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PART IV (A) — PROVINCIAL COUNCILS

(Separate paging is given to each language of every Part in order that it may be filed separately)

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IMPORTANT NOTICE REGARDING ACCEPTANCE OF NOTICES FOR PUBLICATION IN THE WEEKLY “GAZETTE”

ATTENTION is drawn to the Notification appearing in the 1st week of every month, regarding the latest dates and times of acceptance of Notices for publication in the weekly *Gazettes*, at the end of every weekly *Gazette* of Democratic Socialist Republic of Sri Lanka.

All Notices to be published in the weekly *Gazettes* shall close at 12.00 noon of each Friday, two weeks before the date of publication. All Government Departments, Corporations, Boards, etc. are hereby advised that Notifications fixing closing dates and times of applications in respect of Post-Vacancies, Examinations, Tender Notices and dates and times of Auction Sales, etc. should be prepared by giving adequate time both from the date of despatch of notices to Govt. Press and from the date of publication, thereby enabling those interested in the contents of such notices to actively and positively participate please note that inquiries and complaints made in respect of corrections pertaining to notification will not be entertained after three months from the date of publication.

All notices to be published in the weekly *Gazettes* should reach Government Press two weeks before the date of publication *i.e.* notices for publication in the weekly *Gazette* of 17th September, 2021 should reach Government Press on or before 12.00 noon on 03rd September, 2021. **Electronic Transactions Act, No. 19 of 2006 - Section 9**

“Where any Act or enactment provides that any Proclamation, rule, regulation, order, by-law, notification or other matter shall be published in the Gazette, then such requirement shall be deemed to have been satisfied if such rule, regulation, order, by-law, notification or other matter is published in an electronic form of the Gazette.”

GANGANI LIYANAGE,
Government Printer.

Department of Government Printing,
Colombo 08,
01st January, 2021

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By-Laws

By law on regularizing offensive, dangerous and offensive and dangerous business within the area of authority of Municipal Council Kurunegala

Municipal Council Kurunegala

BY virtue of powers vested in the Municipal Council under Sub-Section 272 (15) of Municipal Council Ordinance to be read with Sub-Section (1) of Section 267 of the said Municipal Council Ordinance No. 16 of 1947 Chapter 252, I, Raja Kollure, the Hon. Governor in the North Western Provincial Council, do hereby notify that I have approved the by law on regularizing offensive, dangerous and offensive and dangerous business within the area of authority of Municipal Council Kurunegala, given in the following schedule, which has been made and adopted by the resolution No. GC-6(19)-2020.07.16 at the General Council held on 16.07.2020 in terms of Sub-Section (1) of Chapter 268 of aforesaid Municipal Council Ordinance to be read with Section 2 of Provincial Council (Incidental) Act, No. 12 of 1989.

RAJA COLLURE,
Hon. Governor in the North Western Province.

10th June 2021,
Kurunegala.

BY - LAW ON REGULARIZING OFENSIVE, DANGEROUS AND OFFENSIVE AND DANGEROUS BUSINESSES\$ WITHIN THE AREA OF AUTHORITY OF MUNICIPALCOUNCIL KURUNEGALA

Legal provisions for compilation of the by law.	1. This by law has been compiled by virtue of powers vested in the Municipal Coucil under Sub-Section 272 (15) to be read with Section 267(1) of Municipal Council Ordinance.
Subject and Objectives.	2. The content of this By-Law is, regularizing, monitoring and levying fees and controlling of unpleasant, dangerous, unpleasant and dangerous businesses by protecting comfortably living standards, convenience and welfare and all the facilities of the people within the area of authority.
Name of the By Law.	3. This by law is cited as the by law on regularizing offensive, dangerous and offensive and dangerous businesses within the area of authority of Municipal Council Kurunegala.
Task to be performed.	4. Any person who wishes to carry on any offensive or dangerous or an offensive and dangerous business, the person shall obtain a valid license which is issued by the Municipal Commissioner for the maintenance of offensive, dangerous and offensive and dangerous businesses. which has been passed by an adoption of resolution by the Municipal Council and properly published in the <i>gazette</i> paper.
	5. In case a license is applied for the maintenance of any offensive, dangerous and offensive and dangerous business within the area of authority of Municipal Council, the building or premises expected to be used for the maintenance of an offensive and dangerous and offensive and dangerous business, shall be in conformity with the following conditions :
	i. It shall be a. risk -free and harm - free, strong building with adequate space to accommodate the desired number of customers constructed in accordance with a plan approved by the Planning Committee of Municipal Council in conformity withthe laws in force at the time.

- ii. Every part of the walls of every room must be not less than 2.14 meters in height and must be built with suitable material and the internal surface of the walls must be plastered in cement and polished or tiled at least 2 meters high from the floor level and it is sufficient if the rest of the internal surface is lime washed, in conformity with the laws in force at the time.
- iii. The whole premise should be provided with a drainage system in conformity with the standards stipulated from time to time by the Municipal Council.
- iv. The premises must be provided with sanitary garbage bins in conformity with the Solid Waste Collection Program of the Municipal Council so as to facilitate the waste segregation process from the outset and sufficient latrine facilities shall have been provided to the premises as per the standards stipulated by the Municipal Council from time to time.
- v. A firefighting equipment or fire extinguisher system shall be provided in conformity with the standards recommended Municipal Council.
- vi. The recommendation of the Medical Health Officer shall be obtained to the effect that the above conditions have been fulfilled.

6. Every licence shall fulfill the following requirements :

- i. Every license holder shall store all materials required.-for carrying on the business, in such a way as to prevent causing any effluvia or any other nuisance.
- ii. In case. the materials which are likely to cause any nuisance or effluvia are transported along a public place or a thoroughfare; every license holder shall cause them to be carried in covered and impermeable receptacles so as to prevent causing any nuisance.
- iii. Every license holder shall cause any offensive vapors or gases emitted during any process of manufacture, to be discharged into external air, in such a manner and at such height so as to spread out their diffusion without causing harmful or offensive effects or shall be passed directly through fire or a condensing apparatus as per the recommendation of the Chief Medical Officer of the Municipal Council
- iv. Every license holder shall provide adequate drainage system for the premises in which the business is carried on and to keep it clean. Further, the said drainage system and the floor of the premise where the business is carried on shall cause to maintain well and to keep it clean properly.
- v. Every license holder shall cause the walls of the premises where the business is carried on to be maintained in proper condition so as to prevent from absorbing waste materials and to paint them annually.
- vi. Every license holder shall cause all including gears and vessels used to business to be kept clean and to be clean daily.
- vii. Every license holder shall cause all garbage; together with waste and by-products swept and residuals of scraping to be removed daily from the premises in covered receptacles, unless they are used forthwith for further business processes in such premises.
- viii. Every license holder shall cause the water used for the business activities to be disposed systematically in accordance with laws in force at the time..

	<p>7. The business license should be displayed at readable size by the public and customers those who visit the licensed premises.</p> <p>8. Every licensee shall be responsible for supplying safety clothing gears and tools relevant to the nature of his/her business to his/her employees and shall ensure that the employees are wearing these materials.</p>
<p>Tasks not to be done.</p>	<p>9. No person shall carry on any offensive or dangerous or an offensive and dangerous business within the area of authority of Municipal Council unless he/she is the holder of a valid license issued in that behalf by the Municipal Commissioner.</p> <p>10. No license holder shall pollute or contaminate any river, stream, canal, sluice, well, tank, channel, or any open stretch of water by discharging thereunto, or causing to flow thereunto, any foul, ill-smelling or offensive, water or other fluid or by washing any offensive substance or in any other way pollute or contaminate such river, stream, canal, sluice, well, tank, channel, or open stretch of water.</p> <p>11. In addition to the business specified in the license issued under the provisions of this by-law, no other business shall be carried on without obtaining a separate license for the relevant business from the Municipal Council.</p> <p>12. No person shall be permitted to be employed if the person is suffering from a contagious or infections disease or was recently attending to a person who was suffering from a contagious or infections disease during the incubation period.</p>
<p>Role of the Municipal Council.</p>	<p>13. In addition to the businesses set out in the first, second and third schedules, it shall be the duty of Municipal Council to publish businesses identified from time to time by determining under the categories of Offensive, Dangerous, Offensive and Dangerous in the gazette paper on adoption of resolution.</p>
<p>Discretion, waive, exemption.</p>	<p>14. In case of any violation of a Section of these by laws, the time which is informed to rectify such violation may be extended by the Municipal Commissioner upon a reasonable written request made by the licensee. The period of such extension shall not exceed 14 days.</p>
<p>Charges and fees.</p>	<p>15. By virtue of powers vested in the Municipal Council Section 247 (a) of Municipal Council Ordinance the Municipal Council has the power to levy a fee in respect of any license issued by the Municipal Council authorizing certain premises or place to be used for carrying on the businesses set out in these by laws which have been compiled under Municipal Council Ordinance, and the said fee shall not exceed the maximum set out in Section 247.</p>
<p>Valid Period of License.</p>	<p>16. Every license issued under these By-Laws shall be valid until 31 December of the year in which they are issued, unless they are cancelled before expiry under the provisions of these By-Laws.</p>
<p>Inspection, Supervision procedure and authority</p>	<p>17. The officer who inspects and supervises the execution of the provisions relevant to these by laws shall be an officer authorized by the Municipal Commissioner.</p> <p>18. Inquiry procedure and inquiry methodology and supervision of operation shall be decided from time to time by the Municipal Council and facilities required for that purposes shall be provided by the licensee.</p> <p>19. In case of a breach or violation of a by law or by laws, any citizen or customer could report or complain in writing or orally to the Mayor or relevant authorized officers at any time. All such complains shall be inquired by the relevant officers and it shall be reported to the plaintiff during 14 days.</p>

20. Breach or violation of any provision or more or all provisions specified in these by laws shall constitute an offence. Violation of the Constitution.
21. Any person who violates the orders in these by laws shall be guilty of an offence and being convicted by a court of law of proper jurisdiction shall be liable to a fine set out in Sub Section 267 (3) of Municipal Council Ordinance, and in case any person subjected to such a fine continues to further repeat of such breach or violation after being convicted by a court of law of proper jurisdiction shall be liable to an additional fine set out in the aforesaid Sub Section. Fines and Penalties.
22. In these by-laws unless the context requires otherwise “Authorized Officer” means and any officer authorized for particular purposes in writing by the Municipal Council or the Mayor and / or the Municipal Commissioner, Interpretation and Definition.
- “Mayor” means the Mayor of Municipal Council, Kurunegala,
- “License Holder” means any person who has been issued a license under these by- laws and a person who has a guardian or a manager for in such a premises or a person who deploys an employee to manage such premises appropriately,
- “Licensed .Premises” means the premises for which license is issued under the provisions of by-laws specified herein,
- “Public Place” means any road, thoroughfare; street, lane, pavement, public sports ground, road reservation, sports ground, public building, public cemetery, bus stand, railway station, river, canal, stream, tank, pond, water course, rain water drain, any land belongs to the Institute, any block of land reserved for public utility or any other public place utilized by public,
- “Municipal Medical Health Officer” means the Chief Medical Health Officer in the Municipal Council . Kurunegala,
- “Municipal Council” means Municipal Council, Kurunegala,
- “Area of authority of Municipal Council” means the area of authority of Municipal Council, Kurunegala.
- “Planning Committee” means Planning Committee of Municipal Council, Kurunegala,
- “Suitable materials” means Bricks, Kabok, Mattel, Cement blocks, Concrete.

SCHEDULE

Schedule I -Offensive Businesses

1. Purifying or storing graphite
2. Manufacture or storing manure or chemical manure for sale
3. Curing leather
4. Storing leather for sale
5. Animal husbandry (for meat, milk or eggs)
6. Manufacture of Maldives fish
7. Manufacture of rubber and Storing rubber sheets
8. Running a veterinary hospital
9. Storing perishable food and food stuff for whole sale
10. Storing dried fish, salted fish or Jadi more than 150 kgs

11. Making Jadi from meat or fish, drying and icing
12. Manufacture of coconut coal or timber coal
13. Drying tobacco
14. Manufacture of animal food
15. Manufacture of Punnac
16. Fermentation of animal meat or animal blood
17. Manufacture of soap
18. Grinding and storing of animal bones
19. Making trunk boxes
20. Storing new or old metal
21. Storing metal scrapes
22. Manufacture of furniture
23. Manufacture of cane products
24. Running a carpenter factory
25. Manufacture of syrups or fruit juices
26. Manufacture of sweets
27. Soaking coconut husks
28. Manufacture of brushes (other than tooth brushes)
29. Manufacturing tooth brushes
30. Collecting toddy
31. Manufacture of vinegar
32. Sawing timber.
33. Manufacture of paints, varnish or distemper
34. Manufacture of soda
35. Dying fiber
36. Manufacture of leather products
37. Tinning fruits, fish or other product
38. Grinding coffee, and grains
39. Manufacture of baking powder
40. Manufacture of gas mantel
41. Manufacture of potty
42. Manufacture of candles
43. Manufacture of camphor
44. Manufacture of writing ink, printing ink and stencil ink
45. Manufacture of washing blue
46. Manufacture of sealing wax
47. Manufacture of perfumes
48. Manufacture of school chalk
49. Manufacture of tires or tubes
50. Retreading tires
51. Vulcanizing tires or tubes
52. Manufacture of cement
53. Manufacture of cement products or asbestos
54. Manufacture of sand paper
55. Manufacture of plastic ware
56. Kilning bricks
57. Mechanized weaving of textiles
58. Manufacture of acids and refill
59. Manufacture of roofing tiles
60. Cleaning and selling gunny bags contained manure, lime powder or other products
61. Manufacture of mechanized cement blocks

SCHEDULE II - DANGEROUS BUSINESSES

1. Blasting or mining Mattel
2. Manufacture of vegetable Oil
3. Manufacture of coconut Oil
4. Manufacture or storing matches
5. Manufacture of methylated sprits
6. Manufacture of tea boxes
7. Manufacture of coir or other products
8. Manufacture coir or other products ·
9. Storing straw
10. Storing used garments
11. Manufacture and repair of jewellerys
12. Mechanized timber sawing
13. Mining lime or quartz
14. Running a smithy by using machines
15. Storing empty gunny bags and empty bottles
16. Repair of bicycles and motor bicycles
17. Storing used papers and newspapers
18. Spray printing
19. Storing fireworks or crackers
20. Manufacture of metal products (machineries, tools)

SCHEDULE 111- OFFENSIVE AND DANGEROUS BUSINESSES

1. Purifying mica
2. Processing cinnamon, cloves, cardamom or other spice by using chemicals
3. Dry cleaning or dying
4. Fabric printing, dying or bathik
5. Electroplating.
6. Manufacture of oil or animal fat
7. Kilning lime or ,quartz
8. Manufacture of fireworks or crackers
9. Processing cod-liver oil
10. Making boats
11. Recharging or repair of batteries
12. Welding metals
13. Repair of motor vehicles
14. Servicing motor vehicles
15. Scraping metal by machines
16. Running a casting shed
17. Making bodies for motor vehicles
18. Manufacture or refill of pesticides, fungicides, weedicide and insecticides
19. Manufacture of disinfectors
20. Manufacture of mosquito coils

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