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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

WESTERN PROVINCE PROVINCIAL COUNCIL

Notification to be published under Section 268 of the Municipal Council Ordinance of Chapter 252 which shall be read with the Section 02 of the Provincial Council's Act (Consequential Provisions) bearing No. 12 of 1989

I, do hereby notify that the following set of By-laws, mentioned in the Schedule hereunder known as the Parking of vehicles within the administrative limits of Colombo Municipal Council which was approved by me as the Chief Minister of Western Province and Minister in charge of the subject of Local Government, under the Section 268 of the Municipal Council Ordinance of Chapter 252 which shall be read with the Section 2 of the Provincial Council's Act (Consequential Provisions) bearing No. 12 of 1989 made by the Colombo Municipal Council in accordance with the provisions of the Sub-section 272 (32) of the Municipal Council Ordinance of chapter 252, has been approved by the Provincial Council of the Western Province on 06th of June 2017 in accordance with the provisions further mentioned in the Section 268 of the Municipal Council Ordinance of Chapter 252 which shall be read with the Section 2 of the Provincial Council's Act (Consequential Provisions) bearing No. 12 of 1989.

ISURA DEVAPRIYA,
Chief Minister of Western Province and Minister
of Finance and Plan Implementation,
Engineering Services, Law and Order, Local Government
and Provincial Administration, Economic Promotion,
Power and Energy, Environmental Affairs,
Water Supply and Drainage and Tourism.

Western Province Chief Ministry,
Srawasthi Mandiraya,
Colombo 07,
19th July, 2017.



PARKING OF VEHICLES

1. These by-laws may be cited as By-laws for the “Parking of Vehicles”
2. These by-laws are made for the purpose of making provisions for parking of vehicles, prohibition of parking, providing places for parking and regulating same, imposing of parking fees and establishing procedures in apprehending defaulters within the administrative limits of the Colombo Municipal Council.
3. In these by-laws, unless the context otherwise requires-

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

“vehicle”, “motor vehicle”, “motor tricycle”, “dual purpose vehicle”, “motor lorry”, “light motor lorry”, “heavy motor lorry” shall have the same meaning as in the Motor Traffic Act (Chapter 203) and its amendments.

“motor bicycle”, “motor car”, “bus”, “motor coach” shall have the same meaning as in the Motor Traffic Statute of the Western Province No. 7 of 1991 and its amendments.

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

“school van” means any motor vehicle carrying school children with seating capacity more than 5 seats but less than 15.

“school bus” means any motor vehicle carrying school children with seating capacity more than 14.

“traffic warden” means a person authorized by the municipal commissioner to issue tickets/permits for the parking of motor vehicle in a public parking lot.

“street” includes any street, road, path, by-road lane or access road which belong to or maintain by the Municipal Council of Colombo situated within the administrative limits of the Colombo Municipal Council.

“owner” means the person who has been registered with the Department of Motor Traffic as the “owner”

“council” or “municipal council” means the Colombo Municipal Council.

“Traffic Signs” shall have the same meaning as in the Motor Traffic Act (Chapter 203) and its amendments.

PROHIBITION

4. (i) Notices prohibiting, restricting, regulating the parking of vehicle, or indicating any parking place, set apart for vehicles, on any street or part of a street within the administrative limits of the Council, may be exhibited by, or by order of the commissioner, in a conspicuous position on, or so as to be visible from, that street or part of street.
(ii) Identification and setting apart of public parking lots on streets shall be carried out by the Engineers Department of the Colombo Municipal Council by installing signs on streets in accordance with the engineering norms and guidelines.
5. When the parking of vehicles on any street or part of a street is prohibited by a notice or a sign exhibited under by-law 4, the driver of a vehicle shall not allow the vehicle to stand on the street except such length of time as may be necessary for the purpose of -

- i. shall not disobey any traffic sign or notice erected or exhibited on that street or part thereof by any officer authorized by the Council or any other authority.
- ii. shall follow in due order the movement of any traffic on that street or a part thereof at that time.

Provided however :

- I. allowing any person to alight from or to enter such vehicle ; or
 - II. loading goods into or unloading goods from such vehicle for maximum time of 5 minutes.
6. For the purpose of any prosecution for an offence under these by-laws, every notice within the administrative limits of the Council, purported to be exhibited under by-law 4 or by order of the Municipal Commissioner, shall unless the contrary is proved, be deemed to have been lawfully exhibited by the commissioner.

PARKING OF VEHICLES

7. The Municipal Commissioner may within the municipality set apart as a place (in these by-laws hereinafter referred to as “public parking lot”) for the parking of motor vehicles, or any specified class or description of motor vehicles, for a fee.
8. A person shall not enter a parking lot other than for the purpose of parking or for any other official duty or a person shall not park anything unless provided for in these by laws in a public parking lot.
9. No motor vehicle shall enter or be parked in a public parking lot unless the driver is in possession of a valid ticket or a permit issued by an authorized officer/agent on behalf of the council or a valid permit ticket issued by Municipal Commissioner.
10. Municipal Council of Colombo shall make regulations for parking of three wheelers on hire which these by-laws does not provide for.
11.
 - i. a fee at the rate set out in Schedule I hereto decided by the Council by resolution and gazetted shall be charged for each permits or ticket issued under by-law 9. These by-laws on fees can be amended from time to time only after decision taken by the Council and gazetted accordingly.
 - ii. Every permit or ticket issued under by-law 9 shall contain the distinctive number of the motor vehicle in respect of which it was issued and shall be valid for the period stated in permit or ticket.
 - iii. In the event a permit or a ticket is issued after making a payment in full for the period of time that a vehicle is parked as provided for in by law 9, such permit or tickets shall be displayed through the windscreen to be visible from outside the vehicle.
 - iv. Non display of permit or ticket, parking without making the due payments or parking in excess of the time therein permitted is considered as illegal and which shall be subject to late fee as mentioned in the Schedule II hereto.
 - v. Late fees shall be charged and recovered from the driver or owner for such illegal parking as a foresaid and it defaulted the owner shall be prosecuted as mentioned hereunder.
 - vi. After a vehicle is identified for illegal parking without making due payment, the Driver or the owner shall be liable to pay a late fee upon serving a notice, on the Driver or the owner by the Council or by an institute duly authorized by the Council.

- vii. Such fines and late fees shall be recovered after filing action in a competent court when the maximum financial limit is reached or after the lapse of three months of the late fee notice or whichever occurs first.
12. When there is a default of payment for illegal parking as stipulated in Section 11(iv) aforesaid on three or more occasion and/or when there is an illegal parking as stipulated in Section 11(iv) aforesaid on three or more days clamping (Tyre locking) may be done by the council or by a duly authorized agent of the Municipal Commissioner. When clamping, permission of the Driver or the owner is not mandatory and if any damage is caused to the vehicle or any part thereof, the council or the duly authorized agent shall be absolved from any liability arising out of same. When a vehicle is clamped it shall not be released until all late fees and service charges are paid in full by the owner or the driver. In the event the vehicle is not released for want of making the due payment of late fees and service charges, such a vehicle may be removed from the parking area or taken into a temporary parking yard or another location. In such an event council or the duly authorized agent shall be absolved from any liability arising out of any damage to the vehicle or part of it.
13. The driver of the owner of any motor vehicle parked in a public parking lot shall, whenever requested to do so, by a Police or a Traffic Warden, or a person authorized for the proposed by the Municipal Commissioner produce for inspection the permit issued in respect of that vehicle.
14. Where any public parking lot is reserved for any specific class or type of motor vehicles, a person shall not enter or park vehicle not belonging to that class or type in such parking lot.
15. A person shall not park a motor vehicle in such a way as to obstruct any motor vehicle entering or leaving that public parking lot.
16. Where separate passages for entrance and exist have been provided, and indicated by notice or sign board, at a public vehicle parking lot, no motor vehicle shall enter or leave that parking lot except by the appropriate passage.
17. A person shall not wash or cause to be washed any motor vehicle while it is parked in a public parking lot.
18. Without having a special permission from the Municipal Commissioner, a motor vehicle is prohibited for trading, displaying advertisements, using loud speakers while it is parked in a public parking lot.
19. A person shall not
- i. effect any repair any motor vehicle in public parking lot unless such repair essential for the purpose of removing that vehicle from the public parking lot.
 - ii. in effecting any such repair cause any noise which causes a nuisance or disturbance to the public.
20. No driver of a motor vehicle parked in a public parking lot
- i. Shall start its engine, except for the purpose of changing the position or departing from the parking lot and/or
 - ii. shall sound any warning instrument affixed to the vehicle except for the purpose of preventing an accident or assuring the safety of the vehicle or its occupants and/or
 - iii. shall not within a public parking lot behave in any disorderly manner or commit any nuisance.
21. The Municipal Commissioner may by order published in the *Gazette* specify that those by-laws cease to be in operation on any day of the week or may vary the hours within which these by-laws shall be in operation.

22. Every contravention of any of these by-laws by the owner or the driver of the motor vehicle shall be liable to prosecution before a Magistrate and shall be guilty of an offence.

I. In the case of first offence fine not exceeding one thousand rupees ; and

II. In the case of second or subsequent offence, fine not exceeding two thousand rupees ; and

III. In the case of continuing offence, additional fine not exceeding two and fifty rupees for every day during which the offence is continued after a conviction ; and

shall be liable to pay the late fee.

23. The by-laws dated 16th May 1941 published in the Government *Gazette* bearing No. 8746, 27th March 1942 published in the Government *Gazette* bearing No. 8896, 10th September 1948 published in the Government *Gazette* bearing No. 9902, 15th February 1929 published in the Government *Gazette* bearing No. 7693 and 22nd December 1939 published in the Government *Gazette* bearing No. 8561 are hereby repealed.

24. These by-laws shall be in force from the date of publication in the *Gazette*.

25. In the event of any inconsistency between the Sinhala and Tamil texts of these by-laws the Sinhala text shall be prevail.

SCHEDULE I

| | <i>Parking fee for the hour or part thereof (Rupees)</i> | <i>Parking fee for the month or part thereof (Rupees)</i> |
|--|--|---|
| i. for a motor bicycle | 10.00 | |
| ii. for a motor tricycle | 20.00 | |
| iii. for a motor car or dual purpose vehicle | 30.00 | |
| iv. for a bus, motor coach, motor lorry, light motor lorry, heavy motor lorry | 50.00 | |
| v. school van | | 600.00 |
| vi. school bus | | 1,000.00 |

SCHEDULE II

| | <i>Late fee applicable for parking a motor vehicle in a street in an illegal manner</i> | | |
|---|---|---|--|
| | <i>On the first day for an hour or part thereof (Rupees)</i> | <i>From the 2nd day upto 14 days for one day or part thereof (Rupees)</i> | <i>Thereafter for one month or part thereof (Rupees)</i> |
| i. for a motor bicycle | 20.00 | 360.00 | 5,000.00 |
| ii. for a motor tricycle | 40.00 | 720.00 | 10,000.00 |
| iii. for a motor car or dual purpose vehicle | 60.00 | 1,080.00 | 15,000.00 |
| iv. for a bus, motor coach, motor lorry, light motor lorry, heavy motor lorry | 100.00 | 1,800.00 | 25,000.00 |
| v. school van | 40.00 | 500.00 | 7,000.00 |
| vi. school bus | 60.00 | 850.00 | 12,000.00 |

According to by-law 11(vii), action will be taken to recover arrears of late fee after lapse of three months or when accumulative late fee is more than Rs. 50,000.00

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