METRO MANILA COUNCIL

MMDA Regulation No. 04-004
Series of 2004

PRESCRIBING GUIDELINES ON THE INSTALLATION AND DISPLAY OF BILLBOARDS AND ADVERTISING SIGNS ALONG MAJOR AND SECONDARY THOROUGHFARES, AVENUES, STREETS, ROADS, PARKS AND OPEN SPACES WITHIN METRO MANILA AND PROVIDING PENALTIES FOR VIOLATION THEREOF

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.
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**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.
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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.
PRESCRIBING GUIDELINES ON THE INSTALLATION AND DISPLAY OF BILLBOARDS AND ADVERTISING SIGNS ALONG MAJOR AND SECONDARY THOROUGHFARES, AVENUES, STREETS, ROADS, PARKS AND OPEN SPACES WITHIN METRO MANILA AND PROVIDING PENALTIES FOR VIOLATION THEREOF

APPROVED this 2nd day of September 2004, in Makati City, Metro Manila, Philippines.

(SGD.) BAYANI F. FERNANDO
Chairman
MEMORANDUM CIRCULAR NO. ___
SERIES OF 2005

SUBJECT: IMPLEMENTING GUIDELINES GOVERNING PROCESSING
AND ISSUANCE OF BILLBOARD/SIGNBOARD CLEARANCE

1.0 BACKGROUND

The dangers posed by billboards and advertising signs indiscriminately installed along major and secondary thoroughfares, avenues, streets, roads, parks and open spaces within Metro Manila prompted the Metro Manila Council to enact MMDA Regulation No. 04-004, Series of 2004 prescribing guidelines on the installation of billboards and advertising signs in order to ensure public safety and a smooth traffic flow in the metropolis.

Section 19 of the subject Regulation provides that the MMDA Chairman shall issue the necessary implementing guidelines relative to the issuance of MMDA clearance for all signage (private and government signs) that would be installed and displayed along major thoroughfares of Metro Manila.

2.0 OBJECTIVE

To provide implementing guidelines relative to the processing and issuance of clearance on the installation/display of billboards/signboards and advertising signs along major thoroughfares pursuant to Section 19 of MMDA Regulation No. 04-004 Series of 2004.

3.0 COVERAGE

These guidelines shall cover all billboards/signboards and advertising signs (whether private or government) that shall be installed/posted/displayed along national roads of Metro Manila.

4.0 IMPLEMENTING GUIDELINES

The following implementing guidelines are hereby set forth:

A. Prior to the installation, operation and maintenance of advertising signs and billboards, Signboard Clearance shall be secured from MMDA before a Signboard Permit and Certificate of Use are issued by the Local Government Units through the Office of the Building Officials.

B. Issuance and Processing of Signboard Clearance:
1. All applications for Signboard Clearance shall be submitted to the Office of the Action Center for Infrastructure Development (ACID) with supporting documents attached thereto. Incomplete and erroneous applications shall be immediately returned to the applicant with corresponding notations.

2. List of requirements for the processing/issuance of **Signboard Clearance**:
   
   a. Letter-Request of Owner/Applicant
   b. One (1) set of Architectural/Structural Plans
   c. TCT and/or Contract of Lease/Deed of Sale. If the applicant is not the owner or lessor of the lot or property, certified true copies of TCT, Deed of Sale of the property/lot or the Contract of Lease
   d. Lot/Vicinity Plan
   e. Structural Design Analysis
   f. Perspective photo of the site
   g. Outdoor Advertising Association of the Phil. (OAAP) Clearance
   h. Others (for Special Cases)
      • Air Transport Clearance, Department of Transportation and Communication (DOTC-ATO) for Signboards to be installed in the vicinity of the airport
      • Certification of Structural Engineer (for roof billboards and/or within the building affected by additional load)

C. The ACID shall perform the following functions:

   a. Checks the completeness of the documents/requirements. If the application is found complete and in order, receives the application;

   b. Inspects the site of the proposed/existing signboard and prepares report and sketch of site/location;

   c. Evaluates plans, inspection report and other supporting documents to check compliance with the provisions of the National Building Code (PD 1096) and MMDA Regulation No. 04-004;

   d. Assesses, as per plan submitted and prepares Order of Payment; and,

   e. Prepares Signboard Clearance with corresponding conditions.

D. **Schedule of Fees:**

   | Filing Fee | Php 500.00 |
Processing Fee: Php 30.00/sq foot of display surface (which in no case shall be less than Php 500.00)
Annual Renewal Fee: Php 15.00 /sq. foot of display surface

E. Administrative Fines:

1st Offense: Php 100.00/sq. foot of surface space
Government Sign: Php 25.00/sq. foot surface space

Surcharge of twenty-five (25%) percent for failure to pay within 7 days upon Receipt of Notice

2nd and Final Offense: Php 20,000.00 in addition to the computed Administrative Fines for the 1st Offense

F. Upon payment of the required fees and charges, the ACID prepares the Signboard Clearance citing pertinent rules and conditions for the installation/erection of signboard structure. The Director III of ACID shall indicate his initials thereto.

G. The Signboard Clearance with corresponding documents will be forwarded to the Office of the Chairman for final approval.

H. The application is sent back to ACID for issuance to the applicant;

I. The ACID shall be responsible in the custody of records and files.

J. To facilitate an orderly issuance of Signboard Clearance, all units/offices concerned shall strictly follow the Approved Process Flow Chart attached hereto as Annex "A".

5.0 EFFECTIVITY

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

APPROVED:

BAYANI F. FERNANDO
Chairman