

SENATE  
S. No. 95

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Introduced by Senator Miriam Defensor Santiago

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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, 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 "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 definite 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*  
MIRIAM DEFENSOR SANTIAGO

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\* This bill was originally filed during the Fourteenth Congress, First Regular Session.

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Introduced by Senator Miriam Defensor Santiago

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1 AN ACT  
2 REGULATING THE PLACEMENT OF BILLBOARDS INCLUDING  
3 THEIR SUPPORT STRUCTURES ALONGSIDE NATIONAL ROADS AND  
4 ROWS  
5

6 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*  
7 *assembled:*  
8

9 SECTION 1. *Short Title.* – This Act shall be known as the “The Billboard Regulation Act  
10 of 2010.”

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

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

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

24 (2) “Alignments” are the surface areas/ spaces traversed by a national  
25 RROW, similar ROWs, legal easements or similar public spaces,

1 which form part of the public domain and are therefore disallowed  
2 sites for 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. No. 9266, its IRR and derivative regulations.

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

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

1 (56 sqm) maximum to at a total panel height of 6 meters by a length of  
2 9.33 meters (including border and trim but excluding supports)  
3 maximum for existing/proposed national rural RROWs/ROWs.

4 (7) "Building Height Limit or BHL" means the maximum height to be  
5 allowed for a building/structure based on their proposed  
6 use/occupancy. The BHL is generally measured from the established  
7 grade line to the topmost portion of such a building/ structure,  
8 inclusive of a billboard mounted on top of such a building/structure.

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

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

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

24 (11) Controlled portion of the road right-of-way (RROW) of a proposed  
25 national rural road or within 150 meters of the edge of the RROW of  
26 an existing national rural road or within 100 meters of the edge of the  
27 RROW of a proposed national urban road within 50 meters of the edge  
28 of the RROW of an existing national urban road; the foregoing shall  
29 apply to similar rights-of-way (ROWs) as defined under this Act; the

1 classification as to proposed or existing national RROW or ROW shall  
2 be defined by the Department of Public Works and Highways  
3 (DPWH) in the implementing rules under Section 15 of this Act;

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

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

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

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

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

19 (17) "Firewall" means a reinforced masonry or reinforced concrete  
20 separator with the appropriate fire-resistive rating and which shall be  
21 positioned between buildings/ structures to maintain the fire integrity  
22 of each building/ structure. Firewalls that are erected along and/or  
23 above property lines utilize a substantial portion of the maximum  
24 development potential of a property and shall therefore have no  
25 openings except for the permitted vent wells specified under the 1977  
26 National Building Code of the Philippines (NBCP) and its  
27 Implementing Rules and Regulations (IRR). Firewalls are not  
28 envisioned as a mounting surface for billboards and other types of

1 display under the NBCP and its IRR as such billboards/ displays also  
2 constitute a fire and safety hazard to an adjoining property.

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

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

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

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

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

20 (23) "Minimum Billboard Unit" shall refer to one (1) display with a  
21 maximum total surface area of seven and five tenth square meters  
22 (7.50 sqm), a multiple of the 225 sqm Maximum Billboard Unit. It  
23 shall have a least dimension of one meter (1 m).

24 (24) "Maximum Billboard Unit" shall refer to one (1) display with a  
25 maximum total surface area of two hundred twenty five square meters  
26 (225 sqm).

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

- 1 (26) "NBCP" means the 1977 National Building Code of the Philippines,  
2 otherwise known as Presidential Decree or P.D. No. 1096 or its future  
3 iterations.
- 4 (27) "Non-Conforming Billboard" means any billboard lawfully  
5 constructed prior to the enactment of this Act, but which fails to  
6 conform to its provisions.
- 7 (28) "Billboard" means a billboard positioned at a fixed location, usually  
8 along a national road right-of-way (RROW), where it can be readily  
9 and continuously viewed by the passing public.
- 10 (29) "Official Signs" mean directional or information-conveying signs, in  
11 whatever form allowed under the IRR of this Act that are officially  
12 issued and erected by or through the national or local government for  
13 the purpose of public service.
- 14 (30) "Professional Regulation Commission" is the entity that administers  
15 the regulated professions in the Philippines, including those that deal  
16 with the natural and built environments, in full accordance with R.A.  
17 No. 8981 (The PRC Modernization Act of 2000), its IRR and  
18 derivative regulations.
- 19 (31) "Professional Regulatory Boards (PRBs)" are the regulatory entities  
20 overseeing the practice of regulated professionals under the  
21 Professional Regulation Commission (PRC) e.g. the PRB of  
22 Architecture, the PRB of Environmental Planning.
- 23 (32) Regulated Area means all areas inside the boundaries of a LGU which  
24 are adjacent to and within 201 meters of the edge of the national road  
25 right-of-way (RROW) within that LGU. Where a controlled portion of  
26 the national RROW terminates at a LGU boundary which is not  
27 perpendicular or normal to the centerline of the national RROW, a  
28 regulated area also means all areas inside the boundary of such LGU

1           which are within 201 meters of the edge of the right-of-way of the  
2           national RRROW in the adjoining LGU.

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

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

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

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

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

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

26          (39) "Setback" means a one (1)-dimensional quantity denoting the level  
27          horizontal distance measured at a ninety degree angle (90°) from the  
28          line formed by the outermost face of a building/ structure or billboard

1 support structure to a property line, whereby both lines run parallel to  
2 each other.

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

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

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

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

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

27 (45) "WROW" means a national Water Right-of-Way found in inland  
28 waterways such as rivers, streams, lakes, canals and the like and  
29 consisting of the waterway/ vessel-way on which boats/ ships/ barges

1 pass, the embankments and portions of the shore areas used to access  
2 the waterway/ vessel-way, including the airspace above such a  
3 WROW.

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

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

10 4.1. *Position along National RROWs, ROWs and Legal Easements*

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

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

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

24 (4) Temporary signs, regardless of material, intended use and size, including  
25 election-related signs or signs showing the names and/or likeness of  
26 elective/ appointed officials, shall not be strung or installed over or  
27 across a national RROW, RRROW, UROW, WROW, legal easement  
28 and the like, unless otherwise permitted by the LGU concerned but in no

1 case shall the period of display exceed seven (7) calendar days. The  
2 LGU shall thereafter remove said temporary sign/s at the cost of the  
3 Owner.

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

8 (6) No billboard shall be located within more than two hundred and one  
9 meters (201m) of the outermost portion of all interchanges or of the  
10 outermost portion of the national right-of-way (ROW) of all  
11 underpasses, overpasses, bridges, tunnels, station/ terminal/ inter-modal/  
12 multi-modal structures and the like or from the center of an intersection.  
13 For existing/ proposed national RROW widths of forty meters (40m)  
14 wide or wider, a distance of from fifty to one hundred and fifty meters  
15 (50m to 150m) shall apply.

16 (7) No part of a billboard including its support structure shall be placed on,  
17 in or over any public property/ domain, including national 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, billboards shall not be erected or maintained or  
21 violate the air rights above a carriageway/ roadway, railway or  
22 waterway/ vessel-way.

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

26 (9) Billboards that may obscure or obstruct the view of vehicular or  
27 pedestrian traffic or that may interfere, imitate, resemble or be  
28 confused with official traffic signs, signals or devices shall not be  
29 permitted. billboards that prevent a clear and unobstructed view of

1 official traffic signs in approaching or merging traffic shall also not be  
2 permitted.

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

8 *4.2. Position within Private Property or Public Property outside RROWs/ ROWs/*

9 *Legal Easements*

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

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

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

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

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

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

#### 12 4.3. *Billboard Spacing and Density*

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

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

26 (3) billboards may only be single-faced or double-faced. In the case of  
27 double-faced billboards, the allowed display surface area/ billboard unit  
28 on each face shall not exceed twenty eight square meters (28 sqm) per  
29 billboard unit/ display/ face, provided that applicable setback, yard and

1 building height limit (BHL) requirements of the NBCP and its IRR are  
2 satisfied.

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

7 *4.4. Display Content and Lighting*

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

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

- 14 (3) No billboard with any commercial content shall be permitted within all  
15 properties zoned as residential nor within residential subdivisions. In the  
16 case of a new residential subdivision, only commercial billboards  
17 containing information on the residential subdivision shall be allowed.

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

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

27 *4.5. Allowable Dimensions for Billboard Displays*

- 1 (1) Within two hundred one meters (201 m) of the edge of the national  
2 RROW/ROW, the maximum surface area is fifty-six square meters (56  
3 sqm) with a maximum height of fifteen meters (15 m).
- 4 (2) Between two hundred two meters (202 m) to four hundred four meters  
5 (404 m) of the edge of the national RROW/ROW, the maximum surface  
6 area is one hundred twelve square meters (112 sqm) with a maximum  
7 height of thirty meters (30 m).
- 8 (3) Beyond four hundred four meters (404 m) of the edge of the national  
9 RROW/ROW, the maximum surface area is two hundred twenty-five  
10 square meters (225 sqm) with a maximum height of sixty meters (60 m).
- 11 (4) The minimum dimension of one (1) side of a minimum display or  
12 billboard unit shall be one meter (1 m).
- 13 (5) The maximum height shall be measured from the average elevation of  
14 the surface of the natural ground or existing sidewalk or carriageway  
15 level (whichever is higher) up to the highest point of the billboard or any  
16 of its components. This maximum height is contingent on the prior  
17 satisfaction of the applicable setback, yard and building height limit  
18 (BHL) requirements of the NBCP and its IRR.
- 19 (6) All billboards shall be erected in conformity with the building height  
20 limits (BHL) prescribed in the latest IRR of the NBCP and in the  
21 applicable LGU zoning regulations, whichever is more stringent.
- 22 (7) 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 billboard shall not be erected, constructed and  
28 maintained so as to obstruct any emergency exit or other openings or to prevent free passage

1 from one part of a roof to any part thereof. A billboard, in any form or shape, shall not in any  
2 manner be attached to a fire escape or be so placed as to interfere with an opening required for  
3 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 billboard shall apply:

- 6 1) a one-time billboard inventory fee of Two Thousand Five Hundred  
7 Pesos (P2,500);
- 8 2) an annual inspection fee of Seven Thousand Five Hundred Pesos  
9 (P7,500); and
- 10 3) a building permit fee for a new billboard structure in accordance with  
11 the NBCP 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 billboards, including  
16 plotting the exact location of each sign, determining whether or not each sign has a valid permit  
17 from the DPWH, MMDA and any LGU agency charged with regulating billboards.

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

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

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

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

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

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

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

- 23 A. *Class 1—Official billboards.* Directional or other official billboards erected and  
24 maintained by public officers or agencies pursuant to and in accordance with  
25 direction or authorization contained in applicable law/s for the purpose of carrying  
26 out an official duty or responsibility.

1 B. *Class 2—On-premise billboards.* Billboards not prohibited by law, which are  
2 consistent with the applicable provisions of this Act and which advertise the sale or  
3 lease of, or activities being conducted upon, the real property where the signs are  
4 located. Not more than one such billboard advertising the sale or lease of the same  
5 property may be permitted under this class in such manner as to be visible to traffic  
6 proceeding in any one direction on any one national RROW/ ROW. Not more than  
7 one such billboard, visible to traffic proceeding in any one direction on any one  
8 national RROW/ ROW and advertising activities being conducted upon the real  
9 property where the billboard is located, may be permitted under this class more than  
10 15.3 meters from the advertised activity.

11 C. *Class 3—Billboards within 19.31 kilometers direct/radial distance of advertised*  
12 *activities.* Billboards not prohibited by law, which are consistent with the applicable  
13 provisions of this Act and which advertise activities being conducted within 19.31  
14 kilometers direct/radial distance of such billboards.

15 D. *Class 4—Billboards in the specific interest of the traveling public.* Billboards  
16 authorized to be erected or maintained by law, which are consistent with the  
17 applicable provisions of this Act and which are designed to give information in the  
18 specific interest of the traveling public.

19 E. *Class 5—Small Billboards.* All other billboards the dimensions of which do not  
20 exceed 56 sqm in surface area.

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

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

1                   4. Official signs for memorial or historical places.

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

- 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 billboard to cover the utility lines is officially permitted by the DPWH  
19                  and the MMDA (for the Metropolitan Manila Area) and the DILG (for areas  
20                  outside the Metropolitan Manila Area); and
- 21                  4. if the allowed billboard does not exceed 1.2 meters in height and provides a  
22                  clear vertical distance of at least 4 meters for pedestrians passing underneath.

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

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

6           All companies/ entities desiring to engage in the construction/ erection, alteration and  
7 maintenance of billboards must be members in good standing of any local, national or  
8 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 14. *Responsible State-Regulated Professional.* - Since billboards affect the  
11 natural and built environments for which the registered and licensed Architects and/or  
12 Environmental Planners are the primarily responsible state-regulated professionals, it shall be  
13 unlawful for any natural or juridical person to erect, construct, enlarge, alter, repair, move,  
14 improve, remove, convert, use or maintain any billboard or cause the same to be erected unless  
15 the signature and dry seal of a registered and licensed Architect or Environmental Planner  
16 appears on the construction/ erection plans and specifications of the billboard. The involvement  
17 of such a professional shall ensure that all laws and regulations pertaining to the placement/  
18 sitting, erection and maintenance of billboards are fully enforced.

19           SECTION 15. *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           Any individual or firm, whether in the private or public sector, who shall violate any of  
23 the provisions of this Act and/or commit any act hereby declared to be unlawful shall, upon  
24 conviction, be punished by a fine not less than thrice (3x) amount of the billboard including its  
25 support structure but not more than ten times (10x) the amount of said billboard including its  
26 support structure or by imprisonment of not less than one (1) year but not more than five (5)  
27 years, or both, at the discretion of the court. In case of a firm, partnership, corporation or  
28 association, whether private or public, the penalty shall be imposed upon its official responsible

1 for such violation and in case the guilty party is an alien, he/ she shall immediately be deported  
2 after payment of the fine and/or service of his/ her sentence.

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

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

11 SECTION 16. *Implementing Rules and Regulations (IRR)*. - Within ninety (90) days after  
12 the effectivity of this Act, the DPWH, in full consultation with the Professional Regulatory  
13 Boards (PRBs) of Architecture and Environmental Planning under the PRC, and with the PRC-  
14 Accredited Professional Organizations (APOs) of Architects and Environmental Planners, and in  
15 coordination with other agencies of the national and local governments, shall adopt and  
16 promulgate such rules and regulations, to carry out the provisions of this Act and which shall be  
17 effective fifteen (15) days following their publication in the *Official Gazette* or in two (2) major  
18 daily newspapers of general circulation. An updating/ amendment of the IRR shall be undertaken  
19 by the DPWH every five (5) years, including the provision/s on the permit and related fees.

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

26 Depending on future need, the DPWH, again in full consultation with the PRBs of  
27 Architecture and Environmental Planning under the PRC, and with the APOs of Architects and

1 Environmental Planners, shall also prepare and promulgate the necessary guidelines, standards  
2 and manuals of procedure in accordance with the IRR of this Act.

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

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

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

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

23 SECTION 21. *Transitory Clause and Non-Conforming Billboards.* - Within five (5) years  
24 from the date of the effectivity of this Act, any non-conforming billboard, including those  
25 designed/constructed in full compliance with the NBCP and its IRR or in compliance with LGU  
26 building codes or ordinances existing as of the approval of this Act shall be dismantled, removed  
27 or altered to conform to the provisions of this Act. The cost of dismantling, removal or alteration

1 shall be charged to the Owner of the non-complying billboard. The Owners of such altered  
2 billboards shall thereafter secure a certificate of compliance and thereafter secure the required  
3 permits and pay the necessary fees.

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

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

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

15

16 Approved,

/apm 051810