

EXCERPT FROM THE MINUTES OF THE CY 2023 –37<sup>th</sup> REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON SEPTEMBER 13, 2023 AT 9:50 IN THE MORNING

**PRESENT:**

HON. LUGEN T. ORTILANO,	-	Vice Mayor & Presiding Officer
HON. ADRIAN S. CAMPOSAGRADO	-	SB Member & Temp. Pres. Officer
HON. NERI T. CAMIÑA	-	SB Member
HON. REYNALDO E. TUMABOTABO	-	SB Member
HON. JULIUS T. LEDESMA	-	SB Member
HON. NORBERTO T. TURALBA	-	SB Member
HON. JERRY T. TUARES	-	SB Member
HON. JOEL L. SAYSON	-	SB Member
HON. ANA ROWENA A. PERERA	-	SB Member

**OFFICIAL TRAVEL:**

HON. MARIBETH L. TUPINO	-	Liga President
(To attend the Enhanced Barangay Development Planning at Grand Xing Imperial Hotel, Iloilo City on Sept. 13, 2023.)		
HON. DYOSSA MARIE TERUÑEZ	-	SKMF President
(To attend the Meeting of the Panlalawigang Pederasyon ng mga Sangguniang Kabataan at Iloilo City on Sept. 13, 2023.)		

**Municipal Ordinance No. 2023-016**

**AN ORDINANCE REGULATING THE STREAMERS AND BILLBOARDS IN THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO**

**Introduced& Moved by: VICE MAYOR LUGEN T. ORTILANO**

<b>Sponsored by:</b>	Committee on Economic Affairs, Investment, Labor and Employment
Chairman:	Hon. Lugen T. Ortilano
Vice Chairman:	Hon. Adrian S. Camposagrado
Members:	Hon. Julius T. Ledesma, Hon. Dyossa Marie T. Teruñez and Hon. Joel L. Sayson
<b>Seconded by :</b>	Hon. Neri T. Camiña, Hon. Reynaldo E. Tumabotabo, Hon. Julius T. Ledesma, Hon. Norberto T. Turalba, Hon. Jerry T. Tuares, Hon. Joel L. Sayson and Hon. Ana Rowena A. Perera

WHEREAS, the Municipality of Tigbauan recognizes the urgent needs to regulate and standardized streamers and billboard ordinance for the safety and general welfare of our constituents;

WHEREAS, there is a need to address the proliferation of commercial signs, signboards, and billboards along the highways of the municipality and streets of the poblacion, the unregulated construction of which is not only unsightly to the environment but also deemed to be hazardous and pose an imminent danger to life, health, safety, and property of the general public;

WHEREAS, under the police power of the State, billboards are a form of commercial speech which can be regulated or even prohibited;

WHEREAS, billboards and signboards that 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 the aesthetic and cultural values and traditions of the Filipino people are prohibited under Section 2001, Chapter 20, National Building Code.

BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Tigbauan, Iloilo, in session assembled, that:

**SECTION 1. Title.** This Ordinance shall be known as ***“The Ordinance Regulating the Streamers and Billboard in Tigbauan.”***

## **SECTION 2. Definition of Terms**

The words **“Streamers”**, **“billboards”**, **“posters”**, **“advertisements”**, **“notices”**, **“buntings”** as used in this ordinance shall refer to any informational materials, any forms of announcement may it be written or merely a picture, or may also be in the form of banner, flag, ensign or emblem causing for the public’s attention,

The word **“install”** as used in this ordinance shall refer to put, set or hang up, attach, mount, display, suspend, dangle, or draped.

The word **“open space”** as used in this ordinance shall refer to any open space which may be for public use or at any place of business within the Municipality of Tigbauan considered open intended for trade or commerce.

The word **“public plaza”** or **“public park”** is a community amenity that serves a variety of users including building tenants, visitors, and members of the public.

## **SECTION 3. GENERAL PROVISIONS**

- A. **It is prohibited** to put, install, or attach any streamers, billboards, posters, advertisements or any form of notices in the public plaza, highways and streets including:
  - 1. Those erected in such a manner that will obstruct or confuse the view or interpretation of any official traffic signage, device or signal.
  - 2. Those 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 the aesthetic and cultural values and traditions of the Filipino people.
  - 3. On trees and vegetation, within ten (10) meter radius of any government-installed traffic signages, and within fifty (50) meters of the direct line of any government installed traffic signages.
  - 4. Along all center islands dividing opposing traffic, or on street light posts located there at.
  - 5. Setting up of billboards and streamers on the rooftop and beside any building or structure in the Municipality of Tigbauan.
- B. It shall be unlawful for any person, whether natural or juridical, to sell, leave or use any property for the purpose of construction or installation of billboards, signboards or signs of whatever size, for the purpose of promoting. Selling or advertisement of products, services, or merchandise of whatever nature or kind, along the highway of the Municipality of Tigbauan. That owners or lessees establishment may put up on-site signs (*i.e., a sign advertising goods or services available on the property where the sign is located*), showing their business names, addresses, contact numbers, and lines of business, subject to the prior approval of the Municipal Mayor, Provided, further that the Office of the Municipal Mayor shall determine the reasonable size of such on-site commercial signs or signboards; provided, finally, that such on-site commercial signs shall comply with Section 2001, Chapter 20 of the National Building Code.
- C. The Office of the Municipal Mayor, through the Municipal Engineer is hereby authorized to remove the billboards, signs or signboards including the foundations or support structure thereof at the expense of the owners or advertising agents, without prejudice to the filing of criminal and civil actions.

Under existing laws, rules and regulations, for this purpose, the Office of the Municipal Mayor may request assistance from the Department of Public Works and Highways and the Philippine National Police, for the immediate inspection, assessment and abatement if

billboards found to be hazardous and violative of the National Building Code, the Structural Code of the Philippines, and this Ordinance.

- D. Notices in the plaza and market are only allowed on the following instances:
- 1) Streamers, billboards, advertisements, notices, signboards, buntings as may be allowed by the Sangguniang Bayan through a resolution during fiesta celebration, agro-industrial fair, sports, tournament, and other public events;
  - 2) Such streamers, billboards, advertisements, notices as may be allowed by COMELEC, or other national laws;
  - 3) Notices of on-going public projects sponsored by NGO's or the Municipal Government of Tigbauan or other governmental agencies.
- E. Specific sizes are allowable for the following ads and promotional materials:
- 1) A maximum size of 2 ft. x 6 ft. for vertical banners and 3 ft. x 9 ft. for horizontal banners are only allowed with 7 feet clearance from the ground line.
  - 2) Bill board dimension (*depends on size and make of the mounting structure supporting it*)
    - a. Wooden support structure or billboard supported by wooden frames should be 10 by 15 feet.
    - b. Steel support structure or frames of steel can go as big as 10 by 30 feet.
    - c. GI sheet sign material- the adhesive materials come in 15 by 20 feet or 10 by 30 feet. The ad image may be split into two 15 by 20 feet sheet or two 10 by 30 feet images.
    - d. Canvas or tarpaulin sign materials-tarpaulin or panaflex materials measure in 16 by 8 feet sections. Images are printed onto these sizes and then sewed and seamed to make whole.
    - e. No billboards shall exceed 300 square feet in total surface displace area.
- F. It shall be unlawful to install streamers, billboards, advertisements, notices, signboards, and any form of informational materials and the like along municipal streets, public places, or at any place of business within the Municipality of Tigbauan without a permit issued by the Business Permits and Licensing Office of the Municipality of Tigbauan.
- G. Any person, company, corporation, agency, government or private institutions and commercial establishments desiring to display, install, put, set, hang up, or mount streamers, billboards, or any form of notices/announcements along public highways (*from Barangay Barroc to Barangay Buyu-an*), within the Municipality of Tigbauan is hereby required to show or paint legibly at the right lower corner/portion of the billboard, streamers and the like corresponding permit number, date of issuance and the name of the applicant as issued by the Business Permits and Licensing Office of the Municipality of Tigbauan.
- H. No billboard, streamers and the like shall be displayed, or caused to be displayed without the information required in **Section 3,item G** hereof.
- I. Any material which does not show said information provided for in **Section 3,item G** of this ordinance shall be deemed invalid and be summarily removed and declared confiscated by the Municipal Engineer or his duly authorized representative/s.
- J. The permit issued shall be valid only for the fifteen (15) days after which it shall automatically expire.
- K. It shall be the obligation and sole responsibility of the individual or entity which secured the permit to remove or cause the removal of said billboard, streamer and the like after the expiration of the said permit as provided for in **Section 3,item H**. The permit issued shall be the subject to this condition.

SECTION 4. PENALTIES

- a. Infraction of this ordinance shall render the violator liable for a fine of *Two Thousand Five Hundred, or an imprisonment of six (6) months or both at the discretion of the court.*
- b. If the violation is committed by a juridical person, the president, manager, person in charge, or representative of the same, as the case may be, shall suffer penalty prescribed herein.
- c. Municipal Engineer's Office, through *Task Force (Anti Squatting and Illegal Structures)* are hereby authorized and empowered to immediately remove and confiscate illegally installed streamers and billboards.
- d. **ACTUAL OR COMPENSATORY DAMAGES**

Pursuant to Article 217 of the Civil Code, in quasi-delicts, the owners of billboards and signboards, and their advertising agencies as defendants shall be liable for all damages which are the natural and probable consequences of the billboards event complained of. It is not necessary that such damages have been or could reasonably have been foreseen by the defendant.

SECTION 5. REPEALING CLAUSE

All ordinances, executive orders, resolutions and regulations inconsistent herewith are hereby considered repealed or modified accordingly herein.

SECTION 6. SEPARABILITY CLAUSE


In the event that any of the provisions of this ordinance and applications thereof is declared illegal, the validity of the other provisions shall not be affected by such declarations.

SECTION 7. EFFECTIVITY

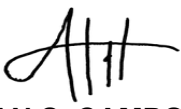
This ordinance shall take effect after review and approval by the Sangguniang Panlalawigan within 30-day period upon receipt of this ordinance and following its mandatory posting and publication as prescribed by the Local Government Code of 1991.

ENACTED. September 13, 2023.

CERTIFIED CORRECT:

  
MA. GEMMA T. MOLO  
Acting SB Secretary

ATTESTED:

  
ADRIAN S. CAMPOSAGRADO  
SB Member & Temp. Presiding Officer

APPROVED:

  
ATTY. VIRGILIO T. TERUEL  
Municipal Mayor

(Date signed)

HON. LUGEN T. ORTILANO  
Municipal Vice Mayor  
Sangguniang Bayan Members:

HON. ADRIAN S. CAMPOSAGRADO  
HON. NERI T. CAMINA  
HON. REYNALDO E. TUMABOTABO  
HON. JOEL L. SAYSON

HON. JULIUS T. LEDESMA, O.D.  
HON. NORBETO T. TURALBA  
HON. JERRY T. TUARES, C.E.

HON. ANA ROWENA ARIAS-PERERA, R.N. M.A.N.  
HON. MARIBETH LEDESMA-TUPINO, LnB President  
HON. DYOSSA MARIE TERUÑEZ, SKMF President

"Public office is a public Trust. Public Officials must at all times be accountable to the people."