

Property owner fined over \$50,000 for not complying with removal order

A property owner was fined \$55,900 at West Kowloon Magistrates' Courts last week for failing to comply with a removal order issued under the Buildings Ordinance (Cap 123) (BO).

The order involved five large illegal structures with a total floor area of about 440 square metres on the roof of an industrial building at Lam Tin Street, Kwai Chung.

As the rooftop structures, allegedly for workshop use, were erected without prior approval from the Buildings Department (BD), a removal order was served on the roof owner under section 24(1) of the BO.

Since the owner failed to comply with the removal order, the owner was prosecuted by the BD. The owner was convicted in West Kowloon Magistrates' Courts on October 16 and fined.

"Unauthorised building works may adversely affect the structural and fire safety of a building, leading to serious consequences. Owners must comply with the removal orders without further delay. The BD will continue to take enforcement action against owners who have failed to comply with the removal orders (including instigation of prosecution) so as to achieve a deterrent effect," a spokesman for the BD said today (October 22).

Pursuant to section 40(1BA) of the BO, any person who, without reasonable excuse, fails to comply with an order served on the person under section 24(1) of the BO commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for one year, as well as a further fine of \$20,000 for each day that the offence has continued.