



Senate
Office of the Secretary

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SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

13 JUL -1 P4:27

SENATE
S. No. 188

RECEIVED BY: *ju*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 9, provides:

The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies ... that provide an improved quality of life for all.

In 2004, there were already about 8,000 billboards in the Metropolitan Manila Area (MMA) and these continue to grow in number and size. The larger ones are found mainly along EDSA, particularly in the stretches found in the cities of Mandaluyong and Makati, along the South Luzon Expressway (SLEX), and practically along every major metropolitan thoroughfare with high vehicular and pedestrian traffic. In the SLEX for instance, these maybe found at densities from 5 to 12 billboards per kilometer.

Apparently, advertisers believe that the larger and more overwhelming the size of the billboard, the better it would be for promoting their products. While this may benefit advertisers, the billboards foisted on the hapless commuters actually degrade the quality of the streetscape experience. The road right-of-way (RROW, commonly termed "street") is a public domain and for the general public to use, enjoy, and experience. Instead, parts of the RROW have become claustrophobic, unsafe and unkempt, mainly due to the overwhelming presence of billboards and their steel support structures. The streetscape has become one large convoluted and cluttered canvass of oftentimes unwanted visual information we can all do without. Billboards now contribute to a new kind of pollution – one that is visual, without even mentioning some moral questions engendered by some.

In the face of private enterprise and the promise of regular income, local government units (LGUs) have taken the easy way out and have often colluded with private entities to violate national laws on buildings and structures in order to accommodate the erection of billboards. Not content with cutting up or festooning the streetscape with their visual clutter, we now find billboards wrapped around buildings (compromising natural light and ventilation) or mounted on firewalls of tall buildings (violating prescribed limits on physical development potentials and even property rights). There is an urgent need to restore order in our streets and in our properties and we can start by correcting mistakes spawned by the liberal interpretation of the intent of laws on buildings and structures as these apply to billboards.

This bill seeks to impose stricter safety standards for billboards, and will punish erring billboard owners, users, and government officials.*


MIRIAM DEFENSOR SANTIAGO
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* This bill was originally filed during the Fourteenth Congress, First Regular Session.



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73 JUL -1 P4:27

SENATE
S. No. 188

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 REGULATING THE PLACEMENT OF BILLBOARDS
3 INCLUDING THEIR SUPPORT STRUCTURES
4 ALONGSIDE NATIONAL ROADS AND ROWS

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

5 SECTION 1. *Short Title.* – This Act shall be known as the “The Billboard Regulation
6 Act.”

7 SECTION 2. *Declaration of Policy.* – It is the declared policy of the State to ensure an
8 improved quality of life for all through continuing efforts to improve the natural/built and
9 physical/non-physical environments. It is also the policy of the state to preserve public spaces as
10 public domain and not to allow the use of such spaces for private enjoyment nor benefit.

11 SECTION 3. *Definition of Terms.* – As used in this Act, the terms

12 (1) “Air Right” means the right to physically develop and subsequently benefit or
13 profit from the continued use of the air space above the national road right-of-way (RROW) or
14 other national rights-of-way (ROWS) or legal easements or private/ public property outside or
15 along such ROWs or easements, subject to the payment of lease to the appropriate party for
16 availing of such rights. The upper limit of the air rights is the airways navigational path such as
17 the clearance limits of aerodrome and flight patterns.

1 (2) "Alignments" are the surface areas/spaces traversed by a national RROW, similar
2 ROWs, legal easements or similar public spaces, which form part of the public domain and are
3 therefore disallowed sites for billboards.

4 (3) "Accredited Professional Organization (APO)" is a non-governmental
5 organization (NGO) of regulated development professionals who deal purely with the natural and
6 built environments, duly accredited by the Professional Regulation Commission (PRC).

7 (4) "Architect" is a regulated development professional who is a holder of a
8 Certificate of Registration or of a Special/Temporary Permit to Practice the profession of
9 architecture in the Philippines and of a license in the form of a professional identification (ID)
10 card duly issued by the Professional Regulation Commission (PRC) in full accordance with R.A.
11 No. 9266, its IRR and derivative regulations.

12 (5) "Billboard" means a non-mobile attention-getting device consisting of a support
13 structure, a display or message area, a lighting system and related components. The term also
14 refers to all types of identification, description, illustration, images, pictures, display or device
15 which is affixed to or represented directly or indirectly upon a portion of a building/structure,
16 support structure or land and which directs attention to a product, place, activity, person,
17 institution, business, idea or belief. The term shall be generic and shall collectively refer to but
18 not be limited to multi-media or tri-vision billboards, neon or other illuminated signs, painted
19 signs and the like.

20 (6) "Billboard Unit" or "BU" shall refer to one (1) display with a total surface area of
21 anywhere between seven and five tenth square meters (7.5 sqm) minimum to twenty eight square
22 meters (28 sqm, at a total panel height of 4 meters by a length of 7 meters, including border and
23 trim but excluding supports) maximum for existing/proposed national urban RROWs/ROWs and
24 anywhere between twenty eight and one tenth square meters (28.1 sqm,) minimum to fifty six
25 square meters (56 sqm) maximum to at a total panel height of 6 meters by a length of 9.33 meters
26 (including border and trim but excluding supports) maximum for existing/proposed national rural
27 RROWs/ROWs.

28 (7) "Building Height Limit or BHL" means the maximum height to be allowed for a
29 building/structure based on their proposed use/occupancy. The BHL is generally measured from

1 the established grade line to the topmost portion of such a building/structure, inclusive of a
2 billboard mounted on top of such a building/structure.

3 (8) "Cantilevered Support Structure" means a support structure that is not directly
4 planted on the ground or any portion of the national RROW, similar ROWs or legal easement;
5 such a structure may rest on a portion of a building or another support structure not originally
6 planned/designed to support a billboard; a cantilevered structure is necessary so that the effective
7 width of the sidewalk or similar components of the RROW are neither compromised nor
8 lessened;

9 (9) "Carriageway" or "Roadway" means the portion or component of the national
10 RROW on which land-based transportation conveyances such as motor vehicles are allowed to
11 pass or park. For national RRROWs, the term may be "Railway" and for national WROWs, the
12 applicable term may be "Waterway" or "Vessel-way".

13 (10) "Content" means the message and image components of a display which may be
14 advertising, commercial, directional or general public information in intent.

15 (11) Controlled portion of the road right-of-way (RROW) of a proposed national rural
16 road or within 150 meters of the edge of the RROW of an existing national rural road or within
17 100 meters of the edge of the RROW of a proposed national urban road within 50 meters of the
18 edge of the RROW of an existing national urban road; the foregoing shall apply to similar rights-
19 of-way (ROWs) as defined under this Act; the classification as to proposed or existing national
20 RROW or ROW shall be defined by the Department of Public Works and Highways (DPWH) in
21 the implementing rules under Section 15 of this Act;

22 (12) "Display" means the material or device mounted on the billboard support
23 structure together with its content/message. A display surface area in excess of one square meter
24 (1 sqm), with a least dimension of one meter (1m), shall be considered part of a billboard.

25 (13) "DILG" means the Department of Interior and Local Government.

26 (14) "DOTC" means the Department of Transportation and Communication which
27 maintains exclusive control over national ROWs.

28 (15) "DPWH" means the Department of Public Works and Highways which maintains
29 exclusive control over national RROWs.

1 (16) "Environmental Planner" is a regulated development professional who is a holder
2 of a Certificate of Registration or of a Special/Temporary Permit to Practice the profession of
3 architecture in the Philippines and of a license in the form of a professional identification (ID)
4 card duly issued by the Professional Regulation Commission (PRC) in full accordance with P.D.
5 1308, its IRR and derivative regulations.

6 (17) "Firewall" means a reinforced masonry or reinforced concrete separator with the
7 appropriate fire-resistive rating and which shall be positioned between buildings/structures to
8 maintain the fire integrity of each building/structure. Firewalls that are erected along and/or
9 above property lines utilize a substantial portion of the maximum development potential of a
10 property and shall therefore have no openings except for the permitted vent wells specified under
11 the 1977 National Building Code of the Philippines (NBCP) and its Implementing Rules and
12 Regulations (IRR). Firewalls are not envisioned as a mounting surface for billboards and other
13 types of display under the NBCP and its IRR as such billboards/displays also constitute a fire and
14 safety hazard to an adjoining property.

15 (18) "Intersections" are common surface areas or spaces shared by two (2) or more
16 national RROWs, similar ROWs or legal easements or a mix of such public spaces, which form
17 part of the public domain and are therefore disallowed sites for billboards.

18 (19) "IRR" means the Implementing Rules and Regulations.

19 (20) "Legal Easement" means a public open space mandated under law that must be
20 absolutely free of all forms of physical obstructions that can negatively affect natural light and
21 ventilation within such a space or that can impede access to or the full recreational use of such a
22 space by the general public. Legal easements also refer to the public area that may lie between
23 the legally usable portions of a private/public property and natural or built bodies of water or
24 waterways.

25 (21) "Lighting System" means the luminaries/complete lighting units, power source
26 and connections, controls and all support structures/devices that ensure the continuous
27 illumination of a display.

28 (22) "LGU" means the Local Government Unit (LGU) as defined under R.A. No.
29 7160, otherwise known as the 1990 Local Government Code.

1 (23) "Minimum Billboard Unit" shall refer to one (1) display with a maximum total
2 surface area of seven and five tenth square meters (7.50 sqm), a multiple of the 225 sqm
3 Maximum Billboard Unit. It shall have a least dimension of one meter (1 m).

4 (24) "Maximum Billboard Unit" shall refer to one (1) display with a maximum total
5 surface area of two hundred twenty five square meters (225 sqm).

6 (25) "MMDA" means the Metropolitan Manila Development Authority.

7 (26) "NBCP" means the 1977 National Building Code of the Philippines, otherwise
8 known as Presidential Decree or P.D. No. 1096 or its future iterations.

9 (27) "Non-Conforming Billboard" means any billboard lawfully constructed prior to
10 the enactment of this Act, but which fails to conform to its provisions.

11 (28) "Billboard" means a billboard positioned at a fixed location, usually along a
12 national road right-of-way (RROW), where it can be readily and continuously viewed by the
13 passing public.

14 (29) "Official Signs" mean directional or information-conveying signs, in whatever
15 form allowed under the IRR of this Act that are officially issued and erected by or through the
16 national or local government for the purpose of public service.

17 (30) "Professional Regulation Commission" is the entity that administers the regulated
18 professions in the Philippines, including those that deal with the natural and built environments,
19 in full accordance with R.A. No. 8981 (The PRC Modernization Act of 2000), its IRR and
20 derivative regulations.

21 (31) "Professional Regulatory Boards (PRBs)" are the regulatory entities overseeing
22 the practice of regulated professionals under the Professional Regulation Commission (PRC) e.g.
23 the PRB of Architecture, the PRB of Environmental Planning.

24 (32) Regulated Area means all areas inside the boundaries of a LGU which are
25 adjacent to and within 201 meters of the edge of the national road right-of-way (RROW) within
26 that LGU. Where a controlled portion of the national RROW terminates at a LGU boundary
27 which is not perpendicular or normal to the centerline of the national RROW, a regulated area
28 also means all areas inside the boundary of such LGU which are within 201 meters of the edge of
29 the right-of-way of the national RROW in the adjoining LGU.

1 (33) "Residual Areas" are spaces that may fall outside the alignments or intersections
2 of two (2) or more national RROWs, similar ROWs or legal easements or a mix of such public
3 spaces, which still form part of the public domain and are therefore disallowed sites for
4 billboards.

5 (34) "ROW" means a national Right-of-Way, including the airspace above such a
6 ROW.

7 (35) "RROW" or national "Road-Right-of-Way" or "Street" means a public open
8 space for the continuous flow of pedestrian and vehicular traffic, including the air space above
9 such RROW that must be free of all forms of prohibited physical obstructions. The national
10 RROW or street is the surface area lying between two (2) or more parallel properties and its
11 width is horizontally measured from opposite property lines.

12 (36) "RRROW" means a national Railroad-Right-of-Way consisting of the railway/
13 tramway/tracks on which the trains actually pass; the buffer areas on either side of the railway
14 for operational safety and fixed facilities for passenger exchanges, inclusive of the airspace
15 above such a RRROW.

16 (37) "Support Structure" means the rigid framework on which the display or attention-
17 catching device of a billboard shall be mounted. The foundation and superstructure for part of the
18 support structure.

19 (38) "Property Line" means the imaginary or defined line or a set of such
20 interconnected lines and denoting the limits of a property.

21 (39) "Setback" means a one (1)-dimensional quantity denoting the level horizontal,
22 distance measured at a ninety degree angle (90°) from the line formed by the outermost face of a
23 building/structure or billboard support structure to a property line, whereby both lines run
24 parallel to each other.

25 (40) "Sidewalk" means the portion on each side of the national road right-of-way
26 (RROW) for the exclusive use of pedestrians and the disabled who are in transit.

27 (41) "Scenic Vista" shall refer to a naturally occurring or a good combination of
28 natural and man-made features in the viewable landscape and which offers the viewer a
29 refreshing visual experience or respite.

1 (42) "Temporary Sign" means a sign made of fabric/cloth, vinyl/plastic or similar light
2 and/or combustible material, with or without frame i.e., streamers, bills, posters and the like that
3 are installed within or outside a ROW for display/public viewing for a limited period of time,
4 subject to the issuance of the required permit/s.

5 (43) "UROW" means the Utility Right-of-Way means the area on which public utility
6 lines e.g. power, telecommunications, water supply, drainage, sewer, gas, etc. are allowed to
7 pass, including buffer/safety zones, service/maintenance areas and the airspace above such a
8 UROW.

9 (44) "View Corridor" means the visually unobstructed width, depth and height of all
10 available sight lines running through and along national RROWs, legal easements and similar
11 ROWs, open spaces within lots including yards and courts or through and along designated
12 public spaces including recreational areas. View corridor also means specific ranges of sight
13 lines from a building or structure to a specific natural or man-built object and/or development
14 considered of beauty or value.

15 (45) "WROW" means a national Water Right-of-Way found in inland waterways such
16 as rivers, streams, lakes, canals and the like and consisting of the waterway/vessel-way on which
17 boats/ships/barges pass, the embankments and portions of the shore areas used to access the
18 waterway/vessel-way, including the airspace above such a WROW.

19 (46) "Yard" means a two (2)-dimensional space consisting of the vacant land area
20 between the outermost portion of a billboard including its support structure and the property
21 lines.

22 SECTION 4. *Regulation of Billboards.* - Any billboard erected, modified, retrofitted,
23 rehabilitated or otherwise altered and thereafter exhibited after the effective date of this Act shall
24 comply with the following requirements:

25 4.1. *Position along National RROWs, ROWs and Legal Easements*

26 (1) No billboard shall be located in a position that obstructs or obscures the view of
27 vehicular or pedestrian traffic in such a manner as to endanger their safe movement thereof.

1 billboards shall not be erected in a manner that can confuse or obstruct the view or interpretation
2 of any official traffic sign, signal or device.

3 (2) The outermost portion or projection of a billboard or its support structure or its
4 lighting system shall be located at least five meters (5m) from the outermost line of the national
5 street or RROW, RRROW, UROW, WROW, legal easement and the like.

6 (3) Billboards shall not be erected on any structure or portion thereof found within
7 the national RROW, RRROW, UROW, WROW, legal easement and the like. The air rights over
8 such ROWs and legal easements shall not be availed of for the purpose of erecting billboards.

9 (4) Temporary signs, regardless of material, intended use and size, including election-
10 related signs or signs showing the names and/or likeness of elective/appointed officials, shall not
11 be strung or installed over or across a national RROW, RRROW, UROW, WROW, legal
12 easement and the like, unless otherwise permitted by the LGU concerned but in no case shall the
13 period of display exceed seven (7) calendar days. The LGU shall thereafter remove said
14 temporary sign/s at the cost of the Owner.

15 (5) Reckoned from the edge of the national RROW, all displays shall have a
16 minimum clear/unobstructed viewing distance of from fifty to one hundred meters (50m to
17 100m) within the Metropolitan Manila Area and up to two hundred and one meters (201) outside
18 Metro Manila.

19 (6) No billboard shall be located within more than two hundred and one meters
20 (201m) of the outermost portion of all interchanges or of the outermost portion of the national
21 right-of-way (ROW) of all underpasses, overpasses, bridges, tunnels, station/terminal/inter-
22 modal/multi-modal structures and the like or from the center of an intersection. For existing/
23 proposed national RROW widths of forty meters (40m) wide or wider, a distance of from fifty to
24 one hundred and fifty meters (50m to 150m) shall apply.

25 (7) No part of a billboard including its support structure shall be placed on, in or over
26 any public property/domain, including national public/transportation/utility ROWs or
27 utility/drainage easements or upon telephone/utility poles or upon natural features such as trees,
28 rocks and the like. In particular, billboards shall not be erected or maintained or violate the air
29 rights above a carriageway/roadway, railway or waterway/vessel-way.

1 (8) Billboards shall not be erected at residual areas or along intersections of national
2 RROWs, RRROWs, ROWs and legal easements or at or along intersections of such public
3 spaces.

4 (9) Billboards that may obscure or obstruct the view of vehicular or pedestrian traffic
5 or that may interfere, imitate, resemble or be confused with official traffic signs, signals or
6 devices shall not be permitted. billboards that prevent a clear and unobstructed view of official
7 traffic signs in approaching or merging traffic shall also not be permitted.

8 (10) No billboard that may impair any scenic vista or view corridor from the national
9 RROW/legal easement or from a building/structure along such RROW/legal easement shall be
10 permitted unless the owner of the building/structure waives his right to such scenic vista or view
11 corridor in writing.

12 4.2. *Position within Private Property or Public Property outside RROWs/ROWs/Legal*
13 *Easements*

14 (1) All billboards shall be erected in conformity with the front, side and rear setback
15 and yard requirements prescribed in the latest IRR of the National Building Code of the
16 Philippines (NBCP) and in the applicable LGU zoning regulations. In case of conflict between
17 such laws/regulations, the more stringent laws/regulations shall prevail.

18 (2) No part of a billboard shall be placed on, in or over any private/public property
19 without the written consent of the property owner or lawful possessor and without the permit of
20 the LGU concerned.

21 (3) A billboard mounted on a fire-walled property shall not utilize the air rights of a
22 private/public property adjoining such a fire-walled property without the written consent of the
23 property owner or lawful possessor of the affected property and without the permit of the LGU
24 concerned. In case of the presence of official consent by the affected property's owner or lawful
25 possessor for a firewall-mounted billboard, the same may opt to share in the income that may be
26 derived from the billboard in exchange for the use of the air rights. In case of the lack of consent
27 or refusal by the affected property's owner or lawful possessor for a firewall-mounted billboard,
28 only a painted display may be placed on the firewall, still subject to the prior consent of the
29 affected property's property owner or lawful possessor and to the prior permission of the LGU

1 concerned. Neither a billboard mounted on the firewall nor a display painted on the firewall shall
2 be allowed if there is lack of consent or official refusal/objection by the affected property's
3 owner or lawful possessor.

4 (4) No billboard shall be erected or maintained upon or above the roof of any
5 building/structure if the same is in violation of the NBCP and its IRR or more stringent laws.

6 (5) No billboard shall be constructed on a property where the same can obscure or
7 shade the windows or doors of adjacent buildings/structures. Billboards shall not be made of
8 reflective material that can redirect unwanted light towards adjacent buildings/structures.

9 *4.3. Billboard Spacing and Density*

10 (1) Billboards located upon or oriented towards traffic traveling upon the same side
11 of a national RROW/street with a minimum sixty meter (60m) width shall be spaced no less than
12 five hundred meters (500m) apart. For narrower national RROWs, the spacing may be between
13 two hundred meters to five hundred meters (200m- 500 m) depending on the allowed vehicle
14 speeds on the RROW as determined by the DPWH. This distance shall be measured along a
15 straight line between the two (2) nearest points of the billboards. The minimum spacing required
16 shall not apply to two (2) displays viewed from different directions but which share a common
17 support structure.

18 (2) Regardless of national RROW widths, billboards shall not be located within a one
19 hundred meter (100m) radius of another billboard even if the two (2) billboards are on different
20 RROWs/streets.

21 (3) Billboards may only be single-faced or double-faced. In the case of double-faced
22 billboards, the allowed display surface area/billboard unit on each face shall not exceed twenty
23 eight square meters (28 sqm) per billboard unit/display/face, provided that applicable setback,
24 yard and building height limit (BHL) requirements of the NBCP and its IRR are satisfied.

25 (4) Triple, quadruple or higher multi-faced billboards shall not be allowed as these
26 are already configured as buildings or solid structures that unnecessarily block natural light and
27 ventilation and pose public safety problems.

28 *4.4. Display Content and Lighting*

1 (1) All display content for billboards and temporary signs must conform to the
2 standards set by the Advertising Board of the Philippines and/or the government agency tasked
3 or to be tasked with reviewing and approving the display, as may be determined by law.

4 (2) All content exhibited in a foreign language shall similarly exhibit the
5 corresponding translation in either English or the local dialect/s.

6 (3) No billboard with any commercial content shall be permitted within all properties
7 zoned as residential nor within residential subdivisions. In the case of a new residential
8 subdivision, only commercial billboards containing information on the residential subdivision
9 shall be allowed.

10 (4) No billboard with any commercial content shall be erected within a two hundred
11 and one meter (201 m) distance of the nearest property line of declared historic or cultural sites
12 or of institutional sites such as schools, churches, hospitals, government buildings, public parks/
13 playgrounds/recreation areas, convention centers, cemeteries or any other area which must be
14 free of billboards with commercial content.

15 (5) Lighting: billboards shall be illuminated only by luminaries exuding a fixed/non-
16 oscillating/non-fluctuating amount of light that shall not produce glare or unwanted reflectance
17 when directed at a display.

18 4.5. *Allowable Dimensions for Billboard Displays*

19 (1) Within two hundred one meters (201 m) of the edge of the national RROW/ROW,
20 the maximum surface area is fifty-six square meters (56 sqm) with a maximum height of fifteen
21 meters (15 m).

22 (2) Between two hundred two meters (202 m) to four hundred four meters (404 m) of
23 the edge of the national RROW/ROW, the maximum surface area is one hundred twelve square
24 meters (112 sqm) with a maximum height of thirty meters (30 m).

25 (3) Beyond four hundred four meters (404 m) of the edge of the national
26 RROW/ROW, the maximum surface area is two hundred twenty-five square meters (225 sqm)
27 with a maximum height of sixty meters (60 m).

28 (4) The minimum dimension of one (1) side of a minimum display or billboard unit
29 shall be one meter (1 m).

1 (5) The maximum height shall be measured from the average elevation of the surface
2 of the natural ground or existing sidewalk or carriageway level (whichever is higher) up to the
3 highest point of the billboard or any of its components. This maximum height is contingent on
4 the prior satisfaction of the applicable setback, yard and building height limit (BHL)
5 requirements of the NBCP and its IRR.

6 (6) All billboards shall be erected in conformity with the building height limits (BHL)
7 prescribed in the latest IRR of the NBCP and in the applicable LGU zoning regulations,
8 whichever is more stringent.

9 (7) Allowable variations from the standard measurements shall be reflected in the
10 IRR of this Act.

11 SECTION 5. *Placement of Billboards with respect to Emergency Exits, Doors and*
12 *Windows.* - No billboard shall be erected in such a manner that any portion of its display or
13 supports will interfere in any way with the free use or operation of any fire escape, emergency
14 exit, door, window, standpipe and the like. A billboard shall not be erected, constructed and
15 maintained so as to obstruct any emergency exit or other openings or to prevent free passage
16 from one part of a roof to any part thereof. A billboard, in any form or shape, shall not in any
17 manner be attached to a fire escape or be so placed as to interfere with an opening required for
18 introducing natural light and ventilation into a building/structure.

19 SECTION 6. *Fees and Inventory of Billboards.* - As of the effective date of this Act, the
20 following fees for a billboard shall apply:

21 (1) A one-time billboard inventory fee of Two Thousand Five Hundred Pesos
22 (P2,500);

23 (2) An annual inspection fee of Seven Thousand Five Hundred Pesos (P7,500); and

24 (3) A building permit fee for a new billboard structure in accordance with the NBCP
25 and its IRR.

26 The inventory fees shall be collected by the LGU for turnover to the DPWH, the lead
27 agency for the conduct of the inventory. The DPWH in coordination with the other agencies such

1 as the MMDA (for the Metropolitan Manila Area only) and with the provincial LGUs, shall use
2 additional revenues to conduct a thorough countrywide inventory of all billboards, including
3 plotting the exact location of each sign, determining whether or not each sign has a valid permit
4 from the DPWH, MMDA and any LGU agency charged with regulating billboards.

5 SECTION 7. *Billboard Permit Required.* – Except as otherwise provided in this Act, no
6 billboard shall hereinafter be erected, constructed, maintained or altered until a billboard permit
7 has been issued by the DPWH and the LGU after payment of the required fees. An application
8 for a billboard shall be made in writing by a duly licensed outdoor advertising company and/or
9 by legitimate entities with in-house outdoor advertising services, on the permit forms furnished
10 by the authorities concerned and shall include such information as may be required for a
11 complete understanding of the proposed work.

12 The construction/erection permit or annual inspection clearances issued by the LGU for a
13 qualified entity to erect/operate/maintain a billboard may be revoked by the DPWH if the
14 billboard is:

15 (1) in violation of any provision of the NBCP and/or its latest IRR or derivative
16 regulations and/or poses a clear threat to public welfare, safety and health; and/or

17 (2) in violation of any provision of this Act and/or its IRR or of any provision of
18 subsequent derivate rules and regulations (guideline/s, standard/s, manual/s of procedure and the
19 like) as subsequently promulgated by the DPWH.

20 The LGU may likewise revoke the construction/erection permit or annual inspection
21 clearances they issued if the billboard fails to comply with any tenor thereof.

22 The permit/s or clearance/s issued by the LGU for the erection/operation/maintenance of
23 a billboard so revoked may be officially reinstated if the violations found have been properly
24 addressed/remedied.

25 SECTION 8. *Abatement of Dangerous Billboard/s.* - When any billboard is found or
26 declared to be dangerous or ruinous, the LGU shall order its repair or demolition at the expense
27 of the Owner, depending upon the degree of danger to life, health or safety. This is without

1 prejudice to further action that may be taken under the provisions of the New Civil Code or the
2 NBCP and its IRR.

3 To facilitate the identification of the Owner, the necessary contact information shall be
4 exhibited on the right lower corner of a billboard, permanently attached to its support structure.

5 SECTION 9. *Regulated Areas.* No billboard shall be erected within the Regulated Areas.
6 The following types of billboards that may be permitted to be erected within the Regulated
7 Areas, subject to other requirements as provided in this Act:

8 (1) *Class 1—Official billboards.* Directional or other official billboards erected and
9 maintained by public officers or agencies pursuant to and in accordance with direction or
10 authorization contained in applicable law/s for the purpose of carrying out an official duty or
11 responsibility.

12 (2) *Class 2—On-premise billboards.* Billboards not prohibited by law, which are
13 consistent with the applicable provisions of this Act and which advertise the sale or lease of, or
14 activities being conducted upon, the real property where the signs are located. Not more than one
15 such billboard advertising the sale or lease of the same property may be permitted under this
16 class in such manner as to be visible to traffic proceeding in any one direction on any one
17 national RROW/ROW. Not more than one such billboard, visible to traffic proceeding in any one
18 direction on any one national RROW/ROW and advertising activities being conducted upon the
19 real property where the billboard is located, may be permitted under this class more than 15.3
20 meters from the advertised activity.

21 (3) *Class 3—Billboards within 19.31 kilometers direct/radial distance of advertised*
22 *activities.* Billboards not prohibited by law, which are consistent with the applicable provisions
23 of this Act and which advertise activities being conducted within 19.31 kilometers direct/radial
24 distance of such billboards.

25 (4) *Class 4—Billboards in the specific interest of the traveling public.* Billboards
26 authorized to be erected or maintained by law, which are consistent with the applicable
27 provisions of this Act and which are designed to give information in the specific interest of the
28 traveling public.

1 (5) *Class 5—Small Billboards.* All other billboards the dimensions of which do not
2 exceed 56 sqm in surface area.

3 SECTION 10. *Official Signs Exempted.* - The following official signs are exempt from
4 the restrictions of this Act that may also apply to signs:

5 (1) Official highway route number signs, street name signs, directional, or other
6 official government signs;

7 (2) Directional, information or public service signs, such as those advertising
8 availability of restrooms, telephone or similar public conveniences;

9 (3) Official traffic signs, signals, devices and the like; and

10 (4) Official signs for memorial or historical places.

11 SECTION 11. *Possible Exemption for Billboards Only Above the Sidewalk Portion of the*
12 *RROW.* - DPWH and LGU may, at their discretion, issue permits for the erection of billboards,
13 whereby the permitted billboard is made to effectively contribute to positive urban design/
14 redevelopment, only above the sidewalk portion of the RROW if they comply with the following
15 requirements:

16 (1) If the billboard and its cantilevered support structure is used to effectively hold in
17 place and disguise/conceal overhead electrical, telephone, cable TV and similar utility lines that
18 hover above the sidewalk and that may pose possible danger to pedestrians; provided that such
19 utility lines are also effectively concealed from the view of persons within a property/building or
20 structure without unduly compromising considerations of natural light and ventilation;

21 (2) If the billboard and its cantilevered support structure is also used to effectively
22 provide a shelter from the elements for the pedestrians passing underneath; as such, the billboard
23 serves as a component of a virtual covered sidewalk system;

24 (3) If the billboard to cover the utility lines is officially permitted by the DPWH and
25 the MMDA (for the Metropolitan Manila Area) and the DILG (for areas outside the Metropolitan
26 Manila Area); and

1 (4) if the allowed billboard does not exceed 1.2 meters in height and provides a clear
2 vertical distance of at least 4 meters for pedestrians passing underneath.

3 SECTION 12. *Assisting Entities.* - In compiling the billboard inventory and in the
4 crafting of the IRR of this Act, the DPWH as the lead agency that shall promulgate the IRR, shall
5 collaborate with other national agencies, the concerned LGUs, the MMDA, billboard permit
6 holders, non-governmental organizations and citizens' groups.

7 SECTION 13. *National Organization of Billboard Constructors.* - A national
8 organization of Billboard Constructors to be accredited by the DPWH shall be registered with the
9 Securities and Exchange Commission, as a non-profit, non-stock corporation that shall self-
10 regulate the billboard industry in accord with this Act. Membership in the said organization shall
11 be required for all billboard constructors.

12 All companies/entities desiring to engage in the construction/erection, alteration and
13 maintenance of billboards must be members in good standing of any local, national or
14 international outdoor advertising association and must abide by the Code of Ethics and
15 Guidelines that may be thereafter adopted by such associations.

16 SECTION 14. *Responsible State-Regulated Professional.* -- Since billboards affect the
17 natural and built environments for which the registered and licensed Architects and/or
18 Environmental Planners are the primarily responsible state-regulated professionals, it shall be
19 unlawful for any natural or juridical person to erect, construct, enlarge, alter, repair, move,
20 improve, remove, convert, use or maintain any billboard or cause the same to be erected unless
21 the signature and dry seal of a registered and licensed Architect or Environmental Planner
22 appears on the construction/erection plans and specifications of the billboard. The involvement
23 of such a professional shall ensure that all laws and regulations pertaining to the placement/
24 sitting, erection and maintenance of billboards are fully enforced.

1 SECTION 15. *Penal Clause.* - It shall be unlawful for any natural or juridical person to
2 erect, construct, enlarge, alter, repair, move, improve, remove, convert, use or maintain any
3 billboard or cause the same to be erected contrary to or in violation of any provision of this Act.

4 Any individual or firm, whether in the private or public sector, who shall violate any of
5 the provisions of this Act and/or commit any act hereby declared to be unlawful shall, upon
6 conviction, be punished by a fine not less than thrice (3x) amount of the billboard including its
7 support structure but not more than ten times (10x) the amount of said billboard including its
8 support structure or by imprisonment of not less than one (1) year but not more than five (5)
9 years, or both, at the discretion of the court. In case of a firm, partnership, corporation or
10 association, whether private or public, the penalty shall be imposed upon its official responsible
11 for such violation and in case the guilty party is an alien, he/she shall immediately be deported
12 after payment of the fine and/or service of his/ her sentence.

13 No officer or employee of this Republic, chartered cities, provinces, municipalities and
14 *barangays*, now or hereafter charged with the enforcement of laws, ordinances or regulations
15 relating to the construction, erection or alteration of billboards, shall accept or approve any plans,
16 designs or specifications which have not been prepared and submitted in full accord with all the
17 provisions of this Act. Failure to comply with this provision shall be considered a corrupt
18 practice under RA No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act.

19 The penalties provided herein shall be notwithstanding any other criminal, civil and
20 administrative liabilities as maybe provided by law.

21 SECTION 16. *Implementing Rules and Regulations (IRR).* - Within ninety (90) days after
22 the effectivity of this Act, the DPWH, in full consultation with the Professional Regulatory
23 Boards (PRBs) of Architecture and Environmental Planning under the PRC, and with the PRC-
24 Accredited Professional Organizations (APOs) of Architects and Environmental Planners, and in
25 coordination with other agencies of the national and local governments, shall adopt and
26 promulgate such rules and regulations, to carry out the provisions of this Act and which shall be
27 effective fifteen (15) days following their publication in the *Official Gazette* or in two (2) major

1 daily newspapers of general circulation. An updating/amendment of the IRR shall be undertaken
2 by the DPWH every five (5) years, including the provision/s on the permit and related fees.

3 The IRR of this Act, to specifically include the proper spacing, density, sizing and
4 proportioning/configuration and format of billboards within RROWs/ streets as partly
5 determined by allowed vehicle speeds, ROWs and legal easements, shall be drafted by the
6 DPWH, DOTC and the MMDA for the Metropolitan Manila Area (MMA) and by the DPWH,
7 the DOTC, DILG and the provincial LGUs for all other areas outside the MMA. The concerned
8 private sector entities shall assist the said agencies in completing their tasks.

9 Depending on future need, the DPWH, again in full consultation with the PRBs of
10 Architecture and Environmental Planning under the PRC, and with the APOs of Architects and
11 Environmental Planners, shall also prepare and promulgate the necessary guidelines, standards
12 and manuals of procedure in accordance with the IRR of this Act.

13 SECTION 17. *Enforcement of the Act.* - It shall be the primary duty of the DPWH, in
14 collaboration with the PRBs of Architecture and Environmental Planning, and the LGUs to
15 effectively enforce the provisions of this Act. All duly constituted law enforcement agencies and
16 officers of national, provincial, city or municipal government or of any political subdivision
17 thereof, shall, upon the call or request of the DPWH, render unqualified/unconditional assistance
18 in enforcing the provisions of this Act and to prosecute any person violating the provisions of the
19 same. The Secretary of Justice or his duly designated representative shall act as legal adviser to
20 the DPWH and shall render legal assistance as may be necessary in carrying out the provisions of
21 this Act.

22 SECTION 18. *Appropriations.* -The amount necessary for the initial implementation of
23 this Act shall be charged against the appropriations of the Department of Education under the
24 current General Appropriations Act. Thereafter, such sum as may be necessary for its full
25 implementation shall be included in the annual General Appropriations Act as a distinct and
26 separate item.

1 SECTION 19. *Separability Clause.* – If any provisions or part hereof is invalid or
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
3 valid and subsisting.

4 SECTION 20. *Repealing Clause.* - Any law, presidential decree or issuance, executive
5 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
6 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

7 SECTION 21. *Transitory Clause and Non-Conforming Billboards.* - Within five (5) years
8 from the date of the effectivity of this Act, any non-conforming billboard, including those
9 designed/constructed in full compliance with the NBCP and its IRR or in compliance with LGU
10 building codes or ordinances existing as of the approval of this Act shall be dismantled, removed
11 or altered to conform to the provisions of this Act. The cost of dismantling, removal or alteration
12 shall be charged to the Owner of the non-complying billboard. The Owners of such altered
13 billboards shall thereafter secure a certificate of compliance and thereafter secure the required
14 permits and pay the necessary fees.

15 Existing billboards erected without permits before enactment of this Act shall be given
16 written notice to secure a permit and conform to the new requirements within ninety (90) days
17 from receipt of the notice. For non-complying Owners, the LGU shall dismantle such billboards
18 at the expense of the Owner.

19 All billboards that are erected in the manner, position or places other than those named/
20 described herein, or are erected, displayed or maintained without the permit thereon having been
21 paid as hereinafter provided or are declared by the appropriate authorities as unaesthetic/
22 unsightly or unsafe or otherwise non-complying with this Act, shall be subject to summary
23 removal at the expense of the Owner, upon order of the DPWH or the LGU.

24 SECTION 22. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
25 publication in at least two (2) newspapers of general circulation.

Approved,