



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 165

**PRESCRIBING REGULATIONS ON OUT-OF-HOME ADVERTISING
SIGNS AND BILLBOARDS**

WHEREAS, Section 11(2), Article XVI of the Constitution provides that the advertising industry is impressed with public interest, and shall be regulated by law for the protection of consumers and the promotion of the general welfare;

WHEREAS, Section 2001 of Presidential Decree (PD) No. 1096 (s. 1977) or the "National Building Code of the Philippines" ("Building Code") prohibits the construction of any sign or signboard which 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;

WHEREAS, Section 203 of the Building Code empowers the Secretary of the Department of Public Works and Highways (DPWH) to issue and promulgate rules and regulations to implement the provisions of the Building Code, ensure compliance with policies, plans, standards and guidelines, and prescribe the amount of regulatory fees and other charges that the Building Official shall collect;

WHEREAS, Section 3(2), Chapter 1, Title V of Executive Order No. 292 (s. 1987) or the "Administrative Code of 1987," mandates the DPWH to develop and implement effective codes, standards and reasonable guidelines to ensure the safety of all public and private structures;

WHEREAS, unregulated advertising signs and billboards pose traffic distractions and hazards, constitute threats to public safety, and contribute to environmental degradation and urban blight due to their inappropriate location, site, glare, size, structural configuration and uncontrolled height limit;

WHEREAS, there is a need to update and supplement the rules on non-mobile advertising signs and billboards under the Building Code and its Implementing Rules and Regulations (IRR), and to prescribe minimum standards to harmonize national and local rules and regulations as part of the strategies on ease of doing business, and in facilitating self-regulation within the advertising industry;

WHEREAS, pursuant to Section 16, Chapter 2, Book I of Republic Act (RA) No. 7160 or the "*Local Government Code of 1991*," as amended, local governments shall exercise powers that are necessary, appropriate and essential to the promotion of the general welfare of their inhabitants;

THE PRESIDENT OF THE PHILIPPINES

WHEREAS, Section 17, Article VII of the Constitution vests in the President the power of control over all executive departments, bureaus and offices, as well as the mandate to ensure the faithful execution of laws; and

WHEREAS, under Section 4, Article X of the Constitution, the President exercises general supervision over local governments;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. Coverage. This Order shall cover all non-mobile advertising signs and billboards, and their support structures, erected and installed, modified, retrofitted, rehabilitated or otherwise altered and thereafter exhibited.

Section 2. Standards on Signs and Billboards. Any new sign or billboard and its support structures to be constructed, and existing billboards to be modified, retrofitted, rehabilitated, or converted from static billboard to light-emitting diode (LED) billboard, regardless of size, make, location and construction, shall comply with the following requirements:

a. *Billboard Setback Requirements.* A newly constructed billboard structure must have at least five (5) meters (m.) of setback from the frontage property line, measured perpendicularly up to the support structure. Existing static billboards or LED billboards with a setback of less than five (5) m. must comply with the guidelines for size of display surface and height of billboard structures under sub-items (b), (c) and (d) of this Section, and relevant clearances from the high tension wire as prescribed by the Philippine Electrical Code;

b. *Size of Billboard Display Surface.* Signs and sign structures and billboards shall not exceed two hundred fifty (250) square meters (sqm.);

Size of LED Billboard Display. LED and other electronic signs shall have a minimum display area of fifty-five (55) sqm. and a maximum display area of up to two hundred fifty (250) sqm., as the site allows, provided that the sign conforms with the structural design and wind load exposure prescribed under the latest edition of the National Structural Code of the Philippines;

c. *Height of Billboard Structures.* Free-standing structures shall have a maximum height of thirty-six (36) m. from the established grade, provided it will not obstruct any public utility and fire exits in accordance with existing laws.

A roof-mounted billboard structure shall have a combined height limit of not more than twenty-six (26) m. for urban areas and not more than thirty-six (36) m. for rural areas, measured from the ground to the established grade;

d. *Rooftop Billboards.* New rooftop billboards shall not exceed or occupy more than one-fourth ($\frac{1}{4}$) of the street frontage of the building on which they are attached, with the base area of the support skeleton frame structure not more than ten (10) sqm. on any horizontal section, and shall be constructed of incombustible material pursuant to Section 1210 of the IRR of the Building Code;

e. *Wall-Mounted Billboards.* Wall-mounted billboards shall be placed against blank walls and shall not exceed the area of such wall, in accordance with the provisions of the latest revision of the IRR of the Building Code; and

- f. *Distance between billboards.* New billboard structures to be installed or erected at the same side of the road must have a minimum distance of one hundred (100) m. apart.

Obstruction of an existing billboard or on-premises sign by an advertising billboard from its intended viewership, no matter how partial, is strictly prohibited. The existing outdoor advertising sign is considered not obstructed by a newly constructed sign when it is fully visible within two hundred (200) m. distance from its intended audience.

Within two (2) years from the effectivity of this Order, owners and operators of existing sign and billboard structures shall comply with the foregoing standards on size of display surface and height of billboard.

To ensure uniformity and harmonization of national and local standards on signs and billboards, all local governments shall not impose requirements higher or more burdensome than the parameters provided under this Section.

Section 3. Signs and Billboards Permitting and Licensing System. The DPWH shall streamline, and thereafter, establish an online platform for permitting and licensing applications and procedures of advertising signs and billboards. Under justifiable circumstances to be determined by the DPWH Secretary, a manual application system may still be maintained based on the streamlined applications and procedures.

Section 4. Authority of the Office of the City and Municipal Building Official. Consistent with Section 207 of the Building Code, the Offices of the City or Municipal Building Official shall strictly implement the provisions of this Order, the Building Code and its IRR, and other relevant administrative rules and regulations promulgated by the DPWH.

Consistent with Section 9(b)(1) of RA No. 9485 or the "*Anti-Red Tape Act of 2007*," as amended by RA No. 11032 or the "*Ease of Doing Business and Efficient Government Service Delivery Act of 2018*," the processing time for local permits or licenses of a new sign or billboard shall not exceed seven (7) working days from the date the request and/or complete application or request was received.

Section 5. Role of Local Government Units (LGUs). Pursuant to Section 16, in relation to Sections 447(3)(ix) and 458(3)(ix) of RA No. 7160, as amended, and in the exercise of their mandates to ensure the preservation and enrichment of culture, promote health and safety, and enhance the right of the people to a balanced ecology, the local *Sanggunians* are hereby enjoined to enact ordinances that supplement national billboard regulations on the following areas:

- a. non-obstruction of natural landscape and prohibition of signs or billboards that debase or offend aesthetic and cultural values and traditions;
- b. restricted areas or those that distract or obstruct the view of the public as to constitute a traffic hazard, especially along major thoroughfares and public roads; and
- c. billboard-free zones such as historical sites, tourist destinations and parks, institutional establishments, and critical facilities, such as power plants.

The Department of the Interior and Local Government (DILG) shall assist LGUs in the implementation of this directive.

Section 6. Role of National Government Agencies. To the extent consistent with their respective mandates, the following agencies shall perform the following:

- a. The DPWH shall ensure full and strict enforcement of this Order, the standards provided under DPWH National Building Code Development Office Memorandum Circular No. 01 (s. 2008) (*Additional Rules and Regulations on Signs and Signboard Structures*) and administrative rules and regulations promulgated by the DPWH Secretary, and the provisions under Chapter 20 of the Building Code and its IRR. Consistent with Section 203, Rule II of the IRR of the Building Code, the DPWH Secretary may order payment of appropriate government fees and other charges for billboard permits and clearances;
- b. The Department of Finance (DOF) shall: (i) prepare guidelines for setting local fees and charges related to the application for locational clearances which are required for building permit applications for sign permits; (ii) provide training for local government personnel on the guidelines on fees, and increases of existing or prevailing costing of government charges; and (iii) assist in the compliance of LGUs to the said guidelines and the preparation of regular reports to the DILG and the DPWH; and
- c. The DILG shall assist the DPWH in ensuring compliance of LGUs with the provisions of this Order;

All other departments, agencies, instrumentalities, including government-owned or –controlled corporations, and government financial institutions are hereby directed to provide such assistance or support necessary to ensure the effective implementation of this Order. For this purpose, the DPWH Secretary may call upon any government official or employee to assist in the implementation of this Order.

Section 7. Implementing Guidelines. The DPWH, in consultation with the DILG, DOF, Metropolitan Manila Development Authority, Philippine Atmospheric, Geophysical and Astronomical Services Administration, Civil Aviation Authority of the Philippines, and representatives of stakeholders from the billboard industry, shall formulate implementing guidelines to effectively carry out the provisions of this Order. Such implementing guidelines shall include, among others, the requirements and procedures for the issuance of the necessary permits for the erection, building, placement and installation of all outdoor advertising displays.

Section 8. Sanctions. Pursuant to Section 306 of the Building Code, the Building Official may order or cause the non-issuance, suspension or revocation of building permits in case of non-compliance with the provisions of this Order, the Building Code and its IRR, or relevant administrative rule or regulation issued by the DPWH Secretary. National or local officials and personnel who fail to comply with the provisions of this Order shall be proceeded against in accordance with civil service laws, rules and regulations, and relevant provisions of RA No. 7160, as amended.

Section 9. Funding. The funds necessary to implement this Order shall be sourced from the current appropriations of the DPWH and other relevant agencies. Funding requirements for subsequent years shall be included in the annual General Appropriations Act, subject to the usual budget process.

Section 10. Separability. In the event that any provision or part of this Order is declared invalid, illegal or unconstitutional, the provisions not thereby affected shall remain in full force and effect.

Section 11. Repeal. All orders, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

Section 12. Effectivity. This Order shall take effect immediately after publication in the Official Gazette or in a newspaper of general circulation.

DONE in the City of Manila, this 21st day of March, in the year of Our Lord, Two Thousand and Twenty-Two.

 

By the President:


SALVADOR C. MEDIALDEA
Executive Secretary

