

14.1 City Corporations

**THE CHITTAGONG CITY CORPORATION
ORDINANCE, 1982
(Ordinance No. XXXV of 1982)**

An Ordinance to consolidate and amend the law relating to the municipal administration of the City of Chittagong.

2. Definitions.- In this Ordinance, unless there is anything repugnant in the subject or context,-

- (3) "building" includes any shop, house, hut, outhouse, shed, stable or enclosure built of any material and used for any purpose, and also includes a wall, well, veranda, platform, plinth and steps;
(D.2(3), R.2(a), K.2(3))
- (4) "building-line" means a line beyond which the outer face of any part of an external wall or a building may not project in the direction of any street, existing or proposed;
(D.2(4), K.2(4))
- (13) "dairy" includes any farm, cattle-shed, cow-house, milk-store, milk shop, or other place from where milk or milk products are supplied for sale;
(D.2(13), K.2(13))
- (15) "drain" includes a sewer, a house-drain, a drain of any other description, a tunnel, a culvert, a ditch, a channel and any other device for carrying of sullage or rain water;
(D.2(15), K.2(15))
- (16) "drug" means any substance used as medicine or in the composition or preparation of medicine, whether for internal or external use;
(D.2(16), K.2(16))
- (17) "dwelling house" means any building used or adopted to be used wholly or principally for human habitation;
(D.2(17), K.2(17))
- (19) "erect or re-erect a building" means the construction of a new building and includes such material alterations of a building as may be prescribed;
(D.2(19), K.2(19))
- (21) "food" includes every article used for food or drink by human beings, other than drugs or water, and any article which ordinarily enters into or is used in the composition or preparation of human food; and also includes confectionery, flavouring and colouring matters and spices and condiments;
(D.2(21), K.2(21))
- (24) "infectious disease" means any disease which may be transmitted from one person to another and declared as such by the Government

by notification in the official Gazette;

(D.2(24),K.2(24))

- (25) "land" includes land which is being built upon, or is built up or is covered with water;

(D.2(25), K.2(25))

- (26) "market" means a place where persons assemble for the sale and purchase of meat, fish, fruit, vegetable, or any other article of food or for the sale and purchase of livestock or animals and includes any place which may be notified as a market in accordance with the rules;

(D.2(26),K.2(26))

- (28) "nuisance" includes any act, omission, place or thing which causes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smell or hearing or which is or may be dangerous to life or injurious to health or property;

(D.2(28),K.2(28))

- (32) "public place" means any building, premises or place to which the public have access;

(D.2(32),K.2(32))

- (33) "public street" means a street maintained by the Government;

(D.2(33),R.2(d),K.2(33))

- (34) "refuse" includes rubbish, offal, night-soil, carcasses of animals, deposits of sewerage, waste and any other offensive matter;

(D.2(34),K.2(34))

- (39) "street line" means a line dividing the land comprised in, and forming part of, a street from the adjoining land;

(D.2(39),K.2(39))

- (40) "sullage" includes sewerage, polluted water, rain water, and any other offensive matter carried by a drain;

(D.2(40),K.2(40))

- (42) "vehicle" means a wheeled conveyance capable of being used on a street;

(D.2(42), K.2(42))

(43) "water work" includes a lake, stream, spring, well, pump, reservoir, cistern, tank, duct, sluice, pipe, culvert, engine and other appliances and anything for supplying or used for supplying water.

(D.2(43),K.2(43))

26. Functions of the Corporation.- Subject to rules and such directions as the Government may from time to time give, and within the limits of the fund at its disposal, the Corporation shall undertake such of the functions given in detail in Part IV as are required to be undertaken by the Corporation, and may undertake-

- (a) all or any of the functions so given which may be undertaken by the Corporation; and
- (b) such other functions as are declared by the Government to be appropriate matters for administration by the Corporation.

(R.27,K.25)

42. Chief Executive Officer.-(1) There shall be a Chief Executive Officer of the Corporation who shall be appointed by the Government on such terms and conditions as may be determined by it.

(D.43,R.44,K.42)

44. Extraordinary powers of Chief Executive Officer.- On the occurrence or threatened occurrence of any accident or any unforeseen event or natural calamity involving, or which is likely to involve, extensive damage to any property of the Corporation or danger to human life, the Chief Executive Officer shall take such immediate action as he considers necessary and make report forthwith to the Corporation or the Standing Committee concerned of the action taken by him and the reason therefor and also of the cost, if any, incurred or likely to be incurred in consequence of such action.

(D.45,R.45,K.43)

75. Responsibility for sanitation.- The Corporation shall be responsible for the sanitation of the City, and for this purpose, it may cause such measures to be taken as are required by or under this Ordinance.

(D.76, R.75, K.73)

76. Insanitary buildings.-(1) The Corporation may by notice require the owner or occupier of any building or land which is in any insanitary or unwholesome state-

- (a) to clean or otherwise put it in a proper state;

- (b) to make arrangement to the satisfaction of the Corporation for its proper sanitation;
- (c) to limewash the building and to make such essential repairs as may be specified in the notice; and
- (d) to take such other steps in regard to such building or land as may be so specified.

(2) If any requirement of a notice issued under sub-section (1) is not complied with, within such period as may be specified in the Notice, the Corporation may cause the necessary steps to be taken at the expense of the owner or occupier, and the cost so incurred by the Corporation shall be deemed to be a tax levied on the owner or occupier under this Ordinance.

(D.77, R.76, K.74)

77. Removal, collection and disposal of refuse.-(1) The Corporation shall make adequate arrangements for the removal of refuse from all public streets, public latrines, urinals, drains, and all buildings and land vested in the Corporation, and for the collection and proper disposal of such refuse.

(2) The occupiers of all other buildings and lands within the Corporation shall be responsible for the removal of refuse from such buildings and lands subject to the general control and supervision of the Corporation.

(3) The Corporation may cause public dust-bins or other suitable receptacles to be provided at suitable places and where such dust-bins or receptacles are provided, the Corporation may, by public notice, require that all refuse accumulating in any premises or land shall be deposited by the owner or occupier of such premises or land in such dust-bins or receptacles.

(4) All refuse removed and collected by the staff of the Corporation or under their control and supervision and all refuse deposited in the dust-bins and other receptacles provided by the Corporation shall be the property of the Corporation.

(D.78,R.77,K.75)

78. Latrines and urinals.-(1) The Corporation may, and if so required by the Government shall, provide and maintain, in sufficient number and in proper situation, public latrines and urinals for the separate use of each sex, and shall cause the same to be kept in proper order, and to be properly cleaned.

(2) The occupier of any premises to which any latrine or urinal

pertains shall keep such latrine or urinal in a proper state to the satisfaction of the Corporation and shall employ such staff for the purpose as may be necessary, or as may be specified by the Corporation.

- (3) Where any premises are without privy or urinal accommodation, or without adequate privy or urinal accommodation, or the privy or urinal is on any ground objectionable, the Corporation may by notice require the owner of such premises-
 - (a) to provide such, or such additional privy or urinal accommodation as may be specified in the notice;
 - (b) to make such structural or other alterations in the existing privy or urinal accommodation as may be so specified;
 - (c) to remove the privy or urinal; and
 - (d) where there is an underground sewerage system, to substitute connected privy or connected urinal accommodation for any service-privy or service-urinal accommodation.

(D.79,R.78,K.76)

79. Births, deaths and marriages.-(1) The Corporation shall register all births, deaths and marriages within the limits of the City and information of such births, deaths and marriages shall be given by such persons or authorities, and shall be registered in such manner, as the by-laws may provide.

- (2) The by-laws made under sub-section (1) may exempt any class or classes of marriages information in respect of which is not deemed necessary for registration under this section.

(D.80,R.79,K.77)

80. Infectious diseases.-(1) The Corporation shall adopt such measures to prevent infectious disease and to restrain infection within the City as the rules and by-laws may provide.

- (2) The Corporation may, and if so required by the Government shall, establish and maintain one or more hospitals for the reception and treatment of persons suffering from infectious diseases.
- (3) The Corporation may, in the prescribed manner, frame and implement schemes for the prevention and control of infectious diseases.

(D.81,R.80,K.78)

81. Health and maternity centres, etc.- The Corporation may, and if so required by the Government shall,-

- (a) establish, manage, maintain or contribute towards the maintenance of health centres, maternity centres and centres for the welfare of women, infants and children;
- (b) provide for the training of dais;
- (c) provide for the promotion of family planning; and
- (d) *adopt such other measures as may be necessary to promote the health and welfare of women, infants and children.*

(D.82,R.81,K.79)

82. Promotion of public health.- Subject to the provisions of this Ordinance and the rules, the Corporation may, and if the Government so directs shall, take such measures for promoting public health, including education in health, as it considers necessary or, as the case may be, the Government directs.

(D.83,R.82,K.80)

83. Hospitals and dispensaries.-(1) The Corporation may, and if so required by the Government shall, establish and maintain such number of hospitals and dispensaries as may be necessary for the medical relief of the inhabitants of the City, and the people visiting it.

(2) Every hospital and dispensary maintained by the Corporation shall be managed and administered in such manner as may be prescribed.

(3) Subject to any directions that may be given in this behalf by the Government, every hospital and dispensary maintained by the Corporation shall be provided with such drugs, medicines, instruments, appliances, equipments, apparatus and furniture in accordance with such scale and standards as may be prescribed.

(D.84,R.83,K.81)

84. Medical aid and relief, and medical education, etc.- The Corporation may, and if so required by the Government shall, take such measures as may be necessary or as may be specified by the Government for-

- (a) the provision and maintenance of first aid centres;
- (b) the provision and maintenance of mobile medical aid units;

- (c) the promotion and encouragement of societies for the provision of medical aid;
- (d) the promotion of medical education;
- (e) the payment of grants to institutions for medical relief; and
- (f) the medical inspection of school children.

(D.85,R.84,K.82)

85. Water supply.-(1) Subject to any law for the time being in force, the Corporation may provide, or cause to be provided, to the City a supply of wholesome water sufficient for public and private purposes.

(2) The Corporation may, and if so required by the Government shall, in the *prescribed manner, frame and execute* a water-supply scheme for the construction and maintenance of such works for the provision, storage and distribution of water as may be necessary.

(3) Where a piped water-supply is provided, the Corporation may supply water to private and public premises in such manner and on payment of such charges as the by-laws may provide.

(D.86,R.85,K.83)

86. Private sources of water-supply.-(1) All private sources of water supply *within the City shall be subject to control, regulation and inspection* by the Corporation.

(2) No new well, water-pump or any other source of water for drinking purposes shall be dug, constructed or provided except with the sanction of the Corporation.

(3) The Corporation may by notice require the owner or any person having the control of any private source of water-supply used for drinking purposes-

- (a) to keep the same in good order and to clear it from time to time of silt, refuse and decaying matter;
- (b) to protect the same from contamination in such manner as the Corporation may direct; and
- (c) if the water therein is proved to the satisfaction of the Corporation to be unfit for drinking purposes, to take such measures as may be specified in the notice to prevent the use of such water for drinking purposes.

(D.87,R.86,K.84)

87. Drainage.-(1) Subject to any law for the time being in force, the Corporation shall provide an adequate system of public drains in city area and all such drains shall be constructed, maintained, kept, cleared and emptied with due regard to the health and convenience of the public.

(2) Every owner or occupier of any land or building within the City may, with the previous permission of the Corporation, and subject to such terms and conditions, including the payment of fees, as the Corporation may impose, cause his drains to be emptied into public drains.

(3) All private drains shall be subject to control, regulation and inspection by the Corporation, and the Corporation may, in such manner as the by-laws may provide, require the provision, alteration, covering, clearing and closing of private drains.

(D.88,R.87,K.85)

88. Drainage Schemes.-(1) The Corporation may, and if so required by the Government shall, prepare a Drainage Scheme in the prescribed manner for the construction of drains at public and private expense, and other works for the effective drainage and disposal of sullage.

(2) A Drainage Scheme prepared under sub-section (1) shall be submitted for approval to the Government, which may approve it, reject it, or approve it subject to such modifications as it may deem fit.

(3) The Drainage Scheme as approved by the Government shall be executed and implemented in such manner, within such period and by such authority as may be specified by the Government.

(4) The Corporation may by notice require the owner of any building or land within the City-

- (a) to construct such drains within the building or land or the street adjoining such building or land as may be specified in the notice;
- (b) to remove, alter or improve any such drains; and
- (c) prohibit, by public notice, the use by the public for any of the said purposes of any place not so set apart.

(D.89,R.88,K.86)

89. Bathing and washing places.-(1) The Corporation may from time to time-

- (a) set apart suitable places for use by the public for bathing, for washing clothes, or for drying clothes;

(b) specify the times at which and the sex of persons by whom such places may be used; and

(c) prohibit, by public notice, the use by the public for any of the said purposes of any place not so set apart.

(2) No person shall establish, maintain or run a hammam or a bath for public use except under a licence granted by the Corporation, and in conformity with the conditions and terms of such licence.

(D.90,R.89,K.87)

90. Dhobi ghats and washermen.-(1) The Corporation may provide dhobighats for the exercise of their calling by washermen, and may by by-laws regulate the use of dhobi ghats and levy fees for their use.

(2) The Corporation may by by-law provide for the licensing of washermen and the regulation of their calling.

(D.91,R.90,K.88)

91. Public water-courses.-(1) The Corporation may, with the previous sanction of the Government, declare any source of water, spring, river, tank, pond, or public stream, or any part thereof within the City, which is not private property, to be a public water-course.

(2) The Corporation may in respect of any public water-course provide such amenities, make such arrangements for life saving, execute such works, and subject to the provisions of any law for the time being in force relating to irrigation, drainage and navigation, regulate the use thereof, as the by -laws may provide.

(D.92,R.91,K.89)

92. Public ferries.-(1) The Corporation may by by-laws provide for the licensing of boats and other vessels plying for hire in a public water-course and may prescribe the terms and conditions for the grant of licences and the fees to be charged therefor.

(2) The Government may declare any part of a public water-course to be a public ferry and may entrust the management thereof to the Corporation, and thereupon the Corporation shall manage and operate the public ferry in such manner and levy such tolls as may be prescribed.

(D.93,R.92,K.90)

93. Public fisheries.- The Corporation may, with the previous sanction of the Government, declare any public water-course as a public fishery, and

thereupon the right of fishing in such water-course shall vest in the Corporation which may exercise such right in such manner as may be prescribed.

(D.94,R.93,K.91)

94. By-laws for articles of food and drink.- The Corporation may by by-laws-

- (a) prohibit the manufacture, sale or preparation, or the exposure for sale, of any specified article of food or drink in any place or premises not licensed by the Corporation;
- (b) prohibit the import into the City for sale, or the sale, or the hawking for sale, of any specified article of food or drink by person not so licensed;
- (c) prohibit the hawking of specified articles of food and drink in such parts of the City as may be specified;
- (d) regulate the time and manner of transport within the City of any specified article of food or drink;
- (e) regulate the grant and withdrawal of licences under this section and the levying of fees therefor; and
- (f) provide for the seizure and disposal of any animal, poultry or fish intended for food which is diseased, or any article of food or drink which is noxious.

(D.95,R.94,K.92)

95. Milk supply.-(1) Except under a licence granted by the Corporation, and in conformity with the conditions of such licence, no person shall, within the City, keep milch cattle for the sale of milk, or expose or import milk for sale, or manufacture butter, gheè, or any other milk or dairy product, nor shall any premises be used for any such purpose.

(2) The Corporation may, in the prescribed manner, and with the previous sanction of the Government, frame and enforce a Milk Supply Scheme, which may, among other matters, provide for the establishment of milkmen's colonies, the prohibition of the keeping of milch cattle in the City or any part thereof, adequate supply of pure milk to the public.

(D.96,R.95,K.93)

96. Public markets.-(1) Subject to any law for the time being in force, the Corporation may establish and maintain public markets, and secure the

proper management and sanitation of such markets.

(D.97,R.96,K.94)

97. Slaughter-house.- The Corporation shall provide and maintain at such site or sites within or without the limits of the City as the Government may approve one or more slaughter-houses for the slaughter of animals or of any specified description of animals.

(D.99,R.98,K.96)

98. Animal husbandry.-(1) The Corporation may and if so required by the Government shall, provide for the establishment and maintenance of veterinary hospitals and dispensaries, and by by-laws regulate their working and fix the fees to be charged for treatment in such hospitals and dispensaries.

(2) The Corporation may by by-laws define contagious disease among animals and provide for measures that shall be adopted for prevention of the spread of such diseases, including the compulsory inoculation of animals, and the subjection to such treatment as may be necessary of such animals as may be suspected to have been infected with carriers of any such diseases.

(D.100,R.99,K.97)

99. Stray animals.-(1) The Corporation may by by-laws provide for the seizure, detention and impounding of animals found straying in any street, public place or cultivated land.

(2) The Corporation may, and if so required by the Government shall, establish and maintain cattle pounds for impounding of cattle and charge such fines and fees for the impounding of cattle as the by-law may provide.

(3) No animal shall be picketed or tethered in such street or places as may be specified by the Corporation, and any animal found picketed or tethered in any such street or place shall be liable to seizure and impounding.

(D.101,R.100,K.98)

100. Animal homes and farms.-(1) The Corporation may, with the previous approval of the Government, establish and maintain Animal homes, where, subject to such terms and conditions and on the payment of such fees and other charges, as the by-law may provide, the animals of private persons may be kept.

(2) The Corporation may, with the previous approval of the Government, establish and maintain cattle farms and poultry farms, and such farms shall be managed and administered in such manner as the by-law may provide.

(D.102,R.101,K.99)

101. Registration of the sale of cattle.- The Corporation may by by-laws require that every sale of such of the animals as may be specified shall be registered with the Corporation in such manner, and subject to the payment of such fees, as the by-laws may provide.

(D.103,R.102,K.100)

102. Livestock improvement.- The Corporation may with the previous approval of the Government, frame and execute a livestock Scheme, which may, among other matters, provide that no person shall keep such animals above such age as may be specified, unless they are castrated or are certified by competent authority to be fit for breeding.

(D.104,R.103,K.101)

103. Dangerous animals.- The Corporation may by by-laws define the animals which shall be deemed to be dangerous animals and the circumstance under which animals not otherwise dangerous shall be deemed to be dangerous, and such by-laws may among other matters, provide for the detention, destruction, or disposal otherwise of such animals.

(D.105,R.104,K.102)

104. Cattle shows, zoos, etc.-(2) The Corporation may, with the previous approval of the Government, maintain or contribute towards the maintenance of zoological gardens.

(D.106,R.105,K.103)

105. Disposal of carcasses.- Whenever an animal in the charge of a person dies, otherwise than by being slaughtered for sale or consumption, or for some other religious purpose, such person shall either-

- (a) convey the carcass within twenty-four hours to a place, if any, fixed by the Corporation for the disposal of the dead bodies of animals, or to a place beyond the limits of the City, not being a place within one mile of such limits; or
- (b) give notice of the death to the Corporation, whereupon the Corporation shall cause the carcass to be disposed of and charge such fees from the person concerned as the by-laws may provide.

Explanation.- In this section, "animal" shall be deemed to mean all horned cattle, elephants, camels, horse, ponies, asses, mules, deer, sheep, goats, swine, dogs, cats and other large animals.

(D.107,R.106,K.104)

106. Master Plan.- The Corporation may, and if so required by the Government shall, draw up a Master Plan for the City which shall, among other matters, provide for-

- (a) a survey of the City including its history, statistics, public services and other prescribed particulars;
- (b) development, expansion and improvement of any area within the City; and
- (c) restrictions, regulations and prohibitions to be imposed with regard to the development of sites, and the erection and re-erection of buildings within the City.

(D.108,R.107,K.105)

107. Site Development Schemes.-(1) Where a Master Plan has been drawn up under section 108 and such Master Plan has been approved, with or without any modifications by the Government, no owner of lands exceeding such area as may be specified in this behalf in the Master Plan as so approved, shall develop the site or erect or re-erect a building or any plot of land covered by the Master Plan, except in conformity with the provisions of a Site Development Scheme sanctioned for the area in the prescribed manner.

(2) Among other matters, a Site Development Scheme may provide for-

- (a) the division of the site into plots;
- (b) the streets, drains and open spaces to be provided;
- (c) the land to be reserved for public purposes and to be transferred to the Corporation;
- (g) the period during which the area shall be developed.

(D.109,R.108,K.106)

108. Execution of Site Development Schemes.-(1) The execution of a Site Development Scheme shall be subject to the inspection and control of the Corporation, and the Corporation may give such directions with regard to the execution of the Scheme as may be necessary for the proper development of site.

(2) If any area is developed or otherwise dealt with in contravention of the provisions of the sanctioned Site Development Scheme, the Corporation may by notice require the owner of such area or the person who has contravened the provisions to make such alteration in the site as may be

specified in the notice and where such alteration is not made or for any reason cannot be carried out, the Corporation may, in the prescribed manner, require and enforce the demolition of the offending structure, and notwithstanding anything to the contrary contained in any law, no compensation shall be payable for such demolition.

(3) If an area for which a Site Development Scheme has been sanctioned is not developed within the period provided in the Site Development Scheme, and further extension is not allowed by the Corporation, or if the development is not in conformity with the terms of the Site Development Scheme, the Corporation may, in the prescribed manner, take over the development of the site and execute the necessary works, and the cost incurred thereon by the Corporation shall be deemed to be a tax levied on the owner or owners under this Ordinance.

(D.110,R.109,K.107)

109. Regulation of buildings.-(1) If any building, or anything fixed thereon, be deemed by the Corporation to be in a ruinous state or likely to fall or in any way dangerous to any inhabitant of such building as or of any neighbouring building or to any occupier thereof or to passers-by, the Corporation may by notice require the owner or occupier of such building to take such action in regard to the building as may be specified in the notice, and if there is default, the Corporation may take the necessary steps itself and the cost incurred thereon by the Corporation shall be deemed to be a tax levied on the owner or occupier of the building under this Ordinance.

(2) If a building is in a dangerous condition, or otherwise unfit for human habitation, the Corporation may prohibit the occupation of such building till it has been suitably repaired to the satisfaction of the Corporation.

(D.111,R.110,K.108)

110. Public Streets.-(1) The Corporation shall provide and maintain such public streets and other means of public communication as may be necessary for the comfort and the convenience of the inhabitants of the City and of the visitors thereon.

(2) The Corporation shall, in the prescribed manner, prepare and execute a Road Maintenance and Development Programme, which shall form a part of the budget, and the Government may alter or amend the programme in such manner as it considers necessary.

(D.112,R.111,K.109)

111. Streets.-(1) No new street shall be laid out except with the previous

sanction of the Corporation, and in conformity with the terms and conditions of such sanction.

(2) All streets other than public streets shall be maintained in such manner as the by-laws may provide.

(3) The Corporation may by notice require that any street may be paved, metalled, drained, channelled, improved or lighted in such manner as may be specified in the notice, and in the event of default, the Corporation may have the necessary work done through its agency, and the cost incurred thereon by the Corporation shall be deemed to be a tax levied on the person concerned under this Ordinance.

(4) The Government may prescribe the manner in which a street other than a public street may be converted into a public street.

(D.113,R.112,K.110)

112. General provisions about streets.-(2) No person shall destroy, deface or in any way injure any street, name or name plate, or without the previous permission of the Corporation, remove the same.

(3) The Corporation may, in the manner provided in the by-laws, lay down street lines and building lines, and may, among other things, require the setting back of buildings to conform to such street lines and building lines.

(4) The Corporation may by by-laws define nuisances and offences with regard to streets, and provide for their prevention and abatement.

(D.114,R.113,K.111)

113. Encroachments.-(1) No person shall make an encroachment, movable or immovable, on, over or under a street or a drain or any land, house-gully or building or pack except under a licence granted by the Corporation and to the extent permitted by the licence.

(2) The Corporation may by notice require the person responsible for any such encroachment to remove the same within such period as may specified and if the encroachment is not removed within such period, the Corporation may cause the encroachment to be removed through its own agency, and the cost incurred thereon by the Corporation shall be deemed to be a tax levied on the persons responsible for the encroachment under this Ordinance.

(3) Any person aggrieved by a notice issued under sub-section (2) may, within fifteen days, appeal to the Government whose decision thereon shall be final.

(4) Notwithstanding anything in any other law, no compensation shall be

payable for any encroachment removed or required to be removed under this section.

(D.115,R.114,K.112)

114. Street lighting.-(1) The Corporation shall take such measures as may be necessary for the proper lighting of the public streets and other public places vesting in the Corporation by oil, gas, electricity or such other illuminant as the Corporation may determine.

(2) The Corporation may, with the previous sanction of the Government, frame and enforce a Street Lighting Scheme in the prescribed manner.

(D.116,R.115,K.113)

115. Street watering.- The Corporation shall take such measures as may be necessary for the watering of public streets for the comfort and convenience of the public, and may, for this purpose, maintain such vehicles, staff, and other apparatus as may be necessary.

(D.117,R.116,K.114)

116. Traffic Control.- The Corporation shall by by-laws make such arrangement for the control and regulation of traffic as may be necessary to prevent danger to and ensure the safety, convenience and comfort of the public.

(D.118,R.117,K.115)

117. Public vehicles.-(1) No person shall keep or let for hire, or drive or propel within the limits of the City any public vehicle other than a motor vehicle except under a licence granted by the Corporation and in conformity with the conditions of such licence.

(2) No horse or other animal shall be used for driving a public vehicle within the limits of the City except under a licence granted by the Corporation and in conformity with the conditions of such licence.

(3) The Corporation shall, in such manner as the by-laws may provide, and with the previous approval of the Government, fix the rate of fares for the use of public vehicles, and no person plying a public vehicle shall charge a fare in excess thereof.

Explanation.- In this section, a "public vehicle" means any vehicle which ordinarily plies for hire.

(D.119,R.118,K.116)

118. Fire fighting.-(1) For the prevention and extinction of fire, the

Corporation may, and if so required by the Government shall, maintain a fire brigade, consisting of such staff and such number of fire stations, and such implements, machinery, equipment and means of communicating intelligence as may be prescribed.

(2) On the occurrence of a fire within the City, any Magistrate, any official of a fire brigade directing the operations, and any police officer not below the rank of sub-Inspector may-

- (a) remove or order the removal of any person who by his presence interferes or impedes the operations for extinguishing the fire or for saving life and property;
- (b) close any street or passage in or near which any fire is burning;
- (c) for the purpose of extinguishing the fire, break into or through, or pull down or cause to be broken into or pulled down, or use for the passage of houses or other appliances, any premises;
- (d) cause mains and pipes to be shut off so as to give greater pressure of water in or near the place where the fire has occurred;
- (e) call on the person in-charge of any fire engine to render such assistance as may be possible; and
- (f) generally take such measures as may appear necessary for the preservation of life and property.

(3) No person shall be liable to pay damages in respect of anything done or in good faith intended to be done under this section.

(4) Notwithstanding the provision of sub-section (3) or of any other law, or the terms of any insurance policy, any damage done in the exercise of a power conferred, or in the discharges of a duty imposed, by this section shall be deemed to be a damage by fire, for the purposes of any policy of insurance against fire.

(D.120,R.119,K.117)

120. **Floods.-** For the fighting of floods, rescuing of people from flood-affected areas, and affording relief to flood stricken people, the Corporation may if so required by the Government shall, provide such boats, appliances and equipment as may be necessary.

(D.122,R.121,K.119)

121. **Famine.-** In the event of a famine, the Corporation may, with the sanction of the Government, execute such famine works and undertake such

famine relief measures as may be necessary or may be specified by the Government.

(D.123,R.122,K.120)

122. Dangerous and offensive articles and trades.-(1) The Government may rules define the articles and trades which shall be deemed to be dangerous or offensive for the purposes of this section.

(2) Except under and in conformity with the conditions of a licence granted by the Corporation-

- (a) no person shall carry on any dangerous or offensive trade;
- (b) no premises shall be used or suffered to be used for any dangerous or offensive trade; and
- (c) no person shall store or keep in any premises-
 - (i) any dangerous or offensive article except for domestic use; or
 - (ii) any dangerous or offensive article in excess of such limits as may be fixed by the by-laws.

(3) The Corporation may, with the previous sanction of the Government, prepare and enforce a scheme providing for the prohibition of dangerous and offensive trade in specific within the City, and for the restriction of such trade in any area not so specified.

(D.124,R.123,K.121)

123. Burial and burning place.-(1) The Corporation may, and if so required by the Government shall, provide suitable places for the burial and burning of the dead, and shall take necessary measures for the proper maintenances and administration of such burial and burning place.

(2) The Government may, by notification in the official Gazette, declare that any burial or burning place which is open to public for burial or burning shall vest in the Corporation, and thereupon such burial or burning place shall vest in the Corporation, and the Corporation shall take al measures necessary for the proper maintenance and administration thereof.

(3) Every burial or burning place which is not administered by the Corporation shall be registered with the Corporation and shall be subject to regulation, supervision and inspection by the Corporation in such manner as the by-laws may provide.

(4) No new burial or burning place shall be established within the City except under a licence granted by the Corporation, and in conformity with

the conditions of such licence.

(D.125,R.124,K.122)

124. Arboriculture.-(1) The Corporation shall plant trees on public streets and other public places within the City and take all such steps as may be necessary for the plantation and protection of trees on such streets and places.

(2) The Corporation may, in the prescribed manner and with the previous section of the Government, frame and enforce an Arboriculture plan.

(D.126,R.125,K.123)

125. Gardens.-(1) The Corporation may, and if so required by the Government shall, lay out and maintain within the City such public gardens as may be necessary for the recreation and convenience of the public, and such public gardens shall be maintained and administered in such manner as the by-laws may provide.

(2) For every public garden, there shall be framed and enforced, in the prescribed manner, a Garden Development Plan which shall provide for the development and improvement of the garden.

(D.127,R.126,K.124)

126. Open space.- The Corporation may provide and maintain within the City such open spaces as may be necessary for the convenience of the public and such spaces shall be grassed, hedged, planted and equipped with such amenities and in such manner as the by-laws may provide.

(D.128,R.127,K.125)

127. Forests.- The Corporation may, in the prescribed manner, frame and enforce Forest Plans providing for the improvement, development and exploitation of forests and plant, maintain and work forests in accordance with such plans.

(D.129,R.128,K.126)

128. Nuisances pertaining to trees and plantations.-(1) The Corporation may by by-laws determine the pests of trees and plants and provide for their destruction.

(2) If any land or premises within the City is grown with rank or noxious vegetation or undergrowth, the Corporation may by notice require the owner or occupier of such land or premises to clear such vegetation or undergrowth within a specified time, and if he fails to do so within such time, the

Corporation may have such vegetation or undergrowth cleared and the cost incurred thereof by the Corporation shall be deemed to be a tax levied on the owner or occupier under this Ordinance.

(3) The Corporation may, in the manner provided in the by-laws, require the felling of any tree which is dangerous or the trimming of the branches of any tree which overhang and are likely to interfere with traffic or are otherwise inconvenient.

(4) The Corporation may, in the manner provided in the by-laws, prohibit the cultivation of any crop which is considered dangerous to public health within such part of the City as may be specified.

(D.130,R.129,K.127)

129. Tanks and low-lying areas.- The Corporation may, and if so required by the Government shall, take such steps with regard to the excavation and re-excavation of tanks and the reclamation of low-lying areas as it thinks fit, or, as the case may be, the Government directs.

(D.131,R.130,K.128)

133. Culture.- The Corporation may, and if so required by the Government shall,-

- (a) establish and maintain information centres for the furtherance of civic education and the dissemination of information on such matters as community development and other matters of public interest;
- (b) maintain radio sets at public institutions and public places;
- (c) organise museums, exhibitions and art galleries;
- (e) celebrate the Independence Day and other national holidays;
- (g) encourage national language;
 - (i) promote tours to the City and adopt measures for the preservation of the historical and indigenous characteristics of the City;
 - (j) provide, promote to subsidize facilities for the recreation of the public; and
 - (k) adopt any other measures likely to promote cultural progress and advancement.

(D.135,R.134,K.132)

135. Fairs and shows, etc.- The Corporation shall, with the previous approval of the Government, make such arrangements on the occasion of any fairs, shows or public festivals within the City as may be necessary for the public health, public safety and public convenience and may levy fees on the person attending such fairs and shows.

(D.137,R.136,K.134)

136. Social Welfare.- The Corporation may, and if so required by the Government shall,-

- (a) establish, manage and maintain welfare homes, asylums, orphanages, widow homes and other institutions for the relief of the distressed;
- (b) provide for the burial and burning of paupers found dead within the City at its own expense;
- (c) adopt such measures as may be prescribed for the prevention of beggary, prostitution, gambling, taking of injurious drugs and consumption of alcoholic liquor, juvenile delinquency and other social evils;
- (e) adopt such measures as may be prescribed for the promotion of the welfare of backward classes, and women and children; and
- (f) adopt any other measures likely to promote social welfare.

(D.138,R.137,K.135)

137. Development Plans.-(1) The Corporation may, and if so required by the Government shall, prepare and implement development plans for such periods and in such manner as may be specified.

(D.139,R.138,K.136)

138. Community Development Projects.- The Corporation may, in the prescribed manner, sponsor or promote community development projects for the city or any part thereof and may in this behalf perform such functions as may be prescribed.

(D.140,R.139,K.137)

148. Offences.- Every act or omission specified in the Third Schedule shall be an offence under this Ordinance.

(D.150,R.149,K.147)

149. Punishment.- An offence under this Ordinance for which no penalty

is expressly provided shall be punishable with fine which may extend to two thousand Taka, and if the offence is a continuing one, with a further fine which may extend to one hundred Taka for every day after the date of the first commission during which the offender has persisted the offence.

(D.151,R.150,K.148)

THE THIRD SCHEDULE
Offences under the Ordinance
(See section 148)

(D.150,R.149,K.147)

4. Erection or re-erection of a building without the sanction required under this Ordinance.
5. Development of a site without the sanction required under this Ordinance.
6. Laying out, making or commencing to lay out or make a street without the sanction of the Corporation.
7. Making an encroachment on any public road, public street or public place without the sanction of the Corporation.
8. Picketing, parking animals or collecting carts or vehicles on any street or using any street as a halting place for vehicles or animals or as a place of encampment without the permission of the Corporation.
9. Causing or permitting animals to stray.
10. Without the permission of the Corporation, causing or knowingly or negligently allowing the contents of any sink, sewer, drain, or cess-pool or any other offensive matter to flow, or drain to be put upon any street, or public place, or into any irrigation channel or any sewer or drain not set apart for the purpose.
11. Lying out a drain or altering any drain in a street without the sanction of the Corporation.
12. Connecting any house drain with a drain in a public street without the permission of the Corporation.
13. Throwing or placing any refuse on any street, or in any place not provided or appointed for the purpose by the Corporation.

14. Carrying on any dangerous or offensive trade, or storing any offensive or dangerous article, without the sanction of the Corporation.
15. Doing any act by which water for drinking is rendered unfit for such use.
16. Using water for drinking from any source which is suspected to be dangerous to public health, and the use whereof has been prohibited by the Corporation.
17. Watering cattle or animals, or bathing or washing at or near a well or other source of drinking water for the public.
18. Steeping hemp, jute or any other plant on or near a pond or any other excavation within such distance of the residential area as may be specified by the Corporation.
19. Dyeing or tanning skins within such distance of the residential area as may be specified by the Corporation.
20. Willfully or negligently injuring or suffering to be injured, wells, reservoirs, mains, pipes or other appliances for the supply of water under the management or control of the Corporation.
21. Drawing off, diverting or taking any water, except with the permission of the Corporation from any main or pipe.
22. Tampering with any main, pipe, meter, or any apparatus or appliance for the supply of water.
23. Excavation of earth, stone or any other material within such distance of the residential area as may be specified by the Corporation.
24. Establishing a brick kiln, charcoal kiln or pottery within such distance of the residential area as may be specified by the Corporation.
25. Disposing of carcasses of animals without the sanction of the Corporation.
26. Failure to provide, close, remove, alter, repair, clean, disinfect or put in proper order any latrine, urinal, drain, cess-pool or other receptacle for filth, sullage, water or refuse when so required by the Corporation.
27. Failure by the owner or occupier of any land to clear away and remove any thick vegetation or undergrowth which has been declared by the Corporation to be injurious to health or offensive to the neighbourhood.
28. Failure by the owner or occupier of any land to cut or trim the hedges

growing thereon and bordering on any street or any branches of trees growing thereon which overhang any street or obstruct the same or cause danger, or which so overhang any well, tank or other source from which water is derived from public use as to be likely to pollute the water thereof, or have been declared under this Ordinance to be in any way offensive or injurious to health.

Cultivation of such crops, use of such manure or irrigation of any land in such manner as is declared by the Corporation to be injurious to health or offensive to the neighbourhood.

Failure by the owner or occupier of any land or building to clean, repair, cover, fill up, or drain off any private well, tank or other source of water-supply, which is declared by the Corporation to be injurious to health or offensive to the neighbourhood.

Failure by the owner or occupier of any building or land to put up and keep in good condition proper troughs and pipes for receiving or carrying water or sullage from the building or land when so required by the Corporation.

- . Failure by a medical practitioner who during the course of such practice becomes cognizant of the existence of any infectious disease to make report about such infectious disease to the Corporation.
- . Failure by any person cognizant of the existence of any infectious disease in any building to communicate the information to the Corporation.
- . Failure by the owner to disinfect an infected building or the letting of an infected building without disinfection.
- . Sale of articles of food or drink by a person suffering from any infectious disease.

Failure by the owner or driver of a vehicle to disinfect any infected vehicle or carrying passengers in an infected vehicle.

Feeding or allowing to be fed any animal meant for dairy or food purposes on deleterious substances, filth or refuse of any kind.

Slaughtering animals for the sale of meat at a place other than the place set apart for the purpose.

Selling to the prejudice of any purchaser any article of food or drink which is not of the nature, substance or quality demanded by such purchaser.

40. Burying or burning a dead body at a place which is not a public or registered burial or burning place, except with the sanction of the Corporation.
41. Removal of a dead body by a route other than the routes specified by the Corporation.
42. Defacing or disturbing any municipal direction-post, lamp-post or lamp, or extinguishing any municipal light except under due authority.
43. Fixing any bill, notice, placard or other paper or means of advertisement against or upon any building or place other than the places fixed for the purpose by the corporation.
44. Exhibiting any obscene advertisement.
45. Stacking or collecting of timber, wood, dry grass, straw or other inflammable material in a manner which is declared by the Corporation to be dangerous.
46. Driving or propelling any vehicle not properly supplied with lights during the period from half an hour after sun set to half an hour before sunrise.
47. Failure while driving, leading or propelling a vehicle, without reasonable excuse to keep to the left or when passing a vehicle going in the same direction, to keep to the right to the vehicle, or to follow other specified rules of the road.
48. Playing of music or radio, beating a drum, blowing a horn or trumpet or beating or sounding any brass or other instrument or utensil in contravention of any general or special prohibition issued by the Corporation.
49. Discharging firearms or letting of fireworks, crackers, fire balloons or detonators, or engaging in any game in such manner as causes or is likely to cause danger to persons passing by or living or working in the neighbourhood, or risk or injury to property.
50. Quarrying, blasting, cutting timber, or carrying on building operations in such manner as causes or is likely to cause danger to persons passing by or living or working in the neighbourhood.
51. Letting loose or setting on ferocious dogs or other dangerous animals.
52. Failure to demolish or otherwise secure a building declared by the Corporation to be dangerous building.

53. Using or allowing the use for human habitation of a building declared by the corporation to be unfit for human habitation.
54. Failure to limewash, or repair a building if so required by the corporation.
55. Failure by the owner or occupier of a building to make adequate arrangements for house scavenging when so required by the Corporation.
57. Begging unfortunately for alms, or exposing or exhibiting with the object of exciting any deformity or disease or any offensive sore or wound.
58. Keeping a brothel or practising prostitution in such area as may be declared by the Corporation to be the prohibited area.
61. Doing of any other act which is prescribed as an offence under this Ordinance.
63. Attempts and abetment of any of the offences aforesaid.