

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. **313**

Introduced by Honorable Roilo Golez

EXPLANATORY NOTE

Entitled "AN ACT REGULATING THE PLACEMENT OF BILLBOARDS SIGN," also known as "Billboard Rationalization Act," this bill is the counterpart bill of Senate Bill No. 1714, authored by Senator Miriam Defensor-Santiago during the 13th Congress and was substituted with Senate Bill No. 2482 as reported by the Senate Committee on Public Works, through Committee Report No. 110.

Last 28 September 2006, Typhoon Milenyo had proved that the giant billboards along the South Superhighway, EDSA and other major thoroughfares are indeed killers and ultra hazardous to people and property and even before said typhoon, there have been instances of such billboards causing damage to property and serving as traffic hazards. Being in the typhoon belt, we can expect more killer billboard accidents if they are not taken down now;

In addition to the murders and massive property destruction they could cause, those billboards are eyesores that uglify the Metro Skyline (the older generations would remember Guadalupe used to be a beautiful picturesque "gulod," a rock formation along the Pasig River, with the San Carlos Seminary on top of the hill, but that pretty view was stolen by those giant billboards, an irony that sexy advertisements enveloped a religious, holy seminary).

This is one major issue that has united both the administration and the opposition, with general public support and only the Outdoor Advertising Association of the Philippines and Justice Secretary Raul Gonzalez offering resistance in the name of free speech. This is one rare opportunity for the leaders, both national and local, administration and opposition, to demonstrate that we as a people can get our act together.

In view of the foregoing premises, the approval of this bill is earnestly sought.



ROILO GOLEZ

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AN ACT
REGULATING THE PLACEMENT OF BILLBOARDS SIGNS

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

SECTION 1. *Title.* – This Act shall be known and cited as the "Billboard Rationalization Act".

SECTION 2. *Declaration of Policy.* – It is the declared policy of the State to ensure an improved quality of life for all, and to protect the scenery and environment.

SECTION 3. *Definition of Terms.* - As used in this Act the term:

- (1) "Billboard" means an identification, description, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land and which directs attention to a product, place, activity, person, institution or business.
- (2) "Off-Premise Billboard" means a business billboard which directs the attention of the public to the business or activity conducted or product or service sold or offered at a location not on the same premises where such business sign is located.
- (3) "DPWH" means the Department of Public Works and Highways.
- (4) "MMDA" means the Metropolitan Manila Development Authority.
- (5) "DOT" means the Department of Tourism.

SECTION 4. *Regulation of Off-Site Signs and Billboards.* – Any off-premise sign erected after the effective date of this Act shall comply with the following standards:

- (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 the safe movement thereof.
- (2) Each billboard shall be set back at least ten (10) meters from any road or street right-of-way line, measured from the closest part of the billboard.
- (3) No billboard shall be located within three hundred five (305) meters of any interchange, within three hundred five (305) meters of any right-of-way of any underpass, overpass, bridge or tunnel, or within three hundred five (305) meters of any street intersection.

- (4) All billboards shall be erected in conformity with the front, side and rear yard requirements of the district in which they are located.
- (5) No billboard shall be erected within a three hundred five (305) meters circumference of the nearest property line of any of the following:
 - (a) historic site
 - (b) school
 - (c) church
 - (d) hospital
 - (e) retirement or nursing home
 - (f) cemetery
 - (g) governmental building
 - (h) public park
 - (i) playground
 - (j) recreation area
 - (k) convention center
 - (l) or any area in which billboards are prohibited.
- (6) No billboard shall be permitted whenever property zoned as residential would be between the sign and the roadway toward which it is oriented.
- (7) No part or foundation or support of any billboard shall be placed on, in, or over any private property without the written consent of the property owner.
- (8) No part or foundation or support of any billboard shall be placed on, in, or over any public property, including public rights-of-way, or any utility or drainage easement, or upon telephone or utility poles, or natural features such as trees and rocks.
- (9) No billboard shall be erected or maintained upon or above the roof of any building structure.
- (10) No billboard shall be constructed on a lot where it obscures or shades the windows or doorways of adjacent buildings.
- (11) No two billboards located upon, or oriented towards traffic traveling upon, the same side of a public street or road with four (4) or more lanes shall be spaced less than six hundred ten (610) meters apart; on the same side of public streets or roads with less than four lanes, the spacing shall be no less than three hundred five (305) meters apart. This distance shall be measured along a straight line between the two nearest points of the signs. The minimum spacing requirement shall not apply to two panels viewed from different directions which share a common support structure. Nor shall any billboard be located within a three hundred five (305) meters radius of any other billboard even though the two billboards are on different streets.
- (12) No billboard shall exceed twenty eight square meters (28 sq. m.) in total surface display area.
- (13) Billboards may be single-faced or double-faced but no billboard shall contain more than one face on each side of the display and the surface area shall not exceed a total area of twenty eight square meters (28 sq. m.) per structure [face].
- (14) No billboard shall be permitted which, because of its size, shape, or location, may obscure or obstruct the view of vehicular or pedestrian traffic or be confused with any authorized traffic control sign, signal, or device.

- (15) No billboard shall be permitted which, because of its size, shape, or location, may impair any scenic vista from the highway or a building adjacent to the highway or to the billboard.
- (16) No billboard shall exceed fifteen (15) meters in height. This distance shall be measured from ground level at the base of the billboard's support system to the highest point of the billboard.
- (17) No billboard structure shall be built that will not withstand wind gusts of less than two hundred forty (240) kilometers per hour, and not withstand an earthquake with a magnitude of less than seven (7) on the Richter scale.
- (18) No billboard structure shall be built with an overhang. All billboard structures shall, from the ground up, have the same size as its base.

SECTION 5. *Permit Fee and Inventory of Billboards.* –

- (1) As of the effective date of this Act, the annual fee for a billboard permit for a new construction of a billboard shall be Seven Thousand Five Hundred Pesos (P7,500.00).
- (2) The DPWH in coordination with the MMDA shall use additional revenues resulting from subsection (1) to conduct a thorough countrywide inventory of all 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 local government agency charged with regulating billboards.

SECTION 6. *Insurance.* - No billboard structure shall be erected without a mandatory insurance coverage, with Third Party Liability, the amount of which is to be determined by the DPWH.

SECTION 7. *Enforcement of the Act.* – It shall be the primary duty of the DPWH to effectively enforce the provisions of this Act.

SECTION 8. *Liability of Officers.* – Any officer of the duly designated enforcement agency who fails or neglect to enforce the provisions of this act shall be liable administratively and in addition, shall be fined of no less than twenty thousand pesos (20,000.00) and not more than one hundred thousand pesos (100,000.00). The filing of criminal charges against the erring officer is not barred by this provision.

SECTION 9. *Assisting Entries* – In compiling this inventory mentioned in Section 6, the DPWH shall cooperate with billboard permit holders, local governments, the MMDA, nongovernmental organizations and citizens groups concerned with scenic conservation and transportation.

SECTION 10. *Development of Official Business Directional Signs.* – The DOT is directed to develop, construct and contract with public and private entities for the construction and maintenance of official business directional signs in addition to any such signs currently operated by the DOT. The DOT shall consult with scenic conservation groups, businesses and business organizations, and local governments to facilitate the development of these signs in such a way as to allow businesses to reach the traveling public without the deleterious impact of billboards on scenery.

SECTION 11. *Transitory Provision.* – All billboard structures not conforming, with the provisions of this act shall immediately be dismantled by their owners or corrected accordingly.

SECTION 12. *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.

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

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

Approved,