

# 違例招牌檢核計劃簡報

## Briefing on Validation Scheme for Unauthorised Signboards



January 2014

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### Validation Scheme for Unauthorised Signboards – Key Points of Briefing

1. Definition of signboard
2. Authorised and unauthorised signboards
3. Validation Scheme for unauthorised signboards
4. Unauthorised signboards eligible for joining the Validation Scheme (Technical specifications)
5. The signboard owner
6. Prescribed building professionals and/or prescribed registered contractors qualified to carry out validation of signboards
7. Statutory procedures for validation and associated strengthening
8. 5-year validity period
9. Other matters to note
10. Q&A



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# Definition of Signboard

## Section 2 Interpretation of Buildings Ordinance (Cap 123) –

***Signboard*** (招牌) means a hoarding, framework, scaffolding or other structure erected solely for the purpose of displaying any advertisement, making any announcement or notification, or displaying any visual image or other information



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# Authorised Signboards

## 1. Section 14(1) of Buildings Ordinance

- Prior approval of plans and consent for commencement of works by Building Authority (Buildings Department)
- AP, RSE, and RGBC
- Fast-track processing system (for conventional signboard): 30 days

## 2. Section 14AA of Buildings Ordinance & Part 6 of the Building (Minor Works) Regulation

- Simplified requirements under Minor Works Control System
- Class I/II/III, PBP and/or PRC, Type C: Works relating to signboards
- Class I & II: 7 days before commencement
- All Classes: 14 days after completion of works

## 3. Section 41(3B) of Buildings Ordinance

- Designated exempted works : Item 10 in Part 2 of Schedule 2 of Building (Minor Works) Regulation
- Erection or alteration of any signboard (including replacement of display surface) : Display area  $\leq 1\text{m}^2$  ; projection  $\leq 150\text{ mm}$  ; Distance from ground  $\leq 3\text{ m}$ .



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# Handling Unauthorised Signboards (Signboard Control System)

1. **Removal Orders** for unauthorised signboards
2. **Dangerous Structure Removal Notices (DSRN)** for dangerous/abandoned signboards
3. **Validation Scheme** for unauthorised signboards



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## 1. Removal of Unauthorised Signboards

- **Section 24(1) of Buildings Ordinance**
  - Service of removal order
  - Revised Enforcement Policy in 2011 : Large signboards via Large Scale Operation (LSO), New/WIP unauthorised signboards
- **Section 24(2)(c) of Buildings Ordinance**

Order shall be served in sequence of :

  - (i) the person for whom the signboard has been erected;
  - (ii) the person who would receive any rent or other money consideration if the signboard were hired out;
  - (iii) the owner of the land or premises .
- **Enforcement on defaulted order**
  - section 40(1BA) : Prosecution
  - section 24(3) : Government contractor
  - section (33)(1) : Cost recovery



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## 2. Handling Abandoned / Dangerous Signboards (DSRN)

### Public Health and Municipal Services Ordinance (Cap 132)

- Section 105(1):

Any hoarding, scaffolding or other structure erected solely for the purpose of exhibiting advertisements is dangerous, or is **likely to become dangerous**, Authority shall cause a notice to be served upon the owner, his servant or agent, requiring within such reasonable period, to render it safe.

- Section 105(3): where

(a) the owner, his servant or agent is not known or cannot be readily found; or  
(b) Authority opines such hoarding, scaffolding or other structure ought immediately to be removed or rendered safe,  
Authority may remove it or render it safe whether or not a notice has been served.



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## 3. Validation of Unauthorised Signboards

- Buildings Legislation (Amendment) Ordinance 2012 & Building (Minor Works) (Amendment) Regulation 2013

- Validation Scheme for Unauthorised Signboards was enacted on 2 September 2013
- Applies to unauthorised signboards in existence before 2 September 2013, and fall within the “List of Prescribed Building or Building Works Relating to Section 39C(1A) of Ordinance” in Part 3 of Schedule 3 of the Building (Minor Works) Regulation



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# Validation Scheme for Unauthorised Signboards

- Extended from Validation Scheme for Prescribed Building or Building Works in Minor Works Control System (i.e. minor household installations such as unauthorised small canopies, drying racks and supporting frames for air-conditioners)
- Existing unauthorised signboards (relatively small in scale and pose less potential risk, not obstruct operation of emergency vehicles, etc.) can be retained for continued use after inspection, strengthening and certification of their structural safety by a prescribed building professional (PBP) and/ or prescribed registered contractor (PRC)
- Remain as unauthorised building works after validation
- 5-years validity period
- Voluntary scheme; but the BD will take enforcement action on signboards not joining or not eligible for joining the scheme



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## Unauthorised Signboards eligible for joining the Validation Scheme (Technical Specifications)

- 6 types, 3 classes & 11 items

1. Unauthorised projecting signboard		
Corresponding minor works items listed in Part 3 of Schedule 1 :		
1.20	2.18	3.16
Not consist of stone; No additional load to cantilevered slab; Not involve alteration of structural elements;		
Display area > 10 m <sup>2</sup> & ≤ 20m <sup>2</sup> ;	Display area ≤ 10m <sup>2</sup> ;	Display area ≤ 1m <sup>2</sup> ;
Projection ≤ 4.2m; &		Projection ≤ 1m;
Thickness ≤ 600mm.		Thickness ≤ 300mm; &
---	---	Any part of signboard ≤ 6m from ground.



## Unauthorised Signboards eligible for joining the Validation Scheme

### 2. Unauthorised wall signboard (including shopfront signboard)

Corresponding minor works items listed in Part 3 of Schedule 1:

1.22	2.19	3.17
No additional load to cantilevered slab; Not involve alteration of structural elements;		
Display area with LED display system:		---
> 5m <sup>2</sup> & ≤ 20m <sup>2</sup> ;	≤ 5m <sup>2</sup> ;	
Display area without LED display system:		
> 10m <sup>2</sup> & ≤ 40m <sup>2</sup> ; &	≤ 10m <sup>2</sup> ; &	≤ 5m <sup>2</sup> ; &
Not consist of stone if any part of signboard > 6m from ground.		any part of signboard ≤ 6m from ground.

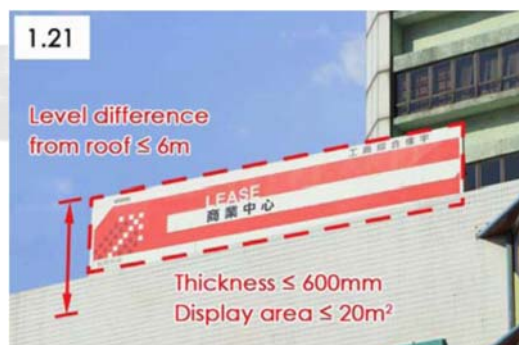


## Unauthorised Signboards eligible for joining the Validation Scheme

### 3. Unauthorised signboard on roof of a building

Corresponding minor works item 1.21 listed in Part 3 of Schedule 1 :

Not consist of stone;  
Display area ≤ 20m<sup>2</sup>;  
No part projects beyond external wall of the building;  
Thickness ≤ 600mm;  
Any part of signboard ≤ 6m from roof level;  
No additional load to cantilevered slab; &  
Not involve alteration of structural elements.



## Unauthorised Signboards eligible for joining the Validation Scheme

4. Unauthorised outdoor signboard fixed on-grade (other than construction of the spread footing)	Corresponding minor works items listed in Part 3 of Schedule 1:	
	1.23	2.21
	Display area $\leq 20\text{m}^2$ ; Thickness $\leq 600\text{mm}$ ; &	Display area $\leq 10\text{m}^2$ ;
	Any part of signboard $\leq 6\text{m}$ from ground.	Any part of signboard $\leq 2\text{m}$ from ground.



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## Unauthorised Signboards eligible for joining the Validation Scheme

5. Unauthorised outdoor signboard with a spread footing	Corresponding minor works item 2.22 listed in Part 3 of Schedule 1
	Display area $\leq 1\text{m}^2$ ; Thickness $\leq 300\text{mm}$ ; Any part of signboard $\leq 3\text{m}$ from ground; Depth of excavation $\leq 500\text{mm}$ for footing construction; Not involve excavation within area no. 1 or 3 of the scheduled areas in Schedule 5 of the BO.



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# Unauthorised Signboards eligible for joining the Validation Scheme

<p><b>6. Unauthorised signboard on or hung underneath the soffit of a balcony or canopy (other than a cantilevered slab)</b></p>	<p>Corresponding minor works item 2.20 listed in Part 3 of Schedule 1</p> <p>Not consist of stone;          Display area <math>\leq 2\text{m}^2</math>;          No part projects beyond balcony or canopy;          Thickness <math>\leq 100\text{mm}</math>; &amp;          Height <math>\leq 600\text{mm}</math>.</p>
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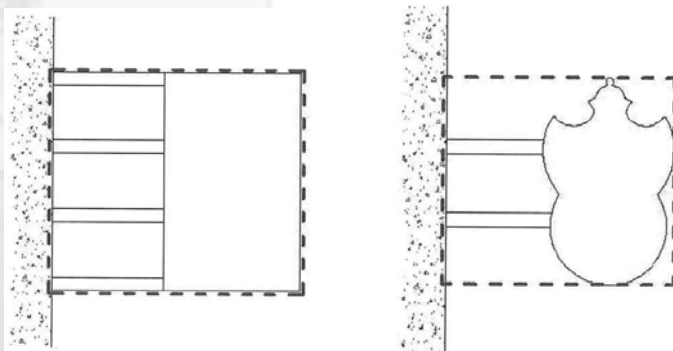


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## Interpretation – Display Area of Signboard

(Section 1 in Part 1 of Schedule 1 in the Building (Minor Works) Regulation)

- Display Area of signboard: the largest planar surface of a virtual rectangular prism containing all parts of the signboard (including its supporting structure) except :
  - (a) the post with diameter  $\leq 100\text{mm}$  of a single post supported signboard; or
  - (b) structural elements solely for preventing lateral movement.



Area contained within the virtual prism (Area shown dotted) :

Rectangular planar area =  $20\text{m}^2$

Thickness =  $600\text{mm}$  (max)

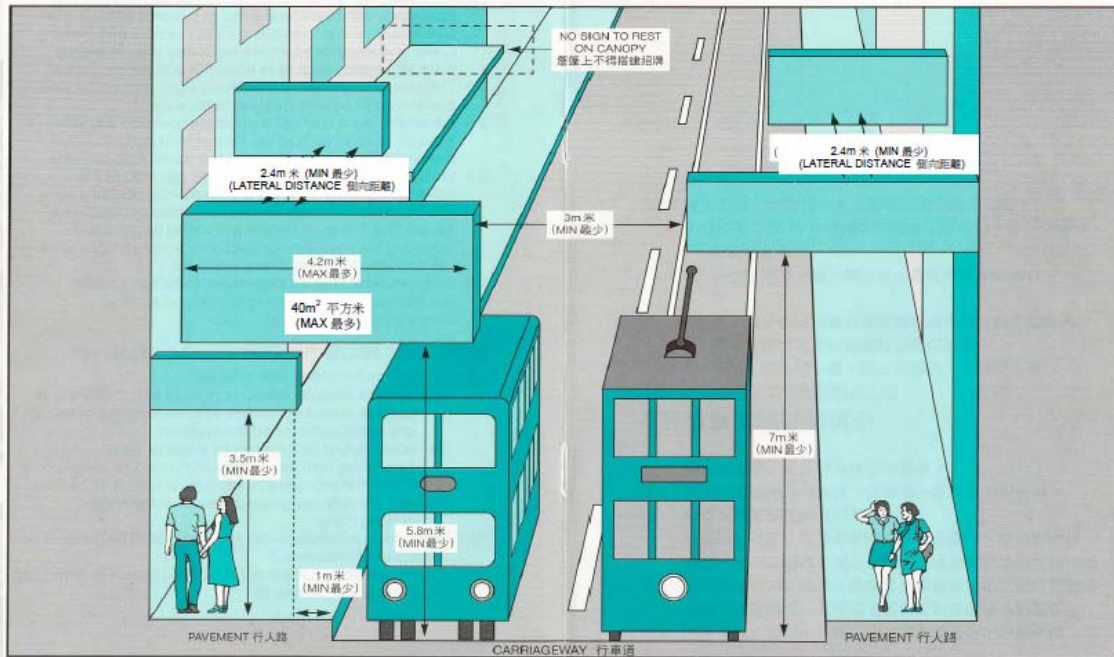
(i.e. the largest in Class I)

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# Projection and Clearance of Signboard

(Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-126 Appendix B)



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## The Signboard Owner

- Section 24(2)(c)(i) of the BO : "The person for whom the signboard has been erected" (i.e. the signboard owner)
- Personal particulars to be provided in specified form for validation
- A registered company or an individual person who owns a premises/ the external wall or is operating a business at the building to which the unauthorised signboard is attached
- Undertake to maintain the structural safety of the signboard, remove the signboard when cease to operate the business and notify the BD



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## Appointed Person Eligible to Carry Out Signboard Validation

Appointed person eligible to carry out signboard validation <sup>(1)</sup>	Corresponding class of minor works of the unauthorised signboard		
	Class I	Class II	Class III
AP	✓	✓	✓
RSE	✓ <sup>(2)</sup>	✓	✓
RI <sup>(3)</sup>	---	✓	✓
RGBC or RMWC (Co) registered for Class I and Type C minor works	✓ <sup>(1)</sup>	✓	✓
RMWC (Co) registered for Class II and Type C minor works	---	✓	✓
RMWC (Co) registered for Class III and Type C minor works or RMWC (Ind) registered for minor works items 3.16 & 3.17	---	---	✓

### Notes:

- (1) A PRC must be appointed if strengthening works are involved.
- (2) An AP and a RSE are required to be appointed if the signboard is not a specified construction (specified construction means a construction that satisfies all the criteria under section 37(4) of the B(MW)R). Otherwise, only an AP is required.
- (3) RI may be appointed to validate unauthorised signboards falling within the description of class II or III minor works regardless whether the parent building to which the signboards are attached is a building served with statutory notices under the MBIS.



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## Documents Required to be Submitted for Signboard Validation

### (a) For signboard validation only (not involving alteration/ strengthening)

	Signboard falling within description of different classes of minor works items in Part 3 of Schedule 1		
	Class I	Class II	Class III
Specified form	SC01	SC02	SC03
Safety inspection report	✓	✓	✓
Photos (4R size)	✓	✓	✓
Structural framing plan and fixing details (drawings not larger than A3 size & drawn to scale of not less than 1:100)	✓	✓	--
Structural calculations (stability check)	✓	--	--
Time for submission	Within 14 days after inspection		



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# Documents Required to be Submitted for Signboard Validation

## (b) For signboard validation involving alteration / strengthening

(i) Before commencement of strengthening works	Signboard falling within description of different classes of minor works items in Part 3 of Schedule 1		
	Class I	Class II	Class III
Specified form	SC01 Part A 2.(ii)	SC02 Part A 2.(ii)	SC03
Photos, structural framing plan and fixing details (before commencement)	information should be same as that submitted in table (a) above		
Strengthening proposal	√	√	--
Time for submission	7 days before commencement		---

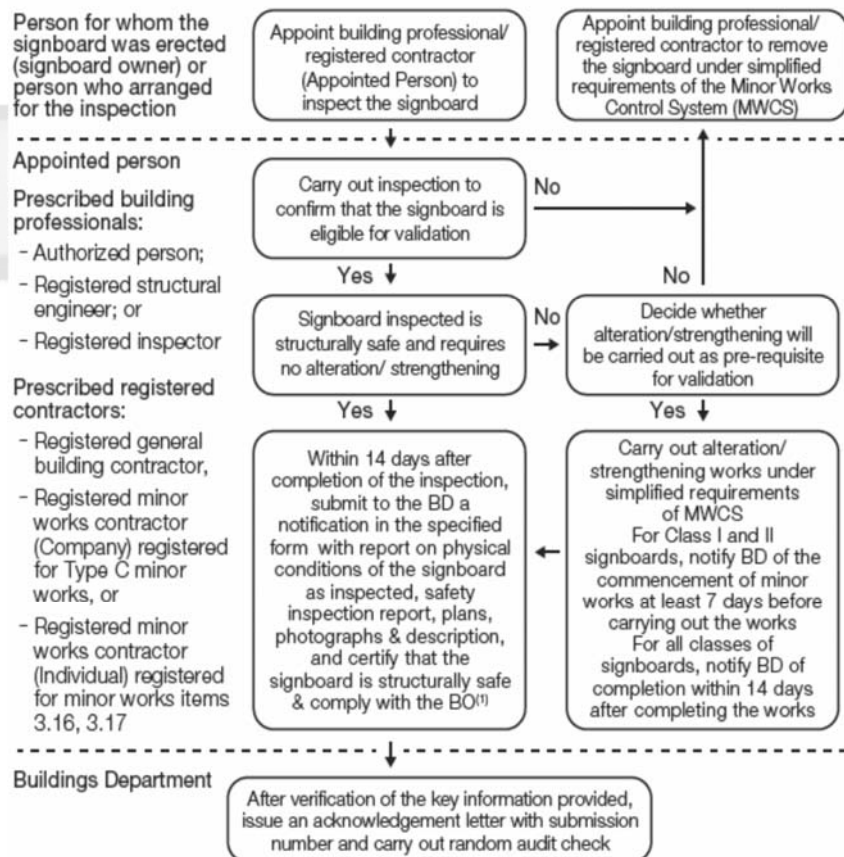
  

(ii) After completion of strengthening works	Signboard falling within description of different classes of minor works items in Part 3 of Schedule 1		
	Class I	Class II	Class III
Specified form	SC01C	SC02C	SC03 Part A 2.(ii)
Photos (4R size) (after work completion)	√	√	√
Plans and fixing details (drawings not larger than A3 size & drawn to scale of not less than 1:100)	√	√	--
Time for submission	Within 14 days after work completion		



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## Flow Chart for Validation Scheme



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## 5-year Validity Period

- Fresh validation submissions or removal of the signboards required after expiry of validity period. Otherwise, the BD may take prompt enforcement action.
- Enforcement action on validated signboard will not be taken, however, signboard owner is required to maintain the signboard in a structurally safe condition.
- BD may take prompt enforcement action to require the removal or repair of validated signboard if it becomes dangerous or lack of proper maintenance for protecting public safety.
- A new business operator can use an existing validated signboard for the remainder of the 5-year validity period, subject to substantiation that the physical conditions remain unchanged as at time of its initial validation.
- Minor works items 2.23, 3.16 and 3.17 shall apply in case of replacement of the display surface of the validated signboard.



## Validation Scheme for Unauthorised Signboards – Other Matters to Note

- Minor works solely for strengthening of unauthorised signboards are not accepted unless validation is submitted.
- Reject validation application and take enforcement action if notification of completion cannot be submitted within 2 months after the commencement notification.
- BD will issue acknowledgement letter and perform random audit check. PBP and PRC have responsibility to inspect and confirm the validated signboard is in compliance with the Buildings Ordinance.
- Not applicable to the New Territories Exempted Houses.
- Shopfront signboards should be structurally independent without supporting any roller shutter, air-conditioning unit or being used for storage.
- An unauthorised signboard with dimensions meeting the requirement of minor works can be altered or reduced to fulfill the vertical clearance requirement.
- Display of validation submission numbers on the validated signboards (Standards and guidelines at Appendix D to PNAP APP-155 and PNRC75)



## Signboard at Common Parts of the Building

For unauthorised signboard erected at exterior or other common parts of the building, the signboard owner should:

- Liaise with co-owner/owners' corporation/management company concerned regarding right of use of the common parts, especially before commencement of strengthening works.
- Observe all obligations in the deed of mutual covenant, including third-party liability insurance.
- If without obtaining the owners' consent, signboard owner may be in breach of the deed of mutual covenant and liable to civil proceedings and bearing civil liabilities.



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## Advantages of Validation Scheme

1. Most of the existing unauthorised signboards can be retained for continued use after validation.
2. Enhance overall safety of the existing unauthorised signboard via inspection, strengthening and certification of their safety by PBP/ PRC.
3. The 5-year validity period will ensure owners to monitor the signboards' safety conditions regularly and provide proper maintenance to the unauthorised signboards at all times.
4. Information of signboards and owners collected via validation will facilitate the BD's later control and enforcement against unauthorised and/or abandoned signboards.



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# References

- Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-155
- Practice Notes for Registered Contractors PNRC 75
- Pamphlet for Validation Scheme for Unauthorised Signboards
- General Guidelines for Validation Scheme for Unauthorised Signboards
- Technical Guidelines for Validation Scheme for Unauthorised Signboards
- Website of Buildings Department ([www.bd.gov.hk](http://www.bd.gov.hk)) and Frequently Asked Questions



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A photograph of a building facade with several colorful signboards (red, blue, green, yellow) attached to it. The image is slightly faded and serves as a background for the "Thank you" text.

# Thank you



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# Q&A

## Buildings Department – Signboard Control Unit:



Postal address:	12/F, Pioneer Centre, 750 Nathan Road, Mongkok, Kowloon, or Room 1104-6, 11/F, AIA Kowloon Tower, Landmark East, 100 How Ming Street, Kwun Tong, Kowloon.
Email address:	<a href="mailto:sbcs@bd.gov.hk">sbcs@bd.gov.hk</a>
Telephone Hotline:	2626 1616 (Handled by 1823)
Enquiry Counter:	Room 1102-3, 11/F, AIA Kowloon Tower, Landmark East, 100 How Ming Street, Kwun Tong, Kowloon.

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