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Introduced by Senator Miriam Defensor Santiago

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

SECTION 1. *Short Title.* – This Act shall be known as the “The Billboard Regulation Act of 2007.”

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

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

- (1) “Air Right” means the right to physically develop and subsequently benefit or profit from the continued use of the air space above the road right-of-way (RROW) or other rights-of-way (ROWs) or legal easements or private/ public property outside or along such ROWs or easements, subject to the payment of lease to the appropriate party for availing of such rights. The upper limit of the air rights is the airways navigational path such as the clearance limits of aerodrome and flight patterns.
- (2) “Alignments” are the surface areas/ spaces traversed by a RROWs, similar ROWs, legal easements or similar public spaces, which form part of the public domain and are therefore disallowed sites for non-mobile billboards.
- (3) “Accredited Professional Organization (APO)” is a non-governmental organization (NGO) of regulated development professionals who deal purely with the natural and built environments, duly accredited by the Professional Regulation Commission (PRC).
- (4) “Architect” is a regulated development professional who is a holder of a Certificate of Registration or of a Special/Temporary Permit to Practice the profession of architecture in the Philippines and of a license in the form of a professional identification (ID) card duly issued by the Professional Regulation Commission (PRC) in full accordance with R.A. 9266, its IRR and derivative regulations.
- (5) “barangay” means the basic government unit distinct from the LGU.
- (6) “Billboard” means an attention-getting device consisting of a support structure, a display or message area, a lighting system and related components. The term also refers to all types of identification, description, illustration, images, pictures, display or device which is affixed to or represented directly or indirectly upon a portion of a building/ structure, support structure or land and which directs attention to a product, place, activity, person, institution, business, idea or belief. The term shall be generic and shall collectively refer to but not be limited to multi-media or tri-vision billboards, neon or other illuminated signs, painted signs and the like.
- (7) “Billboard Unit” or “BU” shall refer to one (1.0) display with a total surface area of anywhere between seven point five square meters (7.5

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sqm) minimum to two hundred twenty five square meters (225.0 sqm) maximum.

- (8) “Building Height Limit or BHL” means the maximum height to be allowed for a building/structure based on their proposed use/occupancy. The BHL is generally measured from the established grade line to the topmost portion of such a building/ structure, inclusive of a non-mobile billboard mounted on top of such a building/structure.
- (9) “Cantilevered Support Structure” means a support structure that is not directly planted on the ground or any portion of the RROW, similar ROWs or legal easement; such a structure may rest on a portion of a building or another support structure not originally planned/ designed to support a billboard; a cantilevered structure is necessary so that the effective width of the sidewalk or similar components of the RROW are neither compromised nor lessened;
- (10) “Carriageway” or “Roadway” means the portion or component of the RROW on which land-based transportation conveyances such as motor vehicles are allowed to pass or park. For RRROWs, the term may be “Railway” and for WROWs, the applicable term may be “Waterway” or “Vessel-way”.
- (11) “Content” means the message and image components of a display which may be advertising, commercial, directional or general public information in intent.
- (12) “Display” means the material or device mounted on the non-mobile billboard support structure together with its content/ message. A display surface area in excess of one square meter (1.0 sqm), with a least dimension of one meter (1.0 m), shall be considered part of a non-mobile billboard.
- (13) “DILG” means the Department of Interior and Local Government.
- (14) “DOTC” means the Department of Transportation and Communication.
- (15) “DPWH” means the Department of Public Works and Highways.
- (16) “Environmental Planner” is a regulated development professional who is a holder of a Certificate of Registration or of a Special/Temporary Permit to Practice the profession of architecture in the Philippines and of a license in the form of a professional identification (ID) card duly issued by the Professional Regulation Commission (PRC) in full accordance with P.D. 1308, its IRR and derivative regulations.
- (17) “Firewall” means a reinforced masonry or reinforced concrete separator with the appropriate fire-resistive rating and which shall be positioned between buildings/ structures to maintain the fire integrity of each building/ structure. Firewalls that are erected along and/or above property lines utilize a substantial portion of the maximum development potential of a property and shall therefore have no openings except for the permitted vent wells specified under the National Building Code (NBC) and its Implementing Rules and Regulations (IRR). Firewalls are not envisioned as a mounting surface for billboards and other types of display under the NBC and its IRR as such billboards/ displays also constitute a fire and safety hazard to an adjoining property.
- (18) “Intersections” are common surface areas or spaces shared by two (2) or more RROWs, similar ROWs or legal easements or a mix of such public spaces, which form part of the public domain and are therefore disallowed sites for non-mobile billboards.
- (19) “IRR” means the Implementing Rules and Regulations.
- (20) “Legal Easement” means a public open space mandated under law that must be absolutely free of all forms of physical obstructions that can negatively affect natural light and ventilation within such a space or that can impede access to or the full recreational use of such a space by the general public. Legal easements also refer to the public area that may lie between the legally usable portions of a private/public property and natural or built bodies of water or waterways.
- (21) “Lighting System” means the luminaries/ complete lighting units, power source and connections, controls and all support structures/ devices that ensure the continuous illumination of a display.

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- (22) "LGU" means the Local Government Unit (LGU).
- (23) "Minimum Billboard Unit" shall refer to one (1.0) display with a maximum total surface area of seven point five square meters (7.50 sqm), a multiple of the 225.0 sqm Maximum Billboard Unit. It shall have a least dimension of one meter (1.0 m).
- (24) "Maximum Billboard Unit" shall refer to one (1.0) display with a maximum total surface area of two hundred twenty five square meters (225.0 sqm).
- (25) "MMDA" means the Metropolitan Manila Development Authority.
- (26) "NBC" means the National Building Code of 1977, otherwise known as Presidential Decree or PD 1096 or its future iterations.
- (27) "Non-Conforming Billboard" means any non-mobile billboard lawfully constructed prior to the enactment of this Act, but which fails to conform to its provisions.
- (28) "Non-Mobile Billboard" means a billboard positioned at a fixed location, usually along a road right-of-way (RROW), where it can be readily and continuously viewed by the passing public.
- (29) "Official Signs" mean directional or information-conveying signs, in whatever form allowed under the IRR of this Act, that are officially issued and erected by or through the national or local government for the purpose of public service.
- (30) "Professional Regulation Commission" is the entity that administers the regulated professions in the Philippines, including those that deal with the natural and built environments, in full accordance with R.A. No. 8981 (The PRC Modernization Act of 2000), its IRR and derivative regulations.
- (31) "Professional Regulatory Boards (PRBs)" are the regulatory entities overseeing the practice of regulated professionals under the Professional Regulation Commission (PRC) e.g. the PRB of Architecture, the PRB of Environmental Planning.
- (32) "Residual Areas" are spaces that may fall outside the alignments or intersections of two (2) or more RROWs, similar ROWs or legal easements or a mix of such public spaces, which still form part of the public domain and are therefore disallowed sites for non-mobile billboards.
- (33) "ROW" means the Right-of-Way, including the airspace above the ROW.
- (34) "RROW" or "Road-Right-of-Way" or "Street" means a public open space for the continuous flow of pedestrian and vehicular traffic, including the air space above the RROW, that must be free of all forms of prohibited physical obstructions. The RROW or street is the surface area lying between two (2) or more parallel properties and its width is horizontally measured from opposite property lines.
- (35) "RRROW" means the Railroad-Right-of-Way consisting of the railway/ tramway/ tracks on which the trains actually pass, the buffer areas on either side of the railway for operational safety and fixed facilities for passenger exchanges, inclusive of the airspace above the RRROW.
- (36) "Support Structure" means the rigid framework on which the display or attention-catching device of a non-mobile billboard shall be mounted. The foundation and superstructure for part of the support structure.
- (37) "Property Line" means the imaginary or defined line or a set of such interconnected lines and denoting the limits of a property.
- (38) "Setback" means a one (1)-dimensional quantity denoting the level horizontal distance measured at a ninety degree angle (90°) from the line formed by the outermost face of a building/ structure or billboard support structure to a property line, whereby both lines run parallel to each other.
- (39) "Sidewalk" means the portion on each side of the road right-of-way (RROW) for the exclusive use of pedestrians and the disabled who are in transit.

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- (40) “Scenic Vista” shall refer to a naturally occurring or a good combination of natural and man-made features in the viewable landscape and which offers the viewer a refreshing visual experience or respite.
- (41) “Temporary Sign” means a sign made of fabric/ cloth, vinyl/ plastic or similar light and/or combustible material, with or without frame i.e., streamers, bills, posters and the like that are installed within or outside a ROW for display/public viewing for a limited period of time, subject to the issuance of the required permit/s.
- (42) “UROW” means the Utility Right-of-Way means the area on which public utility lines are allowed to pass, including buffer/ safety zones, service/ maintenance areas and the airspace above the UROW.
- (43) “View Corridor” means the visually unobstructed width, depth and height of all available sight lines running through and along RROWs, legal easements and similar ROWs, open spaces within lots including yards and courts or through and along designated public spaces including recreational areas. View corridor also means specific ranges of sight lines from a building or structure to a specific natural or man-built object and/ or development considered of beauty or value.
- (44) “WROW” means the Water Right-of-Way found in inland waterways such as rivers, streams, lakes, canals and the like and consisting of the waterway/ vessel-way on which boats/ ships/ barges pass, the embankments and portions of the shore areas used to access the waterway/ vessel-way, including the airspace above the WROW.
- (45) “Yard” means a two (2)-dimensional space consisting of the vacant land area between the outermost portion of a non-mobile billboard including its support structure and the property lines.

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

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

- (1) No billboard shall be located in a position that obstructs or obscures the view of vehicular or pedestrian traffic in such a manner as to endanger their safe movement thereof. Non-mobile billboards shall not be erected in a manner that can confuse or obstruct the view or interpretation of any official traffic sign, signal or device.
- (2) The outermost portion or projection of a non-mobile billboard or its support structure or its lighting system shall be located at least five meters (5.0m) from the outermost line of the street or RROW, RRROW, UROW, WROW, legal easement and the like.
- (3) (3) Billboards shall not be erected on any structure or portion thereof found within the RROW, RRROW, UROW, WROW, legal easement and the like. The air rights over such ROWs and legal easements shall not be availed of for the purpose of erecting non-mobile billboards.
- (4) Temporary signs, regardless of material, intended use and size, including election-related signs or signs showing the names and/or likeness of elective/ appointed officials, shall not be strung or installed over or across a RROW, RRROW, UROW, WROW, legal easement and the like, unless otherwise permitted by the *barangay* or LGU concerned but in no case shall the period of display exceed seven (7) calendar days. The *barangay* or LGU must thereafter remove said temporary sign/s.
- (5) Reckoned from the carriageway portion of the RROW, all displays shall have a minimum clear/ unobstructed viewing distance of two hundred meters (200.0m) within the Metropolitan Manila Area and three hundred meters (200) outside Metro Manila.
- (6) No billboard shall be located within two hundred meters (200.0m) of the outermost portion of all interchanges or of the outermost portion of the right-of-way (ROW) of all underpasses, overpasses, bridges, tunnels, station/ terminal/ inter-modal/ multi-modal structures and the like or from the center of an intersection. For RROW widths of forty meters (40.0m) wide or wider, a distance of four hundred meters (400.0m) shall apply.

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- (7) No part of a non-mobile billboard including its support structure shall be placed on, in or over any public property/ domain, including public/ transportation/utility ROWs or utility/drainage easements or upon telephone/utility poles or upon natural features such as trees, rocks and the like. In particular, non-mobile billboards shall not be erected or maintained or violate the air rights above a carriageway/ roadway, railway or waterway/ vessel-way.
- (8) Non-mobile billboards shall not be erected at residual areas at or along intersections of RROWs, RRROWs, ROWs and legal easements or at or along intersections of such public spaces.
- (9) Non-mobile billboards that may obscure or obstruct the view of vehicular or pedestrian traffic or that may interfere, imitate, resemble or be confused with official traffic signs, signals or devices shall not be permitted. No billboard that prevents a clear and unobstructed view of official traffic signs in approaching or merging traffic shall be permitted.
- (11) No billboard that may impair any scenic vista or view corridor from the RROW/ legal easement or from a building/ structure along such RROW/ legal easement shall be permitted.

4.2. Position within Private Property or Public Property Outside RROWs/ ROWs/ Legal Easements

- (1) All non-mobile billboards shall be erected in conformity with the front, side and rear setback and yard requirements prescribed in the latest IRR of the National Building Code of the Philippines (NBCP) and in the applicable LGU zoning regulations. In case of conflict between such laws/ regulations, the provisions of the NBCP shall generally prevail. However, if the provisions under the LGU ordinances are more stringent than the NBCP, then the LGU ordinance shall prevail.
- (2) No part of a non-mobile billboard shall be placed on, in or over any private/ public property without the written consent of the property owner or lawful possessor and without the permit of the *barangay* or LGU concerned.
- (3) A non-mobile billboard mounted on a fire-walled property shall not utilize the air rights of a private/ public property adjoining such a fire-walled property without the written consent of the property owner or lawful possessor of the affected property and without the permit of the *barangay* or LGU concerned. In case of the presence of official consent by the affected property's owner or lawful possessor for a firewall-mounted non-mobile billboard, the same may opt to share in the income that may be derived from the billboard in exchange for the use of the air rights. In case of the lack of consent or refusal by the affected property's owner or lawful possessor for a firewall-mounted non-mobile billboard, only a painted display may be placed on the firewall, still subject to the prior consent of the affected property's property owner or lawful possessor and to the prior permission of the *barangay* or LGU concerned. Neither a non-mobile billboard mounted on the firewall nor a display painted on the firewall shall be allowed if there is lack of consent or official refusal/ objection by the affected property's owner or lawful possessor.
- (3) No billboard shall be erected or maintained upon or above the roof of any building/ structure if the same is in violation of the National Building Code and its IRR or more stringent laws.
- (4) No billboard shall be constructed on a property where the same can obscure or shade the windows or doors of adjacent buildings/ structures. Non-mobile billboards shall not be made of reflective material that can redirect unwanted light towards adjacent buildings/ structures.

4.3. Billboard Spacing and Density

- (1) Non-mobile billboards located upon or oriented towards traffic traveling upon the same side of a RROW/ street with a minimum sixty meter (60.0 m) width shall be spaced no less than five hundred meters (500.0 m) apart. For narrower RROWs, the spacing may be between two hundred

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meters to five hundred meters (200.0 m - 500.0 m) depending on the allowed vehicle speeds on the RROW as determined by the DPWH. This distance shall be measured along a straight line between the two(2.0) nearest points of the billboards. The minimum spacing required shall not apply to two (2.0) displays viewed from different directions but which share a common support structure.

- (2) Regardless of RROW widths, non-mobile billboards shall not be located within a two hundred meter (200.0 m) radius of another billboard even if the two (2.0) billboards are on different RROWs/ streets.
- (3) Non-mobile billboards may only be single-faced or double-faced. In the case of a double-faced billboards, the allowed display surface area/ billboard unit on each face shall not exceed two hundred twenty five square meters (225.0 sqm) per billboard unit/ display/ face, provided that applicable setback, yard and building height limit (BHL) requirements of the National Building Code and its IRR are satisfied.
- (4) Triple, quadruple or higher multi-faced billboards shall not be allowed as these are already configured as buildings or solid structures that unnecessarily block natural light and ventilation and pose public safety problems.

#### 4.4. *Display Content and Lighting*

- (1) All display content for non-mobile billboards and temporary signs must conform to the standards set by the Advertising Board of the Philippines and/or the government agency tasked or to be tasked with reviewing and approving the display.
- (2) All content exhibited in a foreign language shall similarly exhibit the corresponding translation in either English or the local dialect/s.
- (3) No billboard with any commercial content shall be permitted within all properties zoned as residential nor within residential subdivisions. In the case of a new residential subdivision, only commercial billboards containing information on the residential subdivision shall be allowed.
- (4) No billboard with any commercial content shall be erected within a two hundred meter (200.0 m) distance of the nearest property line of declared historic or cultural sites or of institutional sites such as schools, churches, hospitals, government buildings, public parks/ playgrounds/ recreation areas, convention centers, cemeteries or any other area which must be free of non-mobile billboards with commercial content.
- (5) **Lighting:** Non-mobile billboards shall be illuminated only by luminaries exuding a fixed/ non-oscillating/ non-fluctuating amount of light that shall not produce glare or unwanted reflectance when directed at a display.

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

- (1) A billboard unit shall have a surface or display area of between seven point five (7.5) sqm minimum and two hundred twenty five (225.0) sqm maximum.
- (2) The minimum dimension of one (1.0) side of a minimum display or billboard unit shall be one meter (1.0 m).
- (3) The maximum dimension of one (1.0) side of a maximum display or billboard unit shall be eleven meters (11.0 m), subject to compliance with the billboard height limitation under this Act.
- (4) No billboard shall exceed fifteen (15.0 m) in height, measured from the average elevation of the surface of the natural ground or existing sidewalk or carriageway level (whichever is higher) up to the highest point of the non-mobile billboard or any of its components. This maximum height is contingent on the prior satisfaction of the applicable setback, yard and building height limit (BHL) requirements of the National Building Code and its IRR.
- (5) All non-mobile billboards shall be erected in conformity with the building height limits (BHL) prescribed in the latest IRR of the National Building Code (NBC) and in the applicable LGU zoning regulations.
- (6) Allowable variations from the standard measurements shall be reflected in the IRR of this Act.

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

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

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

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

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

The construction/ erection permit or annual inspection clearances issued by the LGU for a qualified entity to erect/ operate/ maintain a non-mobile billboard may be revoked by the DPWH and the MMDA (for the Metropolitan Manila Area) and by the DPWH and the DILG (for all other areas) if the non-mobile billboard is:

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

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

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

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

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

1. Official highway route number signs, street name signs, directional, or other official government signs;
2. Directional, information or public service signs, such as those advertising availability of restrooms, telephone or similar public conveniences;
3. Official traffic signs, signals, devices and the like; and
4. Official signs for memorial or historical places.

**SECTION 10. *Possible Exemption for Non-Mobile Billboards Only Above the Sidewalk Portion of the RROW.*** - Satisfaction of the following conditions, whereby the permitted non-mobile billboard is made to effectively contribute to positive urban design/ redevelopment, may allow the placement or erection of non-mobile billboards but only above the sidewalk portion of the RROW:

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

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

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

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

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

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**SECTION 14. *Penal Clause.*** - It shall be unlawful for any natural or juridical person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, use or

maintain any billboard or cause the same to be erected contrary to or in violation of any provision of this Act.

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

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

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

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

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

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

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

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

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

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

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

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

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