


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

7 AUG -6 7:326

SENATE
 S.B. No. **1429**

RECEIVED BY: 

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 xxx 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 may be found at densities of from 5 to 12 billboards per kilometer.

Apparently the advertisers believe that the larger and more overwhelming the size of the billboard, the better it would be for promoting their products. While that may benefit the advertisers, the billboards foisted on the hapless commuters actually degrade the quality of the streetscape experience. The road right-of-way (RROW, commonly termed the "street") is public domain and for the general public to use, enjoy, and experience. Instead, parts of the RROW/ street 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. Non-mobile billboards

now contribute to a new kind of pollution – one that is visual, without even mentioning some moral questions engendered by some.

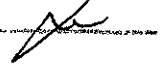
In the face of private enterprise and the promise of regular income, local government units (LGUs) have taken the easy way out and have often colluded with private entities to violate national laws on buildings and structures in order to accommodate the erection of billboards. Not content with cutting 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 a definite need to restore order in our streets and in our properties and we can start by correcting mistakes spawned by the liberal interpretations on the intent of laws on buildings and structures as these apply to billboards.


MIRIAM DEFENSOR SANTIAGO

FOURTEENTH CONGRESS OF THE REPUBLIC)
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7 AUG -6 P3:28

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1 AN ACT
2 REGULATING THE PLACEMENT OF NON-MOBILE BILLBOARDS
3 INCLUDING THEIR SUPPORT STRUCTURES

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

6 SECTION 1. *Short Title.* – This Act shall be known as the “Anti-Billboard Blight Act of
7 2007.”

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

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

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

21 (2) “Alignments” are the surface areas/ spaces traversed by a RROWs,
22 similar ROWs, legal easements or similar public spaces, which form

1 part of the public domain and are therefore disallowed sites for non-
2 mobile billboards.

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

7 (4) “Architect” is a regulated development professional who is a holder of
8 a Certificate of Registration or of a Special/Temporary Permit to
9 Practice the profession of architecture in the Philippines and of a
10 license in the form of a professional identification (ID) card duly
11 issued by the Professional Regulation Commission (PRC) in full
12 accordance with R.A. 9266, its IRR and derivative regulations.

13 (5) “*barangay*” means the basic government unit distinct from the LGU.

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

24 (7) “Billboard Unit” or “BU” shall refer to one (1.0) display with a total
25 surface area of anywhere between seven point five square meters (7.5
26 sqm) minimum to two hundred twenty five square meters (225.0 sqm)
27 maximum.

28 (8) “Building Height Limit or BHL” means the maximum height to be
29 allowed for a building/structure based on their proposed

1 use/occupancy. The BHL is generally measured from the established
2 grade line to the topmost portion of such a building/ structure,
3 inclusive of a non-mobile billboard mounted on top of such a
4 building/structure.

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

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

17 (11) “Content” means the message and image components of a display
18 which may be advertising, commercial, directional or general public
19 information in intent.

20 (12) “Display” means the material or device mounted on the non-mobile
21 billboard support structure together with its content/ message. A
22 display surface area in excess of one square meter (1.0 sqm), with a
23 least dimension of one meter (1.0 m), shall be considered part of a
24 non-mobile billboard.

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

26 (14) “DOTC” means the Department of Transportation and
27 Communication.

28 (15) “DPWH” means the Department of Public Works and Highways.

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

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

19 (18) "Intersections" are common surface areas or spaces shared by two (2)
20 or more RROWs, similar ROWs or legal easements or a mix of such
21 public spaces, which form part of the public domain and are therefore
22 disallowed sites for non-mobile billboards.

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

24 (20) "Legal Easement" means a public open space mandated under law
25 that must be absolutely free of all forms of physical obstructions that
26 can negatively affect natural light and ventilation within such a space
27 or that can impede access to or the full recreational use of such a space
28 by the general public. Legal easements also refer to the public area that

1 may lie between the legally usable portions of a private/public
2 property and natural or built bodies of water or waterways.

3 (21) “Lighting System” means the luminaries/ complete lighting units,
4 power source and connections, controls and all support structures/
5 devices that ensure the continuous illumination of a display.

6 (22) “LGU” means the Local Government Unit (LGU).

7 (23) “Minimum Billboard Unit” shall refer to one (1.0) display with a
8 maximum total surface area of seven point five square meters (7.50
9 sqm), a multiple of the 225.0 sqm Maximum Billboard Unit. It shall
10 have a least dimension of one meter (1.0 m).

11 (24) “Maximum Billboard Unit” shall refer to one (1.0) display with a
12 maximum total surface area of two hundred twenty five square meters
13 (225.0 sqm).

14 (25) “MMDA” means the Metropolitan Manila Development Authority.

15 (26) “NBC” means the National Building Code of 1977, otherwise known
16 as Presidential Decree or PD 1096 or its future iterations.

17 (27) “Non-Conforming Billboard” means any non-mobile billboard
18 lawfully constructed prior to the enactment of this Act, but which fails
19 to conform to its provisions.

20 (28) “Non-Mobile Billboard” means a billboard positioned at a fixed
21 location, usually along a road right-of-way (RROW), where it can be
22 readily and continuously viewed by the passing public.

23 (29) “Official Signs” mean directional or information-conveying signs, in
24 whatever form allowed under the IRR of this Act, that are officially
25 issued and erected by or through the national or local government for
26 the purpose of public service.

27 (30) “Professional Regulation Commission” is the entity that administers
28 the regulated professions in the Philippines, including those that deal
29 with the natural and built environments, in full accordance with R.A.

1 No. 8981 (The PRC Modernization Act of 2000), its IRR and
2 derivative regulations.

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

7 (32) "Residual Areas" are spaces that may fall outside the alignments or
8 intersections of two (2) or more RROWs, similar ROWs or legal
9 easements or a mix of such public spaces, which still form part of the
10 public domain and are therefore disallowed sites for non-mobile
11 billboards.

12 (33) "ROW" means the Right-of-Way, including the airspace above the
13 ROW.

14 (34) "RROW" or "Road-Right-of-Way" or "Street" means a public open
15 space for the continuous flow of pedestrian and vehicular traffic,
16 including the air space above the RROW, that must be free of all forms
17 of prohibited physical obstructions. The RROW or street is the surface
18 area lying between two (2) or more parallel properties and its width is
19 horizontally measured from opposite property lines.

20 (35) "RRROW" means the Railroad-Right-of-Way consisting of the
21 railway/ tramway/ tracks on which the trains actually pass, the buffer
22 areas on either side of the railway for operational safety and fixed
23 facilities for passenger exchanges, inclusive of the airspace above the
24 RRROW.

25 (36) "Support Structure" means the rigid framework on which the display
26 or attention-catching device of a non-mobile billboard shall be
27 mounted. The foundation and superstructure for part of the support
28 structure.

- 1 (37) "Property Line" means the imaginary or defined line or a set of such
2 interconnected lines and denoting the limits of a property.
- 3 (38) "Setback" means a one (1)-dimensional quantity denoting the level
4 horizontal distance measured at a ninety degree angle (90°) from the
5 line formed by the outermost face of a building/ structure or billboard
6 support structure to a property line, whereby both lines run parallel to
7 each other.
- 8 (39) "Sidewalk" means the portion on each side of the road right-of-way
9 (RROW) for the exclusive use of pedestrians and the disabled who are
10 in transit.
- 11 (40) "Scenic Vista" shall refer to a naturally occurring or a good
12 combination of natural and man-made features in the viewable
13 landscape and which offers the viewer a refreshing visual experience
14 or respite.
- 15 (41) "Temporary Sign" means a sign made of fabric/ cloth, vinyl/ plastic or
16 similar light and/or combustible material, with or without frame i.e.,
17 streamers, bills, posters and the like that are installed within or outside
18 a ROW for display/public viewing for a limited period of time, subject
19 to the issuance of the required permit/s.
- 20 (42) "UROW" means the Utility Right-of-Way means the area on which
21 public utility lines are allowed to pass, including buffer/ safety zones,
22 service/ maintenance areas and the airspace above the UROW.
- 23 (43) "View Corridor" means the visually unobstructed width, depth and
24 height of all available sight lines running through and along RROWs,
25 legal easements and similar ROWs, open spaces within lots including
26 yards and courts or through and along designated public spaces
27 including recreational areas. View corridor also means specific ranges
28 of sight lines from a building or structure to a specific natural or man-
29 built object and/ or development considered of beauty or value.

1 (44) "WROW" means the Water Right-of-Way found in inland waterways
2 such as rivers, streams, lakes, canals and the like and consisting of the
3 waterway/ vessel-way on which boats/ ships/ barges pass, the
4 embankments and portions of the shore areas used to access the
5 waterway/ vessel-way, including the airspace above the WROW.

6 (45) "Yard" means a two (2)-dimensional space consisting of the vacant
7 land area between the outermost portion of a non-mobile billboard
8 including its support structure and the property lines.

9 SECTION 4. *Regulation of Non-Mobile Billboards.* - Any non-mobile billboard erected,
10 modified, retrofitted, rehabilitated or otherwise altered and thereafter exhibited after the effective
11 date of this Act shall comply with the following requirements:

12 4.1. *Position Along RROWs, ROWs and Legal Easements*

13 (1) No billboard shall be located in a position that obstructs or obscures the
14 view of vehicular or pedestrian traffic in such a manner as to endanger
15 their safe movement thereof. Non-mobile billboards shall not be erected
16 in a manner that can confuse or obstruct the view or interpretation of any
17 official traffic sign, signal or device.

18 (2) The outermost portion or projection of a non-mobile billboard or its
19 support structure or its lighting system shall be located at least five
20 meters (5.0m) from the outermost line of the street or RROW, RRROW,
21 UROW, WROW, legal easement and the like.

22 (3) Billboards shall not be erected on any structure or portion thereof found
23 within the RROW, RRROW, UROW, WROW, legal easement and the
24 like. The air rights over such ROWs and legal easements shall not be
25 availed of for the purpose of erecting non-mobile billboards.

26 (4) Temporary signs, regardless of material, intended use and size, including
27 election-related signs or signs showing the names and/or likeness of
28 elective/ appointed officials, shall not be strung or installed over or

1 across a RROW, RRROW, UROW, WROW, legal easement and the
2 like, unless otherwise permitted by the *barangay* or LGU concerned but
3 in no case shall the period of display exceed seven (7) calendar days.
4 The *barangay* or LGU must thereafter remove said temporary sign/s.

5 (5) Reckoned from the carriageway portion of the RROW, all displays shall
6 have a minimum clear/ unobstructed viewing distance of two hundred
7 meters (200.0m) within the Metropolitan Manila Area and three hundred
8 meters (300) outside Metro Manila.

9 (6) No billboard shall be located within two hundred meters (200.0m) of the
10 outermost portion of all interchanges or of the outermost portion of the
11 right-of-way (ROW) of all underpasses, overpasses, bridges, tunnels,
12 station/ terminal/ inter-modal/ multi-modal structures and the like or
13 from the center of an intersection. For RROW widths of forty meters
14 (40.0m) wide or wider, a distance of four hundred meters (400.0m) shall
15 apply.

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

23 (8) Non-mobile billboards shall not be erected at residual areas at or along
24 intersections of RROWs, RRROWs, ROWs and legal easements or at
25 or along intersections of such public spaces.

26 (9) Non-mobile billboards that may obscure or obstruct the view of
27 vehicular or pedestrian traffic or that may interfere, imitate, resemble
28 or be confused with official traffic signs, signals or devices shall not
29 be permitted. No billboard that prevents a clear and unobstructed view

1 of official traffic signs in approaching or merging traffic shall be
2 permitted. .

3 (11) No billboard that may impair any scenic vista or view corridor from
4 the RROW/ legal easement or from a building/ structure along such
5 RROW/ legal easement shall be permitted.

6 4.2. *Position within Private Property or Public Property Outside RROWs/ ROWs/*

7 *Legal Easements*

8 (1) All non-mobile billboards shall be erected in conformity with the front,
9 side and rear setback and yard requirements prescribed in the latest IRR
10 of the National Building Code of the Philippines (NBCP) and in the
11 applicable LGU zoning regulations. In case of conflict between such
12 laws/ regulations, the provisions of the NBCP shall generally prevail.
13 However, if the provisions under the LGU ordinances are more stringent
14 than the NBCP, then the LGU ordinance shall prevail.

15 (2) No part of a non-mobile billboard shall be placed on, in or over any
16 private/ public property without the written consent of the property
17 owner or lawful possessor and without the permit of the *barangay* or
18 LGU concerned.

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

1 firewall, still subject to the prior consent of the affected property's
2 property owner or lawful possessor and to the prior permission of the
3 *barangay* or LGU concerned. Neither a non-mobile billboard mounted
4 on the firewall nor a display painted on the firewall shall be allowed if
5 there is lack of consent or official refusal/ objection by the affected
6 property's owner or lawful possessor.

7 (3) No billboard shall be erected or maintained upon or above the roof of
8 any building/ structure if the same is in violation of the National
9 Building Code and its IRR or more stringent laws.

10 (4) No billboard shall be constructed on a property where the same can
11 obscure or shade the windows or doors of adjacent buildings/ structures.
12 Non-mobile billboards shall not be made of reflective material that can
13 redirect unwanted light towards adjacent buildings/ structures.

14 4.3. *Billboard Spacing and Density*

15 (1) Non-mobile billboards located upon or oriented towards traffic
16 traveling upon the same side of a RROW/ street with a minimum sixty
17 meter (60.0 m) width shall be spaced no less than five hundred meters
18 (500.0 m) apart. For narrower RROWs, the spacing may be between
19 two hundred meters to five hundred meters (200.0 m - 500.0 m)
20 depending on the allowed vehicle speeds on the RROW as determined
21 by the DPWH. This distance shall be measured along a straight line
22 between the two (2.0) nearest points of the billboards. The minimum
23 spacing required shall not apply to two (2.0) displays viewed from
24 different directions but which share a common support structure.

25 (2) Regardless of RROW widths, non-mobile billboards shall not be
26 located within a two hundred meter (200.0 m) radius of another
27 billboard even if the two (2.0) billboards are on different RROWs/
28 streets.

1 (3) Non-mobile billboards may only be single-faced or double-faced. In the
2 case of a double-faced billboard, the allowed display surface area/
3 billboard unit on each face shall not exceed two hundred twenty five
4 square meters (225.0 sqm) per billboard unit/ display/ face, provided that
5 applicable setback, yard and building height limit (BHL) requirements
6 of the National Building Code and its IRR are satisfied.

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

11 4.4. *Display Content and Lighting*

12 (1) All display content for non-mobile billboards and temporary signs must
13 conform to the standards set by the Advertising Board of the Philippines
14 and/or the government agency tasked or to be tasked with reviewing and
15 approving the display.

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

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

22 (4) No billboard with any commercial content shall be erected within a two
23 hundred meter (200.0 m) distance of the nearest property line of
24 declared historic or cultural sites or of institutional sites such as schools,
25 churches, hospitals, government buildings, public parks/ playgrounds/
26 recreation areas, convention centers, cemeteries or any other area which
27 must be free of non-mobile billboards with commercial content.

28 (5) Lighting: Non-mobile billboards shall be illuminated only by luminaries
29 exuding a fixed/ non-oscillating/ non-fluctuating amount of light that

1 shall not produce glare or unwanted reflectance when directed at a
2 display.

3 *4.5. Allowable Dimensions for Non-Mobile Billboard Displays*

4 (1) A billboard unit shall have a surface or display area of between seven
5 point five (7.5) sqm minimum and two hundred twenty five (225.0) sqm
6 maximum.

7 (2) The minimum dimension of one (1.0) side of a minimum display or
8 billboard unit shall be one meter (1.0 m).

9 (3) The maximum dimension of one (1.0) side of a maximum display or
10 billboard unit shall be eleven meters (11.0 m), subject to compliance
11 with the billboard height limitation under this Act.

12 (4) No billboard shall exceed fifteen (15.0 m) in height, measured from the
13 average elevation of the surface of the natural ground or existing
14 sidewalk or carriageway level (whichever is higher) up to the highest
15 point of the non-mobile billboard or any of its components. This
16 maximum height is contingent on the prior satisfaction of the applicable
17 setback, yard and building height limit (BHL) requirements of the
18 National Building Code and its IRR.

19 (5) All non-mobile billboards shall be erected in conformity with the
20 building height limits (BHL) prescribed in the latest IRR of the National
21 Building Code (NBC) and in the applicable LGU zoning regulations.

22 (6) Allowable variations from the standard measurements shall be reflected
23 in the IRR of this Act.

24 *SECTION 5. Placement of Billboards with respect to Emergency Exits, Doors and*
25 *Windows.* - No billboard shall be erected in such a manner that any portion of its display or
26 supports will interfere in any way with the free use or operation of any fire escape, emergency
27 exit, door, window, standpipe and the like. A non-mobile billboard shall not be erected,
28 constructed and maintained so as to obstruct any emergency exit or other openings or to prevent

1 free passage from one part of a roof to any part thereof. A non-mobile billboard in any form or
2 shape shall not in any manner be attached to a fire escape or be so placed as to interfere with an
3 opening required for introducing natural light and ventilation into a building/ structure.

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

- 6 1) a one-time billboard inventory fee of Two Thousand Five Hundred
7 Pesos (P2,500.00);
- 8 2) an annual inspection fee of Seven Thousand Five Hundred Pesos
9 (P7,500.00); and
- 10 3) a building permit fee for a new non-mobile billboard structure in
11 accordance with the National Building Code and its IRR.

12 The inventory fees shall be collected by the LGU for turnover to the DPWH, the lead
13 agency for the conduct of the inventory. The DPWH in coordination with the other agencies such
14 as the MMDA (for the Metropolitan Manila Area only) and with the provincial LGUs, shall use
15 additional revenues to conduct a thorough countrywide inventory of all non-mobile billboards,
16 including plotting the exact location of each sign, determining whether or not each sign has a
17 valid permit from the DPWH, MMDA and any LGU agency charged with regulating billboards.

18 SECTION 7: *Non-Mobile Billboard Permit Required.* - Except as otherwise provided in
19 this Act, no billboard shall hereinafter be erected, constructed, maintained or altered until a
20 billboard permit has been issued by the DPWH and the LGU after payment of the required fees.
21 An application for a non-mobile billboard shall be made in writing by a duly licensed outdoor
22 advertising company and/or by legitimate entities with in-house outdoor advertising services, on
23 the permit forms furnished by the authorities concerned and shall include such information as
24 may be required for a complete understanding of the proposed work.

25 The construction/ erection permit or annual inspection clearances issued by the LGU for
26 a qualified entity to erect/ operate/ maintain a non-mobile billboard may be revoked by the

1 DPWH and the MMDA (for the Metropolitan Manila Area) and by the DPWH and the DILG
2 (for all other areas) if the non-mobile billboard is:

- 3 a. in violation of any provision of the National Building Code and/or its
4 latest IRR and/or poses a clear threat to public welfare, safety and
5 health; and/ or
- 6 b. in violation of any provision of this Act and/or its IRR or of any
7 provision of subsequent derivate rules and regulations (guideline/s,
8 standard/s, manual/s of procedure and the like) as subsequently
9 promulgated by the DPWH.

10 The permit/s or clearance/s issued by the LGU for the erection/ operation/ maintenance of
11 a non-mobile billboard as revoked by the DPWH may be officially reinstated by the DPWH and
12 the MMDA (for the Metropolitan Manila Area) and by the DPWH and the DILG (for all other
13 areas) if the violations found have been properly addressed/ remedied.

14 SECTION 8. *Abatement of Dangerous Billboard/s.* - When any non-mobile billboard is
15 found or declared to be dangerous or ruinous, the Building Official shall order its repair or
16 demolition at the expense of the Owner, depending upon the degree of danger to life, health or
17 safety. This is without prejudice to further action that may be taken under the provisions of the
18 New Civil Code or the National Building Code and its IRR.

19 To facilitate the identification of the Owner, the necessary contact information shall be
20 exhibited on the right lower corner of a non-mobile billboard, permanently attached to its support
21 structure.

22 SECTION 9. *Official Signs Exempted.* - The following official signs are exempt from the
23 restrictions of this Act that may also apply to signs:

- 24 1. Official highway route number signs, street name signs, directional, or other
25 official government signs;
- 26 2. Directional, information or public service signs, such as those advertising
27 availability of restrooms, telephone or similar public conveniences;
- 28 3. Official traffic signs, signals, devices and the like; and

1 4. Official signs for memorial or historical places.

2 SECTION 10. *Possible Exemption for Non-Mobile Billboards Only Above the Sidewalk*

3 *Portion of the RROW.* – Satisfaction of the following conditions, whereby the permitted non-
4 mobile billboard is made to effectively contribute to positive urban design/ redevelopment, may
5 allow the placement or erection of non-mobile billboards but only above the sidewalk portion of
6 the RROW:

- 7 1. if the billboard and its cantilevered support structure is used to effectively
8 hold in place and disguise/ conceal overhead electrical, telephone, cable TV
9 and similar utility lines that hover above the sidewalk and that may pose
10 possible danger to pedestrians; provided that such utility lines are also
11 effectively concealed from the view of persons within a property/ building or
12 structure without unduly compromising considerations of natural light and
13 ventilation;
- 14 2. if the billboard and its cantilevered support structure is also used to effectively
15 provide a shelter from the elements for the pedestrians passing underneath; as
16 such, the billboard serves as a component of a virtual covered sidewalk
17 system;
- 18 3. if the non-mobile billboard to cover the utility lines is officially permitted by
19 the DPWH and the MMDA (for the Metropolitan Manila Area) and the DILG
20 (for areas outside the Metropolitan Manila Area); and
- 21 4. if the allowed non-mobile billboard does not exceed 1.2 meters in height and
22 provides a clear vertical distance of at least 4.0 meters for pedestrians passing
23 underneath.

24 SECTION 11. *Assisting Entities.* - In compiling the billboard inventory and in the
25 crafting of the IRR of this Act, the DPWH as the lead agency that shall promulgate the IRR, shall
26 collaborate with other national agencies, the concerned LGUs, the MMDA, billboard permit
27 holders, non-governmental organizations and citizens' groups.

1 SECTION 12. *National Organization of Non-Mobile Billboard Constructors.* - A national
2 organization of Non-Mobile Billboard Constructors to be accredited by the DPWH, shall be
3 registered with the Securities and Exchange Commission, as a non-profit, non-stock corporation
4 that shall self-regulate the billboard industry in accord with this Act. Membership in the said
5 organization shall be required for all billboard constructors.

6 All companies/ entities desiring to engage in the construction/ erection, alteration and
7 maintenance of non-mobile billboards must be members in good standing of any local, national
8 or international outdoor advertising association and must abide by the Code of Ethics and
9 Guidelines that may be thereafter adopted by such associations.

10 SECTION 13. *Responsible Regulated Professional.* – Since billboards affect the natural
11 and built environments for which the registered and licensed Architects and Environmental
12 Planners are responsible, it shall be unlawful for any natural or juridical person to erect,
13 construct, enlarge, alter, repair, move, improve, remove, convert, use or maintain any billboard
14 or cause the same to be erected unless the signature and dry seal of a registered and licensed
15 Architect or Environmental Planner appears on the construction/ erection plans and
16 specifications of the billboard. The involvement of such a professional shall ensure that all laws
17 and regulations pertaining to the placement/ siting, erection and maintenance of billboards are
18 fully enforced.

19 SECTION 14. *Penal Clause.* - It shall be unlawful for any natural or juridical person to
20 erect, construct, enlarge, alter, repair, move, improve, remove, convert, use or maintain any
21 billboard or cause the same to be erected contrary to or in violation of any provision of this Act.

22 No officer or employee of this Republic, chartered cities, provinces, municipalities and
23 *barangays*, now or hereafter charged with the enforcement of laws, ordinances or regulations
24 relating to the construction, erection or alteration of non-mobile billboards, shall accept or
25 approve any plans, designs or specifications which have not been prepared and submitted in full
26 accord with all the provisions of this Act.

27 Any individual or firm, whether in the private or public sector, who shall violate any of
28 the provisions of this Act and/or commit any act hereby declared to be unlawful shall, upon

1 conviction, be punished by a fine not less than thrice (3x) the amount of the non-mobile billboard
2 including its support structure but not more than ten times (10x) the amount of said billboard
3 including its support structure or by imprisonment of not less than one (1) year but not more than
4 five (5) years, or both, at the discretion of the court. In case of a firm, partnership, corporation or
5 association, whether private or public, the penalty shall be imposed upon its official responsible
6 for such violation and in case the guilty party is an alien, he/ she shall immediately be deported
7 after payment of the fine and/or service of his/ her sentence.

8 SECTION 15. *Implementing Rules and Regulations (IRR)*. - Within ninety (90.0) days
9 after the effectivity of this Act, the DPWH, in full consultation with the Professional Regulatory
10 Boards (PRBs) of Architecture and Environmental Planning under the PRC, and with the PRC-
11 Accredited Professional Organizations (APOs) of Architects and Environmental Planners, and in
12 coordination with other agencies of the national and local governments, shall adopt and
13 promulgate such rules and regulations, to carry out the provisions of this Act and which shall be
14 effective fifteen (15) days following their publication in the *Official Gazette* or in two (2) major
15 daily newspapers of general circulation. An updating/ amendment of the IRR shall be undertaken
16 by the DPWH every five (5) years, including the provision/s on the permit and related fees.

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

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

27 SECTION 16. *Enforcement of the Act*. - It shall be the primary duty of the DPWH, in
28 collaboration with the PRBs of Architecture and Environmental Planning, and the LGUs to

1 effectively enforce the provisions of this Act. All duly constituted law enforcement agencies and
2 officers of national, provincial, city or municipal government or of any political subdivision
3 thereof, shall, upon the call or request of the DPWH, render unqualified/ unconditional assistance
4 in enforcing the provisions of this Act and to prosecute any person violating the provisions of the
5 same. The Secretary of Justice or his duly designated representative shall act as legal adviser to
6 the DPWH and shall render legal assistance as may be necessary in carrying out the provisions of
7 this Act.

8 SECTION 17. *Separability Clause.* – If any provisions or part hereof, is invalid or
9 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
10 valid and subsisting.

11 SECTION 18. *Repealing Clause.* - Any law, presidential decree or issuance, executive
12 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
13 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

14 SECTION 19. *Transitory Clause and Non-Conforming Billboards.* - Within five (5) years
15 from the date of the effectivity of this Act, any non-conforming non-mobile billboard, including
16 those designed/constructed in full compliance with the National Building Code and its
17 Implementing Rules and Regulations (IRR) or in compliance with LGU building codes or
18 ordinances existing as of the approval of this Act shall be dismantled, removed or altered to
19 conform to the provisions of this Act. The cost of dismantling, removal or alteration shall be
20 charged to the Owner of the non-complying billboard. The Owners of such altered billboards
21 shall thereafter secure a certificate of compliance and thereafter secure the required permits and
22 pay the necessary fees.

23 Existing billboards erected without permits before enactment of this Act shall be given
24 written notice to secure a permit and conform to the new requirements within ninety (90.0) days.
25 For non-complying Owners, the LGU shall dismantle such billboards at the expense of the
26 Owner.

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

6 SECTION 20. *Effectivity Clause.* - This Act shall take effect fifteen (15.0) days after its
7 publication in at least two (2.0) newspapers of general circulation.

Approved,