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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

WESTERN PROVINCE PROVINCIAL COUNCIL

**Notification made under Section 02 of Local Government Authorities (Adopted By-laws) Act,
No. 06 of 1952 required to be read with Section 02 of Provincial Council Consequential Provisions,
No. 12 of 1989**

ACCORDING to the provisions stated in section 02 of Local Government Authorities (Adopted by-laws) Act, No. 06 of 1952, the following by-laws compiled by me as the Minister in charge of the subject of Local Government Authorities of the Western Province are hereby announced, under the said section.

PRASANNA RANATUNGA,
Chief Minister and the Minister of Finance and Planning,
Law and Order, Education, Land, Local Government
and Provincial Administration, Electricity and power,
Manpower and employment and Economic Promotion
of the Western Province Provincial Council.

On the 19th date of September, 2011,
Chief Ministry of the Western Province Provincial Council,
Shrawasthi Mandiraya,
Colombo 07.

**BY-LAW RELATED TO THE ALLOCATION OF PLACES FOR VEHICLE PARKING WITHIN URBAN COUNCIL AREAS
AND LEVYING CHARGES ON VEHICLES**

1. This by-law shall be named as “By-law related to the allocation of places for vehicle parking within the authority of Urban Councils, charging money for parking vehicles at such places and control over parking of vehicles”.
2. A notice stating certain place for parking of vehicles, allocated for vehicle parking in a certain street or at a part of a street located within the Urban Council area where vehicle parking is allowed, prohibited, limited or controlled, shall be kept exhibited in a conspicuous position of that street or part of the street by the Chairman of the Urban Council who shall hereinafter be referred to as the Chairman.

3. By a driver of a vehicle, where parking or prohibition for parking of vehicles has been carried out as stated in the Second By-law, unless an amount of time required to ;
 - (a) function according to a certain road sign or notice erected or displayed in that street or at a part of it by a certain officer or authority ; or
 - (b) to properly follow the order of traffic existing at that point of time at the part of that street, or,
 - (c) let certain person to get into or get off from that vehicle , or,
 - (d) the functions of loading goods to that vehicle or unloading goods from it.

no extra time should be consumed for parking of that vehicle in the street or part of the street.
4. Unless a valid pass issued by the Chairman under these by-laws is in one's possession, no person shall park a vehicle at a place allocated for the parking of vehicles.
5. A fee decided and adopted by the Council through a motion and an amount published in the *Gazette* shall be charged for each pass issued under By-law number 04.
6. A monthly or annual pass for a motor vehicle belonging to a Government Department or Board of Persons or person can be obtained as it deems fit through the payment of monthly or annual charges to the Council by a Government Department or Corporation or non-incorporated Board of Persons or Council, as such Council orders from time to time.
7. Every pass issued under these by-laws shall contain the identification number of the vehicle for which such pass was issued and shall only be valid by the time period stated in such pass.
8. By every person who has obtained a pass under these by-laws shall display the said pass in the vehicle at a conspicuous place visible from outside.
9. In whatever occasions a police officer, Traffic Warden should request from the owner or driver of a vehicle parked at a public place for the vehicle parking pass issued for that vehicle to be produced, that owner or driver should produce the said pass.
10. Where certain public place for the parking of vehicles has been allotted for parking of vehicles of a specific class or type, no person shall park therein a vehicle that does not belong to the said specific class or type.
11. No person shall park a vehicles at a place for parking of vehicles in a manner obstructing the passage of another vehicle of being entered or exit to or from a public place for parking of vehicles.
12. Where different passages have been provided for entry and exit at a public vehicle parking place and the fact of which is displayed by a notice or a sign board, no motor vehicles shall enter or exit from that place unless *via* the prescribed passage for entry and exit.
13. All the motor vehicles to be parked at a public parking where chains or pillars or both chains and pillars have been provided, they shall be parked in the order of their entry, each behind the first arrived and facing the same direction.
14. At a time a motor vehicle is parked at a public motor vehicles parking place, no person shall wash that vehicle or cause it to be washed.
15. Unless certain repairing is needed for the function of removing the vehicle from a public motor vehicle parking place, no vehicle parked at such place of parking shall be repaired in any way.

16. As regards to the violation of this by-law, for one act that establishes such violation or default, a penalty not exceeding Rs. 750 where such violation is continued further subsequent to being convicted by a court authorized in that regard or subsequent to being handed over a written notice by the Chairman or an authorized officer drawing the attention to such violation the convicted shall be subjected to an additional penalty not exceeding Rs. 250 per every day such violation is continued.
17. Unless other meaning is required regarding the text in these by-laws, the “Chairman” means the “Chairman of the Urban Council”.
- “Police Officer” means an officer of the Sri Lanka Police Service holding a lower rank to the post of Inspector of Police.
- “Traffic Warden” means a person authorized by the Chairman for the duty of issuing passes on behalf of the Chairman for parking of motor vehicles at a public parking place.
- “Motor Vehicle” means a certain vehicle powered mechanically and constructed to be used in roads.
- “Public Parking Place” means a particular place adopted by a proposition made at the Urban Council.

10-325/1

WESTERN PROVINCE PROVINCIAL COUNCIL

Notification made under Section 02 of Local Government Authorities (Adopted by-laws) Act, No. 06 of 1952 required to be read with Section 02 of Provincial Council Consequential Provisions, No. 12 of 1989

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PRASANNA RANATUNGA,
Chief Minister and the Minister of Finance and Planning,
Law and Order, Education, Land, Local Government
and Provincial Administration, Electricity and power,
Manpower and employment and Economic Promotion
of the Western Province Provincial Council.

On the 19th date of September, 2011,
Chief Ministry of the Western Province Provincial Council,
Srawasthi Mandiraya,
Colombo 07.

BY-LAW RELATED TO THE ALLOCATION OF PLACES FOR VEHICLE PARKING WITHIN THE AUTHORITY OF PRADESHIYA SABHA AND LEVYING CHARGES ON VEHICLES

1. This by-law shall be named as “By-law related to the allocation of places for vehicle parking within the authority of Pradeshiya Sabha, charging money for parking of vehicles at such places and control over parking of vehicles”.

2. A notice stating certain place for parking of vehicles, allocated for vehicle parking in a certain street or at a part of a street located within the Pradeshiya Sabha area where vehicle parking is allowed, prohibited, limited or controlled, shall be kept exhibited in a conspicuous position of that street or part of the street by the Chairman of the Pradeshiya Sabha who shall hereinafter be referred to as the Chairman.
3. By a driver of a vehicle, where parking or prohibition for parking of vehicles has been carried out as stated in the Second By-law, unless an amount of time required to ;
 - (a) function according to a certain road sign or notice erected or displayed in that street or at a part of it by a certain officer or authority ; or
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 - (d) the functions of loading goods to that vehicle or unloading goods from it.

no extra time should be consumed for parking of that vehicle in the street or part of the street.
4. Unless a valid pass issued by the Chairman under these by-laws is in one's possession, no person shall park a vehicle at a place allocated for the parking of vehicles.
5. A fee decided and adopted by the Council through a motion and an amount published in the *Gazette* shall be charged for each pass issued under by-law number 04.
6. A monthly or annual pass for a motor vehicle belonging to a Government Department or Board of Persons or person can be obtained as it deems fit through the payment of monthly or annual charges to the Council by a Government Department or Corporation or non-incorporated Board of Persons or Council, as such council orders from time to time.
7. Every pass issued under these by-laws shall contain the identification number of the vehicle for which such pass was issued and shall only be valid for the time period stated in such pass.
8. By every person who has obtained a pass under these by-laws shall display the said pass in the vehicle at a conspicuous place visible from outside.
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16. As regards to the violation of this by-law, for one act that established such violation or default, a penalty not exceeding Rs. 750 where such violation is continued further subsequent to being convicted by a court authorized in that regard or subsequent to being handed over a written notice by the Chairman or an authorized officer drawing the attention to such violation the convicted shall be subjected to an additional penalty not exceeding Rs. 250 per every day such violation is continued.
17. Unless other meaning is required regarding the text in these by-laws, the “Chairman” means the “Chairman of the Pradeshiya Sabha”.

“Police Officer” means an officer of the Sri Lanka Police Service holding a lower rank to the post of Inspector of Police.

“Traffic Warden” means a person authorized by the Chairman for the duty of issuing passes on behalf of the Chairman for parking of motor vehicles at a public parking place.

“Motor Vehicle” means a certain vehicle powered mechanically and constructed to be used in roads.

“Public Parking Place” means a particular place adopted by a proposition made at the Pradeshiya Sabha.

10-325/2

WESTERN PROVINCE PROVINCIAL COUNCIL

Notice published under Section 123(1) of Pradeshiya Sabha No. 15 of 1987 which shall be read along with the Section 02 of the Provincial Councils consequential Act bearing No. 12 of 1989

BY virtue of powers vested in the Kalutara Pradeshiya Sabha by Section 122 to be read in conjunction with the Section 126(vii)(H) of the Pradeshiya Sabha Act, No. 15 of 1987, the following by-laws made by Pradeshiya Sabha have been passed under the resolution No. 1 at its general meeting held on 04th March, 2008. In terms of Section 123(1) of the said Pradeshiya Sabha Act to be read in conjunction with Section 02 of Provincial Council Act (incidental Provisions) No. 12 of 1989, it is hereby notified that, I Prasanna Ranatunga, the Chief Minister and Minister of Finance and Planning, Law and order, Land, Education, Local Government and Provincial Administration, Power and Energy, Livestock and Employment and Economic Development of the Provincial Council, Western Province have approved the said by laws.

PRASANNA RANATUNGA,
Chief Minister and Minister of Finance and Planning,
Law and Order, Land, Education, Local Government
and Provincial Administration, Power and Energy,
Livestock and employment and Economic Development
of the Western Province Provincial Council.

13th September, 2011,
Chief Ministry of the Western Province,
Srawasthi Mandiraya,
Colombo 07.
5—PG 001293

KALUTARA PRADESHIYA SABHA

BY-LAWS PERTAINING TO PARKING OF THREE - WHEELERS

1. These by-laws may be cited as the by-laws pertaining to parking of three-wheelers in the Kalutara Pradeshiya Sabha.
2. These by-laws are enacted to regulate and control the parking of three-wheelers and to levy charges for parking places within the jurisdiction of the Sabha.
 - (1) Three-wheeler parking places and the maximum number of three-wheelers to be parked in each parking place within the jurisdiction of the Sabha shall be determined by a resolution of the Sabha and such decision shall come into operation from a date of publishing such decision in the *Gazette* or a date specified therein.
 - (2) If the Sabha considers that three-wheeler parking places and the number of three-wheelers shall be amended in terms of by-law 3.1 above such amendments may be made by a resolution of the Sabha and it shall come into operation from a date of publishing such amendments in the *Gazette* or a date specified therein.
 - (3) The Sabha shall seek recommendations of a committee consisting of persons referred to in the 1st Schedule to determine the parking places of three-wheelers, the space of parking places and the maximum number of three-wheelers to be parked or amend such decisions.
 - (4) A board to identify the places for the three-wheelers to be parked in terms of by-law 3.1 shall be installed opposite of each park and the symbol of the relevant parking place shall be displayed. The maximum number of three-wheelers which may be parked in terms of by-law 2.2 shall be displayed.
 - (5) The three-wheelers shall be properly parked in a parking place and the manner in which the three-wheelers to be parked shall be marked with white or yellow line of 4 inches wide by an authorized officer in the Sabha.
4. It shall be lawful for the chairman of the Pradeshiya Sabha to issue license indicated in the 2nd schedule of this by-law for parking three-wheelers and impose and levy charges for this purpose.
5. When granting licences to park three-wheelers in a parking place priority shall be given to the residents closest to such parking place.
6.
 - (1) An application shall be made for a licence to the Pradeshiya Sabha for the purpose of parking three-wheelers in the nearest parking place of one's permanent residence as per specimen form in the 3rd schedule and the relevant application form shall be obtained from the Pradeshiya Sabha on payment of Rs. 50. Application fee may be received from time to time as per decisions taken by the Sabha.
 - (2) In the event of the three-wheeler driver being the owner, photocopies of his following documents and in the event of the driver being the hired person, photocopies of such documents of the owner and the driver, shall be submitted along with the application. Such application shall be the form as indicated in the 3rd schedule.
 - (i) National Identity card and valid driving licence of the three-wheeler owner.
 - (ii) Registration certificates of the three-wheeler.
 - (iii) National Identity card and valid driving licence of the hired driver.
 - (3) A register shall be maintained in respect of three-wheelers for which licences have been issued by the Sabha and when the licence is cancelled such cancellation shall be reordered and marked with red ink.
 - (4) The Sabha may issue licences for parking three-wheelers monthly, quarterly or annually.

- (5) A photocopy of the valid licence shall be displayed as visible in the windscreen of the three-wheeler.
 - (6) Right side of the three-wheeler shall be closed without allowing passengers to get in or alight.
 - (7) Licence shall be issued to the name of the registered owner.
 - (8) The owner shall get the licence renewed two weeks before the expiry of the valid period of licence
 - (9) Charges to be imposed and levied monthly, quarterly or annually under sub para 6.4 above shall be determined by the Sabha and such decision shall come into operation on such a date published in the *Gazette* from a specific date indicated therein.
 - (10) No three-wheelers shall be entered or parked in a three-wheelers park without a valid licence issued by the Sabha in terms of the by-law 4.
 - (11) Notwithstanding a valid licence has been issued a police officer or chairman or officer authorized by him may order to remove temporarily three-wheelers from the park and this licence shall not serve as an obstruction in such an instance.
7. No other vehicle shall be entered or parked in a parking place.
 8. No three-wheeler or other vehicle shall be parked obstructing the entrance and the exit of the park.
 9. No repair whatsoever shall be effected within the park unless such repair is required for the removal of the three-wheeler from the park.
 10. If licence has been obtained for parking of a certain three-wheeler at a parking place no such three-wheeler should be parked at any other place for hiring other than such place.
 11. When three-wheelers for which licences have been issued are parked in a parking place no outsiders shall be allowed to loiter by the drivers employed.
 12. No person at a three-wheeler parking place shall abuse of drugs, commit immoral or offensive acts and the persons who have been granted licence to use a parking place should ensure not to allow such acts to be committed within the parking place.
 13. In an instance where a complaint has been made by the public to the effect that a person who possesses a licence has committed a misconduct within a parking place and if it is proved after conduct of inquiry the Sabha reserves right to cancel his licence.
 14. The driver or the owner of the three-wheeler shall produce original copy of the valid licence whenever it is demanded by chairman or an officer authorized for adhoc purpose by the chairman or police officer.
 - 15 (1) Violation of any provisions in this by-law is an offence and any person shall on conviction by a competent court, be liable to a fine not exceeding seven hundred and fifty rupees (Rs. 750) when this offence of violation is continued such person shall be liable to an additional fine of two hundred and fifty rupees for each day the offence is continuously committed or on conviction by a competent court or on handing over a written notice inviting attention to such offence of violation by the chairman or an officer authorized by the chairman for this purpose.
 - (2) The fine referred to in by-law 15 (1) shall be credited to general fund of the council.

16. Notwithstanding anything contained contrary to this by-law on a resolution passed by the Sabha this by-law may be amended or new by-law may be formulated after rescinding it or an additional by-law may be framed.

17. Interpretation

“Sabha” means the Kalutara Pradeshiya Sabha

“Chairman” means the chairman of Kalutara Pradeshiya Sabha.

“An officer authorized by the Chairman for this purpose” means any officer in the Pradeshiya Sabha authorized by the chairman.

“An authorized officer empowered by the chairman for this purpose” means an officer who holds a permanent post in the Pradeshiya Sabha and authorized in writing by the chairman.

“Jurisdiction” means the jurisdiction of Kalutara Pradeshiya Sabha established under Pradeshiya Sabha Act, No. 15 of 1987.

“The Three-wheeler” means three-wheeler parked with the intention of hiring.

“Hired driver of a three-wheeler” means the owner involved in driving a three-wheeler or the person employed by the owner for driving.

“Parking place” means the three-wheeler parking place determined on a resolution passed by the Kalutara Pradeshiya Sabha.

“Specified Parking Place” means a particular place for which licence has been issued by the Chairman of Kalutara Pradeshiya Sabha.

“Monthly” means number of days 28, 29, 30 or 31 relating to each month from the 1st day of each month.

“Quarterly” means consecutive three months including number of days as defined in monthly commencing from 1st January up to 31st December.

“Annually” means calender year commencing on 1st January and ending in 31st December.

“Police Officer” shall have the same meaning as in the section 104 of the police ordinance No. 16 of 1865 (Chapter 53)

“Other vehicles” shall have the same meaning as in the Motor Vehicle Ordinance.

“Registered Owner” shall have the same meaning as in the Motor Vehicle Ordinance.

“Offensive act” shall have the same meaning as in the Nuisance Ordinance.

18. In the event of any inconsistency between the Sinhala and Tamil text of these by-laws, the Sinhala text shall prevail.

FIRST SCHEDULE

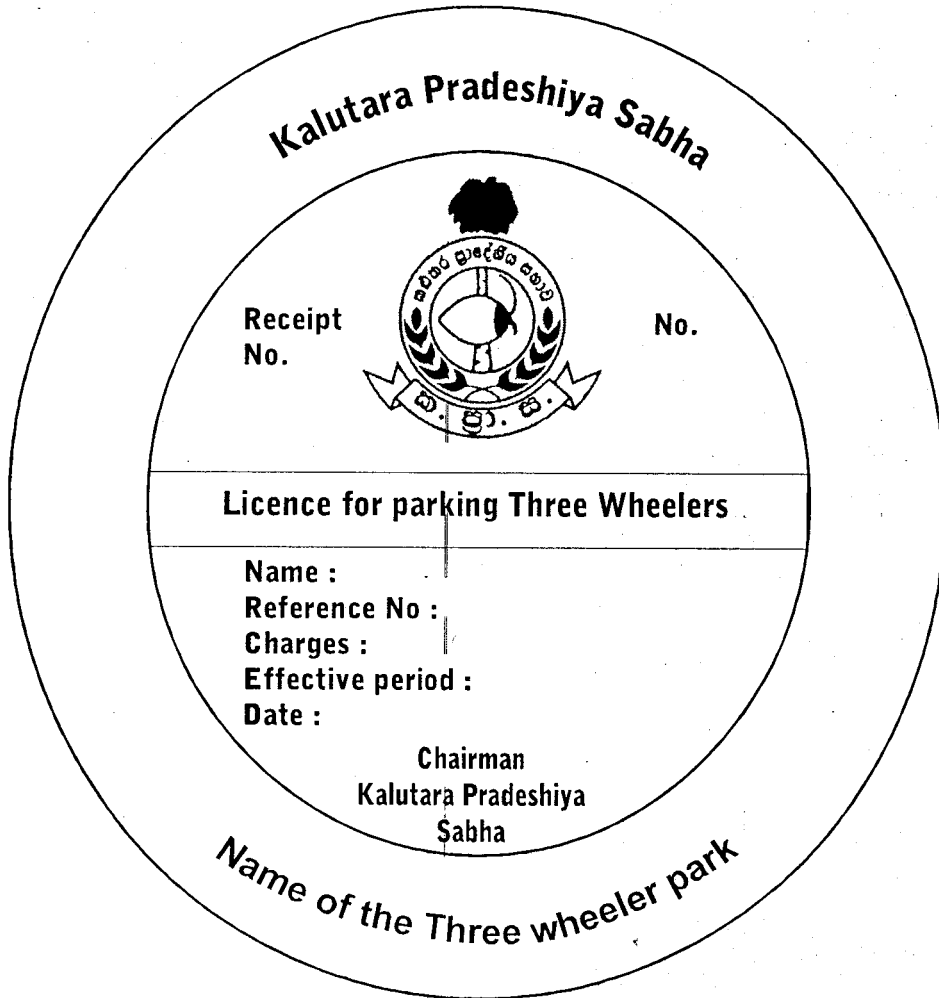
BY-LAWS 3(3)

Road committee to be appointed shall comprise the following members.

1. Chairman of committee shall be chairman of Pradeshiya Sabha and the Secretary shall be the revenue inspector.
2. Secretary of the Pradeshiya Sabha and the Technical Officer.
3. Executive Engineer in the Road Development Authority or a representative nominated by him
4. Chairman of the Provincial Road Development Authority or a representative nominated by him.
5. Chairman of the Kalutara Passenger Transport Authority or a representative nominated by him.
6. Chairman of the Kalutara Bus Company Ltd. or a representative nominated by him.
7. Officer in charge of Traffic in the police station within the jurisdiction of Pradeshiya Sabha or a representative nominated by him.
8. A representative of each three-wheeler societies within the jurisdiction of Sabha.

SECOND SCHEDULE

BY-LAW 4



Circle with 13 diameter
 A stiker containing blue inner circle and yellow outside border as depicted in the Pradeshiya Sabha Symbol

THIRD SCHEDULE

BY-LAW 6.2

Application Form for a Licence for Parking Three-Wheelers

1.

- (1) Name of Applicant :
- (2) Address of permanent residence :
- (3) Assessment No. :
- (4) Local authority relating to permanent residence :
- (5) National Identity Card No. :

2.

- (1) Three-wheeler registration No. :
- (2) Whether the driver is the owner or hired drive :
- (2) (1) If he is the owner, valid driving licence No. :
- (2) (2) If he is the hired driver :
 - (a) Name :
 - (b) Address of permanent residence :
 - (c) NIC No. :
 - (d) Valid driving licence No. :

3. Three-wheeler parking place for which licence is applied :

4. Duration of the Licence :

for a month/three months/year :

I declare that if the above particulars furnished by me are found to be false licence issued for parking three-wheelers is liable to be cancelled without any prior notice and also agree to comply with the provisions in the By-law imposed by the Pradeshiya Sabha for Three-wheeler parking.

.....
Signature of Applicant.

Date:

I approve the issue of licence to Mr/Mrs. for parking
three-wheeler bearing No. at for a period of

.....
Chairman,
Kalutara Pradeshiya Sabha.

Date:

10-326