) All swimming pools when in use shall be continuously disinfected by a chemical and/or process which meets all of the following requirements:
      - A. That the disinfectant or disinfecting process is a standard one for potable water.
      - B. That it imparts a residual effect which may be easily and accurately measured by a field test procedure.
      - C. That it is compatible for use with other chemicals normally used in the treatment of swimming pool water.
      - D. That it does not impart toxic properties to the water beyond that of acceptable chlorinating, when used according to directions.
    - (ii) If the active agent of the disinfectant is chlorine, the unstabilized free available chlorine, as measured by a standard method shall be at least of the following concentration, depending on the PH of the swimming pool water.

P<sup>H</sup> Minimum free available residual chlorine Mg/litre (not stabilized with cyan uric acid)

7.5	-	-	0.40
7.6	-	-	0.50
7.7	-	-	0.60
7.8	-	-	0.70
7.9	-	-	0.80
8.0	-	-	1.00

- (iii) If cyanuric acid is used to stabilize the free available residual chlorine, or if one of the chlorinated is cyanurate compounds is used as the disinfecting chemical, the concentration of cyanuric acid in the water should be at least 30 mg/litre but shall not exceed 100mg/litre and the free available residual chlorine, as measured by a standard method, shall be at least of the following concentration, depending on the PH of the swimming pool water.

P<sup>H</sup> Minimum free available residual chlorine Mg/litre (cyanuric acid is at least equal to 30mg/litre but not greater than 100m/g/litre )

7.5	-	-	1.00
7.6	-	-	1.25
7.7	-	-	1.50
7.8	-	-	1.75
7.9	-	-	2.00
8.0	-	-	2.50

- (iv) If the disinfection of the swimming pool water is accomplished by a chemical or process other than one of the chlorine compounds, the disinfecting action shall be at least the equivalent of that provided by 0.4 mg/litre of unstablised free available chlorine at a P<sup>H</sup> of 7.5

(v)

- (a) Samples collected for microbiological examination shall be taken while the pool is in use and shall be collected; the residual disinfectant deactivated, and be examined by a standard method for the microbiological examination of water.

- (b) The swimming pool water shall not contain:-

- (i) More than 200 colonies per ml determined by the standard agar plate count,  
 (ii) Coli form organizes and E.Coli type I shall be absent in 100 ml.

- (vi) The water in all swimming pools when in use shall have the following chemical and physical characteristics:

- (a) Shall be alkaline as indicated by a PH of not less than 7.5 mg/litre and more than 8.0.  
 (b) Shall have a total alkalinity of at least 50mg/litre but not greater than 150mg/litre as measured by the methyl orange test.  
 (c) Shall have sufficient clarity so that a black and white disc 15 centimeters (6 inches) in diameter is visible clearly at the deepest point of the swimming pool when viewed from the swimming pool.

(vii)

- (a) Every swimming pool that is in use shall be equipped with test kits or testing equipments for measuring:  
 Residual disinfectant the PH (Hydrogen Ion concentration) total alkanity ; and  
 Where cyanuric acid or one of the chlorinated isocyanurates is used.  
 concentration of cyanuric acid in the swimming pool water.
- (b) Within 60 minutes of the opening for use of a swimming pool, tests shall be made of the swimming pool water for residual disinfectant and PH, with at least one sample collected from the shallow area and one from the deepest area.
- (d) The clarity of the water in every swimming pool should be evaluated just prior to opening for the day, and during periods of heavy usage.
- (e) Samples of water should be collected periodically from every swimming pool when is use and examined for the microbiological quality of the water. When such samples are collected the PH and residual disinfectant concentration shall also be tested at the same time.



4.
  - (a) All swimming pools shall be provided with conveniently located dressing rooms, toilets and showers separate for the sexes.
  - (b) The floors and walls of dressing rooms, toilets and showers shall be of “non-porous” smooth finished material to facilitate easy disinfection and cleaning.
5.
  - (a) The enclosure of area of every swimming pool shall be kept in good repair and shall be maintained in a clean and sanitary conditions at all times. The floors of dressing rooms, toilets and showers shall be well drained and maintained in a clean condition at all times and shall be treated daily with a suitable disinfectant.
  - (b) Visible dirt and foreign material which may deposit at the bottom of all swimming pools shall be removed at least once a day or at such frequency as the removal may require.
  - (c) Visible foreign material that may float on the surface of swimming pool water shall be removed daily.
6.
  - (1) If at any time upon representation made or otherwise it appears to the Chairman-
    - (a) that any swimming pool ceases to conform to the requirements of these By-laws; or
    - (b) that there prevails in or about any swimming pool a condition which may endanger the health, safety or welfare of the person using such swimming pool; or
    - (c) that there prevails a generalized epidemic of any disease; or
    - (d) that there prevails an outbreak of an infectious disease in or about the locality where any swimming pool is situated ;  
The Chairman may by notice in writing the owner person whosoever is charge of such swimming pool, order the closure of such swimming pool time as the Chairman satisfies himself that the conditions on which such license was based ceased to prevail.
  - (2) The notice under this By-law shall be deemed to have been served upon the person referred to in this By-law, if such notice is left with any person employed in the premises where such swimming pool is situated or if affixed to a conspicuous place in such premises.
  - (3) Every person shall forth with comply with the requirements of any notice served on him by the Chairman under this By-law and, it shall not be lawful for any person to open, or cause to be opened and permit or allow any person to use such swimming pool unless the Chairman gives an order in writing on that behalf.
7. No person shall construct, alter, add to or demolish any swimming pool or any buildings, sanitary convenience, showers or other facilities associated with the swimming pool unless detailed plans and specifications for the construction, alteration, addition or demolition are submitted to and approved in writing by the Chairman.
8. Proper operating records shall be kept for every swimming pool when in use, and shall be available for inspection by an officer of the Council generally or specifically authorised thereto by the Chairman.
  - (i) Operating records shall include daily figures of at least the following items:
  - (ii) Time of opening for use and number of hours in use.
    - (a) Total bather load.
    - (b) Peak bather load.
    - (c) Volume of make up water.
    - (d) Operating periods of circulating pumps and filters with corresponding readings of the rate of flow meter.
    - (e) Amounts of chemicals used.
    - (f) Disinfectant residual readings.
    - (g) PH readings.
    - (h) Readings of other chemical tests.
    - (i) Clarity of the swimming pool at the deepest point.
    - (j) Maintenance and servicing of equipment.

9. A fee for the annual license resolved by the Kinniya Urban Council from time to time shall be paid.
10. The swimming pools maintained by the Government shall be exempted only from the payment of license fees.
11. A license issued shall expire on 31st of December in each year, if not early cancelled.
12. The Chairman shall have power to revoke or suspend any license on contravention of any condition set out in these By-laws.
13. Any person who contravenes any these By-laws shall be guilty of a punishable offence and if convicted after a trial before a Judge who has jurisdiction within the Kinniya Urban Council limits, liable to the following penalties also ;
  - (a) To a fine exceeding Seven Hundred Rupees (Rs.750) for the first offence.
  - (b) A fine not exceeding One Thousand Rupees (Rs. 1,000) for the second subsequent offence.
  - (c) In case of a continued contravention, after he has been convicted or after a written notice from the Chairman shall have been served such person, having drawn attention on said contravention to an additional fine not exceeding Two Hundred and Fifty Rupees (Rs.250) for each day of continuing the contravention.

*Interpretation :-*

In these By-laws

“Council” means the Kinniya Urban Council.

“The Chairman” means the Kinniya Urban Council Chairman.

BY-LAWS RELATING TO THE CONSTRUCTION OF WELLS (PART XV)

1. No person shall construct any well or cause to be constructed for within the administrative limits of the Council, unless he has obtained written permission in that behalf from the Chairman.
2.
  - (1) No person shall construct any well or cause any well to be constructed for supply of water for drinking or any other domestic purpose or for the sale or supply of water to the public unless the plan and specification of such well have been approved in writing by the Chairman or otherwise than in accordance with the plan and specification so approved.
  - (2) The Chairman shall not approve any plan or give permission for the construction of any well within a distance of at least 16 meters away from any cesspit, cesspool, soakage pit, pig -sty, gala, cattle shed, pit latrine or defective or unbuilt drain or from any land regularly manured every year for the purpose of any cultivation.
3. No person shall, at any place which is within a distance or 30 meters away from any well used for the supply of water for drinking or any other domestic purpose-
  - (a) construct or cause or permit the construction of any cesspit, cesspool, soakage pit, pit latrine, gala, cattle, shed or unbuilt drain; or
  - (b) deposit or cause or permit the deposit of any manure or any decaying animal or vegetable matter; or
  - (c) cause or permit the accumulation of any refuse which is not cleared at least once in every week; or
  - (d) permit any drain to remain in a defective condition.
4. The owner, lessee or occupant of any land on which there is any well used for the supply of water for drinking or any other domestic purpose shall at all times keep the well in such a condition or in such state or repair as may be necessary to prevent-
  - (a) the direct flow surface water into the well from any distance ;
  - (b) the percolation of surface water from a distance of less than 5 meters from the edge of the well ;
  - (c) the percolation of ground water into the well from a depth of less than 3 meters from the ground level immediately adjoining the well.

5. No person shall use any unclean receptacle to draw water from any well used for the supply of water for drinking or any other domestic purpose.
6. No person shall wash any clothes within a distance of 5 meters from any well used for the supply water to the public.
7. The Chairman may whenever he deems such a course to be necessary, cause notice, to be given in writing to the owner, lessee or occupant of any land in which there is a well used for supply of water for drinking or domestic purpose, to bale out the water and clean out and disinfect the well and carry out such other repairs as may be deemed necessary by the Chairman on the advice of the Medical Officer of Health, within a period of time to be specified in such notice and such owner, lessee or occupant shall comply with such notice within the time specified there in.
8. No person shall close a public well or a spout without the approval of the Chairman. All public or private wells within the urban area shall be registered in the Urban Council Office. The occupant or lessee of any land in which any well is situated, shall register such well in the Urban Council Office.
9. Any person who contravenes any of these By-laws shall be guilty of a punishable offence and if convicted after a trial before a judge who has jurisdiction within the Kinniya Urban Council limits, liable to the following penalties.
10. To a fine not exceeding Seven Hundred Rupees (Rs.750) for the first offence.
11. A fine not exceeding One Thousand Rupees (Rs. 1,000) for the second subsequent offence.
12. In case of a continued contravention, after he has been convicted or after a written notice from the Chairman shall have been served on him, having drawn attention on said offence, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

*Interpretation :-*

In these By-laws-

“Council” means the Kinniya Urban Council.

“Medical Officer of Health” means the Medical Officer of Health of the Kinniya Urban Council.

BY-LAWS RELATING TO THE FACTORIES AND INDUSTRIES-PART XVI

1. No person shall keep or deposit or cause to be kept or deposited for sale or storage any hides, night soil, bone dust or any manure or substance whatsoever from which noxious or offensive smells arise, in any place or depot within the limits of the Kinniya Urban Council unless such place or depot be licensed therefore by the Chairman which license shall be in the from approved by the Chairman and shall be in force from the date of issue until the Thirty-first day of December of the year in respect of which the license is issued.
2. If such business is run contrary to the condition imposed when issuing such licence, 1st warning letter shall be sent by the Chairman and the Chairman shall have power to cancel the license, if it is failed to take action on the matter within maximum of 30 days after the receipt of that letter.
3.
  - (1) No person shall newly establish in any premises and factory workshop or work place in which it is intended that steam water or other mechanical power shall be used without the previous written permission of the Chairman.
  - (2) The Chairman may refuse to give such permission, if he shall be opinion that the establishment of such factory, workshop or work place in the proposed site is objectionable by reason of the density of the population in the neighbourhood there of or will be a nuisance to the inhabitants of the neighbourhood there of or is contrary to the conditions that are imposed by the Central Environmental Authority.

4. No person shall erect on any site not approved by the Chairman any machinery or steam boiler, by the use of which smoke is produced or noise is made or danger is likely to arise to the inhabitants of the neighbourhood and all chimineys in connection with any machinery or steam boiler shall be constructed of such height and dimensions as shall be approved by the Chairman.
5.
  - (1) No person shall-
    - (a) Use or permit to be used any furnace employed the purpose of any trade or manufacture which does not as far as practicable, consume its own smoke.
    - (b) So negligently use or permit to be used any such furnace as that it shall not as far as practicable, consume its own smoke.
  - (2) Nothing in this section shall be deemed to apply to a locomotive engine used for the purpose of traffic upon any railway or for the repair of railway lines.
6.
  - (1) Whenever it shall appear to the Chairman that-
 

any factory, bakery, workplace or any other building or place in which steam, water or technical power is employed is not kept in a clearly state and from effluvia arising from any drain, privy or other nuisance or is not ventilated in such manner as to render harmless as far as practicable any gases, vapour, dust or other impurity generated in the course of the work carried on therein, which is a nuisance: or

    - (a) is so overcrowded while work is carried on as to be dangerous or injurious to the health of the persons employed therein ;
    - (b) or that any engine, mill-gearing hoist or other machinery therein is so affixed or so insecurely fenced as to be dangerous to life or limb, the Chairman may by written notice require the owner of such factory, bakery, workshop, work place or other building or place to take such steps as he shall think fit. Nothing in this section shall be deemed to affect any provisions of any Ordinance now in force.
7.
  - (1) No person shall, without the written permission of the Chairman, use or employ in any factory or other place any steam whistle or any steam trumpet for the purpose of summoning or dismissing workmen or persons employed.
  - (2) The Chairman may at any time revoke any permission which he has given for the use of any such instrument as aforesaid on giving one month's notice to the person to the person using the same.
  - (3) Provided that nothing in By-law 7(2) shall be deemed to repair one month's notice to be given by the Chairman if he suspends or revokes any such permission for any infringement of the conditions thereof.
8.
  - (1) No person engaged in any trade or manufacture shall-
    - (a) willfully cause or suffer to be brought or to flow into any lake, canal, tank, reservoir, cistern, well duct or other place for water belonging to or vested in or in charge of the council or into any drain or pipe connecting therewith any washing or other substance produced in the course of any such trade or manufacture as aforesaid.
    - (b) willfully do any act connected with any such trade or manufacture as aforesaid whereby the water the water in any such lake, canal, tank, reservoir, cistern, well, duct or other place for water fouled or polluted
  - (2) The Chairman may after giving not less than twenty-four hours' previous notice in writing to the owner or to the person who has the management or control of any works, pipes or conduits connected with any such manufacture or trade as aforesaid, open and examine the said works, pipes or conduits and if upon such examination it appears that By-law 8 has been contravened by reason of any thing contained in or proceeding from the said works, pipes or conduits, the expenses of such laying open and examination and of any measure which the Chairman shall, in his discretion, require to be adopted for the discontinuance of the cause of such contravention, shall be paid by the owner of the said works, pipes or conduits or control thereof or through whose neglect or fault, the said section has been contravened.

9. In failure of payment of such sum according to the by-law 8 (2) by the person who is responsible for same, action shall be taken to recover same under the section 211 and 212 (Chapter 255) of the Urban Council Ordinance.
10. On contravention of any of these by-laws, it shall be dealt with under section 127{D} subsection [A] and [B] (chapter 255) of the Urban Council Ordinance.

Interpretation:-

In these by-laws-

“Council” means the Kinniya Urban Council

“Chairman” means the Chairman of the Kinniya Urban Council.

“Pipes” means the Hume pipes. Concrete pipes or the pipes made of any material for the purpose of drainage.

#### BY-LAWS RELATING TO THE ICE FACTORIES – PART XV11

1.
  - (1) No person shall, within the Kinniya Urban Council area, keep any ice factory except on a license issued in that behalf by the Chairman.
  - (2) Every license issued under paragraph (1) of this by-law shall, unless earlier cancelled under by-law 16, expire on the thirty first day of December of the year in respect of which it is issued.
2. No person shall be entitled to a licence for an ice factory unless the premises to be licensed comply with the following conditions:-
  - i.
    - a. The premises must be in good repair and well ventilated and well lighted and every room must be provided with windows capable of being opened, the area of which when opened must be not less than one-fifteenth of the superficial floor space.
    - b. The walls of every room in every part must be not less than two meters in height and must be built of brick, stone or cabook with the inside thereof lime-plastered or lime-washed.
    - c. The eaves must be at least 1.8 meters from the ground.
    - d. The roof must be made of some permanent material.
    - e. The wood-work must be oil-painted or polished.
    - f. The floor must be cemented throughout.
    - g. The premises must be provided with proper drainage system.
    - h. One room in such factory must be exclusively reserved for the manufacture of ice.
    - i. The premises must be provided with an adequate supply of water obtained from a source protected from contamination and also with adequate means of transport so as to ensure complete freedom from contamination or pollution in transit and with properly constructed tanks and reservoirs.
    - j. The factory must be provided with a sanitary dust bin at least two spittoons and with sufficient latrine accommodation.
    - k. The factory must be at least 16 meter away from any latrine, cesspit, cattle shed, manure heap or open sewer.
    - l. There must be no cesspit, latrine, cattle shed or ash pit within or directly connected with the factory.
  - ii. A special room or place for storage of fuel must be provided and it shall be so situated that fuel can be carried into or from it to the furnace without passing through any of the rooms of the factory in which ice is made, stored or placed for delivery.
  - iii. The water used for the manufacture of ice must be passed through a suitable filter approved by the Chairman and connected with the plant.

3. Provided that the Chairman shall have power to exempt from the operation of this by-law, the water derived from an approved public water supply.
4. Every licensee of an ice factory shall cause a copy of these by-laws relating to ice factories in Sinhala, Tamil and English and the licence to be framed and hung in a prominent place in the ice factory and he shall cause a list of names and address of all employees to be kept in the factory so as to be available for inspection at all reasonable times by the Chairman or any person authorised by him.
5. Every licensee of an ice factory shall cause the walls of every room forming part of the ice factory to be lime-washed twice a year in June and December. He shall cause the woodwork to be painted and if oil-painted, to be washed with hot water and soap at least once every June and December or at other times when ordered by the Chairman in writing.
6. Every licensee of an ice factory shall cause the floor of the factory to be washed at least once every day.
7. Every licensee of an ice factory shall cause every part of the factory, its surroundings, drains, furniture, utensils and equipment used in the making of ice to be kept clean and in good repair.
8. No licensee shall introduce into the ice factory materials and articles other than those used in the manufacture of ice.
9. No licensee of an ice factory shall employ any person less than 14 years of age in the factory.
10.
  - i. No person who is suffering from or has recently suffered from any infection, contagious or cutaneous disease or has been in attendance on any person suffering from such disease shall enter the factory or take part in the preparation, handling sale or transport of ice until the periods of infection and incubation elapsed.
  - ii. The licensee of an ice factory shall cause all employees engaged in the service of the factory for medical check-up at least once a year and that report to be submitted to the Chairman and such employees shall be registered in the Kinniya Urban Council.
11. Every licensee of an ice factory shall cause all dung, refuse urine and waste water from any part of the factory to be disposed of at least once a day so that no nuisance is caused thereby.
12. No licensee of an ice factory shall keep any animal or bird within the factory on any pretext whatsoever.
13. It shall be lawful for the Chairman or the public Health Inspector or any person authorised by the Chairman in writing to enter any ice factory at any time when such factory is open and to take samples of water used for the manufacture of ice or samples of water derived from ice there manufactured and no licensee or person in charge of such factory shall refuse to permit such samples to be taken.
14. No water which is unwholesome or unfit for human consumption shall be used by any licensee for the manufacture of ice.
15.
  - i. It shall be lawful for the Chairman or any officer of the Council generally or specially authorised in writing by the Chairman at reasonable times to enter and inspect any ice factory.
  - ii. The Chairman or such officer shall have power to enter and inspect the ice factory and the licensee or person in charge of the ice factory shall render the Chairman or that officer all such assistance as may be necessary.
16. On the second or subsequent conviction of any licensee for the contravention of this by-law before a court of law, the Chairman may decide the cancellation of the licence issued to him.

17. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted after a trial in a court of law which has jurisdiction within the Kinniya Urban Council limits, he shall be liable to the following penalties also:

- a. to a fine not exceeding Seven Hundred and Fifty Rupees (Rs. 750) for the first offence;
- b. a fine not exceeding One Thousand Rupees (Rs. 1,000) for the second subsequent offence;
- c. In the case of a continued contravention, after he has been convicted or after service of a written notice from the Chairman on such person, having drawn attention on said contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

Interpretation:-

In these by-laws-

“Council” means the Kinniya Urban Council.

“Chairman” means the Chairman of the Kinniya Urban Council.

“Public health Inspector” means the Public Health Inspector of the Kinniya Urban Council.

“Gala” means the place in which the cattle, swine, goats or any other animal are retained.

“Ice Factory” means the place where the ice is manufactured for the consumption or business purposes.

“Permanent material” means the tiles, concrete, Asbestos and G.I. sheets.

#### PART XV11I

#### BY-LAWS RELATING TO AERATED WATER MANUFACTORIES

1.
  - (1) No person shall establish or keep any aerated water manufactory except on a licence issued in that behalf by the Chairman.
  - (2) Every licence issued under paragraph (1) of this by-law shall, unless earlier cancelled under by-law 21 expire on 31<sup>st</sup> December of the year in respect of which it is issued.
2. No person shall be entitled to a licence for an aerated water manufactory unless the premises to be licensed are in conformity with the following conditions:
  - i.
    - a. The premises must be in good repair and well ventilated and well lighted and every room must be provided with windows capable of being opened, the area of which when open must be not less than one-fifteenth of the superficial floor space.
    - b. The walls of every room in every part must be not less than 2 meters in height and must be built of brick, stone or cabook with the inside thereof lime-plastered and lime-washed.
    - c. The eaves must be at least 2 meters from the floor level.
    - d. The roof must be made of some permanent material.
    - e. The wood work must be oil-painted or painted.
    - f. The floor must be cemented throughout.
    - g. The premises must be provided with adequate drainage.
  - ii. There must be at least one room reserved for the manufacture of aerated water.
  - iii. There must be a separate fly-proof room for the storage of syrup, essences and chemicals used in the manufacture of aerated water.
  - iv. A separate place must be provided for the washing of bottles.

- v. The water used in the manufactory must be obtained from a source adequately protected from contamination. Such water must be transported to the manufactory by means which shall ensure that no pollution occurred in transit. Such water must be stored at the manufactory in properly constructed tanks or reservoirs.
- vi. The water used in the manufacture of aerated water and in any process connected therewith and for washing bottles, accessories and utensils must be passed through a suitable filter approved by the Chairman connected with the plant and the water must be found on chemical and bacteriological examination to be pure and wholesome:

Provided that the Chairman shall have the power to exempt from the operation of this by-law if the water derived from an approved public supply.

vii.

- a. The aerated water manufactory must be provided with a sanitary dust-bin, at least two spittoons and with such latrine accommodation as is sufficient, being not less than one latrine for every ten persons employed therein.
- b. The aerated water manufactory must be at least eighteen meters distant from any latrine, cesspit, cattle shed, manure heap or open sewer.
- c. There must be no cesspit, latrine, cattle shed or ash pit, within or directly communicating with has aerated water manufactory.

3.

- (1) It at any time during the period for which a licence has been issued in respect of an aerated water manufactory, any building used for the purposes of that manufactory ceases to conform to the provisions of by-law 2, the Chairman may cause a notice to be served on the licensee of the manufactory requiring him to do before a date to be specified in the notice all things necessary to make such building conform to such provisions.
- (2) No licensee of an aerated water manufactory or whom or written notice is served under paragraph 3(1) of this by-law shall fail to comply with such notice within the time specified therein.
- (3) Any notice under paragraph 3(1) shall be deemed to have been served on the licensee if is affixed to the premises at which the licensee carried on the business of the aerated water manufactory or if it is left with any person employed in such premises by the licensee.

- 4. Every licence of an aerated water manufactory shall keep affixed in a conspicuous position on the outside of his premises a board with his name and the words "licensed Aerated water Manufactory" legibly painted thereon in Sinhala, Tamil and English.
- 5. Every licensee of an aerated water manufactory shall cause a copy of these by-laws relating to aerated water manufactories in Sinhala, Tamil and English and the licence, to be framed and hung in a prominent place in the manufactory. He shall cause a list of names and addresses of all employees including the vendors of aerated water to be kept in the manufactory and to be available for inspection at all reasonable times by the Commissioner or any person authorised by him.
- 6. Every licensee of an aerated water manufactory shall cause the walls of every room forming part of the aerated water manufactory to be lime-washed twice a year in June and December. He shall cause the wood work to be painted or if oil-painted to be washed with hot water and soap at least once every June and December and at other time when ordered by the Chairman
- 7. Every licensee of an aerated water manufactory shall cause the floor of the manufactory to be washed at least once every day.



8. Every licensee of an aerated water manufactory shall cause all bottles used in the manufactory to be cleaned in the following manner :  
There shall be two separate tanks for the cleaning of bottles, one being used for the removal of labels and for the preliminary cleaning and the other for the final cleaning. Where a pipe-borne water supply is available, the final cleaning shall be in running water.
9. Every licensee of an aerated water manufactory shall cause every part of the manufactory, its surroundings, drains furniture and utensils and the equipment used in the making of aerated water to be kept clean and in good repair.
10. Every licensee of an aerated water manufactory shall cause any materials or articles other than those used in the manufacture of aerated water to be introduced in to the manufactory.
11. No licensee of an aerated water manufactory shall use in the manufactory any materials which are not clean wholesome, or of good quality.
12. Every licensee of an aerated water manufactory shall cause the materials used in the manufactory to be stored in cou boards or shelves protected from insects and rats.
13. Every licensee of an aerated water manufactory shall cause every bottle containing aerated water to bear a label setting out a description of the water and the place of manufacture, the name of the person or firm owning the manufactory and the number assigned by the Chairman to the manufactory and the date of manufacture and the date of expiry shall be mentioned on such label also.
14. No licensee of an aerated water manufactory shall employ any person under fourteen years of age to work in such aerated water manufactory.
15.
  - i. No person who is suffering or has recently suffered from any infectious, contagious or cutaneous disease or who has recently been in attendance on any person suffering from such disease, shall enter an aerated water manufactory or take part in the preparation sale or transport of aerated water until the periods of infection and incubation have elapsed.
  - ii. The licensee of an aerated water manufactory shall cause all employees engaged in the service of the manufactory a medical check-up at least once a year and that report to be submitted to the Chairman and such employees to be registered in the Kinniya Urban council.
16. Every licensee of an aerated water manufactory shall cause all persons engaged in bottling aerated waters to wear, whilst so engaged a wire gauze mask over the face and leather gloves on the hand
17. Every licensee of an aerated water manufactory shall, for storing syrup, essences, chemicals or other matters, use vessels made of glass, porcelain, glazed earthenware, enameled iron, or tin. He shall not use such vessels for any other purpose and shall keep them in a place set apart for their storage.
18. Every licensee of an aerated water manufactory shall cause all dung, refuse, urine and washing from the cattle shed, latrine or any part of the manufactory to be removed at least once a day and to be disposed of , so that no nuisance is caused there by.
19.
  - i. No licensee of an aerated water manufactory shall keep any animal or bird within the licensed premises under any pretext whatsoever.
  - ii. No person shall smoke or chew of betel or any other thing in the process of manufacturing the aerated waters and the licensee shall not permit them to do so.
20. It shall be lawful for the Chairman or any public health inspector or any person there to authorised by the Chairman in writing to enter any place used for the manufacture or sale of aerated waters at any time when such place is open and on payment of the price there of to take a sample bottle of any kind of aerated water which is there manufactured or kept for sale and no licensee or person in charge of such refuse to permit such sample to be taken.

21. On the second or subsequent conviction of any licensee for the contravention of this by-law by a court, the Chairman may decide the cancellation of the licence issued to him.
22. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted after a trial in a court of law which has jurisdiction within the Kinniya Urban Council limits, shall be liable to the following penalties also:
  - i. to a fine not exceeding Seven Hundred and fifty Rupees (Rs. 750) for the first offence;
  - ii. a fine not exceeding one thousand Rupees (Rs. 1,000) for the second subsequent offence;
  - iii. In the case of a continued contravention, after he has been convicted or after service of a written notice from the Chairman on him, having drawn attention on said contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

Interpretation:-

In these by-law-

“Chairman” means the Chairman of the Kinniya Urban Council.

“Permanent material for the roof” means the tiles, concrete, asbestos.

“Aerated waters” means the drinks manufactured with all or one of fruits, essences, syrup.

#### BY-LAWS RELATING TO THE PUBLIC LATRINE-PART XIX

1. In any public latrine, no person shall defecate except into the pans or urinate except at the places provided for such purposes.
2. No person shall wash any cloth or other such articles, any pet, pans or domestic utensils or other animals in any public latrine.
3. No person shall drop or place into the pans, gullies or other openings into the drains in or of any public latrine, any brick store, earth, ashes or any substance or matter which such drains are not intended to receive.
4. No person shall damage, remove, block up or in any way alter the fixing, position or arrangement of any pan, pipe, valve, tank or any other fitting or appliance in any public latrine or shall willfully destroy, deface, damage or abuse any wall, floor, roof or any part of the structure of such latrine.
5. No person not being a Kinniya Urban Council officer or other person in the execution of his duties shall enter in or part of any public latrine set apart for the use of persons of the opposite sex or any public latrine or part hereof which may for the time being, be closed or barred from use.
6. No person shall take water supplied for a latrine, for any consumption except for the use of that latrine and for washing.
7. No person shall except in any public latrine, defecate or piss in the city, at opened places, at road sides and into the drains.
8. No person shall willfully molest, obstruct, interfere with or disobey the lawful order of any attendant, watcher, servant or custodian of any public latrine whilst in the execution of his duties.
9. No person shall frequent or remain in any public latrine except for the purpose for which such latrine has been provided.
10. The Chairman or the other officer authorised by him in writing may recover a service charge so as to make the damage caused to the environment in due order, from every person who contravenes this by-law.
11. If Council otherwise decides, cleaning and maintenance of public latrines may be assigned with any person or Institution. This should be done after calling tenders according to the Tender procedure.
12. In the event of public latrines have been so given to a person or an Institution, the Council may from time to time; decide the amount of fees to be charges by such person or by that Institution.

13. Any person who contravenes laws 1-10 set out herein these by-laws shall be guilty of a punishable offence and shall be liable to the following penalties, if convicted in a court of law which has jurisdiction within the Kinniya Urban Council limits.
- To a fine not exceeding Seven Hundred and fifty Rupees (Rs. 750) for the first offence;
  - a fine not exceeding One Thousand Rupees (Rs. 1000) for the second subsequent offence;
  - In the case of a continued contravention, after he has been convicted or after service of a written notice from the Chairman shall have been served on such person, having drawn attention on said contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

*Interpretation :-*

In these by-laws-

“Council” means the Kinniya Urban Council.

“Chairman” means the Chairman of the Kinniya Urban Council.

#### BY-LAWS RELATING TO THE DAIRIES AND THE SALE OF MILK – PART XX

- No person shall keep a dairy except on a licence issued in that behalf by the Chairman.
  - Every licence issued under paragraph (1) of this by-law shall, unless earlier cancelled under by-law 37, expire on the thirty first day of December of the year in respect of which it is issued.
- No person shall be entitled to a licence to keep a dairy unless the premises to be licensed is in conformity with following conditions:-
    - The premises shall be in good repair and well ventilated and well lighted.
    - The walls and roof of the buildings of the dairy shall be made of some permanent material.
    - The woodwork shall be painted.
    - The floor shall be cemented or paved with some hard and impermeable material.
    - The premises shall be provided with adequate drainage.
    - There shall be sufficient supply of pure water protected from pollution at a convenient distance for the use dairy.
    - Every building or shed intended for the accommodation of cattle shall be built of brick, stone or cabock and the wall and pillars shall be lime-washed and plastered with cement to a height 1.2 meters from the ground. The roof shall be made of permanent materials. The floor shall be paved with brick or stone rendered in cement, cement concrete or asphalt. Drains constructed of such material shall be provided so as to convey the urine, washing and night soil into a soakage pit.
    - The milk room shall be in a suitable position and at a distance of not less than four meters from the cow sheds and other buildings.
    - The floor of the milk room shall be cemented and must have rounded corners at its junction with the walls; the walls of the milk room shall be not less-than two meters in height and shall be built of brick, stone or cabock with the inside thereof lime-plastered and lime-washed, at least two opposite walls of the milk room shall out on the open air, the roof shall be ceiled with grooved boards to prevent the ingress of dust and shall be oil-painted, the eaves shall be at least 1.8 meters from the ground, there shall be at least one window and one door and the area of the window space shall be not less than one fifteenth of the superficial floor space and the window space shall be covered with fly-proof netting, the door shall be opposite the window and shall be close-fitting and fitted with fly-proof netting.

- (j) The milk room shall be provided with a table covered with marble, slate, sinc or other approved impermeable substance.
  - (k) The milk room shall be provided with a sanitary dust-bin.
  - (l) The milk room shall be at least Thirty meters distant from any latrine, cesspit, manure heap or open sewer.
  - (m) There shall be no cesspit, latrine or ash pit within or directly communicating with the milk room.
- (2) The number of cows of which each dairy is to be licensed shall be stated in the application for the licence and such number must be proportionate to the size of the cattle shed, allowing for each cow a floor space of two meters by 1.5meters.
- 3.
- (1) If at any time during the period for which a licence has been issued in respect of any dairy, any building used for the purposes of that dairy ceases to conform to the provisions of By-law 2, the Chairman may cause a notice to be served on the licensee of the dairy requiring him to do, before a date specified in the notice, all things necessary to make such building conform to such provisions.
  - (2) No licensee of a dairy or whom a written notice is served under paragraph 3(1) of this by-law shall fail to comply with such notice within the time specified therein.
  - (3) Any notice under paragraph 3(1) of this by-law shall be deemed to have been served on the licensee if it is affixed to the premises at which the licensee carries on the business of the dairy or if it is left with any person employed in such premises by the licensee.
4. Every licensee of a dairy shall keep affixed in a conspicuous position on the outside of his premises a board with his name and the work as "Licensed Dairy" legibly painted thereon in Sinhala, Tamil and English.
  5. Every licensee of a dairy shall cause a copy of these by-laws relating to dairies in Sinhala, Tamil and English and the licence to be framed and hung in a prominent place in the dairy. He shall also keep a list of the names and address of all employees (including the vendors of milk) in the dairy so as to be available for inspection at reasonable times by the Chairman or other person authorised by him. Also, the licensee shall produce all employees before a medical board and such report be submitted to the Chairman at the beginning of each year.
  6. Every licensee of a dairy shall cause the walls of every room forming part of the dairy to be lime-washed twice a year in the months of June and December. He shall cause the wood work to be washed with hot water and soap at least twice a year in the months of June and December and at such other times as may be ordered by the Chairman in writing.
  7. Every licensee of a dairy shall cause the floor and the top of the milk room table to be washed at least once every day.
  8. Every licensee of a dairy shall cause all utensils, furniture and other requisites used in or belonging to the dairy to be kept clean.
  9. Every licensee of a dairy shall cause every part of the dairy, its surroundings and drains, to be kept clean and in good repairs.
  10. Every licensee of a dairy shall cause all vessels sent out containing milk to be cleaned and to be properly covered with clean material and shall take all proper precautions to prevent the milk from being contaminated during transit.
  11. Every licensee of a dairy shall use for storing milk, vessels made of glass, porcelain, glazed earthenware, enameled iron, galvanized iron or tin and shall not permit such vessels to be stored in the cattle shed.
  12. Every licensee of a dairy shall cause all dung, refuse, urine and washings to be removed from the dairy at least once a day and disposed of so that no health hazard is caused thereby.
  13. No licensee of a dairy shall have any animal or bird in the milk room on any pretext whatsoever.
  14. No licensee of a dairy shall allow the milk vessels, butter vessels, churns, separators or other articles in the dairy to be used for any purpose other than that for which they are intended and he shall cause them to be cleaned at least once daily by washing them with boiling water.
  15. No person who is suffering or has recently suffered from any infections, contagious or cutaneous disease or has recently been in attendance on any person suffering from such disease shall enter a dairy or take part in the preparation, sale or transport of milk until the periods of infection and incubation have elapsed.

16. No licensee or person in charge or control of a dairy shall knowingly employ or allow to enter into the dairy premises any person who is suffering or has recently suffered from any infectious, contagious or cutaneous disease, or who has recently been in attendance on any person suffering from such disease, until the periods of infection and incubation have elapsed.
17. Every licensee of a dairy shall, for the purposes of such dairy, use water-
  - (a) from a public water supply where such a supply is available and shall in such case cause pipes to be laid from the main and the water supply to be obtained there from by means of taps within the building; or
  - (b) Where no public water supply exists, from a suitable source capable of supplying a sufficient quantity of pure water.
18. Every licensee of dairy obtaining water from any source other than a public water supply shall discontinue such source and obtain water from a public water supply as soon as a supply is established.
19. No licensee of a dairy shall cause any cow to be milked for the purpose of obtaining milk for sale unless, at the time of milking, the udder and teat of such cow are clean and unless the hands of the person milking are also are also clean and free all infection and contamination.
20. Every licensee of a dairy shall forthwith give notice to the Medical officer of Health any case or suspected case of infectious or contagious disease which may occur among the persons employed by him in the dairy.
21.
  - (1) Every licensee of a dairy shall whenever any animal in his dairy is affected with any contagious or infectious disease forthwith give notice of the fact to the Urban Veterinary Surgeon. The licensee shall, in order to prevent infection or contamination, forthwith remove or cause to be removed from the proximity of other animals any animal in his dairy which is found or is suspected to be suffering from any infectious or contagious disease.
  - (2) On the outbreak of any infectious or contagious disease, every license of a dairy shall carry out such instruction for the control of the outbreak as the Urban Veterinary surgeon may give.
  - (3) No licensee of a dairy shall sell or permit to be sold the milk of any animal suffering from tuberculosis, whether of the udder or otherwise, acute mastitis, foot and mouth disease, anthrax, actinomycosis of the udder or decided by the Urban Veterinary Surgeon that such animal is suffering from the brucellosis disease or shall add such milk or permit it to be added to any milk of other animals which is intended for sale or human consumption.
22. Every licensee of a dairy shall cause all cattle food, except grass and straw, to be stored in a suitable rat-proof receptacle.
23.
  - (1) No licensee of a dairy shall allow milk intended for sale to be kept in any place other than the milk room.
  - (2) No licensee of a dairy shall use the milk room or permit it to be used for any purpose other than that of storing and preparing milk.
24. No licensee of a dairy shall adulterate milk by the addition of water or any other foreign liquid or substance thereto, nor shall he sell, offer expose, hawk for sale or deliver milk so adulterated.
25. No licensee of a dairy shall sell, offer expose, hawk for sale or deliver any milk from which the cream has been removed unless such milk is contained in a vessel which is clearly, distinctly and conspicuously labeled "Skimmed Milk" in Sinhala and the equivalent term in Tamil and English and is solid as such or shall allow or support to do so.
26. No licensee of a dairy shall sell or supply milk obtained from cows other than those kept in a licence dairy.
27. The Chairman, the Medical Officer of Health, the Sanitary Inspector or any other officer generally or specially authorised by the Chairman shall, on payment of the value thereof, be at all times entitled to take a sample of milk for analysis from any licensed dairy or from person selling, exposing, hawking or delivering milk and no licensee of a dairy or registered vendor or other person shall refuse to sell such sample for analysis on payment of the value thereof.

28. No person shall use any premises within the urban area for the purpose of keeping for sale any milk obtained from outside the urban area, except on a licence on a licence issued to him for that purpose by the urban area.
29. No person shall be entitled to a licence under by-law 28 unless he has been recommended after an inspection of the dairy from which he intends to obtain milk, by the Chairman and Medical officer of Health or the Urban Veterinary Surgeon.
30. Every licence issued under by-law 28 remain in force until the thirty-first day of December of the year in respect of which it is issued.
31. No person shall deliver milk or carry or hawk milk for sale, within the urban area unless he has in his possession a registration card for the current year duly issued to him by the Chairman.
32. The Chairman may refuse to issue to any person a registration card under by-law 31, until a Medical Officer specified by the Chairman has examined and found that person to be free from any infectious, contagious or cutaneous disease.
33. Every registration card issued by the Chairman under by-law 31 shall contain the following particulars.
  - a. Employer's name and number on register.
  - b. Name of Servant or Agent and his signature or thumb impression.
34. No person delivering milk or carrying or hawking milk for sale within the Urban area shall refuse or fail, for any reason, to produce for inspection a duly issued registration card for the current year, when called upon to do so, by the Public Health Inspector or by any person specially or generally authorised by the Chairman in that behalf.
35. No person shall sell or deliver or expose, keep, carry, hawk or offer for sale within the Urban area or support to do so.
  - (1)
    - a. Any cow milk which contains less than 8.5 per centum of milk solids not fat or less than 3.5 per centum of milk fat;
    - b. Any buffalo milk which contains less than 9 per centum of milk solids not fat or less than 7 per centum of milk fat.
  - (2) Any milk from which the cream has been removed, unless such milk is contain in a vessel which is distinctly and conspicuously labeled "Skimmed Milk" in Sinhala and the equivalent term in Tamil and English and is sold as such;
  - (3) Any milk adulterated with water or any other foreign substance or liquid;  
 Provided that milk to which tea, coffee or cocoa has been added for consumption on the premises of any tea or coffee boutique or eating-house shall not be deemed to be adulterated for the purposes of this by-law; or
  - (4) Any milk contained in bottles of which the mouth is not covered with paper or other impermeable material.
36.
  - (1) It shall be lawful for the urban area or any officer of the Council generally or specially authorised in writing thereto by the Chairman at all reasonable times to enter and inspect any dairy.
  - (2) The licensee or the person in charge of the dairy shall permit the Chairman or any officer authorised by the Chairman in writing to enter and inspect the premises and shall render the Chairman or such officer all such assistance as may be necessary.
37. It shall be lawful for a court of competent jurisdiction, in addition to any other punishment that it may impose, to cancel the licence of a licensee convicted twice or often of a breach of any of these by-laws relating to dairies and the sale of milk and the licensee shall not be entitled to any compensation in respect of the cancellation.
38. The Chairman shall register in the urban office; all employees engaged in the service of the dairy and shall issue to them an identity card including their photographs by charging a fee. Also, he shall take action to produce all employees before the Urban Medical Officer of Health or other prominent Doctor and to obtain medical reports from them.

39. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted in a court of law which has jurisdiction within the Kinniya Urban limits. He shall liable to the following penalties also.

- (1) To a fine not exceeding Seven Hundred and fifty Rupees (Rs. 750) for the first offence;
- (2) a fine not exceeding One Thousand Rupees (Rs. 1000 for the second subsequent offence;
- (3) In the case of a continued contravention, after he has been convicted or after service of a written notice from the Chairman on such person, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

*Interpretation :*

In these by-laws-

“Chairman” means the Chairman of the Kinniya Urban Council.

“Medical Officer of Health” means the Medical Officer of Health of the Kinniya Urban Council.

“Public Health Inspector” means the Public Health Inspector of the Kinniya Urban Council.

“Veterinary Surgeon” means the Veterinary Surgeon of the Kinniya Urban Council.

“Some permanent material for the roof” means tiles, Concrete, Asbestos, and Zinc sheets.

“Diary” means the place of in which the mulch cows, buffaloes and goats are kept for milking.

BY-LAWS RELATING TO THE SEIZURE OF ARTICLES UNFIT FOR FOOD-PART XXI

1. It shall be lawful for a Urban officer upon the seizure by him as unwholesome or unfit for the human food of meat of cattle, poultry, fish, flesh, vegetable, fruit or other articles of food introduced into or exposed for sale within the Urban limits, to convey the same to the Medical Officer of Health or Veterinary Surgeon or in their absence to the Judge who has jurisdiction within the Urban limits and if it appears to the Medical Officer of Health or Veterinary Surgeon or Magistrate that such meat, poultry, fish, game, flesh, vegetable, fruit or other article of food are unfit for human food, he shall order the same to be destroyed or to be disposed of as to prevent it being used for food.
2.
  - a. No person shall add, mix, colour, stain or powder or order or permit any other person to add, mix, colour, stain or powder any article of food with any ingredient or material so as to render the article injurious to health with intent that the same may be sold in that state and no person shall sell any such article so added, mixed, coloured, stained or powdered.
  - b. No person shall expose for sale any cooked food pasty, sweet meats, confectionery or preserved or dried fruit intended for human consumption unless he has taken all reasonable precautions to protect it from dust, flies and bad adours.
3. No person shall sell or offer for sale any milk from which the cream has been removed, unless he previously informs the person to whom he sells or offers it that cream has been removed.
4. No person shall sell, offer, hawk about or expose for sale any milk which has been adulterated and which contains less than the standard of cow's milk to wit 8.5 percent of milk solids including not less than 3.5 percent of milk fat provided, however, that when buffalo milk is sold as such it shall contain not less than 9 percent of milk solids including not less than 7 percent of milk fat.
5. The medical officer of Health or Veterinary Surgeon or an authorised Municipal officer may at any time, demand and take for the purpose of anal is samples of any milk which is in possession of a registered dairyman or any person who is found selling, hawking or exposing milk for sale and any registered dairy man or other person who refuses to permit samples to be taken shall be guilty of an offence.

6. In taking samples of milk, the Medical Officer of Health, Veterinary Surgeon or Authorised Urban Council officer shall take three samples and shall at once seal them in the presence of the registered dairy man or other person from whom they are taken, and shall deliver one to such registered dairy man or other person, send the second to the city or government Analyst and the third to the Urban Council office, A certificate signed by such city or Government Analyst, if it states that the sample is adulterated, shall be evidence that the milk from which the sample was taken,. Should any evidence to the contrary be offered, a certificate from the city or Government Analyst shall be conclusive on the question of adulteration.
7. Printed and numbered cards, in such form as the Chairman shall from time to time direct and signed by him, shall be issued annually to every milk vendor employed by a registered man on an application made by such dairy man. Such cards shall bear a photograph of the vendor and a copy of such photograph shall be deposited with the Chairman. No person shall sell, hawk or expose milk for sale, unless he has in his possession a card issued for the current year in his own name and unless the name of the dairy man under whom he is employed is still on the register at the time of the sale, hawking or exposing of the milk for sale. Should such person fail to produce on demand by any Authorised urban council or Police Officer, such a card for inspection, he shall be guilty of an offence and such officer may at once arrest him and shall convey him forth with after arrest to the nearest Police Station and the Officer in charge of such police station shall deal with him as if he had been arrested by a Police Officer without a warrant under the provisions of the Criminal Procedure Code, such cards may be cancelled at any time by the Chairman, if it appears to him to be necessary, in the interests of the public health.
8. Should any sample of milk taken under the provisions of the by-law 5, prove to be adulterated, the person in whose possession it is found shall be guilty of an offence. if such person be a vendor of, or a person in the employ of or acting on behalf of a dairy man, then both such person and the dairy man shall be guilty of an offence.
9. The Medical Officer of Health or Veterinary Surgeon or an Authorised urban council officer as the case may be, may enter any shop or other place where tinned or salted for sale, at any time when such shop or place is opened and seize any tinned or salted meat which he reasonably suspects to be unfit for human food, and he shall forthwith send such tinned or salted meat to the City or Government Analyst and the certificate of such authorised analyst, if it states that such tinned or salted meat is unfit for human food, shall be evidence of that fact until the contrary is proved and the proprietor or person in charge of the shop or place where such tinned or salted meat was seized, shall unless the contrary is so proved as stated above, be guilty of an offence this tinned or salted meat shall be bought and a receipt from such shop or place be obtained in that behalf and such receipt shall be kept with him to submit as an evidence.
10. The receipt issued for the payment of money for tinned or salted meat taken into custody under the by-law 9 shall be submitted and it shall be dealt with that receipt to be submitted in the court as evidence. On application of receipt from any person by the Medical officer of Health, or other Veterinary Surgeon or an Authorised Urban council officer any person who acts contrary to the issue of such receipt shall be deemed to be guilty of an offence.
11. It shall be lawful for the medical officer of Health or an Authorised Urban council Officer to enter any place used for the manufacture or sale of aerated waters at any time when such place is opened and to take a sample bottle of any kind of aerated water which is there manufactured or kept for sale and any proprietor or person in charge of such business who shall refuse to permit such sample to be taken shall be guilty of an offence. Such sample shall be forthwith forwards to the city or Government Analyst and the certificate of such Analyst, if it states that such sample is unfit for human consumption, shall be evidence that it is so unfit and the owner or person in charge of any business used for the manufacture or sale of aerated waters, from which business any such sample was taken which proved be unfit for human consumption shall be guilty of an offence.



12. Any person who contravenes any of these by-laws be guilty of a punishable offence and shall be liable to the following penalties, if he is convicted in a court of law which has jurisdiction within the Kinniya Municipal limits.
- To a fine not exceeding Seven Hundred and fifty Rupees (Rs. 750). for the 1<sup>st</sup> offence.
  - A fine not exceeding One Thousand Rupees (Rs. 1000) for the 2<sup>nd</sup> subsequent offence.
  - In the case of a continued contravention, after he has been convicted or after service of a written notice from the Chairman on such person, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

*Interpretation :*

In these by-laws-

“Urban Council” means the Kinniya Urban Council.

“Chairman” means the Chairman of the Kinniya Urban Council.

“Medical Officer of Health” means the Medical Officer of Health of the Kinniya Urban Council.

“Veterinary Surgeon” means the Veterinary Surgeon of the Kinniya Urban Council.

Any person means owner or occupier of the land it includes any person who erect latrine for owner or occupier

BY-LAWS RELATING TO CONSERVANCY-PART XX11

- No person shall erect or cause to erect on any premises any cesspit latrine or a water-seal latrine or other latrine of such size and type and in such position on the premises with out written approval of chairman on the recommendation of the Medical Officer of Health or an Officer authorized by such Medical Officer or competent officer assigned by urban council
- The Chairman may, by notice in writing served on the person of any premises situated within an area for which a conservancy service has been established, require such person to provide a water-seal latrine or other latrine of such size and type and in such position on the premises as may be approved by the Chairman on the recommendation of the Medical Officer of Health or an Officer authorised by such Medical Officer or competent officer assigned by urban council
- If the Medical Officer of Health or an officer authorised by such Medical Officer or competent officer assigned by urban council certifies that any cesspit or latrine (not being a water –seal latrine or other latrine of such size and type referred to in by –law 1 on premises within the area for which a conservancy service has been established, is insanitary and dangerous to health, the Chairman may on such recommendation, by notice in writing served on the owner of such premises, require such owner to close such cesspit or latrine.
- Every person on whom a notice referred to in by-law 1 has been served shall comply with the requirements of such notice within such time, in no case to be more than two months as may be specified in such notice.
- The occupier of any premises provided with a water-seal latrine or other latrine and situated within an area for which a conservancy service has been established, shall maintain such latrine at all times in a sanitary condition and in good repair.
- No conservancy Labourer employed by the Council shall according to the terms and conditions mentioned in the permit by the person duly authorised by the Chairman under the supervision of a Urban Health Inspector, remove or otherwise dispose of the night soil from any latrine within the area for which a conservancy service has been established and nobody else shall do so.
- The Chairman or any other officer authorised by him may enter and inspect any place within the urban limits after giving notice to any resident of that place verbally or in writing to satisfy that the requirements referred to in these by-laws are complied. In such a circumstance, that resident shall render every assistance to the officer holding such inspection.

8. The owner or occupier of any premises served by the conservancy service, other than a person who is exempted by the Council on the ground of poverty, shall pay a conservancy fee at such rate as may be prescribed in that behalf by the Council.
9. The conservancy fee referred to in by-law 7, shall be paid to the Chairman or to person duly authorised by him in writing to collect such fee. if he fails to do so, action shall be taken against him according to the provisions of Sections 211-212(chapter 255) of the Urban council Ordinance and such amount of fees be recovered from him.
10. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted before a Judge who has jurisdiction within Kinniya Urban Council's limits, shall be liable to the following penalties.
  - (a) To a fine not exceeding Seven Hundred and fifty thousand [Rs.750] for the 1st offence.
  - (b) A fine not exceeding One Thousand [ Rs 1, 000] for the 2nd subsequent offence.
  - (c) In the case of a continued contravention, after he has been convicted or after service of a written notice from the Chairman on such person, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

*Interpretation :*

In these by-laws-

“Council” means the Kinniya Urban Council.

“Chairman” means the Chairman of the Kinniya Urban Council.

“Medical Officer of Health” means the Medical Officer of Health of the Kinniya Urban Council.

Any person mean owner or occupier of the land and include or any person who erect latrine for owner or occupier.

BYLAWS RELATING TO SCAVENGIGN PART XXIII

1. Upon the establishment of a scavenging service for the whole or any specified part of the Urban Council area, the occupier of any premises situated within an area for which such service has been established shall cause all ashes, sweepings and other refuse from his premises to be deposited in a covered dust-bin the height of which is not less than sixty one cms. and the diameter of which is not less than 36 cms. At the bottom and 46 cms. at the top.
2. The occupier of any premises referred to by-laws shall:
  - (a) daily during such time as the Chairman or officer authorised in writing for such purpose may from time to time notify, place the bin referred to in by-law 1, by the edge of the road outside such premises but so as to cause no obstruction to traffic on the road; and
  - (b) cause the bin to be removed within half an hour of the emptying of such bin by the scavenging Labourers of the Council;
  - (c) After emptying bin shall not be kept in front of any house, business place or any other building. If it is proved to have been so placed, the owner or the occupier of that premises shall be guilty of an offence and he shall liable to penalties referred to in by-law 8 here to and in addition to this, expenses incurred by the Council for the removal of the refuse in that premises shall be recovered from him also.
3. No person shall place on any road, any bin referred to in by-law 1 except between such times as are referred to in by-law 2
4. The occupier of any premises served by the scavenging service other than the occupiers who are exempted by the Council on the ground of poverty, shall pay monthly to the Council a scavenging fee at such rate as may be prescribed in that behalf by the Council. If he fails to do so during such period, an action shall be taken against him according to the provisions of Sections 211-212 of the Urban Council ordinance and that amount of fees shall be recovered from him.

5. No person shall collect deposit or remove dust, ashes, rubbish, refuse or filthy on or from any street or public place within the Kinniya Urban Council area unless he is authorised to do so by the Chairman.
6. Disposal of garbage shall be regularized by encouraging the rate payers to classify the solid waste, re-cycling them and manufacturing of compost manure.
7. The occupier of any premises referred to in by-law 1 if the Chairman requires, shall deposit each category of refuse, which is categorized by the Chairman in separate bins.
8. Any person who contravention of any of these by-laws shall be guilty of a punishable offence and if convicted before a judge who has jurisdiction within Kinniya Urban Council's limits, shall be liable to the following penalties:
  - a. To a fine not exceeding Seven Hundred and fifty [Rs.750] for the 1<sup>st</sup> offence.
  - b. A fine not exceeding One Thousand [Rs1, 000] for the 2<sup>nd</sup> subsequent offence.
  - c. In the case of a continued contravention, after he has been convicted or after service of a written notice from the Chairman on such person, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs. 250) for each day of continuing the contravention.

*Interpretation :*

In these by-laws-

“Kinniya Urban Council area” means the area within the administrative limits of the Kinniya Urban Council.

“Council” means the Kinniya Urban Council.

“Chairman” means the Chairman of the Kinniya Urban Council.

BY-LAWS RELATING TO THE HAWKING WITHIN THE URBAN AREA-PART XXIV

1.
  - (i) It shall be lawful for the public health Inspector or any other officer authorised in writing for the purpose by the Chairman to inspect any meat, poultry fish whether fresh, salted or iced, game, vegetables, fruit (including young coconut) cooked food, pastry, confectionery, Sweetment, sherbet sweet drink and other article of food or drink kept or exposed for sale and if it appears to him that such article of food or drink is unwholesome or unfit for human consumption to seize and convey such article to the Medical officer of Health.
  - (ii) If the Medical Officer of Health certifies that any article of food or drink seized under paragraph (1) is unwholesome or unfit for human consumption such article may be destroyed without payment of compensation to the person from whose possession it was seized.
2. It shall be lawful for the issue of a temporary licence to the vendors and Hawkers who are selling any article going from place to place.
3. Every license issued under this by-law shall confirm to the condition determined by the Council from time to time.
4. Licence fees shall be recovered at the rates determined by the Kinniya Urban Council from time to time.
5. Any licence issued under this by-law expires after 31<sup>st</sup> of December of the year in respect of which it is issued.
6. The Chairman shall have power to cancel the licence of a licence who engages in sale of article contravening conditions set-out in these by-laws.
7. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and convicted after a trial in a court which has jurisdiction within the Kinniya Urban Council limits, shall be liable to the following penalties.

- (i) To a fine not exceeding Seven Hundred and Fifty Rupees (Rs.750,00) for the first offence.
- (ii) A fine not exceeding One Thousand Rupees (Rs.1000) for the second or subsequent offence.
- (iii) In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.

*Interpretation :-*

In these by-laws-

“Chairman” means the Chairman of the Kinniya Urban Council

“Medical Officer of Health” means Medical Officer of Health of the Kinniya Urban Council.

### CHAPTER III

#### PART I- CONSTRUCTIONS OF DRAINS AND BUILDINGS

1.

- (a) The owner or occupier of any house, land or premises adjoining any street, by the side of which a drain shall have been made or excavated, shall not construct or place over any such drain any bridge platform, building or structure of any kind, except by and with the written permission of the Chairman and subject to such condition as the Chairman shall deem necessary to impose and in such manner as he shall direct.
- (b) And such owner or occupier shall maintain such bridge, platform, building or structure of any kind in good order to the satisfaction of the Chairman.
- (c) And it shall be lawful for the Chairman, if it shall come to his knowledge that any party has access to any house, land or premises so situated without such bridge, platform, building or structure as aforesaid or by some bridge, platform, building or structure not constructed or placed as aforesaid to give notice to the owner or occupier thereof forthwith to construct or place or alter the same, or in the event of his failing to maintain in good order such bridge, platform, building or structure or the drain there under, to give notice to the said owner or occupier to put the same in good order.
- (d) And if he shall fail to fulfill the requirements of any notice so given within thirty days from the service of the said notice or within fourteen days from such service, should the Chairman state in the notice that the matter is one of urgency, the owner or occupier, as the case may be, shall be guilty of an offence, and the Chairman shall cause the work to be done and the costs and the expenses thereof shall be paid by such owner or occupier. If the owner or occupier fails to make such payments, actions be taken to recover them as assessment rates.

2.

- (a) It shall be lawful for the Chairman, if he deem it necessary, to require by notice in writing the owner or owners of any yard or ground adjoining a building or the owner or owners of any alley, road or path between buildings or ranges of buildings to have such yard, alley, road or path paved to a distance, not exceeding 4.5 meters from any such building, buildings and range or buildings as the case may be, in such manner as the Chairman shall direct and to lay sufficient drains or pipes to the nearest Urban sewer or drain for the purpose of draining such yard, ground, alley, road or path within such reasonable time as the Chairman shall appoint.
- (b) Such drains or pipes shall be of such materials of such size or such level and with such fall and shall be carried to such point of junction with the said Kinniya Urban Council sewer or drains as the Chairman shall appoint.
- (c) If such owner or owners shall fail to comply with the requirements of such notice within the time appointed, he or they shall be guilty of an offence and the Chairman or any officers and workmen authorised by him may enter upon the premises and cause the required work to be done and the costs thereof shall be paid by the owner or owners as the case may be.
- (d) Provided that should the nearest Urban Council sewer or drain is more than thirty meters from such yard, ground, alley, road or path, no such notice shall be issued without the previous consent of the Council.

- e. Provided that building materials to be supplied by the owner shall be the materials approved by the Chairman.
  - f. Where the owner asks the Chairman for the execution of the work in terms of the by-law 2, the Chairman shall implement that work and if satisfied, the entire estimated amount deemed to be expected for the purpose, shall be recovered from the applicant in advance and such work shall be executed.
- 3.
- a. It shall be lawful for the Chairman to require by notice in writing, the owner of any private sewer or drain whether under or outside of his building, to fix such pipes as the Chairman may consider necessary for the proper ventilation of such private sewer or drain within such reasonable time as the Chairman shall appoint.
  - b. Such ventilation pipes shall be of such size and materials and shall be carried up to such height as the Chairman shall direct. If such owner shall fail to comply with the requirements of such notice within the time appointed, he shall be guilty of an offence and the Chairman or any officers and workmen authorised by him, may enter upon the premises and cause the required work to be done and the costs thereof shall be paid by such owner. If the owner or the occupier fails to pay such amount of money shall be recovered as an assessment rate.
- 4.
- a. When it shall be found necessary under section 104 of the Urban Council Ordinance, chapter 255 to construct or lay a covered drain or pipe communicating with some sewer or drain, and it is requisite for the construction or laying of such drain or pipe to carry the same through any land or lands intervening between the building or premises required to be drained and a public drain or sewer, it shall be lawful for the Chairman or for any officer of the Urban Council acting under his written authority in that behalf, to enter into or upon such intervening land or lands and to carry on and complete the construction or laying of such drain or pipe, after giving 07 days' notice to the owner or occupier of such intervening land or lands of the Chairman's intention to do so, and neither the owner, lessee or occupier of such land shall alter, remove, or reconstruct such drain or pipe without the written consent of the Chairman. If a loss is sustained by the owner or owners of such land and lands when constructing drains and the sewerage scheme through these lands, this work may be executed of such compensation is paid to the owner or owners by the person who construct sewer or lays the pipe.
- 5.
- a. Any person on whom a notice has been served under Section 104 of the said Ordinance, Chapter 255 to construct or lay a covered chain or pipe communicating with some or drain, may apply to the Chairman for certificate that it is requisite for the construction or laying of such drain or pipe to carry the same through any land or lands intervening between the building or premises required to be drained and a public drain or a sewer and the Chairman may if he sees fit to do so, issue a written certificate to that effect to such person.
  - b. It shall be lawful for such person at any time after the issue of such certificate, and after paying or tendering to the owner or owners of the intervening land or lands reasonable compensation, to enter into or upon such intervening land or lands with all necessary and proper servants, Labourers, workmen carriage s and animals and other means and to carry on and complete the construction or laying of such drain or pipe after giving 07 days' notice to the owner or occupier of such intervening land or lands of his intention to do so. The amount of such reasonable compensation, if necessary, apportionment thereof shall, in case of dispute, be referred to the decision of two arbitrators.
  - c. One nominated by such person, and the other by the owner or owners of such land or lands. The arbitrators shall, before proceeding to enquire into the amount of the reasonable compensation, appoint in writing an umpire and should the arbitrators fail to agree on the amount of the reasonable compensation or the apportionment thereof, they shall refer the point or points on which they disagree to the said umpire whose decision shall be final. Should the owner or owners fail within ten days after they have all received notice to do so, to appoint an arbitrator, the arbitrator appointed by such person shall decide the amount and the apportionment of the compensation.
6. Any person or persons erecting, or enlarging of improving an approved building, renewing or repairing or altering the frontage of the same, or any person or persons who may build any drain or bridge, platform or structure over a drain or any privy or cesspool or any person or persons who may be required by the Chairman by virtue of powers conferred on him by law to build, alter or repair any building, drain, privy or cesspool shall give notice in writing of the work to the Chairman within fourteen days after completion thereof.

7. It shall not be lawful for any person to erect a house or hut for the purpose of a dwelling place or permit the same to be occupied as a dwelling place, except under the following conditions or as prescribed in the Urban Development Authority planning and building regulations which ever is applicable.
  - a. The walls shall in no case be built of cadjan, but of mud and wattle, bricks, cabook or other suitable material to allow of being properly plastered and white washed. But a building built with mud wattle, shall be constructed of permanent materials during 02 years.
  - b. Every room to be used human habitation shall have at least one door not less than 2 meters by 9 meters and a window equal to 1/7 of floor area of the room.
  - c. The floor shall always be higher than 3 meters from the ground, provided the Council shall be at liberty to require a higher standard according to situation. Between any two ranges or blocks of huts there shall be clear space of at least 4.5 meters.
  - d. It shall be lawful for the Council to cause any house or hut erected contrary to the provisions of this by-law to be taken down on an order issued by a court which has jurisdiction, if within one month after written notice has been served on him to alter or take down the same he shall fail or neglect to do so.
  - e. Any person who shall, without the sanction of the Chairman build, renew or cause to be built or renewed any building or portion of a building with thatch, leaves, straw, grass or shingle or other inflammable material of whatever description shall be guilty of an offence.
8.
  - (1) If for any reason any building intended for or used as a dwelling shall appear to the Chairman to be unfit for human habitation, he shall cause any Urban Officer to apply to the Magistrate to prohibit the further use of such building for such purpose and the said Magistrate, after such inquiry as he thinks fit to make, may by written order, make a prohibition as aforesaid or may pass such other order as he shall deem just and proper.
  - (2) When any such prohibition has been made no owner or occupier of such building shall use or suffer the same to be, used for human habitation until the Chairman certificates in writing that the causes rendering it unfit for human habitation have been removed to his satisfaction the Magistrate, by a written order, withdraws the prohibition aforesaid.
9. If the Chairman is of opinion that any building or range of buildings used either as a dwelling or as a stable or for any other purpose, is likely by reason of its being built without a sufficient height or without proper means of drainage or on account of the impracticability of scavenging or owing to the manner in which it and other huts or sheds are crowded together, to cause risk or disease to the inmates there of or to the inhabitants of the neighbourhood or is for any reason likely to endangers the public health or safety, he may by written notice which shall be affixed to some conspicuous part of such hut or shed, require the owner or occupier thereof, or the owner of the land on which such hut or shed stands, to remove or alter such hut or to make such order for the improvement thereof as the Chairman shall deem necessary.
10. If the owner or occupier shall fail to pay monies mentioned under by-laws 1, 2,3 such monies may be recovered as a levy of property under the distress warrant as an assessment rate under the urban council ordinance [chapter255]
11. If the waste water coming from the existing building does not flow to a common drain property that water may be diverted into the drains and shall be turned into a soakage pit where the drains are not necessary.
12. It shall not be lawful for any person to dump removed earth or waste into a canal, drain, road or a public opened area. Without prejudice to the provisions of by- law 13 after a written notice of 03 days has been served by the Chairman on such person to remove said earth or waste if he fails to do so, an officer authorised by the Chairman in writing shall remove such earth or waste and may recover from the relevant person the expenses incurred for the purpose of removing that earth or waste as an assessment tax.

13. Contravention of all or any of these by-laws shall be guilty of an offence and the relevant person shall be liable to the following penalties also .
- a. To a fine not exceeding Seven hundred and Fifty Rupees {Rs.750, 00] with regard to first offence.
  - b. A fine not exceeding one Thousand Rupees [Rs. 1,000] with regard to 2<sup>nd</sup> subsequent offence.
  - c. In case of a continuing contravention, convention or after a written notice from the Chairman shall have been delivered to such person, having drawn attention on the said offence, to pay a further fine not exceeding Two Hundred and Fifty Rupees (Rs.250) for each day of continuing contravention.

Interpretation:

In these by-laws-

“Council” means the Kinniya Urban Council

“Chairman” means the Chairman Kinniya Urban Council

Order of the Urban Development Authority” means the orders made by the Minister in charge of the subject of local Government under section 21 of the Urban Development Authority Act, No. 41 of 1978 of National State assembly which is to be read with Section 8 of said Act.

BY-LAWS RELATING TO PEDESTRIAN CROSSINGS—PART II

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

“Crossing” means a crossing place for pedestrians demarcated on any street by means of colored lines or surfaces and indicated as such by a traffic sign bearing the words :Cross Here”

“Driver” in the case of a bicycle or article whether propelled by mechanical power or otherwise means the rider thereof; in the case of a hand-cart on push-cart, the person draining or pushing the cart and in the case of a jinrikisha, person drawing the jinrikisha.

“Vehicle” means the artificial contrivance whether propelled by mechanical power or otherwise, used or capable of being used as a means of transportation on land.

2. The driver of every vehicle approaching a crossing shall proceed at such speed as to be able, if necessary, stop before reaching such crossing.
3. The driver of every vehicle at or approaching a crossing where traffic is not for the time being controlled by a police constable or by light signals shall allow free and uninterrupted passage to any pedestrian who is on the carriageway at such crossing and every such pedestrian shall have precedence over all vehicular traffic at such crossing.
4. No driver of any vehicle shall cause which vehicle or any part thereof to stop upon any crossing unless either:
  - a. he is prevented from proceeding by circumstances beyond his control ; or
  - b. It is necessary for him to stop in order to avoid an accident.
5. No pedestrian shall remain upon any crossing longer than is necessary for the purpose of passing from one side of the street to the other with reasonable dispatch.
6. The urban council shall mark the crossing at the specific places on the streets with colours in a conspicuous position and the road bumpers may be erected both sides of the road to control the speed on the crossings as the council determines necessary.
7. The urban Council shall install sign boards at the crossing in addition to such sign boards, lights shall be installed as prescribed in the regulations set out in the Motor traffic Ordinance.

8. Contravention of any of these by-laws shall be a punishable offence, and if a person is convicted in a court law which has jurisdiction within the urban council limits shall be liable to the following penalties.
  - a. To a fine not exceeding Seven hundred and Fifty Rupees (Rs.750) for the first offence.
  - b. A fine not exceeding ONE Thousand Rupees [Rs. 1,000] for the 2<sup>nd</sup> subsequent offence.
  - c. In case of a continued contravention, after conviction or after a written notice from the Chairman of Kinniya Urban Council shall have been delivered to such person, having drawn attention on the said offence, to pay a further fine not exceeding Two Hundred and Fifty Rupees (Rs.250) for each day of continuing contravention.

### PARKING VEHICLES-PART III

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

“Motor Car”, “Motor coach”, “Motor cycle”, “Lorry” and “omnibus” 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 up or sitting down persons or goods.

“Traffic warden” means a person authorised by the Chairman 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 means of transportation on land.

“Public parking lot” means a parking lot reserved by the Urban Council in the streets and parking lots in respect of the public vehicle and vehicles for hire which are declared by the council from time to time.

“Council” means the Kinniya Urban Council.

“Chairman” means the Chairman Kinniya Urban Council.

2. 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 Chairman on that street or part of a street.  
 But relevant restrictions of this section shall not be in force in the circumstances given below except 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.
3. For the purposes 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-law2 or by order of the Chairman, shall unless the contrary is proved, be deemed to have been lawfully exhibited by the Chairman.
4. 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 2, 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.
5. The Chairman may, within the Kinniya Urban Council limit set apart any place as a place (hereinafter in these by-laws referred to as “public parking lot”) for the purpose of parking of motor vehicles or any specified class or description of motor vehicle for a fee.
6. A person shall not enter or park a vehicle other than a motor vehicle in a public parking lot.



7. No motor vehicle shall enter or be parked in a public parking lot unless the driver is in possession of a valid permit issued in that behalf by the Chairman.
8.
  - a. If a vehicle has been parked in a space set apart for the purpose of parking of vehicles without a permit, such vehicle may be removed from such place to a place fixed by the Chairman and the police assistance of the police may be obtained for this purpose.

When so removed the owner of the vehicle or the driver shall not be entitled to any compensation to be claimed from the council or the officer who removed that vehicle, for any damage caused to such vehicle. The owner or the driver of the vehicle shall pay to the Council, the expenses of drawing the vehicle safe keeping expenses and the other expenses assessed by the chairman for the release of such vehicles.
  - b. Every permit issued under by-law 7 shall contain the distinctive number of the motor vehicle in respect of which it is issued and shall be valid for the period stated in the permit.
  - c. 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 out side in the vehicle.
9. 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 authorised by the Chairman for the purpose, produce for inspection of the permit issued in respect of that vehicle.
10. Where any public parking lot is reserved for any specified class or description of motor vehicles, any person shall not enter or park a motor vehicle not belonging to that class or description in such parking lot.
11. A person shall not 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. For the places introduced as the special parking lots by the Kinniya Urban Council, a fee as may be determined by the Council from time to time by a resolution of the Council, shall be paid and a monthly licence be obtained after entering into an agreement.
14. 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.
15. A person shall not wash or cause to be washed any motor vehicle while it is parked in a public parking lot.
16. A person shall not-
  - 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 any such repair cause any noise which is unnecessary or unreasonable having regard to the circumstances of the case.
17. 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 an accident or assuring the safety of the vehicle or its occupants.
18. A person shall not within a public parking lot, behave in any disorderly manner or commit any nuisance.

19. A permit may be obtained on an agreement monthly or yearly having paid such fee determined by the Council from time to time for the other institutions or registered society other than a Government Department or a Local Authority.
20. These by-laws shall be in operation on days and times determined by the council from time to time.
21. If the buses are parked during the night in the bus stands belonging to the Kinniya Urban Council, a fee specified by the Council from time to time shall be paid in that behalf.
22. If every person who commits breach of any provision prescribed in these by-laws or neglects to be in conformity with these provisions, is convicted by a court of law which has jurisdiction within the Kinniya Urban Council limits, shall be liable to the following penalties.
  - a. To a fine not exceeding Seven Hundred and Fifty Rupees (Rs 750) for the first offence;
  - b. a fine not exceeding One Thousand Rupees (Rs. 1,000) for the second or subsequent offence;
  - c. In case of a continued contravention, after convention or after a written notice from the Chairman of the Kinniya Urban Council shall have been delivered to such person, having drawn attention on the said offence, to pay a further fine not exceeding Two Hundred and Fifty Rupees (Rs.250) for each day of continuing contravention.

#### BY-LAWS RELATING TO THE ADVERTISEMENTS – PART IV

1. No any person or establishment shall cause any advertisement to be displayed so as to visible from any street, road, canal, lake, park play ground or upon area except under the authority of a licence issued in that behalf by the Chairman.
2. The charges of the following advertisements may be exempted and licenses in that behalf shall be obtained from the Chairman. Provided that, if any of such advertisement and sign is an illuminated advertisement and a sky sign licenses shall be obtained as specified in By-law 1,
  - (a) an advertisement relating to any entertainment the be proceeds of which are to be used for the purposes of charity;
  - (b) an advertisement relating to any entertainment to be held in the premises upon which such advertisement is displayed;
  - (c) an advertisement displayed by the Government;
  - (d) an advertisement relating to a religious, political or a public meeting which has no connection directly or indirectly to a business;
  - (e) an advertisement in the window of any building;
  - (f) a “to let” advertisement which is displayed upon the premises to be let;
  - (g) a “for sale” advertisement which is displayed upon the premises to be sold;
  - (h) a domestic name plate;
  - (i) a name plate, not exceeding 09 square feet in area, used for professional purposes.
3.
  - i. Every application for a licence to display any advertisement shall be made to the Chairman in the form provided by the Council at least Seven days before the date on which the display of the advertisement is intended to commence. Provided however, that the Chairman may in special circumstances entertain any such application which is not made within the period specified in the preceding provisions of this paragraph.
  - ii. Every application referred to in paragraph 3 (1) shall be accompanied by a copy of the advertisement which the applicant intends to display.
  - iii. Where the Chairman approves an application referred to in paragraph 3 (1), he shall direct the applicant to pay, for the licence to display the advertisement, a fee determined in accordance with the rates fixed by the Council and amended from time to time by a resolution of the Council and such licence shall not be issued to the applicant until such fee is paid.

4.
  - i. Where a licence to display an advertisement is issued to any person, the Chairman shall direct that person-
    - a. To insert the number and the date of that licence in every copy of that advertisement; or
    - b. To cause every copy of that advertisement to be produced to the Chairman for the purpose of being stamped in token of the payment of the fee for that licence.
  - ii. Every person to whom a direction under paragraph (1) is given by the Chairman shall carry out that direction.
5. No person shall cause-
  - (1) an advertisement to be displayed in such a manner as to project over or across any pavement, carriageway of any street or road unless such advertisement is displayed affixed or attached to an overhead bridge constructed for the use of pedestrians or is a projecting sign board constructed or erected in a manner approved by Urban Council technical officer.
  - (2) An advertisement to be displayed on any hoarding which exceeds more than 2.5 meters in height from the ground.
  - (3) To be affixed to or suspended from the façade of a building abutting on any street, or road any shop sign which in length extends beyond the limits of such façade or which in height at any point exceeds one-fourth of the distance of the bottom of such sign from the pavement or the mean level of the ground.
  - (4) Any sky sign to be constructed and erected in a manner which is not approved by the urban Council technical officer.
  - (5) any sky sign shall be erected in such a way that it shall not be dangerous to the persons who use the road or the pavement and if in any circumstance, any person is getting injured or damage is caused to the properties by failing down such sky sign, the owner of such sky sign pay the damages to that person or owners of the properties for the lost sustained and the Chairman or any other officer of the Council shall not be liable to pay such a compensation and they shall be exempted of the payment of such damages.
6. No person shall cause any advertisement to be displayed on any place of public worship, any public building or part or any bridge, street, lamp post, tramway post or telegraph or telephone post.
7. No person shall use any radio, gramophone, musical instrument, bell or other instrument for the purpose of displaying any advertisement, in any street or road.
8.
  - i. Where any advertisement is in an unsightly or objectionable condition or contrary to the common law, the Chairman by written notice, order the person causing the display of such advertisement, to stop such display within the period specified in such notice.
  - ii. A person to whom a notice under paragraph (1) is sent by the Chairman shall comply with such notice within the time specified therein.
9. The owner or lessee of any hoarding used for the display of advertisements shall-
  - (1) Maintain such hoarding in proper state of repair and security; and
  - (2) Exhibit his name and address in clear and legible characters in a conspicuous position on the front of such hoarding.
10. No person shall deface or cause to be defaced any sign, mark, letter, word or figure which has been put on any advertisement by the Chairman in token of the payment of the fee for the licence, to display that advertisement.
11. No any advertisement shall be displayed in the manner to obstruct the visibility of the drivers who drive vehicles on the public road.

12. Advertisements of which the time has been elapse shall be removed by the licensee at his own expenses.
13. A fee fixed by the Council from time to time shall be paid for the licence issued under by-law 1 and the licensee shall deposit an amount of money which is decided by the Council for the purpose of ensuring the removal of the advertisement after the expiry of the time referred to in by-law I2. If he fails to remove that advertisement in the manner mentioned in by-law I2 the Council shall remove such advertisement and shall recover the expenses incurred for that purpose and such dues for the exhibition of the hoarding after the expiry of the time, from the deposit made in the Council and a balance if any may be refunded to the licensee. The Council may determine this quantum of deposit from time to time.
14. Sizes and the place of exhibition of the advertisement shall be determined by the Council from time to time.
15. Action may be taken to remove all advertisement displayed without a licence from the Chairman and to take into the possession of the urban Council or to remove in a manner decided by the Chairman.
16. Illuminated advertisements shall be of such size approved by the Chairman and such advertisement shall be maintained in a state that does not affect the naked eyes of the public.
17. If a licence has been issued for an advertisement, such licence shall expire on 31<sup>st</sup> December of that year in respect of which it is issued.
18. No person shall cause—
  - (1) any advertisement to be displayed on a vehicle in a manner or in such from other than that approved by the Chairman; or
  - (2) Any vehicle bearing any illuminated advertisement not approved by the Superintendent of police shall be driven on any street or road.
19. No person shall affix to or attach to any wall, building, house, place, tree or any other place, any poster, bill, hand bill or other notice or aid and abet to do so other than a place as may be fixed by the Chairman at any time.
20. Any person who contravenes any of these by-laws shall be guilty of a punishable offence if convicted in a court of law which has jurisdiction within the Kinniya Urban Council limits, shall be liable to the following punishments
  - (1) To a fine not exceeding Seven Hundred and Fifty Rupees (Rs 750) for the first offence
  - (2) A fine not exceeding One Thousand Rupees (Rs. 1,000) for the second subsequent offence.
  - (3) In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.
21. Interpretation-In these by-laws unless the context otherwise requires-
 

“advertisement” includes any word, letter, number, sign, place, board, notice, device, poster, hand bill, notice displayed or representation in the nature of or use wholly or partly for the purpose of advertisement over or resting pun any land, building or structure.

“Any person” means a producer of any material, distributor, agent, sub agent, or publicity agency and person who provides the services of other posters or the owner, person in charge or occupier of that place where such service is provided.

“hoarding” means any structure, support, post, board or any other contrivance erected or used for the purpose of displaying any advertisement and sky ‘sign’ means any word, letter, model, sign, device or representation used for the purpose of advertisement and supported by or attached to any post, pole, standard, framework or other support on or over any land, building or other structure and wholly or partly visible against the sky from some point in any street, road, canal or lake.

“Council” means the Kinniya Urban Council

“Chairman” means the Chairman of the Kinniya Urban Council

BY-LAWS RELATING TO THE PREVENTION OF CAUSING DAMAGES TO THE ROADS-PART V

1. No person shall destroy, pull down or deface, fall down any milestone, mile post, boundary stone, boundary post, lamp post, guard post, bridge, culvert, wall, arch, dam, drain, sluice, retaining wall, hand rail, chain, fence, name board belongs to any Avenue or cause damages, to them or affix to them any poster, notice, hand bill.
2. No person remove any fence, post, stone, a log or any other obstruction placed or erected on any road, on the direction of any proper authority for the avoidance of use of such Road temporarily or prevention of accidents or causing damages to the persons who are going on that road, whilst the repairing of same.
3. No person shall without a prior approval of a proper authority, collect, heap or bring, from any road metal, gravel, sand or other material or mud, refuse, any other thing capable of being brought by wind or rain .
4. No person shall cause to flow to any road rain water coming from his building or land or obstruct free flow of rain water collected on the road.
5. No person who keeps a place of repairing vehicles shall repair vehicles on or near any road or park vehicles for such purpose and no person who sells vehicles, shall park vehicles on any road for sale.
6. No person shall transport dust or any other similar thing in a vehicle unless such vehicles are so covered to prevent emission of such dust or any other tiny thing.
7. No person shall unload metal, sand bricks or logs in such a way to damages to any person or any Road and shall place condemned vehicles, boxes, logs, metal, sand, bricks, earth, gravel or other material on or by the side of such road.
8. Any person who contravenes any of these By-laws shall be guilty of a punishable offence and if convicted after a trial in a court of law which has jurisdiction within the Kinniya Urban Limits, shall be liable to the following penalties.
  - a. To a fine not exceeding Seven Hundred and Fifty Rupees (Rs 750) for the first offence
  - b. A fine not exceeding One Thousand Rupees (Rs. 1,000) for the second subsequent offence.
  - c. In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.

Interpretation.-

“Proper authority” means the authority that maintains, manages or administrates any road.

“Chairman” means The Chairman of the Kinniya Urban Council.

“Vehicle” shall mean the interpretation given in the Motor traffic act and cart, bicycle or any other contrivance with wheels propelled mechanically or otherwise.

BY-LAWS RELATING TO THE CONTROL OF VEHICLE WITHIN THE CITY – PART VI

1. The council may decide by a resolution to restrict driving vehicles to one direction of any thoroughfare or part thereof situated within the Kinniya Urban Council limits.
2. The direction that the vehicles are allowed to be driven to such direction of the relevant thoroughfare or part thereof in the by-law 1 is hereinafter called as specific direction.
3. Where the Council has decided that the vehicles must be driven only to the specific direction of any thoroughfare or part thereof, the Council or the Chairman shall erect a notice board stating “no entry or a sign board giving similar meaning at the end of the exit of such thoroughfare or part thereof in a conspicuous position.

4. No person shall drive any vehicle to the direction opposite the specific direction of a thoroughfare or shall reverse any vehicle to a greater distance than a distance capable to turn the vehicle to the specific direction after parking such vehicle.
5. The Council by a resolution shall declare any thoroughfare or area as a “silent area” and no person shall whistle the horn within an area where the notice boards denote.
6. When a sign board has been erected prohibiting the parking of vehicles on any place of any thoroughfare or part thereof by a resolution of the Council, no person shall park a vehicle in such thoroughfare or part thereof other than allowing passengers to get on to or get down from a vehicle.
7. Where any person has parked any vehicle contravening by-law 6, in addition to the provisions referred to in by-law 12, that vehicle may be removed by any officer authorized by the Chairman or by a Police Officer authorized by the Superintendent of Police who has powers within the Kinniya Urban Council limits, to a place as may be directed by the Chairman or the Superintendent of police.
8. No person shall be entitled to claim any compensation for any damage caused to a vehicle when removing that vehicle under By-law 7.
9. Where a vehicle removed under by-law 7, is claimed by the owner, lessee or the driver of such vehicle, it shall be released on the settlement of the expenses incurred in the removal and safe keeping of that vehicle, any other such expenses estimated by the Chairman or by the Superintendent of Police as the case may be. If the owner, lessee or the driver fails to get the vehicle released within 07 days of removal of same, it shall be sold by public auction and dues shall be recovered and the balance if any, be paid to the owner and if the owner does not claim the balance before the expiry of one year from the date of auction. Such amount shall be credited to the Council’s fund or the consolidated fund as the case may be.
10. When Council having decided the maximum speed of at which a vehicle to be driven within the Urban Council limits or on number of thoroughfares thereof or on any thoroughfare by resolution, shall display the notice boards mentioned “the maximum speed” at which the vehicles to be driven or any sign board giving the similar meaning, within the Urban Council limits or on such thoroughfare or any such thoroughfare, no person shall drive any vehicle exceeding such speed.
11. No person shall deface or damage any notice board or sign board erected under the provisions referred to in these by-laws or remove item without the prior approval of the Chairman.
12. If a person who contravenes any of these by-laws is convicted after a summary trial instituted against him in a court of law which has jurisdiction within the Kinniya Urban Council limits, by any officer authorized by the Chairman or a Police Officer authorized by the Superintendent of Police, such person shall be liable to a fine not exceeding Seven Hundred and Fifty Rupees {Rs 750,00} for the first offence and a fine not exceeding One Thousand Rupees (Rs. 1,000) for the second subsequent offence.
13. In addition to the fine imposed under by-law 12, if there is a financial loss, such loss, as the Judge may think fit be recovered from the relevant person and may be given to the Kinniya Urban Council or to the Authority which maintain such thoroughfares.

Interpretation.-

“Council” means the Kinniya Urban Council.

“Chairman” means The Chairman of the Kinniya Urban Council.

“Vehicle” shall mean the interpretation given in the Motor traffic act and cart, bicycle or any other contrivance with wheels propelled mechanically or otherwise.

Superintendent of Police includes the Assistant Superintendent of Police.

Chapter III- Part VII

THE BY-LAWS RELATING TO THE PREVENTION OF OBSTRUCTION OF THE PAVEMENTS AND THE STREETS  
ABUTTED THEM

1. This by-law is cited as the By-law of prevention of obstruction of the pavements and the streets abutted them.
2. No person shall sell carry on a business or display any article on the pavement or on its adjacent street.
3. No person shall draw, ride or drive a cart, a motor car, a motor bicycle or a bicycle, tricycle other than a bicycle of small children which is 5 meter in height or less, on a pavement or its adjacent street reserved for pedestrians.
4. No person shall park any motor car, motor coach, bus lorry, three wheeler, motor bicycle or cart, tractor or any other type of vehicle on the road adjoining the pavement in the manner that obstructs the people and the traffic.
5. No person shall sell or keep of metal, bricks, sand, timber or any other article obstruction a pavement or its adjacent street Except on the written permission of the Chairman provided that the said written permission shall be given by the chairman only upon fee paid to council determined on resolution
6. Except on the written permission of the Chairman, no person shall repair a building situated near a pavement or construct new building or construct scaffolding for such new building or construct a part of a roof of a temporary/ permanent building in the manner that it is protruding towards the pavement.
7. No person shall interfere in the right of obtaining compensation for the damages caused to any person due to failing down any construction or repair in accordance with by-law 6 or by falling metal, bricks, sand, timber or equipment used for that purpose and person who has obtained the approval shall be liable to pay the compensation. The Chairman or any other officer of the Urban Council shall be entirely free from the liability of payment of compensation.
8. No person shall cause the waste water from his building or rain water of his premises to be flown to a payment or a street.
9. Where the owner or the driver of a motor car, motor coach bus tractor, three wheeler, motor bicycle or the owner or the rider of a cart after the service of a notice on them from the Chairman or any other Officer authorized by him verbally or in writing for the removal of said motor car, motor coach, bus, lorry, truck, three wheeler, motor bicycle or cart referred to in by-law 4 without prejudice to the provisions of the by-law 20, fails to act within the time specified in such notice, the Officer authorized by the Chairman shall cause such motor car, motor coach, bus, lorry, tractor, three wheeler, motor bicycle, cart to be brought and parked at a place fixed by the Chairman.
10. No person shall be entitled to claim any compensation for any damage caused when taking action in terms of by-law 9.
11. If any such vehicle meets with an accident, causes a damage or a bodily harm by not following the procedure laid down in by-law 09, the payment of compensation shall be made by the owner of the vehicle referred to in by law 09 and the Chairman or any Officer authorized in that behalf shall not be liable to payment of compensation.
12. Without prejudice to the procedure mentioned in by-law 20, the metal, bricks, sand, timber or any other article kept for sale or for any other purpose on the payment violating by-law 05 have been requested to remove or a part of a roof of a temporary or permanent building protruding towards the payment, have been requested to demolish by the Chairman or an officer authorized in his behalf, verbally or in writing from the persons responsible, if such persons fail to act in terms of that notice the removal of such metal, bricks, sand, timber or any other article to a place specified by the Chairman and demolition of the part of the newly constructed roof of temporary or permanent building protruding towards the payment shall be lawful.

13. The vehicles referred to in by-law 4 and after having taken action in terms of by-law 9, when releasing such vehicles thereafter the expenditure incurred for parking and the charges for their safety keeping and other charges fixed by the Chairman shall be paid by the owner or the driver of the vehicles and the said charges shall be deposited on the local fund.
14. Where the owner or owners of such vehicles fail to remove the vehicle/vehicles parked in terms of by-law 9 making the payment of charges fixed by the Chairman of by-law 13. The Chairman shall sell the vehicle/vehicles by auction and action shall be taken to recover the amount of fees due in terms of by-law 13 and to release the balance amount to the owner/owners. If the owner or owners fails to claim such amount within a year, the same shall be credited to the Council's fund after lapse of one year.
15. Action shall be taken in terms of section of the Urban Council's Ordinance when selling vehicles that are not removed by the owners.
16. In accordance with by-law 12, the expenses incurred for the removals or the expenses incurred for the demolition of a part of the roof of temporary building/buildings constructed without the written permission of the Chairman shall be paid by the owner of the building or the person or persons who shall be responsible for such construction. Such materials shall not be handed over back to the persons concerned and such materials shall be dealt with as ordered by the Chairman.
17. If the relevant person shall fail to pay the amount referred to in by-law 16, action shall be taken to recover such amount in terms of section 211 and 212 of the Urban Council ordinance.
18. No person shall sit or behave in the manner that will obstruct the payment.
19. No person shall damage or misuse in any manner or sit on the iron hand rail put up for partitioning the payment.
20. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted after a trial before a court of law which has jurisdiction within Urban Council limits, is liable to the following penalties.
  - a. To a fine not exceeding Seven Hundred and Fifty Rupees {Rs 750,00} for the first offence
  - b. A fine not exceeding One Thousand Rupees (Rs. 1,000) for the second subsequent offence.
  - c. In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs.250) for each day of continuing the contravention.

*Interpretation :-*

In these by-laws-

"Motor vehicles" means the meaning given in the Motor Traffic act.

"Chairman" means the Chairman of the Kinniya Urban Council.

#### BY-LAWS RELATING TO THE ISSUE OF LICENCES FOR KEEPING OF MARKET

1. It shall be lawful for the Council to recover rents, tolls, and fees from time to time payable in any public market under chapter of the Urban Ordinance or to demise or left to farm for any term not exceeding twelve months all or any of such rents, tolls and fees.
2. Every person who shall resist, obstruct, hinder or molest any person appointed by the Chairman of superintends any public market, or to collect the tolls, rents and fees thereof, or to enforce order and cleanliness therein, whilst in the execution of his duty, shall be guilty of an offence.



3. It shall not be lawful for any person to do any of the following acts:-

- a. Being a person holding a licence or ticket for a stall or space in a public market, or is being a servant or agent of any such person to subject any person resorting to such market to unnecessary and vexatious annoyance or delay.
  - b. To carry on any cooking in a public market.
  - c. Being a Market-keeper or lessee of a public market or any person employed under him, to demand or receive a greater rent, toll, or fee than authorized to be received, or to give any unnecessary or vexatious to any person under pretence of performing any duty or exercising any authority imposed or conferred upon him.
  - d. To behave in a disorder manner, or beg or commit any nuisance in any public market or the premises appertaining thereto.
  - e. To remain in a public market after the place in closed for business at 9 p.m. without being able to give a satisfactory account of him self.
  - f. To damage or in anyway deface any portion of the buildings, stall, lamps, or any property of the Council in or about a public market, or defile or pollute in any way or waste or bathe him self in or wash any clothes or animal in the water provided for use in such public market.
  - g. Being a person affected with any loathsome or contagious or infectious disease, to occupy any stall, seat or space in any public or private market, or expose or carry about for sale in such market, or in any street within the Urban Council any article whatsoever. And no person shall employ in any capacity in any public or private market any person affected with any such disease, and no person so affected shall enter any market; any such person may be expelled from the market premises.
4. No person shall make noise, to fight or quarrel, or use insulting, abusive, or obscene language within any public market or the premises appertaining thereto. Any person contravening this by-law shall be turned out by the Market-keeper or his assistant other person authorized thereto.
- It shall not be lawful for any stall-holder to take into or keep in any stall, any box, table, chair, or other article whatsoever not provided by the Council, or to fix up any pole or shelf in any stall without the permission of the Chairman.
5. The several tolls, rents, or fees payable in respect of any public market shall be paid from time to time on demands to the Council or their lessee, or other person authorized by the Council or the lessee to receive the same.
  6. Every person who shall demand and receive a greater rent and fine, toll or fee than that imposed by the Council shall be guilty of an offence.
  7. If any person liable to the payment of any rent, toll, or fee authorized as aforesaid does not pay the same when demanded, the Council or the lessee or any person authorized by the Council or the lessee to collect the same, may levy the same by distress of all or any of the articles in the market belonging to the person liable to pay such rent, toll or fee.
  8. If any dispute arise concerning any stall, space, bin, rent of fee it shall be competent to the Chairman to determine the same and make such order thereon as to him may seem proper.
  9. No person shall, or expose, or hawk about for sale any fish, or beef, mutton, or other meat or offal in any place or street within the Urban Council except at a public market provided by the Council without a special licence from the Council, or contrary to the tenor of such licence; but no such licence shall be granted for any place within a radius of 200 meter from a public market in the case of a licence for meat, and 150 meter in the case of a licence for fish, except it be authorized by resolution of Council.
  10. No person shall, within the Urban Council limits sell edible fish, other than shell fish, except by weight.

11. The occupant of a stall or space in a public market, and every licensee of a private market, shall cause every stall or bench or space on which articles of food or drink are kept or exposed for sale to be thoroughly cleansed daily, and every board or place on which meat or fish is kept to be scraped.
12. Every person to whom a licence has been given or any be granted by the Chairman under by-law 9 to keep a private market shall, if so required by the Chairman, cause or procure to be laid the premises a water connection from the main water supply connection and shall cause such main water supply connection to be in proper order and efficient action, so as to provide for use on the premises a sufficient supply of water for the purpose of thoroughly washing and cleansing the premises.  
  
 He shall cause all filthy, garbage, and refuse which may be produced or may accumulate in any part of such market to be promptly removed in such a manner and with such precautions as not to create a nuisance in the process of removal to such public receptacle, depot, or place as may for the time being, be provided or appointed by the Chairman for the temporary deposit thereof.  
  
 He shall cause such market to be thoroughly swept and cleaned to the satisfaction of the Chairman, each morning and evening, and to be washed down every evening.
13. It shall be lawful for the Urban veterinary surgeon or any Urban Health Inspector or Police Officer to seize any fish or beef, mutton or other meat or offal exposed or hawked for sale contrary to the provisions of by-law 9 of this part and to remove the same to the Urban Office or to a Police station to be disposed of as may be ordered by the Chairman or a Judge.
14. It shall be lawful for the Chairman to levy a fee not exceeding an amount specified by the Council for every special licence mentioned in this part for every year or part of a year for which it is granted.
15. No person shall keep or sell in a public market any article or thing other than what is specified in the licence or ticket. No person shall sell or expose for sale any meat or offal either in a public market or in a place specially licensed under by-law 9 without a pass issued to him under by-law 23 of this part. And it shall be lawful for any authorized Urban Officer or a Police Officer to demand the production of such passes from any person selling or exposing meat for sale, and on failure of production to seize any meat in such market without such pass, or contrary to the term thereof, and to remove the same to the Urban Council office or to a Police station to be disposed of as may be directed by the Judge.
16. No person shall keep or use or occupy or hold any stall, shop, or other place in a public market unless he is person a person or the agent of a person having the permission of the Chairman or of any Urban Council Officer authorized to exercise the powers of Chairman under the Urban Council Ordinance to sell or expose for sale any article at such stall, shop or place.
17. Space properly marked and numbered shall be set apart in every public market for the sale of vegetables, fruits and other articles by persons paying such daily fee as the Chairman from time to time determine. No person shall occupy any such space without having obtained a ticket, or sell or expose for sale any vegetables, fruits or other articles not specified in his ticket. A ticket signed by any person authorized thereto in writing by the Chairman shall be issued to each person who pays such fee.
18. No person shall enclose any such space or any part thereof or erect any screen or fixture thereon, or have any box or erection thereon without the permission of the Chairman. No person shall have an article on any space after the hour fixed for the closing of the market.
19. Every public market shall be open for use daily from 5.00 a.m to 8.00 p.m or during such times as may be specified by the Council from time to time.
20. No person shall transfer to any other person a licence or ticket issued to him for any stall or space in a public market, or shall sub let any such stall or space or any part thereof, and no person shall use, or hold, or occupy any stall or space or any part thereof under any alleged transfer without the permission of the Chairman.

21.

- (1) No person other than the person holding a licence, or his agent or servant whose name has been duly registered as such in the Urban Office and to whom a card of registration has been issued by the Chairman shall sell, use, or occupy and part thereof in a market or sell goods therein. Also, before obtaining the licence, the Licensee and his employees shall get into a medical check –up in each year and that medical report shall be submitted to the Chairman.
  - (2) Every stall holder who is desirous of employing any person as his agent servant in his stall shall make application in that behalf to the Chairman. Every such application shall be accompanied by two copies of photograph of the size 6 1.4 centimeters by 5 centimeters and shall show the bust only.
  - (3) The Chairman may, upon receipt of that application, issue such person a duly numbered card of registration to which shall be affixed one copy of the photograph forwarded with the application. The other copy of the photograph shall be deposited with the Medical officer of Health.
  - (4) Every person to whom a card of registration has been issued under this by-law shall, on demand by any officer of the urban Council, produce such card for the purpose of inspection.
  - (5) A card of registration issued under this by-law may be cancelled at any time by the chairman, if he considers it necessary so to do.
  - (6) Where in any change of employment, the licensee shall inform that to the Chairman in writing.
22. No person holding a ticket for any space in any public market shall under any pretext whatsoever allow or permit any other person to use or occupy such space or any part thereof, or to sell or expose for sale any goods, articles, or things of any description whatsoever.
  23. No person other than a ticket holder shall use or occupy any space or any part thereof in a public market or sell or expose goods therein.
  24. No person shall occupy any portion of a public market, which portion is neither a stall nor a space, or sell or expose any goods therein without the permission of the Chairman.
  25. No person holding licensee or ticket for any stall or space in a public market shall under. Any pretext whatsoever suffer or permit any other person to use or occupy such stall or space or any part thereof or to sell or expose for sale any goods article or thing of any description whatsoever without the authority of the Chairman.
  26. No person holding a licensee for any stall or space in a public market shall use or occupy or permit or allow any person acting on his behalf to use or occupy and no agent or servant of a person holding such licensee or ticket shall use or occupy any ground beyond the limits of the stalls or space rented by him.
  27. Every person holding a licensee for a stall in a public market shall keep on or near such stall a receptacle to be approved by the Chairman in which such person shall deposit all rubbish and refuse matter.
  28. No person shall throw rubbish; refuse bones, skins of animals or such like item or upon any public market or its premises, or into any drain on or near the market premises, except into a receptacle provided for such purpose.
  29. Every person holding a licence for a stall in a public market shall sweep his stall daily and keep the same at all times clean and also any unoccupied space in the market building opposite his stall.
  30. Except as otherwise provided in these by-laws, no carcass of any animal (of any portion thereof) not slaughtered at a Local Authority slaughter house shall be brought into a public or private market, or to any place specially licensed as provided in By-law 9 of this part, or sold or exposed for sale in any public market or private market or in such specially licensed place. The provisions of this by-law shall not apply to meat, game or fish imported into the Island,. Meat, game or fish so imported shall be sold in any place specially licensed therefore.

31. Every person having a licence to hold or occupy a stall in any market, or holding a specially licence to sell meat, fish or other article in any place of business other than a public market, and for which such special licence may be lawfully issued under the provisions of this part, shall be bound to keep such stall or place of business open to the public daily between the hours of 5.00 a.m and 8.00 p.m; and any person who shall close such stall or place of business, or shall willfully neglect or refuse to serve the public during two consecutive. Days, without the written leave of the Chairman, shall be guilty of an offence, and it shall be lawful for the Chairman to suspend or revoke the licence of any person convicted as aforesaid, and to refuse thereafter to grant any such licence to any such person. Also, a stall or the business place shall be taken into the possession of the Council.
32. No person shall bring a dog into a market or suffer any dog belonging to him or in his charge to be on any part of any market premises.
33. The occupant of any stall or space in a market shall not cause or allow any goods or articles to be deposited or exposed for sale in or upon such stall or space, so that such goods or articles or any part thereof shall project beyond the line of such stall or space.
34. No stall-holder, owner or occupier or lessee of any market, shall in any way obstruct or allow to be obstructed any of the lanes, walks, gangways, passages, other thoroughfares within such market or bazaar by exposing for sale, or accumulating or allowing to be exposed for sale, or accumulated in any such lane, walk, gangway, passage or thoroughfare, any package or any other materials whatever.
35. No owner, occupier, or lessee of, or vendor in any market or shop shall sell, or expose or permit to be exposed for sale, or admit into, or permit to remain, in any such market or shop any noxious or unwholesome meat, offal, or fish, or decomposed vegetable matter, but such owner, or occupier, or lessee shall, without any delay cause such meat, offal, fish or vegetable matter to be at once removed to a place authorized by the Chairman.
36. Every tenant, occupier, or servant of a tenant or occupier of any building or stall in the market shall extinguish or cause to be extinguished every fire or light in such building or stall before leaving it, and no fire or light shall be permitted which is dangerous to the safety of the building or stall.
37. The market-keeper or any officer authorized by the Chairman may expel from the market premises any person who is found drunk or begging or loitering, or who misconducts himself, or is a lunatic, and if such person is a tenant or a tenant's servant may subject to the approval of the Chairman prevent him for further carrying on any trade or business in the market or occupying any shop or store therein. A vendor guilty of assault may be expelled from the market and prevented from further carrying on any trade or business, or occupying any shop or stall in the market, in addition to by law No.42.
38. No person shall remove any meat, entail, or offal of any animal from a stall in a public market to any place for which a special licence to sell such meat, or offal has been issued under by-law 9 without its being accompanied by a pass signed by this person from whose stall in such public market such meat, or offal is removed. Such pass shall be in such form and shall contain such particulars as the Chairman may from time to time prescribe, and the person removing such meat, or offal shall produce such pass for inspection on demand by any Urban Council officer. Should at any time any meat, or offal of any animal be found in any stall in a public market, or in any place for which a special licence has been issued under by-law 9, in excess of the quantities for which the stall holder or licensee, as the case may be, holds passes issued under by-law 23 of this part or under this by-law during the previous twenty-four hours, such stall holder or licensee, as the case may be, shall be guilty of an offence.
39. No person shall be permitted to run any other trade in a stall or shop or bin open place other than the trade passed by the council in writing.
40. Issue of a permit or a licence can be refused to any person, whose permit or licence has been cancelled under this by-law or for violation of this by-law or any other by-law enacted time to time by the Council or who has been imposed of a fine or a term of imprisonment for an offence committed under the penal Code, the price control Act, the Weight and measures Act, the consumer protection Act or the food Act.

41. Any person who contravenes by-laws 1-40 shall be guilty of a punishable offence and if he is convicted in a court of law which has jurisdiction within Kinniya Urban Council limits, he shall be liable to the following penalties
  - a. To a fine not exceeding Seven Hundred and Fifty Rupees {Rs 750.00} for the first offence
  - b. A fine not exceeding One Thousand Rupees (Rs. 1,000) for the second or subsequent offence.
  - c. In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees (Rs.250) for each day of continuing the contravention.
42. Where any person has been convicted twice or oftener of a breach of any these by-laws, and where he has been declared being guilty of an offence by a court, the Chairman shall have power to eject him from that market.

Interpretation – in this by-law: -

Chairman” means the Chairman of the Kinniya Urban Council

“Council” means the Kinniya Urban Council

“Local Authorities” means a urban Council or a Pradeshiya Sabha.

“Public Market” means the central market and all public markets now constructed which belongs to the Council and all public market to be constructed in future and week fairs.

“Plants” means vegetables, fruits, grains and mushrooms.

#### BY-LAWS RELATING TO THE HAWKING PART IX

1. No person upon or in any street, park, garden, vehicles parking lot or any other open place, within the administrative limits of the urban council, shall sell or hawk for sale any article or support or assist to do so without licensee issued by the Chairman.
2. Each license issued under by-law 1 shall expire on thirty-first day of December of the year in respect of which it is issued if not cancelled according to the by-law 7
3. A person who seeks to obtain a license according to the by-law 1 shall apply for such licence in a from the urban officer and a license may be issued on the discretion of the Chairman
4. The license shall pay a fee for the license as may be specified by the Chairman.
5. The license shall apply with the conditions imposed by the Chairman from time to time for the persons who are hawking.
6. Where the Chairman has prohibited the hawking in any area within the Municipal limits, no license shall enter into such area in the guise of hawking.
7. The Chairman may revoke or cancel a license issued by him to any person, if such person contravenes by-laws 5 and 6, when doing so the licensee shall not be entitled to any compensation from the Chairman.
8. It shall be lawful for the issue of temporary permits to the hawkers to sell within any specific area, during the any other national or religious festival by recovering a fee determined by the Kinniya Urban Council from time to time by a resolution.
9. The temporary license issued under by-law 8, shall not remain in force after the end of such festivals referred in by-law 8
10. A license issued under By-law 1, shall not be valid for sale of cooked or prepared food.

11. If the licensee is suffering from any infections or contagious disease or he is in attendance of such a patient or such a patient is lodging in his house, the licensee shall stop hawking forthwith and he may start same after the expiry of the period of incubation
12. The Chairman shall not issue a license for hawking to a person suffering from a contagious disease, before obtaining the license, the applicant shall be present for a medical check-up and such report shall be submitted to the chairman.
13. No licensee shall hawk in a way to obstruct any person walking on in any street, pavement or open space.
14. The Chairman shall have power to take into custody the goods of any person who contravenes by-law 13, and deal with such goods so taken into custody as he may decide
15. the licensee shall not transfer the license issued to him
16. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted in a court of law which has jurisdiction
  - a. To a fine not exceeding Seven Hundred and Fifty Rupees (Rs.750.00) for the first offence
  - b. A fine not exceeding One Thousand Rupees (Rs.1000) for the second subsequent offence.
  - c. In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.

Interpretation:- In these by-laws:-

“Council” means the Kinniya Urban Council.

“The chairman” means The Chairman of the Kinniya Urban Council

“Hawking” means a sale of articles by carrying them from place to place without a permanent place or by transporting them in a vehicle.

## BY-LAWS RELATING TO LOITERING

### PART X

1. No person shall loiter without a light on any thoroughfare from 11.00 p.m to 5.00 a.m.
2. The mere possession of an electric torch or other lighting device without the light being actually put on throughout shall not be deemed to be sufficient for the purpose of this by-law.
3. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted before a Judge who has jurisdiction within the Kinniya Urban Council limits, the relevant person shall be liable to the following penalties:
  - a. To a fine not exceeding Seven Hundred and Fifty [750.00] for the first offence
  - b. A fine not exceeding One Thousand Rupees (Rs.1000) for the second subsequent offence.
  - c. In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.

Interpretation:- In these by-laws:-

“The chairman” means The Chairman of the Kinniya Urban Council

CHAPTER IV-PART I

BY-LAWS RELATING TO SLAUGHTER HOUSES

1. Every public slaughter House shall be under the Superintendence of an officer appointed thereto by the proper authority who shall be called as the Kinniya Veterinary Surgeon or the officer who acts in his behalf.
2. No licensed butcher shall slaughter or be permitted to slaughter animals except at such hours only as may from time to time be fixed by the Competent Authority.
3. A licensed butcher shall slaughter animals only at such places within the slaughter house as are assigned to him by the Veterinary Surgeon.
4. No licensed butcher shall slaughter any animal unless the Chairman shall have issued to him a printed permit duly filled in the form approved by the Chairman. The printed permit before issued shall be duly filled in by the Veterinary surgeon other who acts in his behalf and signed by him and by the Butcher to whom it is issued and shall bear the date of the issue.
5. No approval shall be given for slaughter of cattle unless a licensed butcher produce a certificate in his favour in form "A" prescribed in the schedule to branding, sale and transfer of Cattle Ordinance (Chapter 473) or unless the person wishing to sell the animal to the butcher appears with the butcher before the Veterinary Surgeon who acts in his behalf and produces a similar certificate in his favour and signs a declaration that he is prepared to sell to the butcher. The certificate mentioned herein shall be produced to the chairman before the animal is admitted into the Slaughter House premises.
6. It shall not be lawful for any licensed butcher or any other person to produce any certificate as a certificate required for the purpose of obtaining approved for slaughter which certificate is not issued in respect of the animal produced or which is false in any particulars or the entries in which do not correspond in every particular with the description and brand of the animal for which it is produced. Any such animal shall at once be removed by the person who has brought it and shall not be admitted into the slaughter house premises.
7. Should any person claim any animal while exposed in a public slaughter house premises previous to slaughter, the person who has brought it shall be required forthwith to pay any fees due in respect of such animal and to remove it from the slaughter house. In default of payment, the animal may be dealt with under by-law 17. Also it shall be informed to the relevant Police station.
8. All Animal brought to or left at a slaughter house shall be properly tied up with ropes to prevent their escaping.
9. Every licensed butcher shall register at the Urban Council office the names of the servants whom he desires to employ at the slaughter house in his trade as butcher and the Chairman may refuse to register any particular name or cancel the name of any of those already registered. Such licensed butcher shall not employ or continue to employ any person who is not so registered or whose name has been so cancelled.
10. Every licensed butcher shall submit with the Veterinary Surgeon certified copy of his licence and of the certificate of registration of every servant whom he employs at the slaughter house as soon as he shall have obtained them.
11. The skins, entrails and offal of slaughtered cattle shall be collected by the butcher or his employees and kept in places set apart thereof in order to be washed and cleaned before their removal.
12. When a licensed butcher or his registered servant is using the slaughter house, the licensed butcher shall be responsible for any damage done to the slaughter house either by his own act or by the act of any of his servants and shall be liable on demands to pay such amount as the Chairman thinks fit for the damage so done, in failure of which the Chairman shall have the option either of canceling his licence or of recovering the amount of such damage from the licensed butcher and his sureties or both.

13. No person suffering from any skin disease, leprosy or any infectious or contagious disease shall be allowed to enter or to serve within the slaughter house.
14. Meat of the animals slaughtered in the Urban Council slaughter house shall be transported to the stalls within the urban limits only by the vehicles supplied by the Council. For this purpose, the butcher shall pay a fee which the council decides from time to time.
15. Fees to be charged shall be prescribed from time to time by the Council by resolution in respect of the following purposes :
  - (1) For the use of the slaughter house for :—
    - (a) Cattle (Oxen) ;
    - (b) Sheep and goats ;
  - (2) For feeding (for each period of twenty four hours or any part thereof) :—
    - (c) Cattle ;
  - (3) For occupation of shed :—
    - (d) Cattle ;
  - (4) For occupation of cattle mart :—
    - (e) Cattle.
16. No person shall slaughter any animal for which a permit to slaughter has been issued until all fees and expenses due to the slaughter house have been paid and in case of non-payment the animal may be dealt with under By-law 17.
17. The Chairman may, after two day's notice by publicity, cause any animal which has been retained at the slaughter house for default of payment of fees due on it to be sold by public auction and shall out of the proceeds retain any fees due and. Expenses incurred in respect of such animal and pay over the surplus, on application, to the person who shall have brought such animal for slaughter to the slaughter house. If he shall not claim such amount before expiry of one year same be credited to the Council's fund after the end of the year.
18. It shall be lawful for the Veterinary Surgeon or other who acts in his behalf to forbid the slaughter of any animal diseased or the decided unfit slaughtered and whether a permit to slaughter such animal has been already issued or not and no person shall slaughter any such animal.
19. No dying or dead animals or animals suffering from any disease shall be admitted into the slaughter house any such animal be seized and treated like animals affected with infectious or contagious diseases.
20. Animals affected with infectious or contagious disease, when brought to the slaughter house shall be seized and conducted to such place or places as the Chairman shall from time to time appoint to be there destroyed or disposed of as the Chairman may think proper.
21. Should the person who has brought to the slaughter house any animal for the slaughter of which a permit has been refused or the slaughter of which has been forbidden, fail to remove it from the slaughter house premises within twelve hours after such refusal or prohibition, the Chairman may after two days notice by publicity, cause such animal to be sold by public auction and shall out of the proceeds retain the amount of fees due and expenses incurred in respect of such animal and pay over the surplus, if there be any on application, to the person who shall brought such animal for slaughter to the slaughter house. He shall claim such amount before expiry of a year and same be credited to the Council fund after lapse of a year.



22.

- (a) No person shall remove any meat, skin, entrails or offal of any animal slaughtered at the public slaughter house without its being accompanied by a pass in the form authorized by the Chairman signed by the Veterinary Surgeon or other officer appointed to issue such passes and the person removing such meat, skin, entrails or offal shall produce such pass or passes for inspection on demand by any Urban Council officer or a Police Officer and should such person fail to do so, such meat, skin, entrails or offal shall be liable to be seized and removed to the Urban Council or to the Police Station to be disposed of as may be directed by the Chairman of the Urban Council or by the judge without any compensation to the owner
  - (b) Any animal while exposed in a slaughter house premises previous to slaughter if it is dead for any person the person who brought such animal shall not be permitted to bring said dead animal outside the slaughter house premises and burial of same or taking any other way of action shall be carried out under the supervision of the Veterinary Surgeon or other who acts in behalf
23. No dogs shall be admitted into the slaughter house and no owner or person in charge of a dog shall bring it into or suffer into enter any slaughter house. All dogs found there shall be dealt with as stray dogs.
  24. No licensed butcher or any of his registered servants or other person admitted inside a slaughter house no person shall make any noise or fight or quarrel or use insulting, abusive or obscene language and any person contravening this By-law may be turned out of the slaughter house by the Veterinary Surgeon or his assistant.
  25. It shall not be lawful for any person who is not a licensed butcher within the Urban council limits enter into slaughter any cattle unless he shall have obtained a special licensee from the proper Authority and any person obtaining such special licence shall not slaughter except at the place named in such licence or under any conditions therein set forth. The application for such special licence shall contain information with reference to the animal similar to that contained in Form "A" prescribed in the Schedule to the Branding, sale and transfer of cattle Ordinance (Chapter 473) and shall be accompanied by a report from a police or Urban Council officer or Grama Sevaka of the applicant's residing area certifying that the animal belongs to the applicant. For this special licence, a fee to the Council decides from time to time be charged.
  26. Every slaughter house shall be thoroughly washed and swept twice at least daily at such times, as the Chairman may fix.
  27. Every slaughter house shall be lime-washed once at least in each three month at such times as the Chairman may fix.
  28. Every slaughter house shall be paved with granite stones or flat paving bricks or tiles or concrete or asphalt and the joints fresh pointed with mortar once at least annually.
  29. If on any animal which has been approved as aforesaid being slaughtered the carcass shall appear diseased or otherwise unfit for human consumption the said Veterinary Surgeon or other person authorized by the Chairman shall cause the said carcass to be then and there destroyed or so disposed of as to prevent its being exposed for sale or used for human food. In this connection the decision of the Veterinary Surgeon or other who acts in behalf shall be final.
  30. None other than the butchers, their assistants and the Urban Council officers attached to the slaughter house and those authorized shall be admitted to the premises during the process of slaughtering, skinning or cutting up carcasses.
  31. All the offal, entrails or other refuse left at the slaughter house by the butchers or their assistants shall be disposed of as common offal.
  32. Skins, offal, entrails or other refuse left at the slaughter house is not removed, after the hours fixed by the Veterinary Surgeon or other who acts in behalf it shall be considered as abandoned and shall become the property of the Urban Council who may dispose of them as it shall think fit.

33.

- (i) Except under the authority of a licence issued by the proper authority thereof, no person shall bring into the limits of Urban Council limit, the meat of any sheep, goat, cattle or pig, slaughtered outside the Urban Council limits.

Provided that the preceding provisions of this paragraph shall not apply to meat packed in hermetically sealed tins.

- (ii) No licensee under paragraph 31(1) shall be issued to any person in respect of any meat referred to in that paragraph unless such person satisfies the Veterinary Surgeon or an officer authorized in that behalf by the Chairman by the production of documentary evidence that the animal from which such meat was derived was free from disease at the time of slaughter and that during and after the slaughter all necessary precautions were taken to prevent such meat from being contaminated.
- (iii) The proper authority may in his discretion refuse to issue to any person a licence under paragraph 31(i), Also, the proper authority has power to cancel such a licence and the applicant is not entitled to any compensation in this regard.

34.

- (1) No person shall sell or expose for sale within the limits of the Urban Council limits.

- (a) the meat of any sheep, goat, cattle slaughtered outside the limits; or
- (b) any meat (whether chilled, frozen, salted, smoked or preserved) imported into the Island unless such meat has been inspected and passed as fit for human consumption by Veterinary Surgeon or by an officer authorized in that behalf by the Chairman.

Provided that the preceding provisions of this by-law shall not apply to any meat packed in hermetically sealed tins.

- (2) Every person who is desirous of having the meat of any cattle, sheep, goat slaughtered out side the limits of the Urban Council, inspected by an officer referred to in by-law 31(1) shall cause such meat to be transported to the Urban Council slaughter house for the purpose of the inspection. No meat shall be transported to the urban Council slaughter House by any person unless he has given the veterinary Surgeon or an officer authorized in that behalf by the Chairman at least twelve hours notice of his intention to do so.
- (3) No person shall employ any person as his agent of servant to transport to the Urban Council slaughter house any meat referred to in paragraph 34(2) unless the name and address of such other person have been registered at the office of the Urban Council.
- (4) Every person who brings into the Urban Council slaughter house any meat referred to in paragraph 34(2) for the purpose of having such meat inspected by the Veterinary Surgeon or by any officer authorized in that behalf by the Chairman shall pay for the use of the Urban Council slaughter house, a fee decided by the Council by resolution for each kilo of meat brought into the house for that purpose.
- (5) No person shall transport from the Urban Council Slaughter house to any place where meat is sold, any meat referred to in paragraph 34(2) except in accordance with the following conditions:
- Meat must be transported in a fully covered vehicle.
  - The meat must be either hung on hooks or stored on racks provided for that purpose in such motor vehicle.
  - For the purposes of by-law 35 and this by-law "meat" includes any offal.

35. No person shall permit to be brought any meat of any animal from a Urban Council slaughter house or any other place within the Urban Council unless the same shall be conveyed in a motor van or cart constructed as to protect the said meat effectually from sun, dust and rain and screen it from public view. And no person shall expose or cause to be exposed to public view, any raw skin or skins during carriage from place to place.
36. Then Veterinary Surgeon or the other person authorized as aforesaid shall keep a register of all cattle inspected by him, giving a description of the cattle and brand marks and the other particulars set forth in such form approved by the urban council. Such register shall be accessible to the public at the Office of the slaughter hours between the hours on 1p.m and 4p.m except on Sundays and public holidays

It shall not be lawful for any person who is not a licensed butcher to slaughter any cattle, sheep, goat or without a special licensee from the proper Authority or contrary to the tenor of such licensee and a fee as decided by the Council by resolution shall be levied for every such licensee. Provided that in cases of emergency and where the slaughter is not intended for the purpose of sale, any officer duly authorized by the proper Authority may issue the licensee and shall recover the fee on behalf of the Council and pay it over to the Accountant.

37. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted in a court of law which has jurisdiction within the K.U limits, shall be liable to the following penalties.
- To a fine not exceeding Seven Hundred and Fifty (750.00) for the first offence
  - A fine not exceeding One Thousand Rupees (Rs.1000) for the second subsequent offence.
  - In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.
- On second or subsequent conviction for the breach of these by-laws, the licensee shall be liable for the cancellation of his licensee.

*Interpretation :-*

In these by laws-

“Council” means the Kinniya Urban Council

“Chairman” means the Chairman of the Kinniya Urban Council.

“Proper Authority” means the Chairman of the Kinniya Urban Council.

“Veterinary Surgeon” means the person functioning as Veterinary Surgeon within the Kinniya Urban Council limit.

PART II

BY-LAWS RELATING TO THE SALE OF MEAT

- No person shall use any shop or place (other than a market) for the sale of meat except on a licence issued under the Butchers' Ordinance.
  - Every licence issued under paragraph (1) of his by-law shall, unless earlier cancelled under by-law 25, expire on the thirty first day of December of the year in respect of which it is issued.
- No person shall be entitled to a licence to keep a stall for the sale of meat, unless the premises to be licensed and the equipments of such stall are in conformity with the following conditions:
  - The premises shall be in good repair and well-ventilated and well-lighted and every room shall be provided with windows capable of being opened, the area of which when opened shall be not less than one-fifteenth of the superficial floor space.

- (2) The walls of every room in every part shall be not less than two meters in height and shall be built of brick, stone or cabok with the inside thereof lime-plastered and lime-washed and the lower-internal surface of each such wall shall be covered with glazed tiles or plastered in cement up to a height of 1.2 meters from the ground.
  - (3) All the eaves shall be at least 2 meters from the ground.
  - (4) The roof shall be made of some permanent material.
  - (5) All the wood-work shall be painted or oil-painted.
  - (6) The floor shall be cemented throughout.
  - (7) The premises shall be provided with adequate drainage.
  - (8) The tables and all other furniture shall be capable of being moved about for the purpose of cleaning the floor and the walls.
  - (9) Every table on which meat is kept shall be covered with zone or other impermeable material.
  - (10) The premises shall be provided with a sanitary dust-bin and at least one spittoon.
  - (11) The premises shall be at least 15 meters away from any latrine, cesspit, manure heap or open sewer.
  - (12) There shall not be cesspit, latrine or ash pit within or directly communicating with the premises.
3. Every licensee of a meat stall shall keep affixed in a a conspicuous position on the outside of his premises a board with his name and the words “ Licensed Meat stall” legibly painted thereon in Sinhala, Tamil and English.
  4. Every licensee of a meat stall shall cause a copy of these by-laws relating to meat stalls in Sinhala, Tamil and English to be framed and hung in a prominent place in the licensed premises. He shall also keep on the premises a list of names and addresses of all employees including vendors of meat so as to be all times available for inspection.
  5. Every licensee of a meat stall shall cause the walls of every room forming part of the stall, except such parts are covered with glazed tiles or are plastered with cement to be lime-washed and all the wood-work to be painted or if oil-painted to be washed with hot water and soap at least four times a year in months of March, June, September and December and at such other times as may be required by the proper authority in writing.
  6. Every licensee of a meat stall shall cause the floor, tiled or cemented portions of the walls the tops of the tables and the chopping blocks to be scrubbed and washed once every day at such hour as is specified in the Licence. He stalls cause hooks for hanging meat to be kept polished and free from rust.
  7. Every licensee of a meat stall shall keep every part of the meat stall, its surrounding drains, furniture, utensils and equipment used in connection with the stores, preparation or sale of meat in good repair, clean and free from effluvia arising from any drain, latrine, cesspit or other nuisance.
  8. Every licensee of a meat stall shall cause a sanitary dust-bin and at least one spittoon to be kept on the licensed premises so that those employed on the premises may have easy access to them.
  9. Every licensee of a meat stall shall cause all trade and domestic refuse to be immediately placed in a covered receptacle made of zinc or galvanized iron and to be removed daily from the licensed premises. He shall cause the said receptacle to be kept always covered except at the time when refuse is being actually placed in it.
  10. Every licensee of a meat stall shall keep the licensed premises free from rats and shall cause all rat holes to be filled up with broken glass and shall plaster them with cement as soon as found.

11. No person shall keep any animal or bird in the licensed premises on any pretext whatsoever.
12. No person shall spit within a meat stall except into a spittoon provided for the purpose.
13. No person suffering or who has recently suffered from any infectious, contagious or coetaneous disease or who has recently been in attendance on any person suffering from such a disease, shall enter a meat stall or take part in the storing, preparation or sale of meat therein or in transport of any meat hereto or there from.
14. No licensee of a meat stall shall permit the contravention any person of by law<sup>12</sup> or by-law<sup>13</sup>.
15. No person shall keep in the licensed premises any future, cloths, sleeping mats or other articles except those used for the purposes of storing, preparation or sale of meat.
16. No Licensee of a meat stall shall allow any place on the same level with the meat stall and forming part of the same building to be used as a sleeping place, unless it is effectually separated from the meat stall by a partition extending from the floor to the ceiling and superficial floor space.
17. Every licensee of a meat stall shall keep on the licensed premises simple supply portable water
18. No licensee of a meat stall shall sell or expose for sale on the licensed premises any meat other than the meat of animal slaughtered in a Public Slaughter House which is within an administrative limits of the Council and which has been duly declared an proclaimed under section 21 of the Butcher Ordinance (Chapter 201) or in a place appointed for the purpose by the proper authority under Section 11 of the said Ordinance or under a permit issued under section 14 of the said Ordinance. The Veterinary Surgeon or any officer authorized by him shall cause the meat of animals so slaughtered to be sealed with a seal to identify such meat.
19. The scales kept in the meat stall, shall be hung in front of such stall as to be visible to the public.
20. Every person of licensed premises of sale of meat shall keep the such licensed premises opened on every day at 7.00 a.m-7.00 p.m except on days on which sale of meat has been prohibited by a notice published in the Gazette by the competent authority in that behalf.
21. No licensee of a meat stall shall allow any person to transport meat for sale from his licensed premises unless such person is in possession of a card of registration signed by the proper authority and by the licensee of the meat stall.
22. No licensee of a meat stall shall permit any person to transport for sale from his licensed premises any meat otherwise than in a enclosed vehicle or a closed basket, tin or other suitable receptacle. He shall see that every such vehicle, basket, tin or other receptacle is at all times kept clean and wholesome.
23. The proper Authority shall, on application made to him by the licensee of a meat stall, issue card or registration free of charge for the use of very person employed by such licensee in transporting meat for sale.
24. I. It shall be lawful for any officer of the Council generally or specially authorized in writing there to by the proper authority at all reasonable times to enter and inspect any shop or place used for the sale of meat.  
  
II. The licensee or the person in charge of any shop or place for the sale of meat shall permit any officer authorized by the proper Authority in writing to enter inspect the premises and shall render the proper Authority or such officer all such assistance as may be necessary.
25. It shall be lawful for a court of competent jurisdiction, in addition to any other punishment that it may impose, to cancel the licence of a licensee convicted twice or more of a breach of any of these by-laws relating to the sale of meat and such licensee shall not be entitled to any compensation in respect of the cancellation.

26. Any person who contravenes of any of these by-laws shall be a committing punishable offence and shall be liable to the following penalties, if convicted in a court of law which has jurisdiction within the Kinniya Urban Council limits :

- (a) To a fine not exceeding Seven Hundred and Fifty Rupees (750.00) for the first offence.
- (b) A fine not exceeding One Thousand Rupees (Rs.1000) for the second or subsequent offence.
- (c) In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.
- (d) On second or subsequent conviction for the breach of these by-laws, the licensee shall be liable for the cancellation of his licensee.

*Interpretation :-*

In these by-laws—

“Proper Authority” means the Chairman of the Kinniya Urban Council or an officer authorized by him.

“Council” means the Kinniya Urban Council.

“Meat” means the beef, mutton and chicken.

“Veterinary Surgeon” means the Surgeon of the Kinniya Urban Council.

“Medical Officer of Health” means the Medical Officer of Health of the Kinniya Urban Council.

“Permanent Material” means tiles, concrete, G.Q. Sheets, asbestos sheet or any impervious material.

BY-LAWS RELATING TO MARKETS FOR CATTLE, SHEEP, POULTRY ETC.

PART III

1. No market for the sale of cattle, buffaloes, sheep, goats or poultry shall be held within the Urban Council limits, without the sanction of the Chairman except at a licensed market or an markets established by the Council and in such manner as may be directed by the Chairman.
2. No any animal the Veterinary Surgeon or other who acts in his behalf decides that animals are suffering from an infections or other contagious or cutaneous disease shall be admitted to the mart for sale.
3. All animals detained at the cattle mart shall be fed and attended at the expense of the owners of such animals.
4. Owners shall pay fees as decided by the Council from time to time by resolution for animals admitted to the cattle mart.
5. The markets for the sale and purchase of animals will be opened for a period not exceeding eight (8) hours every day except on Sundays and Public holidays and such other day and days as the Chairman may determine.
6. The hours of the commencement and close of sale shall be fixed by the Chairman from time to time and notice thereof shall be posted up in the market.
7. The gates of the market will be opened for the reception, penning and tying up of animals at such hours as the Chairman may determine from time to time.
8. No person shall make unnecessary noise or create any disturbance in the market and no gambling or swearing profane, obscene, abusive or disgusting language or behaviour shall be allowed in the market.
9. Every person taking any animal or animals into the market shall, on entering, furnish the officer in charge of the market a correct account of the number and description of such animal or animals and the name owner thereof.

10. Every animal shall, on entering the market, be tied up by a chain or rope of sufficient strength or penned by the owner or person in charge of such animal as and when directed by the Veterinary Surgeon or other duly authorized person. No person shall be allowed to occupy more space than in the opinion of the Veterinary Surgeon or other duly authorized person is necessary. The owner or person in charge of any animal or animals shall not permit such animal or animals to stray or run loose in the market.
11. Every licensee shall report forthwith to the Veterinary Surgeon or to the Medical Officer of Health any disease or death among the cattle kept on the licensed premises.
12. In the event of any cattle dying of disease upon the licensed premises, the licensee shall not bury or otherwise dispose the car case of such cattle without the prior sanction of the Veterinary Surgeon or officer who act in his behalf.
13. Every person who shall purchase any animal or animals in the market and shall re-sell or offer the same for re-sale within the market, shall pay to the officer in charge of the market the amount of dues to which have been liable if he had himself brought such animal or animals into the market.
14. No person shall damage the buildings, erections or fittings of or in the market.
15. No person shall climb over or go through, under or upon any gate, fence, wall, building, pen or erection within the market.
16. No person shall throw stones or any other thing into or within the market or in any manner or way foul or improperly use or waste water in the Pond in the market.
17. No person other than a dairyman or a milk vendor registered under the Urban Council Ordinance shall remove the milk from the market.
18. It shall not be lawful for anyone to use any premises as a live poultry mart without an annual licensee from the Chairman.
19. Any person who contravenes any of preceding by-laws shall be liable to a prosecution before a Judge for each offence in addition to any other legal liability.
20. Any person who contravenes any of these by-laws shall be guilty of a punishable offence and if convicted after a trial before a Judge who has jurisdiction within the Kinniya Urban Council limits, shall be liable to the following penalties :-
  - (a) To a fine not exceeding Seven Hundred and Fifty Rupees (750.00) for the first offence.
  - (b) A fine not exceeding One Thousand Rupees (Rs.1000) for the second or subsequent offence.
  - (c) In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.
  - (d) On second subsequent conviction for the breach of these by-laws, the licensee shall be liable for the cancellation of his licensee.

*Interpretation :-*

In these by-laws—

“Council” means the Kinniya Urban Council.

“The chairman” means The Chairman of the Kinniya Urban Council.

“Veterinary Surgeon” means the Surgeon of the Kinniya Urban Council.

“Medical Officer of Health” means the Medical Officer of Health of the Kinniya Urban Council.

“Cattle Mart” means the mart which is kept for selling cattle, buffaloes, goats, sheep, horses, and swine.

By-LAWS RELATING TO THE SALE OF FISH

PART IV

1.

- (1) No person shall use any shop or place (other than a market) for the sale of fish except on a licensee issued in that behalf by the Chairman
- (2) Every licensee issued under paragraph (1) of this by-law shall, unless earlier cancelled under by-law 24, expire on the thirty first day of December of the year in respect of which it is issued.

No person shall be entitled to a licensee to keep a fish stall unless the premises to be licensed and the equipment of such stall are in conformity with the following conditions.

- (1) The premises must be in good repair and well ventilated and well lighted and every room must be provided with windows capable of being opened, the area of which when opened must be not less than one-fifteenth of the superficial floor space.
  - (2) The walls of every room in every part must be not less than two meters in height and must be lime plastered and lime washed except such parts as are covered with glazed tiles or are plastered in cement.
  - (3) All the eaves must be at least 2 meters from the ground.
  - (4) All the wood work must be oil-painted.
  - (5) The floor must be of smooth cement having a proper fall leading to a masonry drain built in cement and plastered in cement.
  - (6) Every table on which fish is kept must be covered with zinc or other impermeable material.
  - (7) The premises must be provided with a sanitary dust bin and with sufficient latrine accommodation.
  - (8) The premises must be at least fifteen meters distant from any latrine, cesspit, manure heap or open sewer.
  - (9) There must be no cesspit, latrine or ash pit within or directly communicating with the premises.
2. Every licensee of a fish stall shall keep affixed in a conspicuous position on the out side of his premises a board with his name and the words "Licensed Fish Stall" legibly painted there on in Sinhala, Tamil and English.
  3. Every licensee of a fish stall shall cause a copy of these by-laws relating to fish stall in Sinhala, Tamil and English to be framed and hung in a prominent place in the licensed premises. He shall also keep on the premises a list of the names and addresses of all employees including fish vendors so as to be all times available for inspection
  4. Every licensee of a fish stall shall cause the walls of every room forming part of the fish stall, except such parts as are covered with glazed tiles or are plastered in cement, to be lime-washed and all the wood work of oil-painted to be washed with hot water and soap at least four times in the months of March, June, September and December and at such other times as may be ordered by the Chairman in writing.
  5. Every licensee of a fish stall shall cause the floor, the tiled or cemented portions of the all the tops of the tables and the chopping blocks to be scrubbed and washed once every day at such as specified in the licensee. He shall cause all hooks hanging fish to be kept polished and free from rust.
  6. Every licensee of a fish stall shall keep every part of the fish stall, its surrounding, drains, furniture, utensils and equipment used in connection with the storing, preparation or sale of fish in good repair clean and free from effluvia arising from any drain, latrine, cesspit or other nuisance.



7. Every licensee of a fish stall shall cause a sanitary dust-bin and at least one spittoon to be kept on the licensed premises so that those employed on the premises may have easy access to them.
8. Every licensee of a fish stall shall cause all trade and domestic refuse to be immediately placed in an impervious covered receptacle and to be removed daily from the licensed premises. He shall cause the said receptacle to be kept always covered except when refuse is being actually placed therein.
9. Every licensee of a fish stall shall keep the licensed premises free from rats, and shall fill up all rat holes with broken glass and plaster them with cement as soon as he discovers them.
10. No person shall keep any animal or bird in the licensed premises on any pretext whatsoever.
11. No person shall spit within a fish stall except into a spittoon provided for the purpose.
12. No person who is suffering or who has recently suffered from any infection, contagious or cutaneous disease or who has recently been in attendance on any person suffering from such a disease, shall enter a fish stall or take part in the storing, preparation or sale of fish therein or in the transport of any fish thereto or there from.
13. No licensee of a fish stall shall connive at or permit the contravention by any person of by-law 11 or by-law 12 or by-law 13
14. No person shall keep in the licensed premises any furniture, cloths, sleeping mats or other article except those used for the purpose of the storing, preparation or sale of fish.
15. No licensee of a fish stall shall allow any place on the same level with the fish stall and forming part of the same building to be used as a sleeping place unless it is effectually separated from the fish stall by a partition extending from the floor to the ceiling and unless such sleeping place is provided with an external window, the area of which when opened shall be not less than one-fifteenth of the superficial floor space.
16. Every licensee of a fish stall shall keep on the licensed premises an ample supply of drinking water
17. Every licensee of a fish stall shall keep the licensed premises open everyday except such days on which the Chairman requires to be closed.
18. No licensee of a fish stall shall allow any person to transport fish for sale from his licensed premises unless he is in possession of a card of registration signed by the Chairman and by the licensee of the fish stall.
19. No person shall be allowed the sale of fish done by visiting the place to place within the U.C limits, without a licensee obtained from the Chairman. No licensee of a fish stall shall permit any person to transport for sale from his licensed premises any fish in a closed vehicle or a closed basket, tin, or other suitable receptacle. He shall see that every such vehicle, basket, tin or other receptacle is at all times kept clean and wholesome.
20. The Chairman shall on application made to him by the licensee of a fish stall, issue cards of registration free of charge for use of every person employed by such licensee in transporting fish for sale.
21.
  - (1) It shall be lawful for the chairman or any officer of the council generally or specially authorized thereto in writing by the chairman at all reasonable times to enter and inspect any shop or place for the sale of fish.
  - (2) The licensee or the person in charge of the shop or place for the sale of fish shall permit the chairman or any officer by the Chairman in writing to enter and inspect the premises and shall render the chairman or such officer all such assistance as may be necessary.

22. No person who sell fish with licensee for hawking shall deposit waste of fish by the sides of the road when selling such fish and they shall cause such waste to be disposed properly
23. The fish in the possession of the person who are hawking fish without a licensee from the chairman shall be taken into custody and be submitted to the judge and be disposed of as the judge may order.
24. It shall be lawful for a court of competent jurisdiction, in addition to any other punishment that it may impose to cancel the licensee of a licensee convicted twice of a breach of any of these by-laws relating to the sale of fish and the licensee shall not be entitled to any compensation in respect of the cancellation
25. Contravention of any these by- laws by any person shall be a punishable offence and he shall be liable to the following penalties and to the cancellation of the licensee
  - a. To a fine not exceeding One Thousand Rupees (Rs.1000) for the first offence
  - b. A fine not exceeding Two Thousand Rupees (Rs.2000) for the second subsequent offence.
  - c. In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention

Interpretation

In these by-laws

“Chairman” means the Chairman of the Kinniya Urban Council

#### CHAPTER V-PART I

##### BY – LAWS RELATING TO PUBLIC ENTERTAINMENT AND PERFORMANCES

1. No person shall use, or permit the use of any premises for the purpose of any public entertainment, unless he had obtained from the chairman a licensee authorizing the use of premises for the purpose.
2. No person without a license issued properly by the Chairman shall exhibit any show by using a Television or any other visual appliance in a house or other building or an open place by charging monies or in the guise of earning monies.
3. Every application for a licensee to use any premises for the purpose of any public entertainment shall be made to the Chairman. Every application for licensee
  - (1) Shall specify-
    - i. The name and the address of the applicant and, where the application is not the owner of the premises to be licensed, the name and the address of the owner of such premises
    - ii. The situation of such premises;
    - iii. The nature and extent of the applicant’s interest in such premises;
    - iv. The character of the public entertainment for which such premises are to be used; and
  - (2) The purpose for which the proceeds of the public entertainment are to be used.
  - (3) Where the application is not the owner of such premises, by a declaration from the owner thereof to the effect that he consents to the premises being used for the purposes of the public entertainment specified in the application

4.
  - (i). The chairman may, after such inquiry as he may consider necessary, grant or refuse a licensee to any person making an application therefore.
  - (ii). Every license granted under paragraph (1) shall
    - a) Be in the form setout in the schedule hereto;
    - b) Be valid for such period not exceeding ninety days as may be specified in the licensee; and
    - c) Be subject to the conditions set out in the licensee.
  - (iii). The fee payable for a licensee shall be determined by the Council from time to time by resolution.
5. No licensee granted under by-law 3 shall be transferable.
6. It shall be lawful for the chairman the Superintendent of Police of the urban Area, or any other person authorized in writing by the Chairman or such Superintendent at all reasonable times to enter and inspect any licensed premises and the furniture and equipment therein, and the licensee or other person for the time being in charge of those premises shall permit the chairman or such Superintendent or such authorized person to make such inspection and shall render him all such assistance as may be necessary
7. The chairman may cancel or suspend any licensee granted under by-law 3 for non- compliance with the provisions of any of these by-laws. In such a circumstance, the licensee or his agent shall not be entitled to claim from the council or the Chairman any compensation

In these by-laws

“Council” means the Kinniya Urban council.

“Chairman” means the chairman of the Kinniya urban Council.

“Licensee” means the holder of a licensee issued by the Chairman under by-law 3;

“Licensed premises” means any premises in respect of which a licensee has been issued by the Chairman under by-law 3;

“Public entertainment” includes any carnival, fote, circus, variety show or exhibition, of games of skill, conjuring, juggling, wrestling, or acrobatic performances but also include

The exhibition of picture or other optical effects by means of a cinematograph, magic lantern or other similar apparatus

#### SCHEDULE

#### FORM OF LICENSEE

\_\_\_\_\_ of \_\_\_\_\_ is  
hereby licensed to use the premises bearing assessment No \_\_\_\_\_ and situated \_\_\_\_\_  
\_\_\_\_\_ for the purpose of \_\_\_\_\_ (state here the nature of the public entertainment) subject always to  
the subjoined condition.

This licensee expires on the \_\_\_\_\_ day of \_\_\_\_\_,  
200\_\_\_\_\_

\_\_\_\_\_  
Chairman

Kinniya U.C., \_\_\_\_\_ 200\_\_\_\_\_

### Condition of the licensee

1. The licensee shall not keep the licensed premises open to the public for any the purpose of the licensee after midnight or before 9.00 a.m.
2. The licensee or a person nominated by him in writing shall be in charge of the licensed premises during the period such premises are open to the public.
3. The licensee shall not permit any improper language, dress, dance, act or gesture on the licensed premises.
4. The licensee shall take all such precautions as may be necessary to ensure the safety of persons in the licensed premises and he shall not permit in such premises any performance which is likely to endanger the safety of such persons
5. The licensee shall cause to be exhibited above each exit door on the licensed premises a notice bearing the word "Exit" in block letters of not less than eighteen cms. In height. The notice shall be so exhibited as to be readily seen by persons using the licensed premises and it shall be illumination throughout the period during which the public are on the licensed premises by a system of illumination of the platform.
6. The licensee shall cause to be placed above every door in the licensed premises other than and exit door, a notice indicate in the use of the portion of the premises to which such door leads. Where any portion of the premises is not open to the public, a notice bearing the word "Private" shall be placed above the door leading to such portion of the premises. The licensee shall not place above any door a notice bearing the words "No Exit".
7. The licensee shall not use on any exit door or gate in the licensed premises any flush belt, barrel belt and lock or any other fastening which cannot be released by horizontally applied pressure.
8. The licensee shall keep all the exit doors and gates on the licensed premises which open inwards fully open and free from obstruction during the period such premises are open to the public.
9. The licensee shall take all necessary steps to ensure that all gangways, corridors, staircases and external passageways intended for exit in the licensed premises are kept entirely free from obstruction whether permanent or temporary.
10. The licensee shall not allow, within the licensed premises, any person to stand or sit in any gangway intersecting the seating, or sit in any of the gangways. The licensee may allow persons to stand along the sides of the gangways or at the rear of the seating, if sufficient space is left in the gangway to enable other persons using it to do without being obstructed.
11. The licensee shall not allow any part of the licensed premises to be overcrowded in such a manner as to endanger the safety of the pubic.
12. The Licensee shall not construct any shed or temporary building on the licensed premises without the prior permission of the Council.
13. The licensee shall not use any inflammable material in the construction of any shed or temporary building on the licensed premises.
14. The licensee shall not use or permit the use of any naked light inside, or within a distance of there meters from any shed or temporary building on the licensed premises
15. The licensee shall cause all scenery, draperies, properties and decoration used on the licensed premises to be rendered and maintained satisfactorily non-inflammable.

16. The licensee shall cause all lamps, lanterns, lighting appliances and other apparatus liable to become heated, whether under normal or abnormal conditions, to be fitted with suitable hoards to prevent contact with any combustible material.
17. The licensee shall not use, sell or exhibit on the licensed premises any two balloon filled with inflammable gas.
18. The licensee shall cause all joints of electrical wiring on the licensed premises to be properly insulated.
19. The licensee shall not use on the licensed premises any marry-go-round operated by steam unless he has installed
20. The licensee shall install all dynamos and other engines required for use in the licensed premises in a separate part of such premises
21. The licensee shall make suitable provision for securing and maintaining adequate I the licensed premises throughout the period such premises are open to the public
22. The licensee shall provide on the licensed premises a sufficient number of sanitary conveniences of a type approved by the chief Medical officer of Health, of the council.
23. The licensee shall not within the licensed premises, by operating or causing or permitting any other person to operate any gramophone, wireless loudspeaker amplifier or other similar instrument, produce or reproduce or cause to be produced or reproduced any sound which, by reason of its volume or its repetition or its continuous nature, causes a nuisance to the occupants of the other premises in the neighborhood.
24. The licensee shall not permit gambling of any kind whatsoever within the licensed premises.
25. The licensee shall make suitable arrangements for the purpose of communicating with the Police and the Fire Brigade in any emergency.
26. Any person who contravenes any of these By-laws shall be guilty of a punishable offence and if convicted, after a trial before a Judge who has jurisdiction within the Kinniya Urban Council limits, liable to the following penalties;
  - a. To a fine not exceeding Seven Hundred and Fifty [750.00 for the first offence
  - b. A fine not exceeding One Thousand Rupees (Rs.1000) for the second subsequent offence.
  - c. In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.

27. Cancellation of licence:

Where any person is convicted thrice for the contravention of these By-laws, the licence issued to him may be cancelled by the Chairman.

Interpretation :

In these By-laws

“Chairman” means the Chairman of the Kinniya Urban Council.

“Proprietor” means in case an individual business, its owner of that business, in case of partnership, all the partners, incase of a limited liability company, the working Director or the General Manager.

Part II BY-LAWS RELATING TO THE PLAY GROUNDS

1. For the use of a play ground an application shall be made in the form approved by the Kinniya Urban Council, obtainable from the Chairman or from any other officer duly authorized by him.
2. Receipt of the Application and allowing the requests:
  - a. The Chairman shall consider every application for the use of the play grounds received at the office of the Chairman according to the order of receipt of such applications and every request made for the use of the play grounds may be accepted or refused at the discretion of the Chairman and may be permitted after imposing any condition deemed appropriate according to the circumstances.
  - b. The Chairman shall inform the applicant in writing the decision is taken by him whether to allow or refuse the request made for the use of the play grounds.
  - c. In case if the Chairman decides to grant permission to use the play ground the applicant shall be informed to pay the fees determined by the Council from time to time and the security deposit before 5 days.
  - d. When the aforesaid charges and security deposit are paid within the period specified by the Chairman a permit for the use of the play grounds shall be issued to the applicant.
3. No person shall be allowed to use the play ground for any purpose at any time unless he is in possession of a permit issued in terms of the procedure and rules laid down herein.
4. Refunds:

Unless the Chairman receives a notice of cancellation of the reservation of the play ground at least three days before such reservation, any fee or a part thereof shall not be refunded.

When the Chairman has received a proper notice of cancellation of a reservation entire amount of the fee and the security deposit may be refunded or expenses incurred by the Council shall be deducted and balance amount together with the security deposit may be refunded. However "due to the cancelled reservation, however" if any other application for reservation of the play ground had to be refused, no refund can be made other than the security deposit.

5. The purposes and the time reservation of the Play ground:

The permit Holder shall not use the play ground for any other purpose except for the purpose for which the permit is issued. The permit Holder shall have right to use the play ground during the period stipulated in the permit. He shall not have right to use the play ground before the time specified in the permit.

When the period specified in the licence is lapsed, he shall be liable to pay additional charges at the rates specified in By-law-2 for the excess period of using the play ground, to the Chairman or an officer authorized by him or such charges shall be deducted from the security deposit. The permit Holder shall produce the permit to any officer authorized by the Chairman for inspection as and when necessary and when he fails to produce the permit to that officer, the permit Holder shall not be allowed to use the play ground.

6. A permit issued by the Chairman in terms of By-law-2 shall not be transferred by the permit Holder.
7. The Chairman shall have power to cancel a permit when the play ground is required for the essential purpose of the Kinniya urban Council or the Government or the Provincial Council or for any other valid reason as the Kinniya urban council deems fit.
8. When a permit issued is cancel in terms of By-law 7, he permit Holder is entitled to obtain the charges and the security deposit and he shall not have the right to claim any compensation or damages due to the cancellation of the permit.

9. Contravention of any of these By-Laws shall be a punishable offence and if convicted after a prosecution before a court of law, which has jurisdiction within the Kinniya Urban Council. Limits, liable to the following penalties:

- a. To a fine not exceeding Seven Hundred and Fifty (750.00) for the first offence
- b. A fine not exceeding One Thousand Rupees (Rs.1000)) for the second subsequent offence.
- c. In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.

#### BY-LAWS RELATING TO LIBRARIES.

#### PART III

01. In these By-laws relating to libraries, unless the context otherwise requires.

The expression “Librarian” means the person appointed by the Council to be in charge of the library or in the absence of the librarian an Asst. Librarian.

“Books” means various reading materials, periodical magazines, newspapers, pustika, punar production, maps, plans, supplies, drawings, hand bills, photographs, C.D. plates, video cassettes belong to the library.

“Students” mean the children who are studying under the national Educational system.

“Council” means the Kinniya Urban Council.

“Chairman” means the Chairman of the Kinniya Urban Council.

“Main Library” means the Library.

“Children Library” means the Children Library.

02. The main library established and maintained by the Council shall consist of-

- (a) Lending Library
- (b) Reference Library
- (c) Children Library
- (d) Periodical Magazine Section
- (e) Newspaper Section
- (f) Audio/Video Section
- (g) Computer Reference Section (Study Section)
- (h) Auditorium
- (i) Branch Libraries
- (j) reading Rooms
- (k) Mobile Library
- (l) Study Section.

03. (i) A Library Advisory Committee (hereinafter called as the “Committee) is assigned with the preparation of the policies in regard to the maintenance and development of the public library service and making instruction , if the Council otherwise decide. Such Committee shall consist of the following persons:

- (a) The Chairman in the due time (ex-officio)
- (b) All Urban Councilors
- (c) 15 Distinguish persons residing within the Kinniya. Urban council limits selected by the Chairman.
- (d) The chairman shall be an ex-officio member of the Library Advisory Committee.

04.

- i. The Chairman shall be the ex-officio Chairman and he shall preside at every meeting of the Committee. In the absence of the Chairman the Vice Chairman or In the absence of both the Chairman the Vice Chairman or any member elected by the members present, shall preside at the meeting.
- ii. The presiding member at any meeting shall have an original vote and a casting vote other than his own vote, if the votes cast on any question are equal.

05.

- i. The quorum shall be of seven members and at-least two councilors shall be present. Any member fails to attend 03 continuous meeting of the Committee; such member shall cease to be a member of the Committee. The Chairman shall fill such vacancies.
- ii. The Librarian shall be the ex-officio secretary of the Committee.

06.

- i. The Council shall have power to allow any person to use any part of the premises of the public library, subject to such conditions as it may deem necessary on the recommendations of the Committee or to refuse such permission to the use of any part of that premises, if such person has contravened any of these by-laws relating to libraries.
- ii. The Council may appoint a Librarian to be in charge of the Public Library and he/she shall be responsible for the proper maintenance of the library service. The Librarian shall have power to suspend the use of tickets of any member who contravenes laws and regulations relating to libraries or to refuse the issue of books and providing other Library facilities to him or to prohibit any person the use of the library who has no right for the use of same in terms of these rules and regulations. An appeal regarding such a suspension, refusal or prohibition shall be forwarded to the Chairman and the decision of the Chairman shall be the final

#### **Main Library (Lending Library)**

07.

- (1). Any person shall be admitted as a member of the Lending Library: If he-
  - a. Is not less than fourteen years of age?
  - b. Is literate.
  - c. Is a resident of the Kinniya Urban Council area or has an office or a place of business within the Kinniya Urban Council area or is studying under the National Educational System or in a National/International School within the Kinniya Urban Limits.
  - d. Is a permanent resident within a diameter of 10 miles from the Kinniya Urban Council and above 14 years of age and
  - e. Has paid the rates approved by the Council from time to time to the Librarian and has got the application for the membership endorsed by any surety mentioned as follows;
    - i. A member of the Kinniya Urban Council.
    - ii. An Attorney-at-Law who is a permanent resident within the Kinniya Urban Council Limits.
    - iii. A Western or Ayurvedic Physician who is a permanent resident within the Kinniya Urban Council Limits.
    - iv. A justice of Peace who is a permanent resident within the Kinniya Urban Council limits.
    - v. A person who has immovable property with an annual value of Seven Thousand Five Hundred Rupees (Rs. 7,500) within the Kinniya Urban Council Limits.
    - vi. A Head of the Department of Kinniya Urban Council.
    - vii. One of the Parents as an additional Surety for the School Children.
    - viii. If he is an employee, the Head of the Department as an additional surety.



- (2). No Person who is entitled under the preceding paragraph to endorse an application shall endorse his own application or the applications of his family members.
- (3). Security deposit, subscription and other recoveries to be paid.
  - (a) Charges determined by the Council from time to time by Resolution shall be paid.
8.
  - (i) The Librarian shall issue two tickets to every person who is admitted as a member of the lending Library and such person shall be entitled to borrow one book on each such ticket.
  - (ii) Transfer of such tickets shall be prohibited.
9. A member of the Lending Library shall be responsible for any book removed from such library on a ticket issued to him.
10. Where a member of the Lending Library loses a ticket issued to him under By-law 8 he shall immediately give notice to the Librarian of such loss. If the Librarian is satisfied that no book has been borrowed from the Lending Library on such ticket he may issue to such member a duplicate ticket. No such duplicate ticket shall be issued by the Librarian unless there has elapsed at least a period of thirty days from the date on which the loss was brought to his notice.
11. Any book borrowed by a member from the Lending Library shall be returned to the Librarian within a period of Fourteen days from the date on which it was borrowed. The member may be allowed by the Librarian to borrow any such book for a further period of Fourteen days if the book is not required by any other member.
12. Where a member fails to return any book to the Librarian within the period of Fourteen days referred to in By-Law 11, he shall be liable to a fine of One Rupee or an amount approved by Council for each day the book is overdue.
13. Where a member fails to return any book he has borrowed from the Lending Library within Thirty days of the expiry of the period of Fourteen days referred to in By-law 11, then such book shall be presumed to be lost.
14.
  - (i) Where a book borrowed by a member is lost or presumed to be lost, initially, action shall be taken to obtain copies of such book. Where he fails to do so, then such member shall pay the replacement cost of the book together with an additional amount of money equivalent to 10% of such cost.
  - (ii) Where he fails to pay such amount of money same be recovered from his surety.
15. No member shall damage or disfigure in any manner any book he has borrowed from the Lending Library. Where a book so damaged is returned, a fine may be imposed in keeping with the present value for the damage caused to such book at the discretion of the Librarian.
16. It shall be the duty of every member to bring to the notice of the Librarian any damage or injury in any book he intends to borrow from the Lending Library. Where he has failed to bring any such damage or injury to the notice of the Librarian such book shall be presumed to have been issued to him without any injury or damage.
17. Where the Librarian is satisfied that a book returned by a member has been so damaged by him as to render it unfit for further circulation, such member shall be liable to pay the cost of its replacement. When the book has been replaced the damaged book shall be given to that member with the words "The public Library-removed as damaged" stamped thereon.

- 18.
- (1). No member shall lend to any person any book borrowed by him from the Lending Library.
  - (2). Any member, who contravenes the provisions of Paragraph 18(1) of this By-law, shall forfeit his deposit and cease to be a member of the Lending Library.
- 19.
- (1). No member shall return to the Lending Library any book which to his knowledge has been used by any person suffering from an infections or a contagious disease.
  - (2). Where a book borrowed from the Lending Library by a member has been used by any person suffering from any infectious or contagious disease such book shall be destroyed and that member shall pay to the Librarian the cost of its replacement.
20. Where any dispute arises between two more members of the Lending Library as to which member should borrow a particular book, the Librarian shall decide such dispute.
21. When the entries are so recorded in the register to reserve the books, the relevant member shall pay a fee required by the Council, to the Librarian.
22. Any member who ceases to reside, or have an office or place of business, within the Urban Council area shall cease to be a member, of the Lending Library and shall return to the Librarian the two tickets issued it him under By-law 8.
23. The Lending Library shall be open daily between the hours of 8 a.m. and 6 p.m. except on Sundays, Public Holidays and such other days as the Committee may decide, after giving at least seven days' notice to the members, fix for stock-taking.

#### **Reference Library**

- 24.
- a. Any user who wants to use the Reference Library shall submit his national identity card or any document to prove his identity acceptable to the Librarian and shall obtain the permission from the Librarian.
  - b. If a reader who intends to refer the books and the other reading materials of the Reference Library, he shall record relevant information in the register of user properly and shall borrow the books and the reading materials.
- 25.
- (i) Any person-
    - (a) Who is literate; and
    - (b) Who is not less 14 years of age may be permitted by the Librarian to use the Reference Library.
  - (ii) The readers shall bring blank sheet of paper only into the Reference Library for taking their notes.
  - (iii) No person shall bring books, magazines, news papers, personal files or any other article into the Reference Library.
26. No person shall take out of the Reference Library any book issued to him for reading from Reference Library.
27. A reader, who has attended the reference section, requires any reading materials of any other section, he make a request to the Librarian of the Reference Section and if the Librarian of the reference section thinks that the request made is justifiable he may accede to the request.

**Magazines Section [Reading Rooms]**

28. Any person—
- Who has obtained the permission from the Librarian for the purpose; and
  - Who submits the identity card or any other document to prove his identity and is accepted by the Librarian, any enter the magazines section.
29. Every person who wants to use the Magazines Section shall enter required information in the users, register.
30. No person shall bring books, magazines, news papers, personal files etc. into the Magazines Section.
31. Bringing the magazines, news papers, maps, hand bills or any other materials or equipment out side the magazines Section is strictly prohibited.
32. Removing of pages of books and tearing of pictures, drawing or diagrammed shall be strictly prohibited and contravention of these By-laws shall be a punishable offence and if convicted after a trial by a court of law he is liable to a fine not exceeding Seven Hundred and Fifty (750). If legal action is not instituted before the Court of law, a fine of Two Hundred and Fifty Rupees (Rs.250) or a determined by the Council From time to time by a resolution shall be levied by the Chairman.

**33. News paper section**

- This shall come into force under By-laws 29, 31 and 32.
- The newspapers of the Library will not be collected for the preservation. The old newspaper shall be handover to the stores of the Urban Council, once in three months for sale by auction.

**34. Children Library**

- The children under 14 years of age who are the permanent residents or studying with the Kinniya Urban Council limits are entitled to obtain the membership by submitting their applications with the guarantee given by the following Guarantors.

Also any child under 14 years of age who is a permanent resident within a diameter of 08 miles away from the Kinniya Urban Council, any obtain the membership on the payment of a sum determined by the Council from time to time and by forwarding the proper application with their signatures after certified by any of following Guarantors.

Any of the following persons may certify an application of membership as a Guarantor.

- A member of the Kinniya Urban Council.
  - Attorney-at-law who is a permanent resident within the Kinniya Urban Council limits.
  - A registered Western or Ayurvedic Physician permanency residing within the Kinniya Urban Council limits.
  - A justice of peace permanently residing within the Kinniya Urban Council limits.
  - A person who owns an immovable property with an annual value of Rs. 7500 within Kinniya Urban Council Limits.
  - A head of the Department of the Kinniya Urban council.
  - One of the parents as an additional surety in respect of the students.
35. Where the member has failed to pay the fines due from him the guarantee shall be responsible for books, and any other reading article or equipment lend and lost by such member and he shall pay such expenses incurred for the re-supply of the materials an extra amount equivalent to 10% of such expenses.

36. By-Laws 8-21 shall be applicable in respect of the Children Library.
37. The Chairman shall decide the time of opening and closing of children Library and a notice to that effect shall be displayed in the Library.

**Branch libraries and reading rooms.**

38. The above rules and regulations shall apply to the entire branch Libraries and the Reading rooms under the Council without any variation. The Chairman decide the time of opening and closing the Branch Libraries and the Reading rooms and a notice to that effect shall be displayed in the Library.
39. The membership of the Branch Libraries shall be confined to the residents entitled under By-law 7 within the Kinniya urban limits.

**Audio/Visual Section.**

40. Any person who uses the Audio/Visual Section shall have the membership of the Library.
41. A reader who required Watch/hear Audio/Visual Cassettes of the Audio/Visual Section shall handover to the Officer in charge of this Section his identity card or any other document to prove his identity acceptable to the Librarian.
42. A reader who intends to use the Audio/Visual Section shall enter his particulars in the register of readers.
43. Audio/Video cassette hearing device shall be returned by the user and obtained his identity card or any other document that proves his identity, acceptable to the Librarian.
44. No Audio/Visual Cassette pieces shall be brought into the Audio/Visual Section. Taking away of any Audio/Visual Cassette piece of the Audio/Visual section is strictly prohibited.
45. Permission shall be granted to take away two Audio Cassettes once a time. For this purpose a security deposit fixed by the Council shall be paid to the Librarian as and when required. The security deposit shall be refunded to the relevant person when the cassette is returned.
46. The borrower shall get the Audio Cassettes tested by the counter regarding its correct sound before taking it out.
47. Where it is revealed that any damage has been caused to such cassette pieces when returning them for that purpose, for one cassette piece a compensation being double of the value of such cassette piece shall be paid.
48. The By-law 25 of the Reference library shall be applicable to this section.

**Computer Reference Service Section.**

49. Objectives.

It is essential to use the modern technology of the libraries to furnish instant and regular information to the public; accordingly, it shall be ensured the public shall have the right to obtain formation through the computer information system. As a result, computer system of the Library can be converted to a Library Data Information Centre by using computers. Therefore, a computer reference Section can be established.

50. The By-laws 24, 25 shall apply to this section also.
51. The fees determined by the council from time to time by resolution shall be levied for obtaining the service from the Computer reference service section.

52. The readers who use the computers shall not bring C.D. Plates, discs or floppy drive from outside and shall obtain them from the library. The fees determined by the Council from time to time by resolution shall be levied for the electronic mail but such charge shall be less than the present charges.

**The Auditorium of the Public Library.**

53. The Auditorium of the Public Library may be hired by submitting a duly perfected application and on the payment of the usual charges.
54. Auditorium may be obtained for Stage Dramas, Film Lectures and Seminars Variety pertaining to the entertainments of Educational and Cultural Development.
55. Auditorium may be obtained by trade unions or by political parties for Seminars, discussion not as public meeting with the participation their members only
56. No person shall display any obscene scene picture, poster and film in the auditorium.
57. The Library authority shall not be held responsible for the loss of the belongings of the audiences and the person who hires out the auditorium. They shall protect their belongings themselves.
58. No person shall cause any damage to any property of the auditorium or in the premises of the Library or to the fittings or fixtures therein.
59. No person shall stay in the auditorium when the purpose for which it was obtained is over. If someone stays so, an officer or officers authorized by the Chief Librarian shall remove them from the auditorium and the Library.
60. The auditorium may not be used from midnight 12.00-6.00 a.m. on following day in the normal circumstances unless with a written permission of the Chairman.
61. The person who obtained the auditorium on hire shall be held responsible for any damaged caused to the building, fittings or fixtures of the auditorium or Library and he shall pay the cost of such damages determined by the Chairman.
62. The Chairman shall have the absolute powers to hire out the auditorium and he may cancel reservation due to valid reasons. The Chairman at his discretion refund the whole amount of hiring charges or part thereof.
63. The Kinniya Urban Council shall, from time to time determine by resolution the amount of security deposit and the living charges in respect of the auditorium.
64. The applicant shall state whether the air-condition facilities is necessary or not when reserving the auditorium and accordingly, he shall have right to make relevant payments.
65. Where the applicant cancels the reservation of the auditorium he shall inform the cancellation within a period of 5 days, failing which the council shall have power to appropriate the deposit or part thereof.
66. The Chairman shall have the powers to cancel the licence in case the contravention of any or all of above conditions and regulations.
67. Hiring of this auditorium shall be subject to the conditions laid down by the Chairman from time to time.

**General**

68. No person who is suffering or recently suffered from any infectious, contagious or cutaneous disease or has been in attendance of such a person recently, shall enter the premises of the Public Library unless the period of infection and incubation have elapsed.
69. No person shall display, distribute or affix any hand board or notice in any place of the Library without the permission of the Librarian.
70. No person shall disturb the users of the Public Library by shouting, singing or making any other noise within the premises of the Library. No person shall use equipments to record sounds, communicate or transmit in any place of the Library reserved for the use of the Public without obtaining the permission of the Librarian
71. No person shall behave in a disorderly manner or be a nuisance in or about the premises of the Public Library.
72. No person shall cause damage or in any way deface any portion of the building or any other property of the council in or about the premises of the Public Library.
73. No person shall disturb, hinder, make angry or obstruct an officer of the Library authority or employee or any other person who uses the Library.
74. No person shall bring or keep any dog or other animal belongs to him or under his control into the library or to the premises of the library.
75. A member or a reader shall keep their belongings such as hats, umbrellas, walking sticks, traveling bags, parcels, books at the counter near the entrance and shall not enter any section of the Library taking such materials. The reader shall be personally responsible for the safety of all such items in the counter and such items shall be removed before closing the Library for the day. A fine will be levied in case of a plastic token issued by the counter is lost. In such a circumstance, a fine equivalent to the replacement cost of the token will be fixed by the Chairman at his discretion.
76. No person shall sleep or eat any food or beg in any part of the library.
77. No person shall smoke or spit within the premises of the library.
78. No person shall enter the premises of the library in an untidy condition.
79. No person shall gamble or play any game within the premises of the library.
80. A deep silence shall be maintained in the library.
81. No person shall remain or loiter about the premises of the library after it is closed without being able to give satisfactory reasons.
82. No person shall obstruct the Librarian or any person acting under the orders of the Librarian in the exercise of his powers conferred by these by-laws.

### **83. Mobile Library Service**

The Council may establish and maintain a Mobile Library Service for the benefit of the readers who cannot attend to the Public Library or the branch libraries.

84. The Mobile Library Service shall be carried out at a specific place within the Kinniya Urban Council limits a fixed time and place and shall attend the same place after expiry of 14 days from that day.
85. The notices indicating the date and the time of conducting the Mobile Library Service shall be displayed in a conspicuous position at the places of conducting such mobile service, for the information of the readers.
86. Every reader who wants to borrow books from the Mobile Library Service shall have to be a member of the lending section of the main library.
87. The books may be obtained from the Mobile Library Service by submitting tickets issued by the main Library.
88. The books obtained from the Mobile Library Service shall be returned to such service only.
89. The particulars of the books issued by the Mobile Library Service after 14 days but not returned shall be submitted to the Librarian of the Main Library together with the relevant tickets.
90. On the receipt of the particulars referred to in By-law 89 action shall be taken to obtain the books or recover the cost of such books in terms of the By-laws relating to the Libraries.
91. All the books given to the Mobile Library Service shall be handed over to the main Library before the 31<sup>st</sup> December in each year.
92. The books handed over under By-law 91 shall be taken back after the board of survey and the Mobile Library's Service be started from the month of January.
93. The Council may from time to time by resolution fix the security deposit in respect of the members of the low income families when borrowing books from the mobile library service. Separate tickets shall be issued to such person to borrow books only from the Mobile Library Service.

### **General**

94. Contravention of these By-laws 57.58, and 67-81 shall be guilty of punishable offence and if any person if convicted after prosecution instituted in a court of law which has jurisdiction within the Kinniya Urban limits, liable to the following penalties;
  - a. To a fine not exceeding Seven Hundred and Fifty (750.00) for the first offence
  - b. A fine not exceeding One Thousand Rupees (Rs.1000) for the second subsequent offence.
  - c. In case of a continued contravention, after has been convicted or after the service of a written notice from the Chairman on him, having drawn attention on such contravention, to pay an additional fine not exceeding Two Hundred and Fifty Rupees(Rs.250) for each day of continuing the contravention.

95. Interpretation:-

In these by-laws-

The "male" words referred to herein shall also apply to "female" words without variation.