

**Request on strict regulation on Signboard,**  
**Air-conditioning unit Metal Supporting frame,**  
**Shop advertisement signboards and Hoarding used for Shop renovation**

Referring to the issues raised out in the discussion paper, the reply from the Buildings Department (BD) is as follows :

**Enforcement on Signboard**

1. Under the Signboard Control System, the BD has adopted a multi-pronged approach to control the erection of signboards:

(i) Under the Building Ordinance (BO), the erection of signboard is building works and requires the prior approval of plans and consent for commencement of works from the BD.

(ii) Since the full implementation of the Minor Works Control System on 31 December 2010, signboard owners can choose to erect, alter or remove certain types of signboards which are relatively small in scale and pose less potential risk through the simplified requirements without obtaining the prior approval and consent from the BD according to Section 14(1) of the BO.

(iii) The Building (Minor Works) Regulation B(MW)R also provides certain signboard works with complexity and safety risk lower than that of general minor works as designated exempted works, which require no prior approval and consent from the BD, nor the appointment of building professionals and/or registered contractors for carrying out the works.

2. Apart from those signboards erected in accordance with the above procedures, all other signboards will be regarded as unauthorized signboards subject to enforcement action by the BD. The BD will take enforcement action according to the following policies:-

- (i) The BD will take prioritized enforcement action against new unauthorized signboards and unauthorized signboards under erection, and at the same time, institute large scale clearance operation annually to remove existing unauthorized signboards.
  - (ii) For dangerous or abandoned signboards, apart from handling reports from the public, the BD also engages consultants to carry out routine inspections to all districts. On discovery of dangerous or abandoned signboards, the BD will, according to Section 105(1) of the Public Health and Municipal Services Ordinance (Cap 132), serve Dangerous Structure Removal Notice to the signboard owner requiring the removal of the signboards. In emergency situation, the BD will take immediate proactive action to remove dangerous signboards so as to remove the immediate or potential danger posed on the public and then recover the cost from the signboard owners.
  - (iii) For existing unauthorized signboards which are relatively small in scale and pose less potential risk, the BD has implemented the Validation Scheme for Unauthorized Signboards since 2 September 2013. Unauthorized signboards in existence before the aforesaid date and complying with the specified dimensions and construction requirements, may be retained for continued use after inspection, strengthening (if required) and certification of their structural safety by the prescribed building professionals and/or prescribed registered contractors. The validation for the unauthorized signboards will be subject to a 5-year validity period after which the signboard owner shall either arrange for fresh validation or remove the signboards. The legal status of the unauthorized signboards that have been validated remains unchanged and they are still unauthorized signboards. Where an existing signboard has become dangerous during the said validity period due to lack of proper maintenance, the BD may take enforcement action and require the signboard owner to remove the signboard.
3. There is no statistic record kept for all signboard approval in the Tuen Mun District issued by the BD

4. According to our record, 3 unauthorized signboards and 9 dangerous or abandoned signboards were removed and the BD issued 2 removal orders against unauthorized signboards and served 4 Dangerous Structure Removal Notices against dangerous or abandoned signboards in Tuen Mun District in 2014.

#### **Enforcement on Air-conditioning Unit Metal Supporting Frame**

5. For the report cases of existing air-conditioning unit metal supporting frame, inspection by the staff of this department would be carried out to assess whether the buildings works have been contravened the prevailing enforcement policy. If the metal frame is actionable for priority enforcement, constituting obvious hazard or imminent danger to life or property, this department will take further enforcement action.

6. On the other hand, a "Validation Scheme" is established under the Minor Works Control System (MWCS) to facilitate members of the public to retain, after validation, minor household installations including air-conditioner supporting frames constructed without the prior approval of plans from the BD before the date of commencement of operation of the system. Those minor household installations that may be validated through the Validation Scheme are "Prescribed Building or Building Works" under the B(MW)R. The metal supporting frame for an air-conditioning unit projecting from the external wall of a building is one of the items under the Validation Scheme, providing that:-

- (i) no part of the frame projects more than 600 mm from the wall;
- (ii) the frame is designed for an air-conditioning unit of not more than 100 kg in weight; and
- (iii) if the distance between the highest point of the frame and the ground is not more than 3 m, the frame does not project over any street or common part of the building.

7. Besides, the newly erected metal supporting frame for an air-conditioning unit is under the regulation of MWCS. The carrying out of minor works can be commenced through the Simplified Requirements of the MWCS, without the need to obtain prior approval of plans and consent in writing for the commencement of the works from the Building Authority. Any person, whether the owners themselves or their agents (for example the design

company), is required to appoint Prescribed Building Professionals (PBP)/Prescribed Registered Contractors (PRC) to carry out the minor works.

8. As mentioned in the 6<sup>th</sup> paragraph above, the metal supporting frame of an air-conditioning unit was one of the prescribed building works under “Household Minor Works Validation Scheme”. To facilitate members of the public to retain, after validation, minor household installations including air-conditioner supporting frames, constructed without the prior approval of plans from the BD before the date of commencement of operation of the system. Enforcement action for removing those validated minor household installations will not be taken by the BD unless there are rendered dangerous.

### **Enforcement on Shop Advertisement Signboards and Hoarding used for Shop Renovation**

9. If the shop advertisement signboards are found contravening the requirements stipulating the 1<sup>st</sup> and 2<sup>nd</sup> paragraph above, immediate enforcement action would be taken by the BD. For the hoarding used for shop renovation illegally occupying the government land or public roads or pavements, the cases would be referred to the Lands Department or Highways Department for follow-up action in order to ensure the public safety.

Buildings Department  
April 2015