



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
21st City Council

PO21CC-442

75th Regular Session

ORDINANCE NO. SP- 3044, S-2021

AN ORDINANCE REGULATING BILLBOARDS, SIGNS AND OTHER OUTDOOR MEDIA IN QUEZON CITY GOVERNMENT PROPERTY, PROVIDING FOR THE PROCEDURE FOR APPLYING FOR INSTALLATION OF SUCH OUTDOOR MEDIA, AND OTHER CONNECTED PURPOSES.

Introduced by Councilors FRANZ S. PUMAREN, VICTOR V. FERRER, JR., ERIC Z. MEDINA and DONATO "Donny" C. MATIAS.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, Kate Galang-Coseteng, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Jose A. Visaya, Karl Castelo, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Freddy S. Roxas and Noe Dela Fuente.

WHEREAS, Section 3 (1) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, encourages the participation of private sector, particularly in the delivery of basic services as an alternative strategy for the sustainable development of local autonomy;

WHEREAS, Republic Act No. 7718, as amended, authorizes the financing, construction, operation and maintenance of infrastructure projects by the private sector, and for other purposes;

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WHEREAS, Section 458 (a)(2)(v) of Republic Act No. 7160 provides for the leasing of public buildings held in a proprietary capacity to private parties;

WHEREAS, Article 30 (b) of the Implementing Rules and Regulations (IRR) of Republic Act No. 7160 vests authority on the Local Government to tap the private sector in the delivery of basic services and facilities;

WHEREAS, the Quezon City Government recognizes the significant role of the private sector as partners in the development of the City, specifically to finance and develop public infrastructures and facilities;

WHEREAS, under Section 22, Chapter II, Title I of Book I of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, local government units shall enjoy full autonomy in the exercise of their proprietary functions and in the management of their economic enterprises, subject to the limitations provided under the Code and other applicable laws;

WHEREAS, outdoor media service providers and other third parties have expressed interest in putting up billboard advertisements, drop down banners and other signs in Quezon City Government-owned property, such as streetlights, lamp-posts and buildings;

WHEREAS, for consistent administration of the placing of such billboards and signs, the terms and conditions for the same should be defined, including the timely dismantling of unauthorized or overstaying signs.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. SHORT TITLE. - This Ordinance shall be known as the "QC Property Billboards Ordinance of 2020."

SECTION 2. DEFINITION OF TERMS. - For the purpose of this Ordinance, the following definitions shall apply:

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- a) *Outdoor Media - billboards, banners, signs, wallsapes and other place-based media, for purposes of advertising or statements of general interest.*
- b) *Outdoor Media Service Provider - a person or entity engaged in the business of providing or facilitating Outdoor Media. The Outdoor Media Service Provider does not place ads for his/its own account. Rather, he/it rents out the space concerned to third party advertisers.*
- c) *Sign Permit - a written authorization granted by the Building Official to an applicant allowing him to install/attach/display Outdoor Media on a structure.*

SECTION 3. PURPOSE. - This Ordinance provides terms and conditions whereby Outdoor Media Service Providers or other third parties (collectively "Applicants") may lease space for Outdoor Media in Quezon City Government-owned property such as streetlights, buildings, waiting sheds, and other public structures. The lease of space may be for account of the Applicant or for the purpose of sublease to third party advertisers. For clarity, this Ordinance shall not cover structures not owned by the City Government.

SECTION 4. QC PROPERTY BILLBOARDS REGULATORY COMMITTEE. - The QC Property Billboards Regulatory Committee ("Committee") shall review the Applicants' submissions and recommend the same for the approval of the City Mayor and the City Council, as well as regulate and enforce Applicant's Memorandum of Agreement in accordance with the relevant laws. The Committee shall be composed of the following heads of departments, or their representatives:

*City Administrator
Chairperson*

*City Building Official
Member*

*Head, City Planning and Development Department
Member*

*Head, City General Services Department
Member*

*Head, Tourism Department
Member*

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SECTION 5. PROCEDURE. - Applicants shall comply with the following procedure:

5.1 The Applicant shall submit a letter of intent to the Office of the City Administrator. If the applicant wishes to lease space for an advertisement for its own account, the Applicant should include a detailed description of the location and design of the proposed Outdoor Media and the duration of installation which shall not exceed a period of sixty (60) days.

On the other hand, if the Applicant is an Outdoor Media Service Provider wishing to sublease the space to third party advertisers, the Applicant may request a lease of up to one (1) year. In this regard, the Applicant should include the proposed specifications for the uniform size and installation method of the third-party advertisements.

5.2 The City Administrator shall refer the Application to the Committee for evaluation. After evaluation of the submitted documents, the Committee may recommend to the City Council the passage of a resolution to authorize the City Mayor to enter into a Memorandum of Agreement with the Applicant. The Committee shall recommend the rental rate for the Agreement, which the Committee may determine through any reasonable means;

5.3 The Quezon City Council may act on the Committee's recommendation by passing and transmitting an authorizing resolution to the Office of the City Mayor.

5.4 Upon receipt of the Resolution, the City Mayor and the Applicant may execute a Memorandum of Agreement including but not limited to the following terms:

5.4.1 Terms and conditions of the contract, including the rental rate of the space leased;

5.4.2 Limit as to the number of signages to be installed;

5.4.3 Location of the placements;

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- 5.4.4 *The obligation of the Applicant to remove the Outdoor Media on or before the expiration of the Memorandum of Agreement, and also granting authority to the City or its contractor to remove the same on expiration;*
- 5.4.5 *Rate of rental fee, including an amount set aside to cover the cost of the removal of the Outdoor Media; and*
- 5.4.6 *Provision stating that the Agreement is subject to technical requirements of the National Building Code.*
- 5.5 *The Memorandum of Agreement shall be endorsed to the Department of the Building Official for the application of the necessary Sign Permits;*
- 5.6 *The Department of the Building Official shall issue the necessary permits once the technical requirements set forth by the National Building Code of the Philippines and other related laws with regard to signages has been complied with;*
- 5.7 *The Applicant shall be responsible for the maintenance and repair of the Outdoor Media while it remains installed, at Applicant's cost.*
- 5.8 *The expired Agreement shall be renewable on the mutual agreement of the parties, provided that the Applicant has not violated any of the terms and conditions in the Memorandum of Agreement or committed acts detrimental to the City. If the Applicant seeks renewal on the same terms and conditions and technical specifications, the Applicant does not need to re-submit its supporting documents, only a letter of intent for renewal.*

SECTION 6. STANDARDS. - *Outdoor Media under this Ordinance must not be offensive or in violation of applicable laws, including but not limited to the National Building Code, the Consumer Protection Act, applicable advertising standards, or election laws.*

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The Building Official, in coordination with the City Administrator, may issue technical standards for the Outdoor Media, including standardized shapes, sizes and other fixed designs.

SECTION 7. REMOVAL OF ILLEGAL OR EXPIRED SIGNAGE. - The Quezon City Government, or a contractor engaged by the City in accordance with applicable laws, shall have the authority to immediately dismantle or remove any illegal or expired Outdoor Media on any Quezon City Government-owned property. The City shall have the authority to set aside in advance the appropriate amounts from Applicants' rental fees, to cover the cost of the removal of the signage. Any Outdoor Media materials removed or dismantled by the City due to expiration or illegality shall be forfeited.

In addition to the penalties provided below, the offender may be charged with rent for the duration that the illegal or expired Outdoor Media remained installed, at a premium rate of 150% of the regular rate.

SECTION 8. PENAL PROVISIONS. - A fine of Five Thousand Pesos (Php5,000.00) or an imprisonment of not more than six (6) months or both at the discretion of the court, shall be imposed to any person who shall install any Outdoor Media in violation of any provision of this Ordinance. The business permit and the other relevant permits of the offender may also be revoked.

SECTION 9. APPROPRIATIONS. - The amount of Five Million Pesos (Php5,000,000.00) is hereby appropriated on an annual basis for the procurement of services and machinery to implement this Ordinance (including equipment and services for inspection and dismantling of illegal or expired Outdoor Media) which shall be taken from any available funds of the City Government. The City Mayor may allocate additional funds from available sources in accordance with applicable laws.

SECTION 10. REPEALING CLAUSE. - All other Ordinances, Executive Orders and issuances inconsistent with the provisions of this Ordinance are hereby repealed, superseded and amended accordingly.

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12

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10

75th Regular Session

Ord. No. SP- **3044**, S-2021
Page -7- PO21CC-442


SECTION 11. EFFECTIVITY CLAUSE. - This Ordinance shall take effect upon posting at prominent places in Quezon City Hall for a minimum period of three (3) consecutive weeks and upon publication in a newspaper of general circulation within the territorial jurisdiction of Quezon City, in accordance with Section 511 of Republic Act 7160, otherwise known as the Local Government Code of 1991.

ENACTED: August 2, 2021.




GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III


APPROVED: SEP 20 2021



MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on August 2, 2021 and was PASSED on Third/Final Reading under Suspended Rules on the same date.



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

9