

Municipal Council which complies with the following requirements:

- (a) The person who applies for the permit, if he carries out the business within the Municipal area or in any other local authority area, should have obtained a permit to carry out such business in terms of the relevant by-laws either from the Municipal Commissioner or from the relevant authority of that area.
 - (b) Environment Protection Licence, in accordance with the provisions of the National Environment Act No 47 of 1980.
 - (c) In the event that collected wastes are stored within the Municipal Area, storage places should be constructed for this purpose in accordance with the standards approved by the Municipal Commissioner.
 - (d) There shall be a vehicle or vehicles for transportation of collected wastes in a sanitary manner and without causing nuisance to people.
 - (e) The person shall agree to hand over residual or reject wastes or any wastes created as by-products during processing or treatment to the Municipal Council and to pay a prescribed fee to the Council for collection of such wastes, if the business is carried out within the Municipal Council limits.
- (ii) If the licence cannot be issued, or if the issue of the licence is rejected, the applicant shall be informed in writing of the reasons for this, within 30 days of receipt of the application for the licence.
 - (iii) The Municipal Commissioner shall indicate in the licence the period of validity, the type or types of waste permitted to be collected, the permitted area for collection of such wastes, and any other appropriate conditions.
 - (iv) In the event of non-compliance with the provisions set out under section (i) of this by-law, non-receipt of any licence mentioned therein, cancellation of any permit already obtained, or violation of any condition or conditions in the permit, the Municipal Commissioner has the power to revoke the permit already issued.
 - (v) In the event of revoking a licence under the provisions of section (iv) above, no person shall receive the waste. Furthermore, it is the duty of the Municipal Commissioner to make people aware of the revocation of such a licence through the use of suitable media.

Waste Disposal Areas

- 25. In regard to a waste disposal area reserved by the Council for that purpose, no person shall enter or loiter therein; deposit or disturb or remove any article, material or refuse therefrom; nor deposit any prohibited refuse which the Council from time to time may stipulate, unless authorized by the Council and then subject to certain specified conditions.
- 26. No person shall provide, operate or use any land or facility for the disposal of waste originating from outside the land or facility within the Council limits except with the prior written approval of the Council and Central Environmental Authority and then only in strict accordance with any conditions of that approval.

Other

- 27. (i) The Municipal Commissioner or any person authorized by him in writing shall have the power, at all reasonable times, to enter into any premises and inspect whether the owner or occupier acts in conformity with the provision of these by-laws.
 - (ii) It is the duty of the owner, occupier, caretaker or manager and persons residing or serving in that premises to furnish the information to be required by the Municipal Commissioner or authorized officer who arrives at the premises for inspection.
 - (iii) No person shall obstruct the performance of the duty by the Municipal Commissioner or authorized officer or assistant officer who comes for an inquiry.
 - (iv) Any person who contravenes the provisions set out under section i, ii or iii in by-law No. 7 shall be guilty of an offence and a police officer or an officer authorized by the Municipal Commissioner shall have the power to recover a penalty not exceeding a maximum of two hundred and fifty rupees at the time of committing the offence or within a reasonable period of time thereafter. It is the duty of the police officer or authorized officer to hand over the full amount of all collected penalties, to the Municipal Commissioner within 24 hours.
- 28. Any violation of the provisions of these by-laws is an offence and any person convicted by a court of law with jurisdiction shall be fined a sum not exceeding one thousand rupees and for the second or subsequent offence, shall be fined a sum not exceeding two thousand rupees and in the event of continuing offence after a conviction, or after service of written notice signed by the Mayor directing attention to such contravention, a fine of two hundred and fifty rupees for each day the offence is continued.

Interpretation

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

"Authorized Officer" means any person who has been authorized in writing by the Municipal Commissioner of Municipal Council to execute or carry out such duties under these by-laws.

"Authorized Collector" means a person who obtains a permit from the Municipal Commissioner to collect or receive wastes.

"Bin or other receptacle" means any bin, sack, bag or other container used for waste storage, discharge, collection or transportation, that complies with the requirements set out in these by-laws.

"Bio-degradable waste" means wastes that may be broken down or decomposed by micro-organisms.

"Collection" means the receipt of waste discharged by a person or premises by an authorized collector or municipal waste collector for transportation to waste reuse, recycling, processing, treatment or disposal facilities.

"Commissioner" means Municipal Commissioner of the Municipal Council or any other person appointed to execute the Commissioner's duties for the time being.

"Composting" means the breakdown of food and other bio-degradable waste by micro-organisms in the presence of air.

"Council" means Municipal Council.

"Council Area" means the area under authority of the Municipal Council.

"Discharge" means part or all of the waste produced by a person or premises is put out for collection either within their premises (e.g. hotels, some institutions and industries), outside the property (e.g. at the kerbside or at public collection points) or given to authorized collectors or municipal waste collection workers.

"Disposal" means the placement of all waste that is neither reused, recycled, processed or treated, on or in land where it is intended to stay permanently.

"Food waste" means all meat, fish, eggs, vegetable, fruit and other edible materials that are not going to be used and hence become waste. Food waste is also bio-degradable.

"Garden Waste" means parts removed from trees or plants in a home garden, or stones, soil, etc removed from a home garden.

"Hazardous Waste" means waste that is poisonous, corrosive, combustible, reactive, radioactive or infectious in nature.

"Litter" means small items of waste produced by people in public places, such as old lottery tickets, paper and polythene shopping bags, lunch packet leftovers, fruit peels or skins, cigarette butts, etc.

"Municipal waste collector" means an employee engaged by the Municipal Council for sweeping, collection, receipt or removal of waste from bins or receptacles or a person who has entered into a contract with the Municipal Council to perform such duties.

"Owner" includes any person with power of attorney or an agent or caretaker appointed to manage the industry, factory, estate or recipient of rent and does not include a manager who acts under the orders of another person.

"Person" includes an incorporated or non-incorporated company or society or body of individuals.

"Police Officer" means a member of an established police force and includes sub-police officers.

"Prescribed fee" means the fee fixed by the Municipal Council from time to time.

"Process" means taking any steps or operations to change waste into a useful product (e.g. waste paper: sorting → cutting → glueing → paper bags, polythene waste: sorting → cleaning → cutting → granulating → pelletising → pellets).

"Private premises" means a place belonging to, or for the use of one particular person or group only.

"Public place" means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, pond, pool, lagoon, tributary, waterway, sea, beach or any other place used by the public.

"Recyclable wastes" means any wastes that can be used to produce new goods, changing their form in the process so that they are no longer recognisable as wastes. It includes lead-acid batteries that may be recycled for their lead content after draining the acid.

"Reusable Waste" means waste that can be used again after washing, disinfection, or cleaning by other means.

"Sanitary landfill" means the final disposal of waste in the ground in a proper manner to minimize the associated social, health and environmental impacts.

"Segregation" means separating waste into different types according to the categories used in these by-laws.

"Storage" means an occupier or owner keeping waste within their premises or placing it at an approved public collection point.

"Transfer station" means any place specified by Council for this purpose where waste is transferred from smaller to larger vehicles for the purposes of

improving the transportation efficiency of the waste from the transfer station to any recycling, processing, treatment or disposal facility.

"Transport" means taking wastes from the collection point to processing, treatment or disposal facilities using some form of human or animal or mechanically powered vehicle.

"Treat" means taking any steps or processes to reduce the potential harm or damage they may cause to people or the environment (e.g. neutralization, sterilization, composting, incineration, etc.)

"Waste" or "solid waste" means solid waste and includes substances which have no consumer value to the person who abandoned them and includes rubbish, garbage, litter, waste, street sweepings, drain cleanings, dust, soil, mud, ash, etc.

**REGULATION & CONTROL OF THE
CONSTRUCTION & OPERATION OF
PUBLIC TOILETS, DRAINS, BATHING
PLACES & BATHING WELLS & WASTE
WATER DISCHARGES**

By-laws relating to the Regulation and Control of the Construction and Operation of Public Toilets, Drains, Bathing Places and Bathing Wells and Wastewater Discharges

1. These by-laws are cited as by-laws relating to the regulation and control of the construction and operation of public toilets, drains, bathing places and bathing wells, and wastewater discharges within the Municipal area.
2. Any person shall not construct or construct and operate a public toilet, bathing place or bathing well unless he has obtained approval from the Municipal Commissioner for the location and plan of such a place under these by-laws.
3.
 - (i) Any person who intends to construct, or construct and operate a public toilet, shall prepare an application in accordance with the form shown in schedule No. 01 of these by-laws and any person who intends to construct or construct and operate a public bathing place or bathing well shall prepare an application in accordance with the form shown in schedule No. 02 of these by-laws.
 - (ii) After receipt of an application in terms of section (i) above, the Municipal Commissioner shall not approve any such application, unless the conditions of these by-laws are fulfilled and plans are drawn in accordance with the requirements of Municipal Council.
 - (iii) Any licence to be issued for the operation of a public toilet or bathing place or well shall comply with the format shown in forms (a) and (b) of schedule No. 03 of these by-laws respectively.
 - (iv) A licence, unless revoked earlier, shall be valid up to 31st December of the year in which it is issued.
4. Any person who constructs, or constructs and operates a public toilet or bathing place or bathing well shall:
 - (a) Provide a tank of sufficient capacity and with the necessary pipe fittings to facilitate a continuous supply of water inside as directed by the Municipal Commissioner.
 - (b) If there are toilet commodes, squatting pans, urinals or other similar fixtures inside, such fixtures shall be cleaned using disinfectants at specified time intervals as directed by the Municipal Commissioner.
 - (c) If a fee is charged from users, the fee schedule shall be displayed in three languages on a notice in front of the public toilet, bathing place or well. The schedule of fees may be fixed by the Council from time to time and shall be notified by gazette.

- (d) The Owner or caretaker of a public toilet or bathing place or bathing well shown in schedules No. 1 and 2 shall enter into an agreement with the Municipal Commissioner for complying with the arrangements set out in these by-laws. Particulars relating to changes of owner, caretaker, manager or cleaners shall be reported to the Municipal Commissioner within fourteen days of such changes, and a new owner or caretaker shall also enter into such an agreement with the Municipal Commissioner.
5. It is the responsibility of the Municipal Commissioner to prepare a register in accordance with Schedule No. 04, and enter in and update this register with the particulars relating to the location, nature, owner, caretaker, manager and cleaners for every public toilet or bathing place or bathing well.
6. The licence holder of every public toilet, bathing place, or bathing well shall operate it in accordance with all these by-laws and the conditions set out in the licence.
7. The Municipal Commissioner shall prepare an inspection programme for all public toilets, bathing places or bathing wells and follow this programme or cause to follow it using his own staff.
8. The Municipal Council has the power to construct and operate a public toilet, bathing place or bathing well or to introduce user fees for such places that have already been constructed. The fees schedule, as decided by the Council from time to time, shall be notified by gazette.
9. Except for any Council facilities, any person who operates a public toilet or bathing place or bathing well and charges a fee from users, shall inform the Commissioner of the fees schedule and any changes made to that schedule from time to time in advance. In addition, any such person must have obtained the relevant licence and paid the appropriate application fee in advance and must display the fees schedule as set out in by-law No. 4 (c). Otherwise, it will be illegal to charge any user fees.
10. Every person who uses a public toilet shall:
 - (a) Not dirty the toilet or its surroundings.
 - (b) Not drop faeces in any other place except into such commode or squatting pan, or if urinals are fitted, shall not urinate except into such urinals or squatting pan or commode or other similar fixture.
 - (c) Flush the commode or squatting pan or urinal or other similar fixture, using water, after using it.
 - (d) Not wash any clothes or any other materials, bathe animals, or wash containers or any other utensils within the premises.
 - (e) Not drop any substance preventing the free flow of water and wastes into the commode, squatting pan or urinal or other

- similar fixture, or to drains or gully traps or any other similar openings.
- (f) Not damage or alter any equipment, walls, floor, roof or any fittings inside or outside the public toilet.
 - (g) If male, not enter into a toilet or part thereof reserved for females, except for an officer of the Council or any public toilet staff member who enters there to undertake his duty.
 - (h) Not disobey, willingly obstruct, or unduly interfere with any lawful directions made by a staff member of the public toilet while performing his duties.
 - (i) Not loiter or wait in a public toilet or its surroundings or engage in any other act in a public toilet other than the purpose for which it is provided.
 - (j) Not enter into or use a public toilet if they are suffering from a contagious disease.
11. The Municipal Commissioner shall not permit any application forwarded under by-law No. 3 (i) of these by-laws or shall not allow any construction unless a certificate is attached, issued by the Medical Officer of Health, to the effect that no nuisance or disturbance to the health and sanitation of nearby residents shall result from the construction and operation of the public toilet or bathing place or bathing well.
 12. The Municipal Commissioner has the power, following recommendation by the Medical Officer of Health, to direct the owner of a building or land where a large number of people gather or a large number of employees are engaged to construct a toilet, or number of toilets, as directed by the Council.
 13. (i) The owner or occupier of a building, residence or land where there is a public toilet or bathing place or bathing well shall construct a roof and a wall or fence to prevent passers-by or residents in that area from being able to see inside. In addition, it shall not be lawful for an owner or occupier to operate an open public toilet, bathing place, or bathing well or to operate such a place that has an open or ground door facing the street or a nearby residence.
 - (ii) Any owner or occupier of a building, residence or land who contravenes or neglects to comply with the requirements set out in section (i) above shall be guilty of an offence and, if such contravention is continued, shall be liable on conviction to a maximum fine of two hundred and fifty rupees for each day the offence is continued.
 14. At all times, public toilets, bathing places and bathing wells shall be maintained and operated as directed by the Municipal Commissioner.
 15. On the request or recommendation of the Medical Officer of Health and as directed by the Council, the Municipal Commissioner has the power to direct by a written notice to the owner or occupier of a residence, building or land to clean all public toilets, bathing places and bathing wells on that land to protect the health and sanitation of the public, and to clean all toilets using disinfectants to prevent bad odour, and to repair, make alterations and convert all pit latrines to water seal toilets.
 16. It is an offence to discharge toilet wastewater, faecal matter or urine from a toilet to a public place.
 17. (i) The Council shall construct and operate a sufficient number of public toilets within the Municipal area in areas where there is high public patronage. In the event of the Council being unable to do so, it is the responsibility of the Council to cause to construct a sufficient number of toilets subject to the provisions of by-laws No 2 to 10.
 - (ii) In the event of the Council operating a sufficient number of toilets, it is an offence for any person to defecate or urinate in a place other than in a public or private toilet within the Municipal Council area.
 18. A latrine pit shall always be kept closed so as not to be open to the air unless it is being opened for repair or emptying when full.
 19. In the event that a latrine pit is full, it shall be emptied in accordance with the directions of the Municipal Commissioner. If emptying into any other pit on the same land, it shall be done as directed by the Municipal Commissioner. If emptying using a gully sucker tank, such waste shall be discharged to a place, as directed by the Municipal Commissioner. It is an offence to discharge such wastes to a public place.
 20. Stagnant water removed from a well or allowed to stagnate will facilitate the breeding of mosquitoes and other disease spreading insects. Failure to take action to prevent any such breeding is an offence.
 21. Except for the purpose of undertaking repair or maintenance work or any direction given by the Municipal Commissioner for any other reason, and in the event of any public toilet, bathing place, or bathing well not being used for more than one year, and if the Municipal Commissioner feels that any such place should be closed, the Municipal Commissioner has the authority to close such a toilet, bathing place, or bathing well.
 22. (i) In a place not reserved for such purpose, or outside the permitted hours specified in the notice, or for persons not specified in the notice, or other persons, or bathing, or bathing animals, or washing clothes, or making water unsuitable for use, polluting the water in public bathing places and all other acts committed causing a disturbance or nuisance to the public using

- any public bathing or washing place can be prohibited by the Council by displaying a public notice in all three languages. Such notice shall be notified by gazette in all three languages and published in at least one English, Sinhala and Tamil newspaper.
- (ii) Every person who, against the directions of the notice published under section (i), bathes, washes or acts in any other manner, shall be guilty of an offence and shall be liable on conviction by a court of law with jurisdiction to a fine not exceeding one thousand rupees.
23. A person who bathes, washes clothes or any other materials or bathes animals or discharges garbage, or causes garbage to be discharged or causes wastewater to flow within a watershed into a stream, waterway, canal or drain which supplies water to a reservoir or water works in the Municipal area, causing it to become foul water or allowed it to be fouled by any other means or allowing any other person to do so, shall be guilty of an offence, and shall be liable on conviction by a court of law with jurisdiction to a fine not exceeding one thousand rupees in the case of a first offence, and to a fine not exceeding two thousand rupees in the case of a second or subsequent offence. Furthermore, in the case of continuing offence after conviction, that person shall be liable to an additional fine not exceeding two hundred and fifty rupees for every day which the offence is continued after a conviction or after service of a written notice from the Municipal Commissioner or Authorized Officer directing attention to such continued contravention.
24. Any authority, which owns a public road, shall construct drains along the sides of the road for proper drainage of water and shall carry out regular repairs to them.
25. Where there are twenty or more residences or business places or residences and business places located along the sides of a road within a distance of one hundred metres, the Municipal Council has the authority to order the relevant authority to construct cement drains along the sides of the road.
26. It is an offence to prevent the flow of wastewater, or to obstruct or allow such flows to be prevented, or to do any act to change the flow, or allow it to stagnate in a drain or drains along a road.
27. People travelling along a public road or residents or owners of adjoining land shall not throw any kind of waste into drains.
28. The Council shall have the power to construct waterways or water drains to allow the flow of water from a public drain or drains through, across or under any private land.
29. For any such drains referred to in by-law No.28, it is an offence for the owner or occupier of any land to damage them or prevent the flow of water or change their direction or to allow any such things to happen.
30. For any flow of water in any public drain or gutter or natural waterway through any land, it is an offence to prevent or obstruct or alter such flow.
31. It is an offence to construct a permanent or temporary structure over a drain or part of a drain. The Municipal Commissioner has the power to direct by written notice the party who constructed any such structure or the caretaker of any such construction to remove such structure.
32. It is an offence to cause to flow or release or allow to flow wastewater or any other liquid waste from a private residence or building or land to a public drain except water collected by reason of rain on that residence, building or land. In the event of any such offence being continued, the Municipal Commissioner has the power to inform this by written notice and to direct any such offender or the owner or occupier of such a residence, building or land to stop committing such an offence immediately and to construct a wastewater pit to collect such wastewater or liquid waste as directed by the Municipal Commissioner.
33. In order to enter into any residence, building or land across a public drain, a bridge or bridges shall be constructed by the owner of such residence, building or land as directed by the Municipal Commissioner.
34. In the event that it is required to alter a natural flow of rainwater or a natural waterway due to land being sub-divided or any structure being built on that land, the Council has the power to order the owner or person sub-dividing such land, or the person constructing such a structure to at their own expense construct a drain or drains for the uninterrupted flow of water without causing a nuisance to anybody.
35. (i) All public cement drains within the Municipal area shall be washed and repaired and all other drains shall be maintained removing all earth and any other substance deposited inside them at the expense of the Council.
- (ii) During washing or maintaining of a drain as indicated in section (i) above, it is the responsibility of the Municipal Commissioner to remove, or cause to be removed, earth or any other substance taken out from the drain or in the case of repairs, any surplus materials brought for doing the repair within twenty-four hours of the repairs being effected.
36. (i) Any person who is operating a service station shall construct a cement finished sealed tank or a pit with a drainage system for storing wastewater from vehicle washing. Any such tank or pit shall be constructed as directed by the Municipal Commissioner.
- (ii) The drains of such service stations from which wastewater is flowing shall be cleaned regularly in order to prevent the deposition of sand or earth or any other waste products. It is an offence to allow any such materials removed during cleaning to be released or caused to flow to a public place again.

37. In any service station or work place, sufficient containers shall be kept for collecting used lubricating oils from the servicing and repair of vehicles and there shall be sufficient tanks for the storage of such lubricating oils. Used lubricating oil so stored shall be disposed of as directed by the Municipal Commissioner.
38. In any service stations, a parapet wall of at least eight feet in height shall be constructed or a permanent cover put in place where servicing is carried out for preventing the flow of wastewater used for servicing vehicles to any other road or street or thoroughfare or land.
39. Storage facilities shall be provided with sufficient protection as directed by the Council for the storage of petroleum products required for use at service stations and, when not being used, such products shall be deposited in these stores.
40. In the event of vehicle repairs or servicing in a work place or in a service station, it is an offence to release, cause or allow to flow into a public place or put into a garbage bin in the Municipal area any lubrication oil removed after use, or petroleum products used for cleaning, or cloth pieces used or any other products, or allow such items to stagnate or accumulate or pile up within the premises of the work place or service station without proper permission.
41. (i) No vehicle or part of a vehicle shall be painted outside the premises of a work place. If painting is done within the work place, part of that premises shall be designated for that purpose and arrangements shall be made as directed by the Municipal Commissioner to prevent the emission of paint fumes to the environment causing a nuisance and affecting the health of the workers and people living or working nearby.
- (ii) Petroleum products or compressed air or any gas used for welding purposes or air conditioner repairs or any other related substance or liquid shall be stored with sufficient protective measures as directed by the Council. In addition, when they are not being used, they shall be stored in the Stores of the work place.
- (iii) In the case of repairs, arrangements shall be made as directed by the Municipal Commissioner to prevent the emission of compressed air used for air conditioning to the surroundings causing a nuisance and affecting the health of the workers and people living or working nearby.
42. No rain water or water flowing onto land by any other means shall be collected or allowed to be collected or to stagnate on such land except if arrangements are made to collect and keep such water clean as directed by the Municipal Commissioner.
43. Except for rain water flowing along a natural flowpath across land remains thereat, it is an offence to collect any stagnant water along the

- natural flowpath in the land or allow any such flowing water to stagnate other than for any agricultural purpose. Furthermore, arrangements shall be made for water entering into the land by reason of rain or an overflowing natural flowpath and obstruction of such flow of water shall be removed in due course.
44. Any obstruction to the absorption of rainwater into the ground or free flow of water in the drains shall be removed. Furthermore, containers or any other things, which can store or collect water, shall not be kept and the land shall be kept clean without allowing it to be overgrown by vegetation.
45. In the event of keeping any containers or tanks or pools or ponds for the retention of water, arrangements shall be made to the satisfaction of the Medical Officer of Health to prevent the breeding of mosquitoes in such places, or else such places shall be emptied at least once per week, with the emptied water being allowed to soak into the ground and not to flow to any public place.
46. In the event of an inspection by the Municipal Commissioner or by any authorized officer, if it is found that such residence or building or land is violating any of these by-laws, he shall inform the owner or occupier of that residence or building or land by written notice that such violation should be stopped within a specified time period.
47. (i) Within the Municipal area, the Municipal Commissioner or any officer authorized by him has the power to inspect any drain or public bathing place or bathing well or toilet or pit latrine and to take any materials, equipment, vehicle, assistants or employees required for the repair or maintenance of any such structure into the residence, building or land between the hours of 6.00am to 6.00pm, and to excavate the land, making minimal damage.
- (ii) In the event of an inspection carried out under section (i) above, if it is found that a private land or private drain or public bathing place or public bathing well or a toilet or a pit latrine is not of a proper standard or maintained in contravention of the provisions of these by-laws, any expenditure incurred by the Council shall be recovered from the person who is the owner of any such private drain or public bathing place or bathing well or toilet or pit latrine.
- (iii) When acting under these by-laws, any damage or obstruction caused to the Municipal Commissioner or authorized officer or an employee or to any equipment brought on to such land shall be an offence.
48. Under these by-laws, any person who receives a notice from the Municipal Commissioner or any authorized officer concerning any negligence, violation or refusal or failure shall act in accordance with the directions and time period set out in such notice.

- 49. In the event of refusal by any person to act according to the notice referred to in by-law No.48, the Council shall carry out the requirements set out in the notice, and it is lawful for all the related expenditure incurred by the Council to be recovered from the person who received such a notice.
- 50. Under these by-laws, any person who refuses or neglects to act according to the requirements of such notice referred to in by-law No.48 shall be guilty of an offence and after conviction by a court of law with jurisdiction shall be liable to a fine not exceeding one thousand rupees. Furthermore, in the event of such offence being continued, he shall be liable to an additional fine of two thousand rupees.
- 51. Under these by-laws, any written notice handed over to the owner or occupier of the residence, or building or land or pasted in such a place is deemed to be handed over.
- 52. Violation of any provision of these by-laws is an offence and after conviction by a Court of law with jurisdiction is liable to a fine not exceeding one thousand rupees. In the event that violation is continued after a conviction, or on handing over a written notice by the Municipal Commissioner or Authorized Officer drawing attention of such continued violation, he shall be liable to an additional fine of two hundred and fifty rupees for each day the offence is continued.
- 53. Under these by-laws, unless the context otherwise requires:
 - “Authorized Officer” means any officer who has received written authority from the Municipal Commissioner to perform any duty under these by-laws.
 - “Caretaker” means any person leasing or renting a public toilet or public bathing place or bathing well from the owner of such a place.
 - “Municipal Council” or “Council” means
Municipal Council
 - “Municipal Commissioner” means the Municipal Commissioner of
Municipal Council or any person appointed to look after the affairs of the Municipal Commissioner.
 - “Medical Officer of Health” means the Medical Officer of Health of
Municipal Council or any person directed by the Municipal Commissioner to carry out the duties of the Medical Officer of Health.
 - “Owner” or “Occupier” or “Manager” means a legal owner of a service station or work place or land or and manager who acts on behalf of the owner of that place or any person who is in charge of the affairs of that place at that time.
 - “Public Place” means any watercourse, reservoir, river, canal, stream, water pool, any other waterway, the sea, watershed, a public road, street or thoroughfare, public drain or public land.

“Service Station” means a place where the inside or outside of a vehicle is washed, or a place where the lubricating oil in a gear box or any other accessory part is changed, or a place where all such activities are effected or any other ancillary work is done.

“Vehicle” means any equipment or any vehicle interpreted under the registration of Motor Vehicles ordinance.

“Waterway” means any river, canal, stream, lake, pond, fountain, water drain, water pool, watercourse, reservoir, lagoon, or the sea.

“Work Place” means a place where an engine or part or accessory of a vehicle is repaired, where a vehicle or part of a vehicle is painted, where metal sheets are welded for repair of vehicles, or a place where air conditioning is installed or repaired, or a place where spare parts of vehicles or equipment are stored for sale, or a place where lathe work is done, or a welding shop, or a place where bicycles or vehicles are repaired, or a place where the changing of tyres or tubes is done or where tyres and tubes are stored.

Schedule No. 01
Section (i) of by-law No. 3
Application for construction and operation of a public toilet

Certified photocopies of the deed and plan of the land to be used, or being used, for the construction and operation of a public toilet, and, if the land does not belong to the applicant, an affidavit giving the consent of the land owner for use of the land for this purpose should be attached to this application.

01. Applicant's Name:
02. Address:
03. National Identity Card Number:
04. Details of the land where the public toilet is to be constructed or is already constructed:
 - i. Land name:
 - ii. Location:
 - iii. Land boundaries:
 - North
 - South
 - East
 - West
05. Land owner's name:
06. If the applicant is not the land owner:
 - i. Owner's address:
 - ii. Owner's National Identity Card Number:
07. Land Plan number
 (with surveyor's name and date):
08. Deed number (with Notary's name and date):
09. Proposed toilets / constructed toilets
 - i. Number of toilets Male Female
 - ii. Number of Urinals:
 - iii. Area for temporary storage of users' belongings ft²
10. Manager's particulars
 - i. Name:
 - ii. Address:
 - iii. National Identity Card Number:
11. Particulars of staff engaged for cleaning:

	Name	Sex	National Identity Card No
i.			
ii.			
iii.			
iv.			
v.			
12. System of Charges:
 - i. Latrine use Rs/person
 - ii. Urinal use Rs/person
13. Source of water supply:

14. Size of water storage tank (litres):
15. I undertake to properly comply with the provisions of the by-laws of the Municipal Council relating to the regulation and control of the construction and operation of public toilets, drains, bathing places and bathing wells and wastewater discharges and to inform the Municipal Commissioner immediately of any changes to the particulars set out in items number 1 to 3 and 10 to 14 of this application. Furthermore, I hereby agree to comply with the sanitary requirements for such facilities as directed by the Municipal Council and I, the undersigned below, in terms of bylaw No.5, acknowledge that I am the responsible person, or function as the owner or caretaker of the public toilet.

Date:

.....
 Applicant's signature

D.1-170

**Schedule No. 02
Section 1 of By-law No. 3**

Application for construction and operation of a public bathing place or bathing well

Certified photocopies of the deed and plan showing the land to be used or being used for construction and operation of a public bathing place or bathing well and, if the land does not belong to the applicant, an affidavit giving the consent of the land owner for use of the land for this purpose should be attached to this application.

01. Applicant's Name:
02. Address:
03. National Identity Card Number:
04. Nature of facility: public bathing place / public bathing well
05. Details of the land where the facility is to be constructed or is already constructed:
 - i. Land name:
 - ii. Location:
 - iii. Land boundaries:
 - North
 - South
 - East
 - West
06. Land owner's name:
07. If the applicant is not the land owner:
 - i. Owner's address:
 - ii. Owner's National Identity Card Number:
08. Land Plan number:
(with surveyors name and date)
09. Deed number (with Notary's name and date):
10. No of bathing rooms Male Female
11. Area for temporary storage of users' belongings: ft²
12. Manager's particulars:
 - i. Name:
 - ii. Address:
 - iii. National Identity Card Number:
13. Particulars of the staff engaged for cleaning:

	Name	Sex	National Identity Card No
i.			
ii.			
iii.			
iv.			
v.			
14. System of bathing charges:
 - i. Adult Rs/adult
 - ii. Child under 12 years of age Rs/child

15. Source of water supply:
16. Size of water storage tank (liters):
17. I undertake to properly comply with the provisions of the by-laws of the Municipal Council relating to the regulation and control of the construction and operation of public toilets, drains, bathing places and bathing wells and wastewater discharges and to inform the Municipal Commissioner immediately of any changes to the particulars set out in items number 1 to 3 and 11 to 16 of this application. Furthermore, I hereby agree to comply with the sanitary requirements for such facilities as directed by the Municipal Council and I, the undersigned below, in terms of by-law No. 5, acknowledge that I am the responsible person or function as the owner or caretaker of the public bathing place/ bathing well.

Date:

.....
Applicant's signature

D.1-171

**Schedule No. 03
Section (iii) of By-law No. 3
'A' Form**

Licence issued for Operation of a Public Toilet

Fees Paid Licence Serial No.

Mr / Mrs bearing Identity Card No
residing at is hereby permitted to
operate a public toilet at premises No within the
Municipal limits, containing toilets and
..... urinals subject to the conditions set out overleaf for the
period up to 31st December

Date
Municipal Commissioner
Municipal Council

(reverse side of licence)

01. No improper activity shall be allowed within the premises of the public toilet.
02. No act or talk shall be allowed within the public toilet that is harmful to the privacy of the users of such a place.
03. Except for materials kept for the use of the public toilets or materials or things stored temporarily by the users of public toilets, no materials or things shall be kept within the premises of the public toilet.
04. No fires shall be lit inside the public toilet or within its premises at any time.
05. Between the specified closing and opening times, no one shall stay within the premises of the public toilet without proper permission from the Municipal Commissioner and any material kept inside the public toilets or within its premises between such times shall be kept at the risk of the licence holder.
06. No charges shall be recovered from users other than the charges reported to the Municipal Council.
07. Violation of any of these conditions makes this licence liable for cancellation, in addition to any other punishment imposed under these by-laws.

**Schedule No. 03
Section (iii) of By-law No. 3
'B' form**

Licence issued for Operation of a Public Bathing Place or Bathing Well

Fees paid Licence Serial No

Mr / Mrs bearing Identity Card No
residing at is hereby permitted to operate
a public bathing place / public bathing well at premises No
..... within the Municipal limits containing
bathing rooms subject to the conditions set out overleaf for the period up to
31st December.....

Date
Municipal Commissioner
Municipal Council

(reverse side of licence)

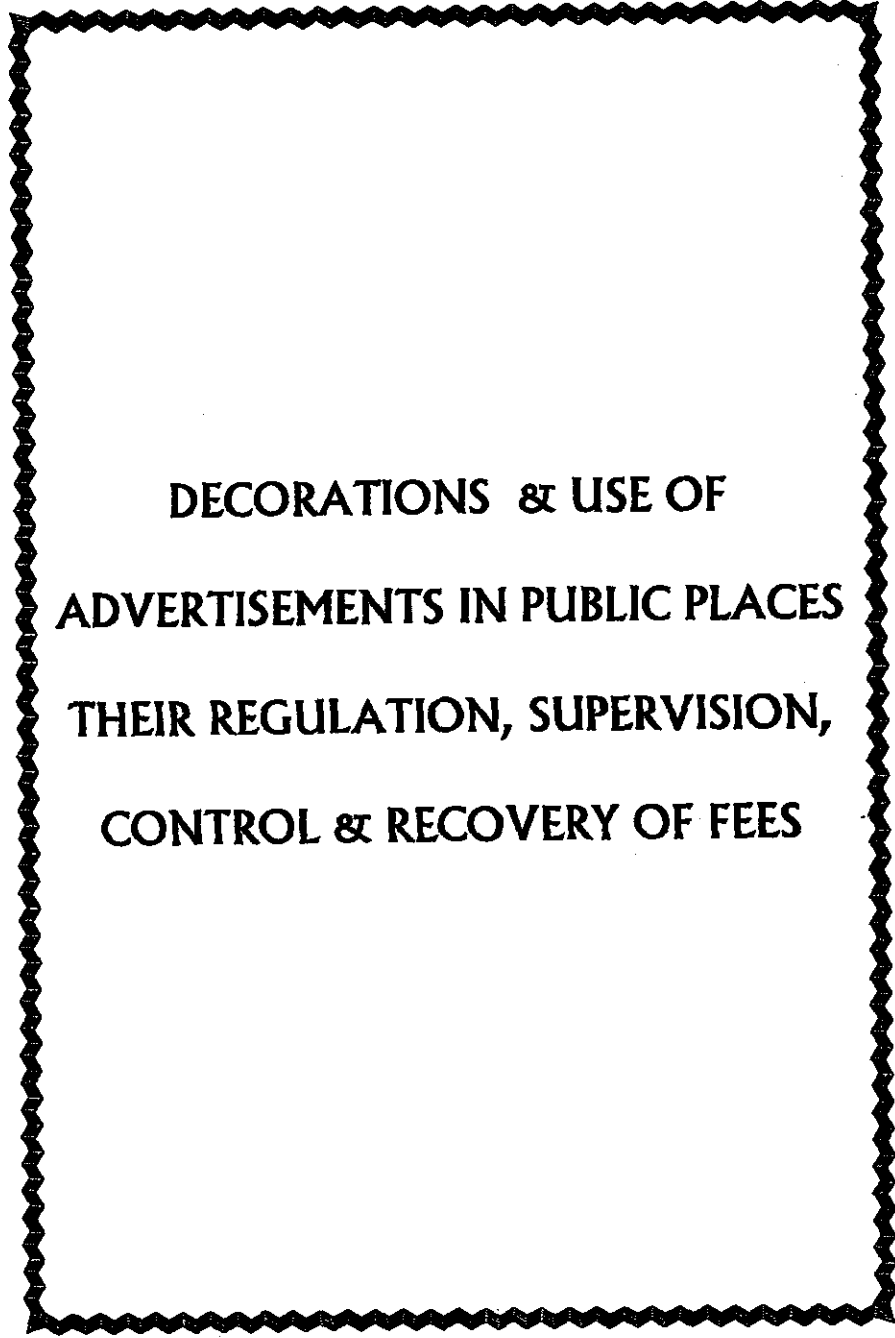
01. No improper activity shall be allowed within the premises of the public bathing place or bathing well.
02. No act or talk shall be allowed within the public bathing place / public bathing well that is harmful to the privacy of the users of such a place.
03. Except materials kept for the use of the public bathing place or bathing well and materials or things stored temporarily by the users of such places, no materials or things shall be kept within the premises of such places.
04. Between the specified closing and opening times, no one shall stay within the premises of the public bathing place or bathing well without proper permission from the Municipal Commissioner and any material kept inside such a place or within its premises between such times shall be kept at the risk of the licence holder.
05. No charges shall be recovered from users other than the charges reported to the Municipal Council.
06. Violation of any of these conditions makes this licence liable for cancellation, in addition to any other punishment imposed under these by-laws.

D.1-172

**Schedule No. 04
By-law No. 5
Register of Particulars relating to Public Toilets, Bathing Places or Wells**

Serial No.	Type (Toilet, Bathing place, or bathing well)	Location	No of Rooms reserved			Opening Hours		Fees per person (Rupees and cents)			Owner or Caretaker			Manager			No of Cleaners		
			Females	Males	Urinals	From	To	Public Toilet	Bathing place or well	Name	ID No	Address	Name	ID No	Address	Name	ID No	Female	Male
									Toilets	Urinals	Adult	Child							
10																			
20																			
30																			
40																			
50																			

Note: Both the left and right sides of the register should be used providing sufficient space to note down the particulars.



By-laws Relating to Decorations and Use of Advertisements in Public Places - their Regulation, Supervision, Control and Recovery of Fees

1. These by-laws are cited as "By-laws relating to decorations and use of advertisements in public places - their regulation, supervision, control and recovery of fees in the Municipal Area".
2. No person shall display an advertisement in a public place, and no decoration of any nature shall be displayed in a public place within the Municipal Area without a licence obtained from the Municipal Commissioner for that purpose.
3. Council shall establish and maintain exhibition places for advertisements within the Municipal Area without prejudice to the provisions of any other written law.
4. In order to obtain a licence under By-law No.2, an application in accordance with the first schedule shall be submitted to the Commissioner at least 48 hours prior to the required time of the licence. In respect of such application, the Commissioner shall prepare the licence before the time required in accordance with the form shown in the second schedule. The licence holder is also required to comply with the conditions set out in the licence.
5. A copy of the advertisement and, in the case of decorations, details of such decorations, shall be included with every application for a licence.
6. For every licence, specified in the third schedule, the applicant shall pay a fee to be decided by the Council from time to time. This fee shall be paid when the application is approved by the Commissioner.
7. Following issue of the licence, the licence holder shall indicate the serial number of the licence issued to them for display of any advertisements on the advertisements prior to their display.
8. A cash deposit, decided by the Municipal Commissioner, shall be paid for any decoration or advertisement to the Council.
9. It shall be lawful to use the deposit made under By-law No.8, in part or in full, for recovery of any expenditure incurred by reason of the Council taking action for violation of any conditions in the licence. In the event that the deposited amount is insufficient to cover such expenditure in full, the licence holder shall pay the outstanding amount to the Council. However, Council must provide a breakdown of its expenditure to the licence holder to justify its claim.
10. Under these by-laws, the Municipal Commissioner has the power to reject any application made in the following instances:

- (i) Any application made to obtain a licence for a place where the Council has decided not to display advertisements or not to decorate;
- (ii) In the event that there is insufficient space or facilities in a place reserved by the Council for the display of advertisements;
- (iii) An application made in respect of displaying advertisements or decorations for which the Municipal Commissioner has decided that placing such an advertisement or decoration may cause cultural, ethical, religious or environmental harm or damage; and
- (iv) Any application made for display of an advertisement or decorations where it is prohibited or limited by any written law.

11. Council bears no responsibility for any damage, defacing or complete removal of any advertisement or decoration that may occur within the period for which the associated licence is valid.
12. Any licence that has been issued can be revoked at the discretion of the Municipal Commissioner on reasonable grounds.
13. In the event of a support or structure or fixture being considered to be dangerous or obscene, the licence holder may be directed by the Municipal Commissioner or an Authorised Officer to take remedial action within a specified time period. In the event of failure to comply with such direction, it is lawful for the Council to execute such work at the expense of the Council and it is lawful for the Council to deduct the amount expended on such work from the deposit made by the licence holder to the Council.
14. It shall not be construed that for a licence issued in respect of a decoration or advertisement, that the licence grants permission for legal interpretation or declaration in that advertisement or decoration.
15. The licence holder shall bear the responsibility for any damage or loss caused to any party by reason of any support, fixtures or any other structure, or any interpretation of contents contained in that advertisement or decoration.
16. Any surplus and waste materials used for placing decorations or advertisements in approved places shall be removed from such places as soon as practicable and no later than the completion of installation.
17. Every person who obtains a licence for placing decorations or advertisements shall remove all decorations, advertisements and all materials used for that purpose from all places approved on the licence within 48 hours of the expiry date and time of that licence.
18. No licence is required under these by-laws for decorations or advertisements placed on private land or in a building. Furthermore surplus or waste materials used for such decorations or advertisements shall not be put at places reserved by the Council for waste discharge or at any other public place. Any person, who wants to dump any such materials at any places specified by the Council for that purpose, shall

obtain prior permission of the Municipal Commissioner and pay a fee, to be decided by the Council from time to time, to the Council.

19. Only one noticeboard containing the name and address of a business premises or industry carried out within the Municipal Area is allowed to be displayed free of charge.
20. No polythene or polythene containing materials or any other non-decaying substance shall be used in advertisements or decorations for functions organised by the Council or functions organised by any other establishments with assistance of the Municipal Council.
21. No person shall tie, hang, paste, connect with or fix to a branch of a tree or tree trunk any advertisement or decoration of any nature in a public place.
22. For any licence obtained under these by-laws, any person shall not place any advertisement or decoration at any other place, or place any other advertisement or decoration at any place, except for the advertisements or decorations and the places specified in the licence.
23. Any person who displays decorations or advertisements without a proper licence or violating the conditions of these by-laws, including the conditions pertaining to a licence, shall be guilty of an offence.
24. For the purpose of these by-laws, the Municipal Commissioner shall notify the rates of fees recoverable as decided by the Council from time to time in the gazette.
25. Powers and functions of these by-laws may be delegated by the Municipal Commissioner to any other Officer of the Council by an order to be given in writing.
26. Violation of any provision of these by-laws is an offence and shall be liable on conviction by a court of law with jurisdiction to a fine not exceeding one thousand rupees in the case of a first offence and to a fine not exceeding two thousand rupees in the case of a second or subsequent offence. Furthermore, in the case of continuing offence after conviction, that person shall be liable to an additional fine not exceeding two hundred and fifty rupees for every day which the offence is continued after a conviction or after service of a written notice from the Commissioner or Authorised Officer directing attention to such continued contravention.
27. In these by-laws, unless the context otherwise requires:

"Advertisement" means a notice, announcement, advertisement or any other form of publicity exhibited by means of a poster or advertisement or banner or noticeboard or cutout or any other means pasted or hung or fixed or built or placed or displayed by any other method by a person or persons for the information or attention of the general public.

"Authorised Officer" means any officer who has received written authority from the Municipal Commissioner to perform any duty under these by-laws.

"Council" means the Municipal Council.

"Decoration" means any decoration, advertisement, pandol, flags, illumination, or arrangement of lamps for the purpose of publicity or beautification or highlighting of a religious or cultural function, funeral, meeting, rally, seminar, march, perahera, memorial function or any activity performed by a group of people in one or more places.

"Exhibition Place" means a place built and maintained by the Council where advertisements, notices, banners and cutouts can be placed or displayed, reserved for this purpose by a resolution of the Council.

"Municipal Commissioner" means Municipal Commissioner of Municipal Council or any person appointed to execute the affairs of the Municipal Commissioner for the time being.

"Place" or "display" means to fix, build, paste, hang, place, display or use any other means, or to take in a march or rally or to any meeting, or display in an exhibition, any advertisement or any poster or any banner or any cut-out or any other notice or decoration or arrangement of lights or arrangement of lamps so as to get the attention of the public or construct and exhibit any type of pandol.

"Public Place" means a road, ground, public land, road reservation, playground, public building, cemetery, bus stand, railway station, river, canal, stream, lake, pond, pool, lagoon, tributary, waterway, sea, beach or any other place used by the public.

First Schedule
(relevant to By-law No.4)

Application for display of advertisements and decorations in public places

01. Name of applicant :
02. Address :
03. National Identity Card No :
04. Telephone number :
05. Particulars of advertisement:
- i. Size of notice - Height (cm):..... Width (cm):.....
 - ii. No of notices :
 - iii. Nature :
 - iv. Advertisement contents:
 - v. Method of display :
 - vi. Places of display :

(Sample of advertisement containing letters, art work, etc. with same colours must be attached).

06. Details of decorations and materials to be used:
- i. Only non-decaying materials or polythene? Yes / No
 - ii. Only decaying materials (e.g. cotton, textiles, plant materials)? Yes / No
 - iii. Mixture of decaying and non-decaying materials Yes / No

07. Duration of period applied for:
- Start: 20 ... Month Day From am/pm
- Finish: 20... Month Day To am/pm

I undertake to comply with all requirements pertaining to by-laws relating to decorations and use of advertisements in public places – their regulation, supervision, control and recovery of fees and any other laws thereto, and conditions pertaining to the licence. I also undertake to remove advertisements, decorations or any other materials pertaining to the licence on my own account within 48 hours of the expiry of the licence.

Date:

Signature of applicant

Second Schedule
(relevant to By-law No.4)

Licence for display of advertisements/decorations in the Municipal Council Area

Licence fee paid : Rs Serial No. Of licence:

Amount of deposit : Rs

Mr/Mrs (name) bearing identity card No. residing at (address, town/city), is hereby permitted to display advertisements/decorations in the following place/places in Municipal Area for the period from am/pm on the day of 20.... to am/pm on the day of 20.... subject to the conditions overleaf and under the by-laws relating to decorations and use of advertisements in public places – their regulation, supervision, control and recovery of fees.

Places in which decorations or advertisements are approved for display:

- 01.....
- 02.....
- 03.....
- 04.....
- 05.....

Date:

.....
Municipal Commissioner
..... Municipal Council

(Back side of form)

- 01. Surplus or waste materials shall be removed immediately from such places where advertisements or decorations are displayed.
- 02. Where advertisements or decorations are displayed, damage to vehicles passing through or along that place, damage or hindrance to the general public or to public property shall be avoided.
- 03. Where advertisements or decorations are displayed, action should be taken not to cause any damage or obstruction to public electricity lines or telephone lines.
- 04. For illumination of any such advertisement or decoration, no electricity connection should be obtained from a public electricity supply without proper permission.

**Third Schedule
(relevant to By-law No.6)**

The following fees schedule sets out the rates fixed by the
Municipal Council on the day of 20... for the display of
advertisements or decorations.

1. Public Advertisements

Kind of notice	Materials used for making	Fee (Rs) per square meter according to period of duration		
		Up to 01 month	Over 01mth up to 03mths	Over 03mths up to 12mths
i. Noticeboard	Any material			
ii. Banner	Non-decaying material			
	Decaying material			
iii. Cutouts	Non-decaying material			
	Decaying material			
iv. Advertisements *	Non-decaying material			**
	Decaying material			**
v. Small notices *	Non-decaying material			**
	Decaying material			**

* Amounts should be calculated based on the total area for the entire number of notices/advertisements.

** Licences should not be issued for periods of more than two months.

2. Decorations

Materials used for decorations		Fee (Rs) per day
a.	Non-decaying materials (e.g. polythene) ***	
b.	Decaying materials	

*** Permission to be granted only for one week for any one decoration.

3. Exemptions

No fees shall be charged for religious or funeral decorations.

**CONTROL, REGULATION, SUPERVISION
& RECOVERY OF FEES FROM
FUNERAL SERVICE SUPPLY CENTRES
WITHIN THE MUNICIPAL AREA**

By-laws relating to the Control, Regulation, Supervision and Recovery of Fees from Funeral Service Supply Centres within the Municipal Area

01. These by-laws are cited as by-laws relating to the control, regulation supervision and recovery of fees from funeral service supply centres within the municipal area.
02. Operation of a funeral service supply centre is hereby declared, for the purpose of section 147 of the Municipal Council Ordinance, to be an offensive trade.
03. (i) It is not lawful for any person to keep a place or carry out the trade of a funeral service supply centre within the Municipal area, unless he possesses a licence from the Commissioner, granted after making an application in accordance with the form shown in the first schedule hereto.
(ii) Every licence issued under these by-laws shall, unless revoked by the Commissioner under these by-laws, expire on the thirty-first day of December of the year in respect of which it is issued, and such licence shall not be transferable.
04. A fee to be fixed by the Council from time to time shall be recoverable for a licence issued in regard to operation of a funeral service supply centre and such rates shall be gazetted.
05. It shall be lawful for the Commissioner to revoke the license issued for operating a funeral service supply centre, if any owner of such a place violates or neglects any direction stipulated in these by-laws.
06. There shall be a room reserved for preparation of corpses in the building of a funeral service supply centre. In such a room, there shall be an area for corpse preparation of not less than eighty square feet per corpse. There shall be a sufficient concreted flat area finished with floor tiles to carry out such preparations.
07. Eves shall be constructed to an area of not less than one seventh of the area of the room used for preparing corpses for good ventilation and the work carried out there shall not be seen by any outsider. The openings of the eves shall not directly face houses situated near the funeral service supply centre.
08. During preparation of corpses, sufficient receptacles shall be made available to put any body parts removed from corpses in and receptacles shall also be provided to put any blood or other liquid in or, if the body is washed, the dirty wash water, as directed by the Council. Such receptacles shall be closable and non-transparent preventing the entry of flies, rats or any other insects or animals.
09. When a corpse is prepared, any parts removed shall be buried in a pit four feet deep from the ground surface within six hours of removal, except if there is an order issued by a magistrate or Inquirer into

- Sudden Deaths in which case, the conditions in the order shall be complied with by the funeral service supply centre.
10. In the event that there is insufficient space for the activity described under by-law No. 9 at the funeral service supply centre, any removed parts shall be buried in a pit of the same depth in a public cemetery of the Municipality on payment of a fee to be fixed by the Council from time to time.
11. The room used for preparation of corpses shall always be separated in such a way from the display compartment or compartments of a funeral service supply centre that no outsider can enter without permission and that area shall be kept clean by using disinfectants. Furthermore, first aid and other relevant equipment shall be kept for use by staff, as needed.
12. The owner shall maintain records of staff members of the funeral service supply centre. All such staff members shall wear appropriate clothing and protective equipment as directed by the Commissioner and no meals or beverages shall be served in the room used for preparation of corpses.
13. The interior of the hearse or any other vehicle used for transport of corpses shall be cleaned by vacuum cleaner and with disinfectants.
14. In a coffin where corpses are placed, no polythene or any other non-decaying substance shall be used to cover a corpse or part of a corpse under preparation except if the body is seriously injured or for any other reasons that make this impracticable.
15. No person shall prepare a corpse or transport any corpse unless he holds a license under these by-laws or any person who has been authorized by the license holder.
16. Any licensee shall not bring or allow to bring for preparation to the licensed premises, the body of a person who is deemed to have died of cholera, plague, small-pox, yellow fever or AIDS unless such licensee is in the possession of written permission to that effect granted to him by the Medical Officer of Health, subject to certain conditions specified in such permission.
17. An owner of a funeral service supply centre shall not undertake the preparation of a corpse or make funeral arrangements for such a corpse unless a death certificate issued by the Registrar of Deaths has been produced.
18. If there is any order issued by an Inquirer into Sudden Deaths or Magistrate with regard to performance of funeral writs, when the corpse or corpses died suddenly or the death is suspect, such order shall be complied with by the owner of a funeral service supply centre.
19. The owner of a funeral service supply centre carrying out preparation of a corpse in his own centre or in any other outside place shall

- maintain a register in the form shown in the second schedule hereto and such register shall be produced whenever requisitioned by the Commissioner, or any person authorized by him, or any police officer.
20. In the case of a funeral service supply centre where corpses are kept for people paying their last respects, any such corpse should be exhibited with due honour to the corpse and to the guardians of such a corpse. Furthermore, a sufficient number of seats as well as parking spaces should be provided for the people who come to pay their last respects and the place should be kept clean and healthy as directed by the Commissioner.
 21. The hall where corpses are kept for people to pay their last respects, shall be separated from the hall and the room where corpses are prepared for cremation or burial.
 22. A licence holder shall not allow any activity or other act that creates a disturbance or nuisance to the neighbours of the funeral service supply centre.
 23. If natural flowers are kept or flowers are kept for sale in any funeral service supply centre, any resulting waste shall be removed in a manner satisfactory to the Commissioner.
 24. If the necessary actions cannot be taken as required under by-law No.23, the above such waste materials may be removed to a waste bin or a waste collection vehicle or discharged as directed by the Commissioner on payment of a fee fixed by the Council from time to time.
 25. It is an offence to throw flower waste, plant waste or pieces of wires or any other waste mentioned under by-law No. 23, on to the road or to a drain along the road or to any other public place.
 26. The commissioner may delegate powers and duties vested in him under these by-laws to another Officer of the Council.
 27. The Commissioner or any other Officer authorized by him has the power to enter into any funeral supply service centre situated within the area of authority from 6.00am to 6.00pm to inspect whether the conditions in these by-laws are complied with by the funeral service supply centre.
 28. After inspection by the Commissioner or any other Officer authorized by him, if it is found that the funeral service supply centre is violating the provisions of these by-laws, he shall notify the owner in writing to rectify such violations within a fixed time period.
 29. Once the notice referred to in by-law No.28 is delivered to the owner of the funeral service supply centre by hand or pasted on that station, it is deemed to have been duly delivered.

30. Every person who receives a notice under by-law No.28 shall comply with the requirements of that notice within the specified time period as per direction thereto.
31. In the event of any person who neglects to comply with the requirements given in the notice issued under by-law No.28, the Commissioner or any other Officer authorized by him shall revoke the licence issued to that person to operate the funeral supply service centre and it is lawful to do so.
32. Violation of any provision of these by-laws by a licensee is an offence and shall be liable on conviction by a court of law with jurisdiction to a fine not exceeding one thousand rupees in the case of a first offence and to a fine not exceeding two thousand rupees in the case of a second or subsequent offence. Furthermore, in the case of continuing offence after conviction, that person shall be liable to an additional fine not exceeding two hundred and fifty rupees for every day which the offence is continued after a conviction or after serving of a written notice from the Commissioner or Authorized Officer directing attention to such continued contravention.
33. In these by-laws, unless the context otherwise requires:

"Area of Authority" means the Municipal Council area.

"Authorized Officer" means any person who has been authorized in writing by the Municipal Commissioner of Municipal Council to execute or carry out such duties under these by-laws.

"Commissioner" means Municipal Commissioner of the Municipal Council or any other person appointed to execute the Commissioner's duties for the time being.

"Council" means Municipal Council.

"Funeral service supply centre" means a place where a corpse is prepared to preserve it for some time or a place where a corpse is prepared and kept for people to pay their last respects until it is taken to the cemetery for burial or cremation and which charge a fee for such services.

"Medical Officer of Health" means the Medical Officer of Health in the Municipal Council.

"Owner" means owner of a funeral service supply centre, or the manager of such a centre or officer in charge of that centre at that time or a person who is carrying out the work of that centre at that time.

"Parts of corpse" means an organ or part of an organ or internal part or blood removed from a dead body or any other liquid or clothing or part of clothing worn by a dead person or dressings, bandages, cotton wool or any other substance associated with a wound or injury or for any other reason.

"Preparation" means preparing a dead body for preserving for some time for people to pay their last respects or dressing of that dead body, laying a dead body in a coffin, or any other work required for that purpose.

Schedule No. 01
(relevant to clause No (i) of By-law No. 03)
Application for operation of a funeral service supply centre

01. Name of Applicant:
02. Address:
03. National Identity Card No:
04. Business name of funeral service supply centre:
05. Assessment number of premises where funeral service supply centre is located:
06. No of dead bodies that can be kept at any one time for preparation:
07. Number of hearses owned by the establishment:
08. Number of vehicles available for transport of dead bodies before preparation:
09. Method of disposal for removed body parts of corpses:
10. Where facilities are provided to keep corpses for people to pay their last respects:
 - i. How many corpses can be kept at a time:
 - ii. Number of vehicle parking spaces:
11. Whether natural flowers are kept for sale: Yes/No
12. Disposal method for plant/flower waste:
13. Number of employees serving in the establishment:
14. Manager details (if appointed)
 - i. Name:
 - ii. National Identity Card No:
15. I declare that I, the undersigned, shall comply with the conditions of the by-laws relating to control, regulation, supervision and recovery of fees from funeral service supply centres within the Municipal Council area and other sanitary directions given by the Council from time to time.

Date

Applicant

D.1-180

Schedule No. 02
(relevant to By-law No.19)

Register of Particulars of Bodies prepared at the Funeral Service Supply Centre

Name of Funeral Service Supply Centre:

Address:

Serial No	Name of dead person	National Identity Card No	Sex	Date of death	Cause of death	Death certificate register		Dead body under taking date	Owners				Order of magistrate or Inquirer Into Sudden Deaths		Signature of guardian	
						No	Date		Name	Relationship to dead person	Address	National Identity Card No	Ref No	Date		

12

08/EIA/SWM/01/2003

6 February 2003

Mr. S Balasubramaniam
Municipal Commissioner
Municipal Office
Nuwara Eliya.

PROPOSED MOON PLAINS LANDFILL SITE IN NUWARA ELIYA

Further to environmental scoping held in terms of regulation 6 (ii) of the National Environmental (Procedure for Approval of Projects) Regulations No. 01 of 1993, you are required to prepare an Initial Environmental Examination Report (IEER) in respect of the proposed Moon Plains Landfill Site in Nuwara Eliya. Terms of Reference (ToR) of which are attached hereto.

The IEER must address all matters referred to in the ToR.

Please submit draft final IEER for the purpose of checking for adequacy. Once checked for adequacy, required number of copies of the IEER have to be submitted for the purpose of evaluation. The IEER should be submitted in Sinhala and Tamil Languages as well, since the IEER is a public document according to the Evidence Ordinance.

Ramani Ellepola
Deputy Director General (EM&A)
CENTRAL ENVIRONMENTAL AUTHORITY.

1c\mydoc\p\landfill Nuwara Eliya let

ANNEX I

TERMS OF REFERENCE FOR THE INITIAL ENVIRONMENTAL EXAMINATION REPORT (IEER) FOR THE PROPOSED MOON PLAINS LANDFILL SITE IN NUWARA ELIYA

The TOR is valid for one and half years from the date of issue and the IEER should be submitted within the validity period

Project Title : Moon plains landfill site in Nuwara Eliya study

Project Proponent : Municipal Council, Nuwara Eliya

Project Approving Agency : Central Environmental Authority

Outline of the IEE Report :

Executive Summary

- Chapter 1 - Introduction
- Chapter 2 - Description of the project and reasonable alternatives
- Chapter 3 - Description of the existing environment
- Chapter 4 - Assessment of anticipated environmental impacts
- Chapter 5 - Proposed mitigatory measures
- Chapter 6 - Monitoring programme
- Chapter 7 - Conclusion and Recommendations

Annexes :

- I. - Terms of Reference (ToR)
- II. - Source of data and information
- III. - List of preparers including their work allocation
- IV. - List of persons / organizations contacted
- V. - References
- VI. - Complete set of relevant maps, charts, tables, layout plans

Executive Summary :

The summary should be a brief non-technical summary of the salient features of the proposed project, the alternative sites and options considered, the existing environment of the project site and its environs. Key environmental impacts, the measures proposed to mitigate the environmental impacts and monitoring programme should be submitted in a tabular format.

CHAPTER 1 : INTRODUCTION

- Objectives and justification of the proposed project
- Objectives of the IEE report
- Background to the proposed project

preparation
Main beneficiaries of the project and expected socio-economic effects
Policy, legal and administrative frame work with reference to solid waste management.
Approvals / permits needed for the project from other state agencies and any conditions laid down by Government agencies for implementation of the project.

CHAPTER 2 : DESCRIPTION OF THE PROJECT AND REASONABLE ALTERNATIVES

2.1 Location

- Location maps including the project site accessibility to the site, proximity of the site to reserve areas; water bodies, rivers and streams, surrounding development and infrastructure. (1:10,000 scale).
- Drawings showing project lay out plan including access roads.
- Sites proposed to burrow cover material

2.2 Nature of the project

A description of major features of the project to cover the following;

2.2.1 Landfill facility

- Conceptual design of the landfill facility including linings of the bottom
- Extent capacity and life span of the landfill
- Leachate collection system
- Leachate treatment process including details of disposal of the final treated effluent.
- Details of any other structure attached to the landfill facility eg: gas ventilation, drains, embankments, additional pits etc.

2.2.2 Any other support facilities proposed such as security system, vehicle parking facility, site offices, store houses etc.

2.2.3 Construction of new roads and / or improvements of existing roads

2.2.4 Transfer stations (if any)

2.2.5 Any offsite infrastructure facilities and services required

2.2.6 Details of phased development activities and time schedule

2.2.7 Details of site restoration and potential after use

2.3 Sources, Quantity, Quality and pre-processing of wastes

- Waste generating sources
- Quantities and characteristics of wastes to be collected.
- Pre-processing activities of wastes if any (eg. Segregation, marketing for recycling etc.)
- Characteristics of the wastes to be dumped in the landfill
- Quantity and quality of wastes to be received by the landfill

2.4 Waste Collection System and Transportation

- Haulage system proposed to transfer waste from the primary collection areas to the site including transfer / collection stations, method of transportation and types of vehicles used.
- Principal haulage routes and counts of traffic flows
- Alternative roads for waste transportation

2.5 Methodology of Construction

- Details of land preparation activities (land clearing / cutting / filling / any other)
- Construction details of major components of the landfill facility

2.6 Operational Activities

- Details of operation and maintenance of the components of the landfill facility
- Management of sludge of leachate treatment system
- Details of usage of cover material including requirement, frequency of applying and stock piling

2.7 Work force

- Requirements of labour (during construction and operation)
- Employment of Local People during preconstruction, construction and operation
- Availability of skilled labour in the area
- Occupational health and safety provided
- Facilities required or provided

2.8 Evaluation of alternatives

Describe reasonable alternatives. Compare alternatives in terms of potential environmental impacts, mitigatory measures, capital and operating costs, reliability, suitability under local conditions etc.

The following alternatives could be considered.

- "No action" alternative
- Alternative sites, designs, construction techniques, operation and maintenance procedures etc

Study area

The study area for the assessment shall include the following:

1. Project site
2. 1 km from the boundaries for the project site
3. Main anticipated haulage routes to the project site.

The following environmental characteristics of the study area should be assembled, evaluated and presented as baseline data.

Presently available information could be utilized at all stages of report preparation.

3.1 Physical Environment

- **Topography**
Topographical survey including reserve areas, water bodies, rivers and streams.
- **Geology and soil**
General geology of the area, soil types, distribution and thickness
- **Meteorology**
Prevailing wind pattern, precipitation pattern, relative humidity
- **Hydrology**
surface water drainage pattern
flow regime of the streams draining the area
occurrence of flooding
surface water quality and availability
ground water levels
ground water quality and availability
ground stratification and permeability
- **Landuse**
Existing land use pattern
- **Air Quality**
Inventory of existing noise sources and ambient noise levels
- **Noise**
Inventory of existing noise sources and ambient noise levels

3.2 Ecological Environment

- Existing natural habitats
- Distribution and density of species identified
- Identification of rare, threatened and endemic species

3.3 Socio-Economic Environment

- Location of centres of population and settlements
- Population characteristics
- Existing infrastructure facilities
- Housing and sanitation
- Water supply
- Principal economic activities
- Religious and cultural centres
- Transportation

CHAPTER 4 : DESCRIPTION OF ENVIRONMENTAL IMPACTS

This chapter should show the overall effects on the individual environmental components during construction and operation of the project.

Impacts should include the foreseeable, direct and indirect, long and short term effects.

In all cases where an assessment is made it should be quite clear what criteria have been employed to assess impacts. Where possible, effects should be quantified and uncertainties highlighted considering magnitude severity, duration, frequency risks and indirect effects.

The assessment should focus on the following principal areas;

4.1 Constructional Impacts

- Anticipated impacts due to land filling, excavations and other land preparation activities.
- Impacts on borrow areas and transport routes
- Impacts on natural drainage pattern and hydrology of the area
- Potential traffic, noise and air quality impacts
- Employment opportunities to be provided

4.2 Operational Impacts

- Impacts due to leachate from project sites
- Possible contamination of surface / ground water
- Odour
- Impacts on fauna, flora and existing habitats
- Impacts on nearby communities
- Socio economic impacts
- Potential traffic
- Transportation problems
- Impacts on borrow areas of cover material

Provide details on the proposed mitigatory measures in order to minimize the impacts identified under Chapter 4. Mitigatory measures should be defined in specific practical terms and effectiveness of each mitigatory measures should be stated.

Mitigatory measures shall include :

- A suitable contingency management plan for contamination of surface and ground water or other adverse impacts by any combination of likely causes such as inundation of the site by floods or heavy rains, breaching of the containment embankments and failure of bottom linings.

CHAPTER 6 : MONITORING PROGRAMME

- A suitable monitoring programme should be submitted to monitor the changes of environment and implementation of mitigatory measures
- List the parameters to be monitored, frequency of monitoring and responsible agencies
- An effective reporting procedure should be outlined
- Availability of funds, expertise, facilities should be indicated
- Any programme to improve general environmental conditions can also be stated here.

CHAPTER 7 : CONCLUSION AND RECOMMENDATIONS

The acceptability of the proposed project should be given.

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D.2 Discharge, Storage, Collection and Transportation

D.2.1	Pictures for SWM technical system	D.2-1
D.2.2	Bell Collection.....	D.2-8

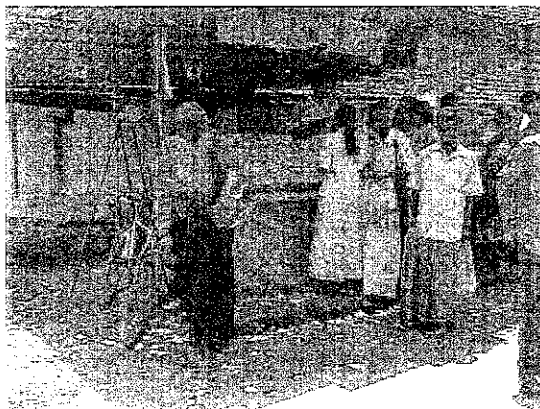
D.2 වැහැර කිරීම, රඳවා තැබීම, එකතු කිරීම හා ප්‍රවාහනය

D.2.1	සෞභාග්‍ය කළමනාකරණ තාක්ෂණික පද්ධතියේ පින්තූර	D.2-1
D.2.2	ගිලි කුමය	D.2-8

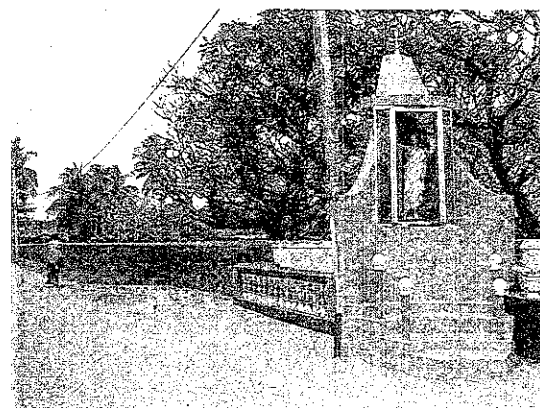
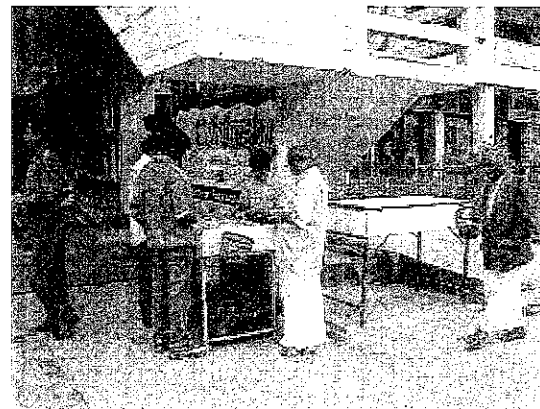
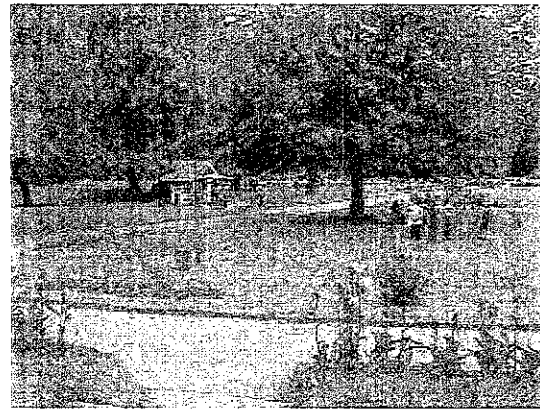
D.2.1 Pictures for SWM Technical System

Current condition of waste discharged

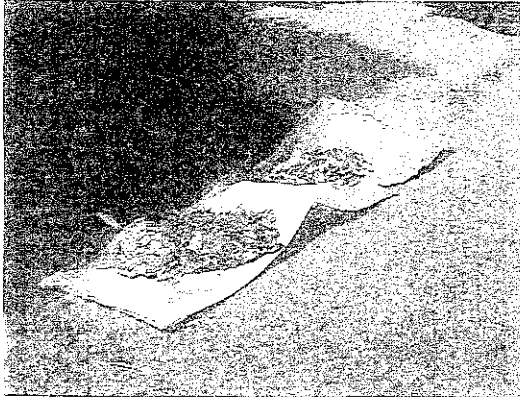
Bad Management



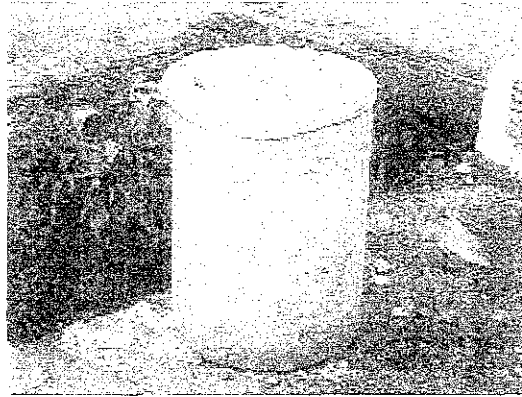
Good Management



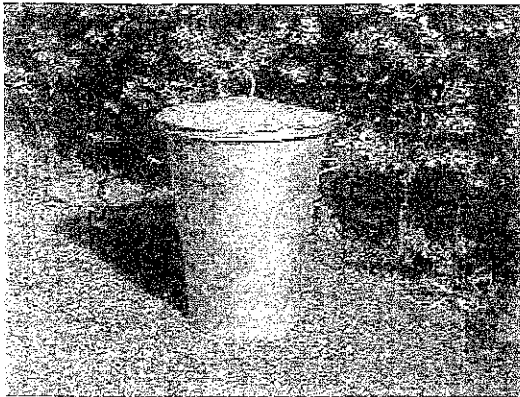
Discharge and Storage System



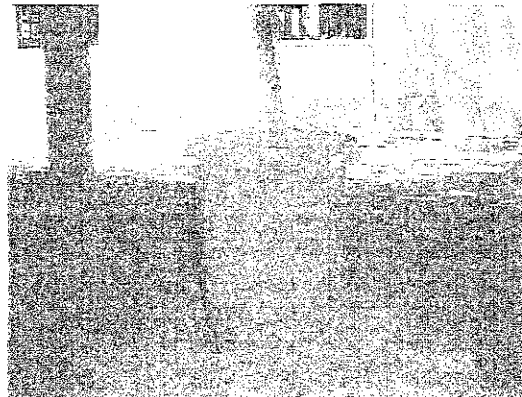
Garbage discharged for collection



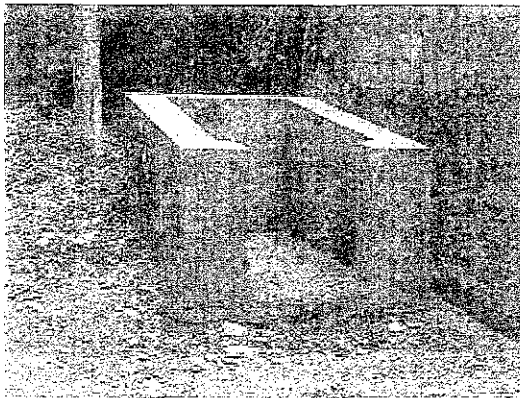
Hume pipe with a poly bag



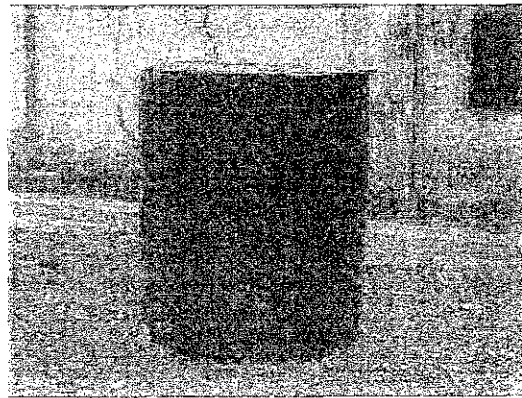
Metal garbage bin



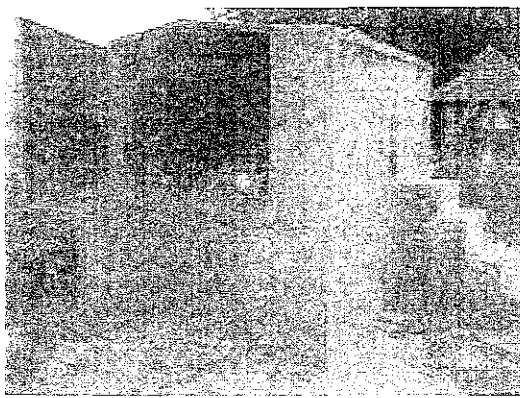
Plastic garbage bin



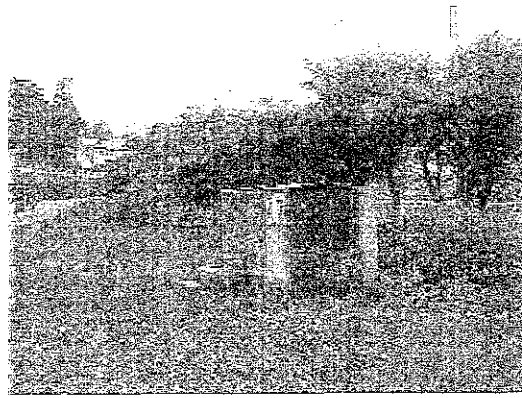
Concrete garbage bin



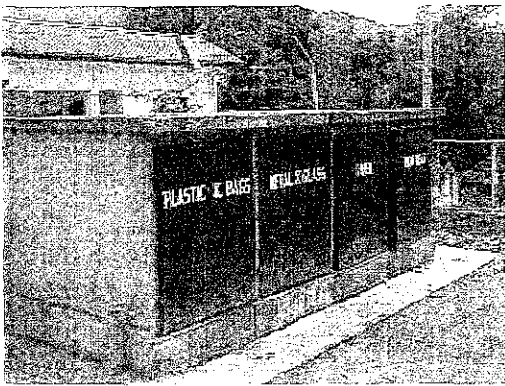
Concrete garbage bin



Closed and elevated garbage bin



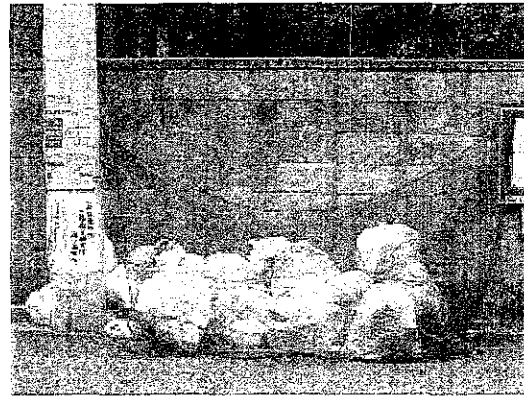
Closed and elevated garbage bin



Stores for recyclable waste



Disposable bags



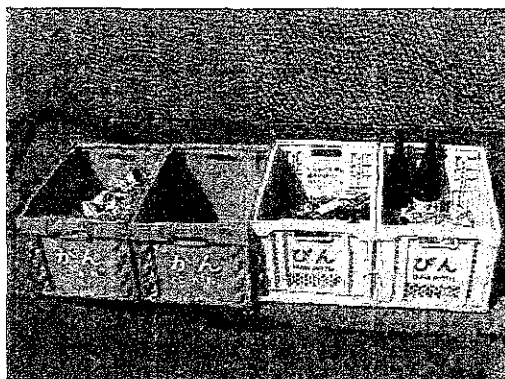
Net protecting garbage from crows



Communal garbage containers for separate collection



Litter bins for separate collection at a station



Recyclable waste collection



Recycler