



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



ORDINANCE NO. 2020-175

AN ORDINANCE REGULATING THE BILLBOARDS AND SIGNAGES IN THE CITY OF MUNTINLUPA DURING WEATHER DISTURBANCES AND PROVIDING FOR ITS PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

Sponsored by:

- Hon. Coun. Atty. Raul R. Corro*
- Hon. Coun. Alexson V. Diaz*
- Hon. Coun. Paty Katy C. Boncayao*
- Hon. Coun. Louisito A. Arciaga*
- Hon. Coun. Allan Rey A. Camilon*
- Hon. Coun. Ting Niefes*
- Hon. Coun. Stephanie G. Teves*
- Hon. Coun. Ivey Rhia A. Tadea*
- Hon. Coun. Engr. Marissa C. Rongavilla*
- Hon. Coun. Francis Ian T. Bagatsing*
- Hon. Coun. Mark Lester M. Baes*
- Hon. Coun. Engr. Mamerto T. Sevilla, Jr.*
- Hon. Coun. Engr. Arlene D. Hilapo*
- Hon. Coun. Cornelio M. Martinez*
- Hon. Coun. Walter A. Arcilla*
- Hon. Coun. Kenichi D. Takagi, Jr.*

WHEREAS, under **Section 15, Article II of the Philippines Constitution**, it is the State's policy to protect and promote the right to health of the people;

WHEREAS, **Section 16 of the Local Government Code of 1991 (LGC)** further provides that, "every local government unit (LGU) shall exercise powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental to its efficient and effective governance, and those which are essential to the promotion of general welfare.";

WHEREAS, **Section 11 (a) (4), Article V of Republic Act (R.A.) No. 7926**, otherwise known as the "**Charter of the City of Muntinlupa**", provides that, "**the Sangguniang Panlungsod shall approve ordinances and pass resolutions necessary for an efficient and effective city government, and in this connection shall adopt measures to protect the inhabitants of the City from the harmful effects of man-made or natural disasters xxx**";

WHEREAS, **Section 11 (b) (6) thereof**, further states that the Sangguniang Panlungsod shall prescribe reasonable limits and restraints on the use of property within the jurisdiction of the City;

WHEREAS, subject to the provisions of the Local Government Code of 1991, enact ordinances **granting franchises and authorizing the issuance of permits or licenses, upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the City and pursuant to this legislative authority, shall regulate the display of and fix the license fees for signs, signboards, or billboards at the place or places where the profession or business advertised thereby is, in whole or in part, conducted (Section 11 (c) (4), RA 7926);**





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WHEREAS, the Sangguniang Panlungsod is further authorized to regulate activities relative to the use of land, buildings and structures within the City in order to promote the general welfare, and for said purpose shall declare, prevent, or abate any nuisance (**Section 11 (d) (1), RA 7926**);

WHEREAS, the Office of the President issued **Administrative Order No. 160, s. 2006 on 04 October 2006**, directing the Department of Public Works and Highways (DPWH) to conduct field inspections, evaluations and assessment of all billboards and determine those that are hazardous and pose imminent danger to life, health, safety and property of the general public, violating applicable laws, rules and regulations, constructed within the easement of road right-of-way, and constructed without necessary permit, and to abate and dismantle the same;

WHEREAS, pursuant to the Local Government Code of 1991, as amended, and Presidential Decree No. 1096, otherwise known as the National Building Code, the City Building Official, as the counterpart entity of the DPWH, is mandated to strictly implement the provisions thereof with respect to the safety and regulation of all structures being installed and erected;

WHEREAS, with the onset of strong tropical storms, there is an imminent danger that some billboards and advertising signs might thereby topple resulting to loss of lives or damages to property and causing road blockages that could hinder efficient and immediate evacuation and transport of necessary assistance;

WHEREAS, non-complying billboards and advertising signs are traffic distraction, traffic hazards, and threats to public safety;

WHEREAS, it is the thrust of the City of Muntinlupa to continuously improve its urban quality and make the neighborhoods a safer place to live in;

NOW THEREFORE, BE IT ENACTED, by the 9th Sangguniang Panlungsod in session assembled that:

SECTION 1. Short title. This Ordinance shall be known as **“An Ordinance Regulating Billboards and Signages in the City of Muntinlupa During Weather Disturbances.”**

SECTION 2. Coverage. This Ordinance covers all owners and operators of existing regulated billboards, signages, banners, streamers, and other similar signs, and sign structures, located in the City of Muntinlupa;

SECTION 3. Definition of Terms. For purposes of this Ordinance, the following terms shall have the following meanings:

- a. **Advertising Sign** – refers to a sign or signboard structure 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;



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- b. **Billboard** – refers to a display panel for posting advertising material;
- c. **Service provider** – refers to owner of an advertising sign or signboard structure;
- d. **Sign/Signboard** – refers to any letter, word, numerical, pictorial presentation, illustration, declaration, emblem, logo, device, symbol or trademark, banner or pennant, whether illuminated or not, electronic, static, or dynamic, or any figure or similar character that is attached to, painted on, or in a manner represented on a building or structure used to announce direct attention to or advertise and visible to the public;
- e. **Sign permit** – refers to a written authorization granted by the Building Official to an applicant allowing him to install/attach/display signs on a structure;
- f. **Sign structure** – refers to any means to support the installation of a sign/signboard and this includes the structural frame, anchorages and fasteners to support and suspend such sign/signboard;
- g. **Weather disturbance** – refers to a change in atmospheric conditions or weather patterns. The term includes low-pressure areas, tropical cyclones, tropical storms, typhoons, thunderstorms, ash falls and similar disturbances;

SECTION 4. Implementation and Enforcement. This Ordinance shall be implemented by the Office of the Building Official (OBO). The City Building Official (CBO) is the official designation of the DPWH for its Local Government Unit (LGU) appointees under Section 477 of the Local Government Code, tasked to implement and enforce the National Building Code and its derivative regulations.

The **OBO**, shall make an inventory of all existing billboards and signage in the City of Muntinlupa, and shall classify all existing advertising sign structures based on the inventory inspection conducted to determine whether the signs or sign structures posed imminent danger to life, health and property:

1. **Signs violating applicable laws, rules, and regulations;**
2. **Sign structures constructed without the necessary permit;**
3. **Sign or sign structures becoming unsafe or shows extensive deterioration due to poor maintenance;**

Tarpaulins and other advertising materials shall be automatically lowered/dismantled within forty-eight (48) hours upon notice by our local monitoring weather station of an anticipated weather disturbance, or immediately upon announcement of a Typhoon Signal No. 1 (one) bulletin by the Philippine Astronomical Geophysical Atmospheric Science Agency (PAG-ASA), whatever comes first, within the area of the advertising sign or signboard structure.





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Upon lifting of the Typhoon Signal Bulletin, the OBO shall issue a clearance allowing the service providers to re-install their signs and other advertising materials.

SECTION 5. Non-Conforming Billboards and Signages. Non-conforming billboards shall be identified and given notice to conform to this Ordinance. Failure to conform [with the Notice to Dismantle] will subject the billboards and signage to censure and condemnation resulting in the summary abatement/removal/dismantling, at the expense of the service provider/lot/building owner.

SECTION 6. Penal Provision. A fine of **Five Thousand Pesos (Php 5,000.00)** or an imprisonment of not more than **six (6) months** or both at the discretion of the court, shall be imposed to any person, firm or corporation who violates this Ordinance, *provided*, that the foregoing penalties shall be imposed without prejudice to the penalties and revocation of permits under the National Building Code and its IRR.

SECTION 7. Imposition of Penalties. Any person apprehended for violation of a City Ordinance, who does not wish to contest the violation and is willing to pay voluntarily the fine imposed upon him/her, prior to the filing of a formal complaint with the Office of the City Prosecutor, shall be allowed to pay the said fine within five (5) working days from the issuance of the City Ordinance Violation Receipt (COVR) with the City Treasurer to avoid being criminally prosecuted.

SECTION 8. Separability Clause. If, for any reason or reasons, any part/s or provision/s of this Ordinance shall be held to be unconstitutional or invalid, other part/s or provision/s hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 9. Repealing Clause. All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

SECTION 10. Publication. This Ordinance shall be published pursuant to the requirements of the Local Government Code and shall be posted in the Official Website of the City Government of Muntinlupa. The Public Information Office (PIO) shall disseminate copies of this Ordinance in all available social media platforms.

SECTION 11. Effectivity Clause. This Ordinance shall take effect immediately upon its approval and after its publication as required by law.

ENACTED, by the **9th Sangguniang Panlungsod of Muntinlupa** this **23RD** day of **November, 2020**, on its **72nd Regular Session**.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member



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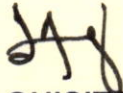
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COUN. PATY KATY C. BONCAYAO
Member


COUN. LOUISITO A. ARCIAGA
Member


COUN. ALLAN REY A. CAMILON
Member

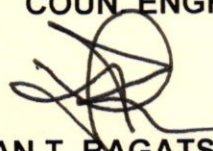

COUN. TING NIEFES
Member


COUN. STEPHANIE G. TEVES
Member


COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2:


COUN. ENGR. MARISSA C. RONGAVILLA
Member

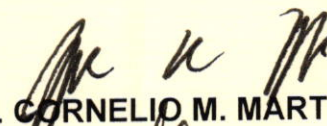

COUN. FRANCIS IAN T. BAGATSING
Member


COUN. MARK LESTER M. BAES
Member

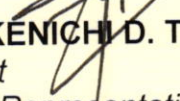
(MATERNITY LEAVE)
COUN. MA. DHESIREE G. AREVALO
Member


COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

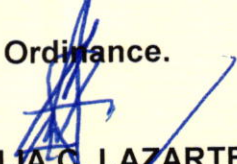
COUN. ENGR. ARLENE D. HILAPO
Member


COUN. CORNELIO M. MARTINEZ
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman


COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


CECILIA C. LAZARTE
Secretary to the Sanggunian





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ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 25 NOV 2020

Norie/9th SP