

PRESCRIBING GUIDELINES ON THE INSTALLATION AND DISPLAY OF BILLBOARDS AND ADVERTISING SIGNS ALONG MAJOR AND SECONDARY THOROUGHFARES, AVENUES, STREETS, ROADS, PARKS AND OPEN SPACE...

PPKM MMDA REGULATION NO. 04-004, S. 2004, September 02, 2004

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WHEREAS, it has been noted that some billboards and advertising signs are indiscriminately posted along major and secondary thoroughfares, streets, roads, avenues, parks and open spaces within Metro Manila;

WHEREAS, some of these billboards and advertising signs distract the attention of motorists thereby causing road accidents and traffic;

WHEREAS, PD 1096 vests upon the Secretary of DPWH the power to administer and enforce the provisions of the National Building Code governing the design, content, construction, location, installation and maintenance of outdoor billboards, advertising and display signs, streamers, posters and the like;

WHEREAS, the Local Government Code of 1991 empowers the local government units to prescribe reasonable limits and restraints on the use of property and to regulate the putting up of signs, signposts and awnings within the territorial jurisdiction of the city/municipality;

WHEREAS, Republic Act No. 7924 empowers the Metropolitan Manila Development Authority (MMDA) to formulate, coordinate and monitor policies, standards, programs and projects to rationalize the existing infrastructure requirements, the use of thoroughfares and promotions of safe and convenient movement of persons and goods in Metro Manila;

WHEREAS, the Metro Manila Council recognizes the urgent need to prescribe guidelines on the installation/display of billboards and advertising signs along major and secondary thoroughfares, avenues, streets, roads, parks and open spaces within Metro Manila in order to ensure public safety and a smooth traffic flow in Metro Manila.

NOW, THEREFORE, pursuant to Section 6 of R.A. No. 7924, be it enacted by the Metro Manila Council, that:

Section 1. Definition of Terms -

Advertisement - the act of advertising, giving notice or calling the attention of the public thru the use of posters, banners, billboards or any advertising signs.

Signages - any letter, word, numeral, pictorial, preservation, illustration, decoration, emblem, device, symbol or trademark, flag, banner, or pennant or any other figure of similar character that is:

-attached to, painted on or in any manner represented on a building or structure.

-used to announce, direct attention to or advertise, and visible to the public.

Road-Right-of-Way - a parcel of land unobstructed from the ground to the sky, more than 3.00 meters in width,

appropriated to the free passage of general public.

Major thoroughfares - a public street or highway which is a major artery leading to other parts of Metro Manila and nearby provinces with a minimum width of 10.00 meters, mostly maintained by the National government.

Secondary Roads - a public street maintained by the National or Local Government used as secondary passageway within certain City/Municipality.

Public Roads - any parcel of land appropriated for the free passage of the general public owned and maintained by the government whether national or local.

Public Advisory Messages - any form of signages that bears information, advice, messages to the general public in pursuance of any government project or campaign.

Ground Sign - a sign with support resting on the ground, the base of which ranges from a single pole (pylon) and does not exceed ten (10.00 sq.m.) as one (1) unit.

Sign Structure - any means employed to support the installation of signs and this includes the structural frame, anchorages and fasteners to support and suspend such signs.

Streamer - a narrow free floating strip of cloth or crepe papers of a synthetic fiber or material usually used as decorative material in commemoration and celebration of festivities including anniversary promotions in pursuance to commercial and industrial activities.

Traffic Sign - a device mounted on a fixed or portable support whereby a specific message is conveyed by means of word or symbols for the purpose of regulating, warning or guiding traffic.

Section 2. All signs/signboards/billboards shall be subject to Chapter 20 and Rule V of the National Building Code (PD 1096) and its implementing rules and regulations and such other pertinent rules and regulations enacted by the Metro Manila Council.

Section 3. All private commercial signs, billboards and streamers installed over or across and along public thoroughfares, center islands and street rights-of-way, whether it be National Road or Secondary Road are strictly prohibited pursuant to Rule V of the Implementing Rules and Regulations of the National Building Code of the Philippines (P.D. 1096) and other MMDA rules and regulations relevant to the posting and installation of billboards and advertising signs.

Section 4. MMDA Regulation No. 96-009 (Anti-Littering Regulation) must be strictly observed specifically, Sec. h, which states that:

"It is unlawful for any person/s private and public corporations, advertising and promotion companies, movie producers, professionals and service contractors to post, install display any kind or form of billboards, signs, posters and other visual clutters in any part of the roads, sidewalk, center island, posts, trees and open spaces".

Section 5. Installation, operation and maintenance of lighted advertising panels endorsing individuals, private organizations or public corporations shall not be allowed within sidewalks, pedestrian overpasses, flyovers, interchanges, traffic signages, communications posts, LRT, and MRT structures (such as terminal stations, carriageways, columns and beams), roads rights-of-way, posts, waiting sheds or any part thereof.

Section 6. Any individual, private corporation or business establishment who plans to engage or enter into a contract with any government agency under the Build, Operate and Transfer Scheme (BOT) shall not be allowed to install advertising signs within government lots or in any part of the structure in order to protect the integrity of government buildings and facilities.

Section 7. Prohibited Signs

The following signs shall be prohibited within the road rights of way of Metro Manila.

- 7.1 Dazzling signs/neon signs;
- 7.2 Advertisement of cigar/cigarettes, tobacco, liquor, prohibited drugs;
- 7.3 Exhibit of graphic display of sexuality/nudity that is offensive to public morals;
- 7.4 Sanitary products, birth control devices or birth control medicines, underwear and other sensitive products;
- and,
- 7.5 Other signs that will pose danger/nuisance to the motorists or may cause inconvenience to the general public.

Section 8. Traffic Signs

8.1 All Traffic signs to be installed in all streets of Metro Manila whether local or national roads, shall conform to the international standards as to design and installation specifications embodied in the "Philippine Road Signs Manual" or subsequent revisions thereof. Structural specification shall be determined by MMDA in accordance with DPWH standards.

8.2 Road Signs for Traffic Improvement Projects

- a. In case of road signs for traffic improvement projects such as one-way system, alternate/detour routes, u-turn slots and the like, appropriate design plan shall be coordinated with the MMDA prior to installation/implementation.
- b. Traffic improvement projects shall be subject to the approval of the MMDA in accordance with MMDA standards.

Section 9. Existing Signs

Existing Signs non-conforming to the provisions of the Implementing Guidelines of the National Building Code shall be altered to conform to pertinent provisions applicable thereto. Owners/promoters of non-conforming signs or those without Certificate of Use shall within seven (7) days from receipt of notice, secure clearance from MMDA and/or LGU permit as the case may be prior to issuance of Certificate of Use by the Building Official.

Section 10. Markers of historical sites and tourist destinations including directional signs shall not be combined with advertisement signs even if these signs are sponsored by private businesses. Sponsors may put their advertisement in the periphery of the historical sites upon acceptance and permission of the sites' administrators and upon signing of a Memorandum of Understanding or Agreement (MOU/MOA) witnessed by the LGU concerned and MMDA.

No signs shall be installed in trees, electric or lighting posts, center islands, side strips and fences that will destroy, alter or deface the natural landscape or seascape of historical sites and tourist destinations.

Section 11. No sign shall be allowed to cross or straddle along carriageways.

Section 12. The Outdoor Advertising Association of the Philippines (OAAP) shall adhere to the Code of Ethics for advertising and promotions regulating the context of the advertising signs per se, meaning the message being conveyed by the sign must not be offensive and should conform to accepted moral standards

Section 13. The MMDA, thru the Chairman or his duly authorized representative, shall be the approving authority in the issuance of clearance in the installation of billboards/signboards and advertising signs along major thoroughfares of Metro Manila. Upon securing clearance from the MMDA, a permit from the Local Government

Unit must be secured. (The list of major thoroughfares is hereto attached as Appendix A[*] of this Regulation).

The City/Municipal Mayor or his duly authorized representative shall be the approving authority in the issuance of permit for the installation/posting of billboards/signboards and advertising signs along local roads and private properties of Metro Manila.

Section 14. Time and Period of Installation - The time and period of installation/display shall be determined and be strictly observed and complied with.

Section 15. The following must be indicated at the bottom right corner of the advertising sign, written in bold letters not less than one (1) cm. high, readable at ground level:

1. Name of advertiser or agent of the advertiser
2. Inclusive dates of permit/clearance
3. Date of installation/display
4. Who granted the permit/clearance and what office
5. Address and telephone number of the advertiser/contact person

Immediately after the lapse or expiration of the permit to install/display, permittee/requesting party shall undertake the appropriate removal, disposition and dismantling of the advertising sign(s) otherwise the MMDA shall undertake the removal of the same, charging the cost/expenses incurred therefor to the permittee/requesting party concerned.

Section 16. Clearance Fee - The clearance fee to be collected shall depend on the size and duration of installation/display of billboards and advertising signs which shall be determined by the MMDA (for those that will be posted along major thoroughfares) and the Office of the Mayor (for those that will be posted along local roads) which shall not be less than FIVE HUNDRED PESOS (P500.00) per clearance.

Section 17. Administrative Fines - The following fines shall be imposed on any person, corporation or partnership found violating any of the provision of this Regulation:

1. **First Offense** - The fine shall be computed at P100.00 per square foot of surface space of the advertisement. Posters with less than a square foot shall be charged a minimum of P100.00.

Government signs shall be charged P25.00 per square foot

A surcharge of Twenty Five Percent (25%) of the penalty shall be added for failure to pay the fine within seven (7) days upon receipt of notice thereof.

2. **Second and Final Offense**

For the second and final offense, the violator will be meted out a fine in the amount of P20,000.00.

Section 18. Disposition of Fines

Proceeds from the penalties and fees collected from the preceding provisions shall accrue to the MMDA General Fund.

Section 19. Implementing Guidelines

The MMDA Chairman shall issue the necessary implementing guidelines relative to the issuance of MMDA clearance for all signages (private and government signs) that would be installed and displayed along major thoroughfares in Metropolitan Manila.

Section 20. Separability Clause

Any portion or provision of this Regulation that may be declared unconstitutional or invalid shall not have the effect of nullifying other provisions hereof.

Section 21. Suppletory Clause

This Regulation shall not be construed as an amendment to existing laws, rules and regulations, but shall be supplemental thereto.

Section 22. Effectivity

This Regulation shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation in Metro Manila.

Adopted: 2 Sept. 2004

(SGD.) BAYANI F. FERNANDO

Chairman

(SGD.) IMELDA T. AGUILAR

(SGD.) MA. LOURDES C. FERNANDO

Mayor, City Las Piñas

Mayor, City of Marikina

(SGD.) SHERWIN T. GATCHALIAN

(SGD.) CANUTO S. ORETA

Mayor, City of Valenzuela

Mayor, City of Malabon

(SGD.) ROSENDO T. CAPCO

(SGD.) TOBIAS M. TIANGCO

Mayor, Pateros

Mayor, Navotas

(SGD.) ENRICO R. ECHIVERRI

(SGD.) HERBERT M. BAUTISTA

Mayor, City of Caloocan

Chairman, Metro Manila Vice Mayors League

(SGD.) JOSEPH VICTOR G. EJERCITO

Mayor, San Juan

(SGD.) RAUL R. CORRO

President

Metro Manila Councilors League

[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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