

BALANGODA URBAN COUNCIL

By Laws

I, Tikiri Kobbekaduwa, Governor of the Sabaragamuwa Province, do hereby declare under Section 154 of Urban Council Ordinance read with Section 2 of Provincial Council (Consequential Provisions) Act No. 12 of 1989, that I have approved the following by-law prepared by Balangoda Urban Council by virtue of powers vested in the Urban Council under Section 153 of the Urban Council Ordinance read with Section 157 of the said Ordinance to make by-laws, which was passed at the general meeting held on 15.12.2020 under the resolution No. 05.01.23.

TIKIRI KOBBEKADUWA,
Governor,
Sabaragamuwa Province.

22nd day of February, 2022,
At the Sabaragamuwa Province, Provincial Council.

**BY LAW ON FORMALIZATION CONTROLLING, ADMINISTRATION AND SUPER VISION OF DISPLAYING
ADVERTISEMENTS WITH IN THE JURISDICTION OF THE BALANGODA URBAN COUNCIL**

1. Imposed by virtue of the powers bestowed in the Balangoda Urban Council under Section 157 of the Urban Council Ordinance No. 61 of 1939 that should be read with Section 153 of that ordinance.
2. This by law is imposed for formalization controlling administration, and supervision of displaying advertisements within the jurisdiction of the Balangoda Urban Council.
3. This by law is imposed for formalization controlling administration and supervision of displaying advertisements within the jurisdiction of the Balangoda Urban Council
4. Unless a permit has been issued by the Chairman of the Balangoda Urban Council for that purpose any person should not display or cause to display any advertisement of any form that can be seen at a public place within the jurisdiction of the Balangoda Urban Council
5. Every person who needs a permit should submit an application prepared in accordance with the specimen and the specimens mentioned in section 15 of should be attached as annexes and forwarded to the Balangoda Urban Council prior to at least two days to the date intended to display of that advertisement.
6. Unless every permit issued by the Chairman for advertisement is cancelled it should be valid only for the period of time specifically mentioned in that permit.
7. The charges that should be levied for a permit under this by law will be legalized to impose and levy through a resolution and adoption by the council subject to the provisions mentioned in second schedule here.
8. Any person who intends to start and maintain as premises under above Section 4 after activation of this by law, has no right to apply for a permit under above Section 4 unless prior approval has been taken for the suitability.
9. Even though a valid permission has been taken for displaying any advertisement to be seen at, a public place should not be displayed or cause to display in any other place except in a place or places specifically mentioned in the relevant permit.
10. Through an advertisement issued by the Chairman of the Balangoda Urban Council for displaying an advertisement it should not be considered and understood as a legal permission to present the meaning or expression of that advertisement.

11. Any form of advertising board should not be connected passed hung, tied or projected to a nearby tree log of a tree, branch or any other part or any public building by any person.
12. Any form of advertisement should not be fixed or caused to fix by any person so that a blockade or harm may cause to any person or vehicle passing near by the advertising board.
13. Flashers should not be fixed, lit, or caused to do so in a way a driver of a motor vehicle or any person may change his attention causing any interruption or disturbance to their sights.
14. The advertisement for which a permit for display is requested from the Balangoda Urban Council should not be.
 - (a) An advertisement containing scenes or photographs highlighting or emphasizing violence,
 - (b) An advertisement containing scenes or photographs highlighting or emphasizing sex or nakedness or obscenity or lasciviousness,
 - (c) An advertisement containing scenes or photographs insulting any religion or any nation
 - (d) An advertisement containing scenes or photographs insulting any political party or political organization or any other organization,
 - (e) An advertisement containing scenes or photographs insulting any leader or any celebrity or any person,
 - (f) Any advertisement banned or restricted by any written law,
 - (g) An advertisement using a polythene or polythene cover and any of such advertisements should not be displayed.
15. A permit should not be issued for display of any advertisement is requested should be a place nominated by the Balangoda Urban Council unless the requirements mentioned in this by law have been fulfilled
 - (a) The place for which a permit for display of any advertisement is requested should be a place nominated by the Balangoda Urban Council belonging to the nominated zone for display of advertisement by the Balangoda Urban Council,
 - (b) The period of validity in a permit issued prioly for the place requested for display of advertisement should have expired,
 - (c) This provision should not be a barrier to issue a permit for display an advertisement without disturbing the display of a nearby notice board even though a notice has been priory issued and further valid.
 - (d) On an occasion when a permit is required to display on a hoarding erected by the Balangoda Urban Council there should be enough space on that hoarding and the period of time devoted for the advertisement being displayed under a permit should have expired.
 - (e) In case of applying for permit to display an advertisement a specimen of the notice prepared on 210mm x 297mm white sheet of paper to the scale of 1:1000 and a ground plan drawn to the scale of 1:1000 on a white sheet of paper 210mm x 297mm in extent should be forwarded a long with every such application and the real length and width the (advertisement) should be marked on the plan.
 - (f) The place of displaying the advertisement
 - I. In case of a hoarding erected by the Balangoda Urban Council The charges imposed by the Balangoda Urban Council Should be paid to the Balangoda Urban Council.

And/or

II. In case that it belongs to some other person or any authority

And not the applicant, written, evidence on that place granted by that person or authority should be produced

16. On an Occasion when issuing a permit has being decided to display and advertisement on a hoarding erected by the Balangoda Urban Council Until a Security that has been decided from time by the Balangoda Urban Council is deposited by the applicant the Chairman of the Balangoda Urban Council should be issued such a permit.
17. The Balangoda Urban Council can decide from time to time the zones or places for displaying advertisement within the jurisdiction of the Balangoda Urban Council.
18. It is the task of the Chairman of the Balangoda Urban Council to make arrangement to publish a notification in the *Gazette* about the decision taken from time to time by the Balangoda Urban Council regarding the said zones and the place and it should be activated with effect from the date of publication in the *Gazette* or any other specific date ahead.
19. The Balangoda Urban Council has the authority to erect and maintain hoardings in which advertisements can be displayed on any land possessed by the Balangoda Urban Council or on a land belonging to any other person obtained on an agreement made by the Balangoda Urban Council. The Balangoda Urban Council has the right to erect any hoarding for display on private land or premises and the right to levy charges to the council from those notice boards for displaying such notice.
20. The displayers applying for a permit for display should pay a charge for advertisement or advertisements calculated in the way depicted in the second schedule here.
21. The deposit of security levied under the 16th by law can be released on the request of the displayer after expiry of the period of time for display and after unfastening and removal of the said advertisement unless there is no loss or damage occurred to the state or to the Balangoda Urban Council.
22. The Chairman of the Balangoda Urban Council should take actions to levy money due from the permit holder on an occasion where the money deposited is insufficient to recover such loss or damage.
23. The permit charges depicted under the by law can be amended on a decision taken by the general meeting of the council.
24. In case of an application for displaying an advertisement forwarded to the Balangoda Urban Council and when the conditions for issuing a permit mentioned in the by law of the part have fulfilled that should be informed to the applicant by the chairman or authorized officer of the Balangoda Urban Council.
25. After the applicant has received that acknowledgement and after paying the permit charges depicted in the 07th by law here and the deposit of security if imposed as in the 16th law here and after paying all the aforesaid charges and examined it is the task of the chairman of Balangoda Urban Council to issue the relevant permit.
26. Any permit issued under this by law if not cancelled earlier time of which should be in accordance with the time frame depicted in the second schedule and the maximum time of it should be 12 months or 1 year.
27. After expiry of the period of time of the permit issued for display of any advertisement is needed to display during that successive time a new permit should have been obtained prior to at least 07 (seven) days of arriving that successive time.
28. Whatever the permit charge adopted by the Balangoda Urban Council to levy during the excessive time after expiring of time in the permit for displaying any advertisement as per the above section 27 the charge levied for the earlier permit should be relevant for the new permit issued for displaying that advertisement.

29. It is the task of the Chairman of the Balangoda Urban Council to make a *Gazette* Notification about the notification of the permit charge and the deposit of security imposed from time to time by the Balangoda Urban Council.
30. The Balangoda Urban Council has the right amend the nature of the advertisement and imposing charges from year to year under item 07 in the second schedule here.
31. Whatever is mentioned in this by law,
 - (a) Any advertisement for any religious activity or any cultural activity in any form conducted without charging money,
 - (b) Any advertisement being displayed within the premises of the land where any recreational activity is taking place,
 - (c) Any advertisement of which the net chargers and relevant only for a meritorious deed,
 - (d) Only an advertisement regarding any religious, political or any other public meeting,
 - (e) An advertisement called 'To let',
 - (f) Any advertisement called 'For sale',
 - (g) Any board mentioning the name of the house,
 - (h) A name board for a professional task not exceeding 02 sq.ft. in extent,
 - (i) In the event of a vehicle used for a commercial task and when the name the address of the owner of that vehicle is mentioned two such notices,
 - (j) In case of any place where any industry or enterprise is taking place every one advertisement from it should be exempted from the permit charges,
 - (k) The advertisement relevant to that task in the above section can be exempted from the charges only for an extent of four sq.meters,
 - (l) The other provisions in this by law should be relevant as they are and in those advertisement marks should be made as 'free of charge Balangoda Urban Council'.
32. It is the task of the Officer of issuing the permit to make a note correctly of the number of the permit issued for every advertisement for display in the southern corner of each advertisement before displaying.
33. In case that any holding, supporter, erection or fixation happens to in away harm the environment or a danger or harm any person property of a person the Balangoda Urban Council has the authority to set it right with in a specified time through a notification forwarded to the permit holder.
34. In case that any person who has received such a notification mentioned in the (aforesaid) 33rd by law has been evaded from taking actions according to the requirements of that notifications with in the time mentioned in that notification it is legal to cancel that permit issued for that advertisement and remove that advertisement by the Chairman or authorized officer of the Balangoda Urban Council.
35. In case that any permit cancelled under the above 34th by law the security deposited in the Balangoda Urban Council should be possessed by the council and no any other person has the right to claim for that security.
36. The Balangoda Urban Council is not liable for any responsibility in any way regarding any damage or deformation causing to any advertisement being displayed on a valid permit for display.
37. The permit holder should be liable for damage or harm occurred to any party owing to the meaning of expression or any meaning derived from the advertisement as a result of using any supporter or fixation of any erection or any other material for the erection or any advertisement.

38. It is the task of the permit holder to make arrangement to remove the advertisement and all the material used for it from that place before passing 48 hours after the date of expiry of displaying the advertisement after obtaining a permit under this by law.
39. The provisions of this by law should not be relevant in case of any advertisement displayed in the Government Sabaragamuwa Provincial Council or the Balangoda Urban Council
40. On an occasion when an advertisement of any sales item or service is displayed with the name as any business place with the number and/or address and when any form of advertisement is displayed in any house any form of sales item or service that advertisement or those advertisements should be subject to the provisions of this by law and the owner of that business place or house or the manager or any person in charge of administration at that time is meant by the person who should obtain permits regarding provisions in the by law.
41. In accordance with the provisions of this by law the maximum duration of time for displaying the advertisement on the hoardings erected for the purpose of public display by the Balangoda Urban Council should be 30 (thirty) days.
42. It is an offence to contravenes neglect omit unconsider or violate any section or sub section or several or all included in this by law.
43. In case of a commitment of any offence the chairman of the Balangoda Urban Council is authorized to cancel any permit issued along with paying attention regarding that contravention and it can be sued at a magistrate court empowered in the area as per the provisions of section 136(1)(b) of the criminal procedure code an Urban Council ordinance No. 61 of 1939.
44. Contravention of any Section in this by law is an offence and in the event of any person found guilty of an offence at a court of law even after finding guilty mentioned in the Urban Council Ordinance No. 01 of 1939 if that offence is committed continuously and even after delivering a written notification by the Chairman or secretary or any other authorized officer of the Balangoda Urban Council paying attention to that contravention that person should be liable for an extra fine imposed in the Urban Council Ordinance No. 61 of 1939.
45. unless otherwise some other meaning is needed in these by laws :
 - I. 'Council' means Balangoda Urban Council
 - II. Chairman means the chairman of the Balangoda Urban Council or any successor for that post.
 - III. Secretary means the Secretary of the Balangoda Urban Council or any successor for that post.
 - IV. Authorized officer means an officer empowered by the Chairman or Secretary in a writing.
 - V. Hoarding means any permanent board for fixing or retaining any advertisement erected for displaying for the knowledge or attention of the people.
 - VI. advertisement means a banner or cut out or plank or digital board or replica of any form or notice or notification or trade notice containing letters or words or illustrations or scenes displayed by any person fully or half way over any land or building or any architecture by means of displaying fastening fixing erecting hanging or placing in some other way used for the task of advertising for the knowledge and attention of the people.
46. In case of any non conformity among the Sinhalese Tamil and English texts of this by law the Sinhalese copy should be enforced.

THE FIRST SCHEDULE

Section 5

Application for displaying advertisements

- 01. Name of Applicant :.....
- 02. Address :.....
- 03. National Identity Card No. :.....
- 04. Telephone No. :.....
- 05. National Identity Card No. :.....
- 06. Telephone No. :.....

- Size of the advertisement :
Length.....cm Width:cm
- Number of advertisements:
- Content of the advertisement :
- The Way of placing :
- Placement areas :

(Attach a specimen depicted in sub bylaw of the 15th by law)

Date of commencement Day..... Month..... 20

Date of Expiry Day..... Month.....20.....

I do hereby promise to follow all the provisions in the by law on formalization control administration and supervision of the advertisements within the jurisdiction of the Balangoda Urban Council and take actions to remove the Advertisement/ Advertisements and all the materials used for it from that places/those places two days after expiry of the time of validity of the permit (s) at my own expenses.

.....
Signature of applicant.

Date:.....

THE SECOND SCHEDULE

Section 7

Serial No.	Nature of advertisement	Extend of	Charges (Sri Lanka Rupees)		
			Time of display 01 month or less than that	Time of display exceeding 01 month & less than 12 months	Time of display exceeding 06 months & less than 12 months
01	Cloth or Digital Banners	01 or less than 01 Month	50.00	100.00	150.00
			For every exceeding 1sq.ft or part of lt per 45.00		
02	Advertisement displaying through shield & Timber	01 or less than 01 Month	200.00	500.00	1,000.00
			For every exceeding 1sq.ft or part of lt per 150.00		
03	For LED/LCD Advertisement using electricity	01 or less than 01 Month	500	750	1,000
			For every exceeding 1sq.ft or part of lt per 300 .00		
04	For Advertisement using foam boards or polythine mixed board	01 or less than 01 Month	250.00	500.00	850.00
			For every exceeding 1sq.ft or part of lt per 250.00		
05	For Advertisement using plastic/fiber plants	01 or less than 01 Month	400.00	600.00	1,200.00
			For every exceeding 1sq.ft or part of lt per 250		
06	For Advertisement using electric equipment	01 or less than 01 Month	750.00	900.00	1,250.00
			For every exceeding 1sq.ft or part of lt per 450.00		
07	For Digital Advertisement	01 or less than 01 Month	150	1,500.00	150.00
			For every exceeding 1sq.ft or part of lt per 300.00		

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