



Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH CITY COUNCIL HELD AT THE SESSION HALL ON SEPTEMBER 10, 2019.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

BACON DISTRICT

Hon. Jo Abegail C. Dioneda
Hon. Melchor P. Atutubo
Hon. Danilo A. Deladia

EAST DISTRICT

Hon. Ralph Walter R. Lubiano
Hon. Franco Eric O. Ravanilla
Hon. Joven G. Laura

WEST DISTRICT

Hon. Nestor J. Baldon
Hon. Fernando David H. Duran, III
Hon. Rebecca D. Aquino

EX-OFFICIO MEMBERS

ABC President Ma. Teresa D. Perdigon

ABSENT: Hon. Hilario D. Dioneda
Hon. Mary Ellen D. Jamisola – On Official Business
Hon. Erwin J. Duana
SK Federation Pres. Lorenz S. Abenion

Resolution No. 131, Series of 2019
(AUTHOR: Hon. Danilo A. Deladia)

RESOLUTION ENACTING AN ORDINANCE REGULATING THE DISPLAY OF SIGNS, BANNERS, PLACARDS, TARPULINS, BILLBOARDS AND OTHER SIMILAR MATERIALS IN THE CITY OF SORSOGON AND IMPOSING REGULATORY FEES AND THE CORRESPONDING PENALTIES FOR VIOLATION THEREOF

WHEREAS, Sec. 458 (3) (iv) of RA 7160 (Local Government of Code) states that the Sangguniang Panlungsod through a resolution or ordinance may 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;

WHEREAS, consistent with the above provision of RA 7160, the Local Revenue Code of 2013 mandates the imposition of fees for the public display of commercial advertisements (Sec. 1, Article L), specifies size limit of advertisements, and requires

owners and advertisers to remove the same after the reglementary period of 15 days (Sec. 3, Article L);

WHEREAS, noticeable within the city are the countless and unabated display of advertisements printed thru banners, placards, tarpaulins, billboards and similar materials, many of which are left in dirty and tattered condition thereby turning to public eye sores and nuisance;

WHEREAS, there is a need to address the said proliferation of public banners and displays in order to keep cleanliness and orderliness in the city, particularly in the Central Business District, major thoroughfares, parks, and other public areas in line with the general efforts to build and enhance the image of the city as a vibrant and developing community;

WHEREAS, Local Government Units are mandated by existing laws to exercise powers and authority necessary to maintain orderliness and cleanliness within their respective territorial jurisdictions as well as to promote general welfare of their citizens.

NOW THEREFORE, on motion of **Hon. Danilo A. Deladia**, duly seconded by **Hon. Rebecca D. Aquino**, resolved as it is hereby resolve to regulate the display of signs, banners, placards, tarpaulins, billboards, and other similar materials in the City of Sorsogon and imposing regulatory fees and the corresponding penalties for violation thereof.

City Ordinance No. 013, Series of 2019

AN ORDINANCE REGULATING THE DISPLAY OF SIGNS, BANNERS, PLACARDS, TARPAULINS, BILLBOARDS AND OTHER SIMILAR MATERIALS IN THE CITY OF SORSOGON AND IMPOSING REGULATORY FEES AND THE CORRESPONDING PENALTIES FOR VIOLATION THEREOF

Be it ordained by the 7th Sangguniang Panlungsod in session duly assembled that:

Section 1 SHORT TITLE

This ordinance shall be known as the **“SORSOGON CITY’S COMMERCIAL ADVERTISEMENTS ORDINANCE OF 2019”**

Section 2 SCOPE/COVERAGE

This ordinance shall cover and apply to all kinds of advertisements and announcements thru the use of signs, signboards, placards, banners/streamers, tarpaulins and billboards and other similar materials in all public places and barangays in the City of Sorsogon.

Section 3 DEFINITION OF TERMS. For the purpose of this Ordinance, the following definitions shall apply:

Advertising Sign – 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 .An off-premise sign.

Advertising Sign Precincts – an area specifically designated by the City Planning and Development Office (CPDO) where advertising signs are permitted.

Back-to-Back Sign – Advertising sign consisting of two signboards with one structure oriented in opposite directions and at a distance of not more than three (3) meters between the nearest parts of the sign.

Banner/Streamer – a strip of cloth bearing a slogan or emblem (for purposes of this ordinance the same bears the advertisement for profession, product or service offered to the public) carried between poles in a parade or hanged in public places usually across the streets.

Billboard – A display panel for posting advertising material.

Building Permit–A written authorization granted by the Building Official to an applicant allowing the applicant to proceed with the construction of a specific project after plans, specifications and other pertinent documents have been found to be in conformity with Presidential Decree 1096 and its IRRs.

Business Sign–An accessory sign that directs attention to a profession, business, commodity, service or entertainment conducted, sold or offered in the same place where the business is located. An on-premise sign.

Certificate of Use – A written authorization issued/granted by the Building Official after final inspection and submission of a duly notarized certificate of completion that the building/structure complied with PD 1096.

Display Sign – Any material, device or structure that is arranged, intended, designed, or used as an advertisement, announcement or directory that includes a sign, sign screen, signboard or advertising device of any kind.

Display Surface – The entire area of the signboard or the entire area enclosed by the extreme limits or perimeter of the signboard.

Electrical Sign – Any sign which has characters, letters, figures, designs, faces, backgrounds, or outline illuminated by fluorescent lamps or luminous tubes as part of the sign or signboard proper.

Electronic Sign – An electronically operated advertising medium like lighted electronic diodes, etc.

Digital/Electronic Billboards - a billboard created from computer programs and software, projected or displayed using electronic devices such as projectors, LED display, board, etc.

Ground Sign – An on-premise sign or signboard structure with the support resting on the ground, of which height shall not exceed six (6) meters.

Imprint – A plaque or sticker identifying the service provider/owner, office address, telephone number and other information.

National Road – Any public road, classified as primary or secondary, declared as national road by the President of the Philippines upon recommendation of the Secretary of Public Works and Highways, satisfying the conditions set forth under Executive Order No. 113, establishing the Classification of Roads.

On – Premise Sign – A sign or signboard structure located within the place where the goods or services are sold or offered, also called as Business Sign.

Placard – poster or notice for public display. (Webster's Universal Dictionary and Thesaurus, 1993 Edition)

Projecting Sign - A sign fastened to, suspended from or supported on a building or structure the display surface of which is perpendicular from the wall or is at an angle from there.

Road Right-of-Way (RROW) – A kind of public open space for the continuous flow of pedestrian and vehicular traffic that must be free of all forms of prohibited physical obstructions. The RROW is the area lying between two (2) or more parallel properties and its width is horizontally measured from opposite property lines.

Roof Mounted Sign – A sign installed on roofs and roof decks.

Service Provider – Owner of an advertising sign or signboard structure.

Setback - The horizontal distance measured from the outermost face of the building/structure to the property lines that must be absolutely free of all forms of physical obstructions that can negatively affect natural light and ventilation or that can impede access to the sides and rear area.

Sign – a board or placard with publicly displayed information with a sign or inscription of a certain business establishments put up along the public places such as streets and alleys.

Signboard – a board with a sign or inscription in front of business, shop, etc. (Webster's Universal Dictionary and Thesaurus, 1993 Edition)

Sign Permit - A written authorization granted by the Building Official to an applicant allowing him to install/attach/display signs on a structure.

Sign Structure – Any means to support the installation of sign/signboard and this includes the structural frame, anchorages and fasteners to support and suspend such sign/signboard.

Small – Scale Business – as applied to roof sign structures, any allowed business activity located within the building where the roof sign is installed or erected (on-premise sign).

Space Frame Structure – a structural system assumed for the purpose of analysis and designed as a three dimensional structural framework (as contrasted to a plane frame which is two-dimensional).

Tarpaulin- a large piece of waterproof material (such as plastic or canvas) that is used to cover things and keep them dry.

Temporary Sign – Advertisement/Announcement using cloth or other light and combustible material with or without frame and installed for a limited period.

Wall Sign – An advertising sign that is painted on, attached or fastened to the surface of the wall or any part of a building surface of which is parallel to the wall surface.

Section 4 **REGULATIONS FOR PLACARDS, TARPAULINS, BANNERS AND SIGNS**

No commercial advertisement of goods/products, professions and services shall be posted, pasted, displayed and fixed in a form of placards, tarpaulins, banners and signs on building, walls, fence or in any structure in a conspicuous places in the city without permit from the Office of the City Mayor.

The contents of the advertisement by way of placards, tarpaulins, banners and signs shall be attached to the application for the issuance of permit. This requirement shall be properly be observed so that all advertisement shall conform to all law, rules and regulations pertaining to the said practice and are not contrary to public morals and/or inimical to public safety and interest.

City permit for the purpose shall not be issued or acted upon without the Barangay Clearance issued by the barangay to which the same will be posted, pasted, displayed and fixed. Copy of which shall be attached to the application letter/form.

The permit shall contain the approval for posting, the attestation that the same are in conformity with the law, rules and regulations pertaining to the said practice and are not contrary to public morals and/or inimical to public safety and interest. The permit shall also contain information that the permit was issued and valid for a period as fixed under such permit. No permit shall be issued unless the owner, promoter, organizer or otherwise in-charge of the business or undertaking sign a document that they conform to the regulations of the city and shall obey the provisions of the permit and of this ordinance.

The owner, promoter, organizer or otherwise in-charge of the business or undertaking shall be responsible for the posting, pasting, displaying and/or fixing their placards, tarpaulins, banners and signs.

Banners/Streamers of any kind that are hanged across the streets shall have vertical clearance of fourteen feet from the ground.

Section 5 **REGULATIONS FOR SIGNBOARDS AND BILLBOARDS**

No commercial advertisement of good/products, professions and services shall be posted, displayed and fixed in a form of signboards and billboards in any public and private places in the city without permit from the Office of the City Mayor.

The contents of the advertisement by way of signboards and billboards shall be attached to the application for the issuance of permit. This requirement shall be properly be observed so that all advertisement shall conform to all laws, rules and regulations pertaining to the said practice and are not contrary to public morals and/or inimical to public safety and interest.

The building/structural/electrical plans and its perspectives and the entire technical descriptions of the project shall be submitted to the Office of the City Engineer

to determine that the project is with in conformity with the existing national and local laws, rules and regulations. Should the City Engineer determine that the project is not inimical to public safety and in conformity to law, rules and regulations, he shall issue a recommendation for the issuance of permit. If the location of the project is within residential areas, consent of all residential lot owners and the neighboring lot owners shall be secured before the permit may be issued.

The permit shall contain the approval for posting/displaying or fixing the signboard or billboard, the attestation that the same are in conformity with the law, rules and regulations pertaining to the said practice and are not contrary to public morals and/or inimical to public safety and interest. The permit shall also contain information that the permit was issued and valid for a period as fixed under such permit. No permit shall be issued unless the owner, promoter, organizer or otherwise in-charge of the business or undertaking sign a document that they conform to the regulations of the city and shall obey the provisions of the permit, their project proposal as embodied in building/structural/electrical plans and its perspectives, and of this ordinance. In no case the permit shall be issued without the written approval of the City Engineer attesting the quality of structural and electrical capabilities of the signboard/s and/or billboard/s.

City permit for the purpose shall not be issued or acted upon without the Barangay Clearance issued by the barangay to which the same will be posted, displayed and fixed. Copy of which shall be attached to the application letter/form. In case the area to which the signboard or billboard belonged to two (2) or more barangays or the boundaries thereof are in dispute, the owner, promoter, organizer or the builder thereof may pay such barangay clearance to any one of the said barangays.

The owner, promoter, organizer/management or the private advertiser shall be responsible for the posting, displaying and/or fixing their signboard or billboard materials. The signboard and/or billboard shall be posted for a period as applied for thereof and may subsequently renew thereafter.

No billboard shall be allowed to be fixed or posted/displayed in the city of Sorsogon if the same is more than or beyond 4x8 feet in width and shall not exceed twenty (20) feet in height.

The signboard and billboard shall appear on its contents the statement that the same complied with the regulatory requirements of this ordinance, the name of the maker or manufacturer/supplier of the signboard or billboard and the corresponding Mayor's Permit serial numbers.

Further, owner, promoter and/or organizer/management of private advertiser for billboard, whether the latter is under insurance coverage, shall post a cash bond in an amount of One Hundred Thousand (P100,000.00) pesos upon application and/or renewal thereof to be deposited at the Office of the City Treasurer. Such cash bond shall cover the cost of immediate repair of any private and/or public property damages and/or hospitalization of victim/s that are directly or indirectly affected thereby by any accidents/destructions caused by the billboard. This provision however, shall without prejudice to any legal action/s the affected persons may have against the owner, promoter or organizer/management of private advertiser for billboard.

Furthermore, should the permit expired, and the owner/promoter and/or organizer/management of private advertiser could nowhere to be found in the city or the same is/are outside the city, the City PNP or the City ENRO may remove the billboard and shall keep the same.

Section 6 **EXEMPTIONS**

All announcements and advertisements of the City Government and Provincial Government of Sorsogon shall be exempted from the payment of permit for posting if the same shall be posted, pasted, displayed and/or fixed. However, the contents of the advertisement by way of placards, tarpaulins, banners and signs shall be submitted to the Office of the City Mayor. The City Mayor, through the City PNP or City ENRO may remove or dislodge the materials if the same is found to be in contrary to public morals and/or inimical to public safety and interest. All announcements and advertisements displayed in their own property shall be exempted from the payment of permit. During election, all placards, streamer, tarpaulins, banners and signs are exempted from paying of permit fees provided that the materials shall be removed at the end of election period in their own expense. Likewise, Religious Cultural Activities are also exempted from payment of fees.

Flaglets, banners/streamers on the occasion of Barangay Fiestas shall be free or exempt from any payment of fees prescribed herein, provided that Mayor's Permit to that effect shall have to be secured prior to such activity.

Section 7 **SECURING PERMIT**

In order to obtain a sign permit for placards, tarpaulins and banners, the proposed material must be in compliance with the requirements of this chapter.

For a signboard and billboard, the permit application must be signed by the landlord and must specify the length of time and specific company/individual to whom permission is granted to for the placement of a billboard. The billboard signs shall be located only along major access roads. No billboard shall be located within 1000 feet of a road intersection or of a navigable waterway.

Billboard signs shall be spaced at least 1,200 feet apart on the same side. No billboard shall be placed within 600 feet in either direction of the nearest point on the opposite side of the same right-of-way from an existing billboard.

No billboard sign, including cut-outs, base or apron, supports, supporting building structure, and trim, shall exceed 20 feet height when located ten feet to 99 feet from the front right-of-way. If located 100 feet or greater from the front right-of-way, the height may be increased to 25 feet.

No billboard sign shall exceed 200 square feet in area. The sign area is measured by finding the area of the minimum imaginary rectangle or square of the vertical and horizontal lines which fully enclose all extremities of the sign, excluding supports, base, and/or apron, unless such copy, message, announcement, decoration appears on the base or apron.

A sign permit shall become null and void unless construction is completed within 180 days of the issuance of the permit.

The Business Permits and Licensing Section shall put a stamp on the face of the material upon securing permit indicating the duration of the display materials with corresponding signature.

Section 8 **GENERAL REQUIREMENTS**

No sign of any type nor any part thereof shall be erected, painted, posted, reposted, placed or replaced or hung, except in compliance with these regulations.

a) **Application Materials.** Each application for a sign permit shall be made in writing and shall contain or have attached the following information:

- 1.) A drawing approximately to scale showing the design of the sign, including dimensions, method of attachment or support, source of illumination and showing the relationship to any building or structure to which it is or is proposed to be installed;
- 2.) A plot plan approximately to scale indicating the location of the sign relative to property lines, easements, buildings, streets and other on-premises signs;
- 3.) Two sets of plans to be submitted to the building inspector, when required;
- 4.) An LED sign shall have automatic dimming controls, either by photocell (hardwire) or via software settings, in order to bring down the lighting level at night.
- 5.) No sign permit is required for a construction sign, real estate sign or financial institution sign related to the financing of the project under construction, so long as it is not over 16 square feet and there is not more than four feet from the bottom of the sign to the ground thereunder.

b) **Prohibited Signs.** The following signs are prohibited:

- 1.) Advertising signs resembling traffic signals, traffic signs, emergency vehicles' flashing lights and which are likely to be misconstrued by the traveling public as being official governmental signs or emergency warnings or which by their distracting nature create a hazard to motorists;
- 2.) Signs, advertising an activity, business, product or service no longer conducted on the premises upon which the sign is located. Such signage shall be removed within 30 days from the date of termination of such activity. Upon failure of the owner to remove such signs within the prescribed time, the enforcement officer shall take appropriate legal action to have such sign removed;
- 3.) Flashing, blinking, pulsating and portable signs with moving parts;
- 4.) Signs, other than traffic, governmental or street name signs or official signs, shall not be permitted within any street right-of-way;
- 5.) Roof signs;
- 6.) Three dimensional signs;
- 7.) Beacon lights, animated signs, trailer signs, and snipe signs;
- 8.) Portable signs.

c) **Illuminated signs.** No illuminated sign shall be so designed or placed that direct or reflected light or glare constitutes a hazard or annoyance to motorists or occupants of adjoining properties. All LED signs shall have automatic dimming controls, either by photocell (hardwired) or via software settings, in order to bring down the lighting level at night.

d) **Determination of sign area.** For the purposes of this chapter, the square footage area of any sign shall be measured by the smallest area enclosed by one continuous line connecting the extreme points or edges of the sign. This includes lattice work, frame, border molding, lettering and display area incidental to the sign's decoration.

e) **Maintenance.** All signs, together with braces, guys and supports shall at all times be kept in good repair. If at any time a sign should become abandoned, unsafe, or poorly maintained, the enforcement officer shall notify the owner of the sign of such condition, and upon failure of the owner to correct such condition, the enforcement officer shall take appropriate legal action to have such sign repaired or removed.

Section 9 **PERMIT FEES**

The following fees shall be imposed and paid for by the owner, promoter, organizer or a private advertiser as the case may be, per occasion/application:

For streamers, placards, banners, tarpaulins and signs, the fees shall be ₱25.00/square foot per piece.

For signboards and billboards, fees shall be ₱50.00/square foot per unit.

The above mentioned fees are intended only for the payment of the necessary permit to post, paste, display and/or fix the above mentioned advertisements. Other regulatory fees may also be collected if the same are covered under different laws or ordinances.

Section 10 **REMOVAL FEES**

The removal fee of Ten (₱10.00) pesos per piece for streamers, placards, banners, tarpaulins, signs and signboards shall be collected during securing of permit and paid for by the owner, promoter, organizer or a private advertiser as the case may be, per occasion/application.

For advertisements and announcements displayed, posted, and fixed in the barangay, the barangay officials shall have the power to monitor and remove the materials after the duration/period of the advertisement and the removal fees shall be given to the barangay concerned by the City Treasurer's Office.

For advertisements and announcements in the city proper, the City PNP and the City ENRO shall monitor and remove the displayed materials after the duration/period.

For the removal of billboards, the fee shall be Three Hundred (₱300.00) pesos per unit.

Section 11 **PENALTIES FOR VIOLATIONS**

Violations of provisions of this chapter shall constitute a misdemeanor punishable with a fine of not less than One Thousand (P1,000.00) pesos to Three Thousand (P3,000.00) pesos or imprisonment of Three (3) months or both at the discretion of the court, shall be imposed to any person, firm or corporation who will erect, construct, enlarged, alter, repair, move, improve, remove, convert, demolished, equip, use, occupy, or maintain any sign structure/display or cause the same to be done contrary to or in violation of any provision of this Ordinance.

Section 12 **ADMINISTRATIVE LIABILITY**

Any persons or officers that are tasked to implement this code and shall commit the same offense shall also be administratively dealt with in addition to criminal liability he/she may be found guilty thereof.

Section 13 **REPEALING CLAUSE**

All ordinances, local issuances or rules inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 14 **SEPARABILITY CLAUSE**

If for any reason or reasons, any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

Section 15 **EFFECTIVITY**

This ordinance shall take effect immediately upon its approval by the Sangguniang Panlungsod and after compliance with the law on public dissemination and of publication.

DATE APPROVED: **September 10, 2019**

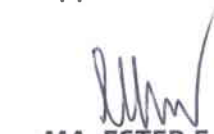
I HEREBY CERTIFY to the correctness of the foregoing resolution and ordinance.


ROVAN E. DOMASIAN
LLSOIV/Acting Secretary to the SP

Attested:


MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

Approved:


MA. ESTER E. HAMOR
City Mayor