

**[MMDA MEMORANDUM CIRCULAR NO. 10, S.
2011, August 05, 2011]**

IMPLEMENTING GUIDELINES OF MMDA REGULATION NO. 04-004, SERIES OF 2004, THE MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS AND THE METROPOLITAN MANILA DEVELOPMENT AUTHORITY DATED AUGUST 31, 2010, AND THE MAY 19, 2011 AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS AND THE METROPOLITAN MANILA DEVELOPMENT AUTHORITY CONCERNING CLEARANCES AND PERMITS FOR BILLBOARDS AND ADVERTISING SIGNS ALONG MAJOR AND SECONDARY THOROUGHFARES, AVENUES, STREETS, ROADS, PARKS AND OPEN SPACES WITHIN METROPOLITAN MANILA

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 which distract the attention of motorists and cause road accidents and traffic congestion, and even resulting in the visual pollution of the urban landscape;

WHEREAS, with the onset of strong tropical storms, there is an imminent danger that some billboards and advertising signs might thereby topple resulting in tragic deaths, injuries and damage to property and causing road blockages which could hinder efficient and immediate evacuation and transport of relief goods and other materials, such as what happened several years ago;

WHEREAS, unregulated and non-complying billboards and advertising signs are traffic distractions, traffic hazards, threats to public safety and contribute to environmental degradation and urban blight;

WHEREAS, PD 1096 vests upon the Secretary of Department of Public Works and Highways (DPWH) the power to administer and enforce the provisions of the National Building Code (NBC) 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, the Local Government Code of 1991 further empowers local chief executives to require owners of illegally constructed houses, buildings or other structures to obtain the necessary permit, subject to such fines and penalties as may be imposed by law or ordinance, or to make necessary changes in the

construction of the same when said construction violates any law or ordinance, or to order the demolition or removal of said house, building or structure within the period prescribed by law or ordinance:

WHEREAS, Republic Act No. 7924 empowers the Metropolitan Manila Development Authority (MMDA) to do the following: (A) 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; (B) formulate and implement policies, rules and regulations, standards, programs and projects for the promotion and safeguarding of the health of the region and for the enhancement of ecological balance; and (C) formulate and implement programs, policies and procedures to achieve public safety, especially preparedness for preventive or rescue operations during times of calamities and disasters such as earthquake, flood and tidal waves;

WHEREAS, on September 2, 2004, recognizing the urgent need to prescribe guidelines on the installation/display of billboards and advertising signs, the Metropolitan Manila Council (MMC) composed of all City and Municipal Mayors of Metropolitan Manila, adopted and approved MMDA Regulation No. 04-004, Series of 2004 entitled *"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"* (the **"Metro Manila Billboard Regulation"**);

WHEREAS, Section 19 of the aforementioned MMDA Regulation No. 04-004 provides that *"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"*;

WHEREAS, the Department of Public Works and Highways has *"deputized the MMDA, its officers, employees, and agents to implement Chapters 8 and 20 of the NBC and Rule VIII and XX of the IRR of the NBC within Metro Manila"* in a Memorandum of Agreement signed by Hon. Rogelio L. Singson of the DPWH and Chairman Francis N. Tolentino of the MMDA on August 31, 2010;

WHEREAS, Section 2001 (b) of the National Building Code states that *"No sign or signboard shall be constructed as to unduly obstruct the natural view of the landscape, distract or obstruct the view of the public as to constitute a traffic hazard, or otherwise defile, debase or offend aesthetic and cultural values and traditions;"*;

NOW, THEREFORE, pursuant to the Memorandum of Agreement dated August 31, 2010, MMDA Regulation No. 04-004, and the National Building Code and its implementing rules and regulations, the following implementing guidelines for the issuance of an MMDA and LGU clearances and permits are hereby issued:

Section 1. DEFINITION OF TERMS. When used in these Implementing Guidelines, the following terms shall have the following meanings:

- 1.1 **Advertisement** shall mean an act of advertising, giving notice or calling the attention of the public thru the use of posters, banners, billboards or any advertising signs.
- 1.2 **Advertising Sign** shall mean a sign that directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered at a place other than where the business, profession, etc. is located; an off-premise sign.
- 1.3 **Billboard** shall mean a panel for posting bills or posters.
- 1.4 **Building** shall mean a three-dimensional physical development erected within a lot or property or any combination of or all of its three different levels (at grade, below grade, above grade). The term buildings/structures as used in these implementing Guidelines shall invariably refer to both proposed and existing physical developments within a lot.
- 1.5 **Business Sign** shall mean an accessory sign that directs attention to a profession, business, commodity, service or entertainment. Business Sign may be On-Premise, when the Sign is placed on the location where the profession, business, commodity, service or entertainment is conducted, sold or offered or Off-Premise, when the Sign is placed in a location other than where the profession, business, commodity, service or entertainment is conducted, sold or offered.
- 1.6 **Carnageway** shall mean that part of the road-right-of-way, railroad-right-of-way, and water-right of-way reserved for the passage of motorized traffic and other transportation conveyances.
- 1.7 **Covered Area** shall have the meaning ascribed thereto in Section 2 of these Implementing Guidelines.
- 1.8 **Display Sign** shall mean any material, device or structure that is arranged, intended, designed, or used as an advertisement, announcement or directory that includes a sign, sign screen, billboard or advertising device of any kind.
- 1.9 **Display Surface** shall mean the entire area enclosed by the extreme limits or perimeter of a Sign.
- 1.10 **Electrical Sign** shall mean any sign which has characters, letters, figures, designs, faces, backgrounds or outline illuminated by incandescent or fluorescent lamps or luminous tubes as part of the sign proper. These light

sources are external or internal It shall static (non-moving) light emitting diode (LED) signs.

- 1.11 **Ground Sign** shall mean 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.
- 1.12 **IRR** shall mean the Revised Implementing Rules and Regulations of Presidential Decree No. 1096 issued on October 29, 2004.
- 1.13 **The Metro Manila Billboard Regulation** shall have the meaning ascribed thereto in the eighth (8th) Whereas Clause of this Memorandum Circular.
- 1.14 **Major Thoroughfares** shall mean 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.
- 1.15 **NBC** shall mean Presidential Decree No. 1096 entitled "Adopting a National Building Code of the Philippines Thereby Revising Republic Act Numbered Sixty-Five Hundred Forty One."
- 1.16 **Projecting Signs** shall mean a sign fastened to, suspended from or supported on a building or structure the Display Surface of which is perpendicular from the wall surface or is at an angle therefrom.
- 1.17 **Public Advisory Messages** shall mean any form of Signages that bears information, building, messages to the general public in pursuance of any government projector
- 1.18 **Public Thoroughfares or Roads** shall mean any parcel of land appropriated for the free passage of the general public owned and maintained by the government whether national or local.
- 1.19 **Regulated Signs** shall have the meaning ascribed thereto in Section 2 of these Implementing Guidelines.
- 1.20 **Road-Right-of-Way (RROW)** Shall mean 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.
- 1.21 **Roof Sign** shall mean a sign installed on roofs, and roof decks.

- 1.22 **Secondary Roads** shall mean a public street maintained by the National or Local Government used as secondary passageway within a certain City/Municipality.
- 1.23 **Setback** shall mean the horizontal distance measured 90 degrees from the outermost face of the building/structure to the property lines.
- 1.24 **Sign or Signage** shall mean any letter, word, numeral, pictorial presentation, 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.
- 1.25 **Sign Structure** shall mean any means employed to support the installation of signs and this includes the structural frame, anchorages and fasteners to support and suspend such signs. A building where a Roof Sign is installed entirely on its roof is not part of the sign structure.
- 1.26 **Streamer** shall mean 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.
- 1.27 **Structure** shall mean that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
- 1.28 **Temporary Sign** shall mean a sign of cloth or other light and/or combustible material, with or without frame such as streamer, bills, posters and the like installed for a limited period of time.
- 1.29 **Traffic Sign** shall mean 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.
- 1.30 **Wall Sign** shall mean a sign painted on, attached to or fastened to the surface of the wall or any part of a building or structure the display surface of which is parallel to the wall surface.

Section 2. COVERAGE. These Implementing Guidelines shall cover existing and