

OUTDOOR ADVERTISING AND URBAN LANDSCAPE IN BUCHAREST – A REALITY BETWEEN PLANNING AND ECONOMICS PRACTICES

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Abstract. The quality of urban public space presumes, among other aspects, a balance between quantity, distribution and placement of the outdoor advertising. In Romania, despite the existence of legislation regarding the placement of outdoor advertising, there is no correlation with any urban planning legislation, so far. The lack of legislative and operational correlation had as effect for the past two decades an excessive and uncontrolled invasion of outdoor advertising, especially in central urban areas. Based on an interdisciplinary approach, the study focuses on a protected built area, with historical monuments, in which the normative elements are explained through their territorial effects, meaning the impact on the quality of public spaces, of the conservation of heritage, the enhancement of urban landscape, the road safety etc.

Key words: outdoor advertising, urban landscape, Bucharest, urban planning, quality of public space, urban heritage

1. Introduction

Outdoor advertising is an activity field with multiple significances: economic, of environment, urban planning, traffic

security, heritage and tourism etc. The priority interest for the quality of public spaces, heritage interpretation, showing the advantages of landscape, determined

most of European countries to strictly regulate the field of road advertising many decades ago and to perform a continuous revision and clarification of legislative texts.

Many European countries (France, Spain, Italy, Poland etc.) consider, for instance, road advertising as an integral part of the legislation regarding the environment and the urban planning.

Also, in all European countries, the outdoor advertising is quite strictly regulated at national level, the norms may be adapted to local context to emphasize some more restrictive rules for advertising. In some countries, like Spain, the local public authorities may determine some rules more restrictive than those defined by national legislation and may protect some important areas where the outdoor advertising is often concentrated and visually pollutant (the entry to towns, historical centres, protected zones etc.).

Scientific research on urban landscape and advertising was oriented towards analysis of urban image as a urban palimpsest and a key component of the residential environment quality (Vâlceanu *et al.*, 2014; Neacșu, 2009), flows of capital, power and information and environmental performance at local level (Dumitrescu and Blidaru, 2013; Sandu and Bănică, 2015), urban and/or visual pollution (Moon, 2013; Blewitt, 2015), but also urban consumption (Wang, 2015) and commercialization of public space by outdoor advertising with possible negative impact on local quality of life and enjoyment of public spaces (Chmielewski *et al.*, 2016).

From the perspective of traffic safety, the research has been oriented towards the

significant impact of digital billboards on driver safety, including ensuring the visual impact of traffic signs, of traffic, and of the roadway (Belyusar *et al.*, 2016; Sedano, 2016; Decker *et al.*, 2015). The latest research contribute to advertising theory, research, and practice by (1) uncovering individual differences in the of perception of advertising messages and their consequences for social and environmental behaviors (Bhatnagar and McKay-Nesbitt, 2016; Kim *et al.*, 2016), (2) reconciling societal and business interests (Taylor and Sarkees, 2016), (3) identifying a message factor that determines eco-friendly behaviors (Chen, 2016; Yoon *et al.*, 2016), and (4) identifying source factors that enhance and weaken advertising effectiveness (Chu *et al.*, 2016; Kang *et al.*, 2016; Orazi *et al.*, 2016). In Romania, the scientific approach of outdoor advertising is very recent.

The outdoor advertising problematic, from the urban and public space perspective, was approached for the first time in a comparative study concerning the appropriateness for public space in the case of commercial and electoral outdoor advertising (Vechambre, 2005). Its role it is agreed by many authors to be decisive in organizing city space and framing people's experience of the space (Cronin, 2006). Subsequently, forms of urban advertising are starting to receive some overdue critical attention (Cronin, 2008). Most concerns on outdoor advertising have focused overwhelmingly on the representational content of advertisements, and on how particular advertisements may play a role in shaping people's experience of self and place (Ivenson, 2012).

Same author in the same publication, questions aspects regarding form, focusing on how techniques and

technologies of outdoor advertising have evolved and mutated. Yet the issue of form is absolutely vital to our understanding of the wider public sphere, precisely because what we can say is fundamentally shaped (Iverson, 2012).

The very first debates on the effects of advertising go back in the 1990s when Mattelart considered if affects society when there is serious flow. He considered that our society is immersed in advertising as dominant mode of communication. A mode of communication which, whether one wishes it or not, structures choice by establishing a scale of priorities and social preferences in the use which society makes of collective resources (Mattelart, 1991). Basically the growth of outdoor advertising it largely the result of medium's ability to reach an increasingly elusive and mobile consumer (Wilson *et al.*, 2011).

The research on outdoor advertising as topic of interest has further turned to aspects concerning impact upon the use of urban outdoor spaces for different forms of public address besides on how societies can do more democratic outdoor media landscape in order to address the potentially harmful impacts of new outdoor advertising arrangements for the urban public realm (Iverson, 2012).

Recently, an interdisciplinary study highlighted the main issues of territorial implementation of the new framework of the local outdoor advertising rules, including planning and GIS solutions (Florescu *et al.*, 2015).

2. A reactive approach in the (re)construction of the legal frame regarding outdoor advertising

In Romania, street advertising is an economic field that during last century

had an significant evolution, along with the political regime and the dynamics of economy.

During communist period, in the context of state economy, the advertising banners transmitted various slogans, having no contribution to a real competition.

Advertising of all kind (street, audio or video) is a post - communist construct, which together with the development of free and competitive market.

In the original context, the lack of legislation concerning the field of urban planning and the constructions allowed the birth of unregulated territorial practices, in which advertising simply meant installing adverts in any place or on any building providing their visibility.

The first legal mention regarding ways of advertising was defined by the Law no. 50 from July 29, 1991 regarding the authorization of construction works, "the display bodies and banners, firms and advertising" being included into the list of constructions having a transient character being authorized in the same conditions like definitive constructions. It is worth mentioning at this stage that the authorizing procedures for regulated advertising means to not include protection elements regarding the environment and the citizens, or elements for classifying these temporary constructions within urban space.

In the field of urban planning, until the issuance in 2001 of a new frame law for urban planning (Law no. 350/2001 concerning the urban planning and territory improvement; the previous Law of systematization of urban and rural localities was abrogated on December 27, 1989 by the Front of National Salvation

immediately after the fall of communist regime), the provisions of the General Rules of Urban Planning (promoted by Government Decision no. 525 from June 27, 1996) established general norms regarding the external aspect of constructions and the harmonization between their characteristics and the functions or the general aspect of urban zones.

Even if it is forbidden to authorize the constructions that by conformity, volume and external aspect are in contradiction with general aspect of the zone and minimizes the values generally accepted of urban planning and architecture creating operational - legal mechanisms of derogation, respectively the permissiveness of applying urban planning practice during last decade, did not allowed a significant impact of such provisions regarding the location of advertising means.

The additional technical elements concerning the field of outdoor advertising were promoted by Government Decision no. 43 from August 28, 1997 regarding the legal regime of the roads, with further completions and alterations (the regulated actions concerned the traffic security), respectively by Government Decree no. 955 from June 15, 2004 for approving frame regulations to apply Government Decree no. 71/2002 regarding the organization and the activity of public services administering public and private field having a local interest (harmonious integration of outdoor advertising into constructed space).

The Law no. 148/2000 concerning the outdoor advertising regulated the aspects regarding the protection of the consumer of products and services, but also the

protection of general public interest against deceptive advertising, the negative consequences of advertising, determining the conditions when a comparative advertising is allowed.

3. Premises for integrating outdoor advertising into urban landscape

Given the absence of some specific firm norms of urban planning and/or traffic security, the outdoor advertising means increased, especially in the big cities and along Romanian main roads.

In the context of the practices during transition period for a limited assuming of fulfilling the role of public bodies to verify the authorization of constructions and urban planning, but also the need to provide sources for local budget, the issue of authorization and the verification of placing advertising means was approached from a double perspective: economic and normative.

The economic approach was privileged, disfavours the respect for legal norms regarding the traffic security on public roads or showing the advantages and protecting the valuable natural or constructed environment, even if there is no transparent information about the income obtained from advertising or contraventions in case of placing outdoor advertising without construction permit during the two post-communist decades.

By Government Decision no. 43 from August 28, 1997 regarding the legal frame for the roads it was regulated the fact that in the area of public road is forbidden to place constructions, advertising banners or installations that may affect traffic security.

To apply the provisions regarding the location of outdoor advertising of this

normative, the document was promoted by the Decree of the Minister of Transports no. 571 from December 19, 1997 for approving Technical norms concerning the design and the location of advertising constructions, installations and banners in the area of the roads, on the bridges, passageways, viaducts and road tunnels. Within these technical norms are considered as a road advertising any display mean for the road users, nevertheless their respective location and character: commercial, political, electoral, religious or of any other kind.

Also it is forbidden to install advertising banners that by their shape, colours or content, may be confused to road signals; placing advertising banners on art works crossing the road, on portals having road signals or in independent self-supporting solutions crossing the road within the curves, and also in the crossing points at the level of communication ways within a distance of 100 m in front of the panels of pre-signalizing the crossing points outside localities. The advertising banners are placed outside localities at a distance of minimum 7.0 m from the limit of road covering and minimum 100 m between them, and inside the localities, a minimum distance of 4.0 from the limit of road covering (if there is no footpath), of minimum 1.0 m from the road of the green area on the footpath, without preventing the pedestrian traffic, respectively at a distance of minimum 25 m between them.

By Government Decision no. 955 from June 15, 2004 regarding the organization and their activity of the administration services of public and private field at a local level were regulated the aspects concerning the administration and the

exploitation of advertising spaces, and also the conditions to place posters and advertising banners, signs boards, posters and not illuminated banners, illuminated banners, advertising on vehicles, placing indicator and orientation plates.

The authorities of local public administration had the obligation to foresee within the plans of urban planning special areas situated on the public field, exclusively to advertising activity. The illuminated advertising is forbidden in the localities having less than 2,000 inhabitants, and illuminated or lighted banners may not be placed in front of the building windows and may not exceed the surface of the respective walls.

Complementary to them, some normative documents integrated various elements regarding the rules for placing advertising means. According to provisions of the Law no. 422 from July 18, 2001 for protecting historical monuments, republished, on and inside historical monuments is forbidden, among other things, the definitive or the temporary placing of advertising banners, signs, logos etc. and inside the zones protecting the monuments and protected constructed zones may be established servitudes of public utility and special rules for construction.

According to provisions of the Law no. 422 from July 18, 2001 for protecting historical monuments, republished, for each historical monument will be established its protection zone, delimited based on topographic, geographic or urban planning reference marks, according to road texture, relief and characteristics of historical monument, as the case, providing an integrated preservation and valorizing the historical

monument and its constructed or natural frame, the partial or the total destruction, the profanation and also the degradation of historical monuments are forbidden and they are punished according to law.

4. A new more rigorous legislative frame to help improving the visual pollution and the degradation of constructed urban landscape

The main objective of the Law no. 185 from June 25, 2013 regarding the location and the authorization of outdoor being, according to the presentation of the reasons of this law, providing a coherent and correlated regulated frame that may also cover quality issued, architectural coherence, security of constructed and natural environment, protection of landscape, historical monuments and protected zones.

In this context, the urban landscape is treated as an image of the past era, a cultural construction of the present era and a starting point for its new development; all of these being reflected in the city architecture. The evolution of city landscape as palimpsest is very important for to identify the profile and current urban image (Vâlceanu *et al.*, 2014). This even more so due to the fact that public spaces have changed significantly recently. Cities are increasingly facing new urban conditions brought into their landscape by a range of political, economic and cultural changes. Hence opinions such as Landman's according to whom, urban design has the potential to play a key role in terms of framing the vision for future spaces and improving their function (Landman, 2016). Furthermore according to Chen cities can be facing a number of

challenges, such as limited coverage of design elements, inconsistencies in the design principles followed, an incompatibility between design outcomes and legal plans, and an underestimation of the role of urban design in the delivery process of development control (Chen, 2016).

This initiative has a contribution to implement specific steps for a proper protection and management of landscape that Romania undertook by promoting the Law no. 451/2002 for ratifying European Convention of Landscape. Also in the Chart from Leipzig for European durable cities, a frame document at European level undertaken by Romanian Government in 2007, one of the priorities is focused on creating and providing some public spaces of high quality.

According to provisions of the Law no. 185 from June 25, 2013 regarding the location and the authorization of outdoor advertising, October 1, 2015 was the deadline until which advertising means authorized until the application of the law (July 2013) may be kept on authorized locations, even if by location and characteristics they were not classified into the category of outdoor advertising allowed by local advertising rules or they do not fulfill legal provisions.

Also, according to provisions of Government Decision no. 43 from August 28, 1997 regarding the legal regime of roads, with further alterations and completions, on October 14, 2015 will be eliminated the banners, the signs, billboards, engraving, posters or other advertising means existing or under execution, on public roads, on the respective works of art or in the road

area, and/or the access to public road area, without the previous consent of the road administrator.

Presentation reasoning of the Law regarding the location and the authorization of outdoor advertising, the ministry initiator of normative document considered as necessary to pay an increased attention to the rules regarding the location of advertising means for not altering the urban image (blocking representative perspectives at the city level, the perception of the facades of some monuments or representative buildings, some elements of valuable decoration etc.), in addition to providing protection to citizens, without affecting the vehicle and the pedestrian traffic but also valorising outdoor advertising means by placing them in areas having good visibility and providing their clarity for benefiting of the desired economic effect.

Following the French model, in Romania the law defined the establishing in the cities some areas having higher restrictions according to their specific urban planning - architecture.

Therefore, the zones of restricted advertising are zones of the locality where are applicable special restrictions, being allowed only some categories of advertising means or where it is forbidden the placement of advertising means, excepting the signs, so being protected architectural and environment characteristics of the zone.

These perimeters may be the following, but without limiting: a) protected constructed zones defined by urban planning documentations approved

according to law; b) historical centres of localities, and also the zones protecting historical monuments; c) monuments of public forum and/or natural monuments; d) the zones protecting the objectives having a special architectural and/or environment value. The zones of increased advertising are the areas where may be placed all categories of outdoor advertising, provided a coherence of urban image.

Also, within the localities or along the roads, beyond the delimitation of these zones, may be delimited too other perimeters having interdictions for placing outdoor advertising means, by applying the provisions allowing spatial delimitations according to provisions of the normative documents mentioned above.

Thus, in the documents of urban and territorial planning used as a support for drawing up the plans enclosed to local rules for local advertising may be also delimited the following: a) protected natural areas having a national and an international interest, excepting their built-up areas; b) green area having an ornamental character or a special value; c) playgrounds or repose areas situated in residential flats of apartments; d) carriage zone of the streets and the roads, nevertheless their category; e) the precinct and on the fencing elements of cemeteries, churches, squares, parks and public gardens; f) the crossing and the roundabout precinct, in the area of vehicle traffic and road signs, in the areas where a normal traffic may be disturbed; the parapets and/or the walls of subway or passages or under the bridges; g) the zone of protecting motorways; on the works of art crossing the road, portal having road signs or in self-supporting independent solutions crossing the road

inside curves, and also in crossing at the level of communication ways until a distance of 100 m before pre-signalizing from crossing outside the localities etc.

5. Historical, tourism, advertising and urban visual identity

Complementary to the stipulation of the legislation mentioned above, a series of normative acts have integrated elements related to the rules of placement of advertising means. For example, the governance component of environmental action could provide a more insightful image on environmental performance at local level (Sandu and Banică, 2015). This is crucial for urban environments since one of their most disputed aspect concerning on one hand the quality of public space and on the other the importance of certain building or built environments as heritage, local or national is related to development. Urban environments are subject of rapid development which always comes along with plenty of dilemmas. There is always a need of urban renovation as form of value conservations involved. Which almost always conflicts with development. There is no exception when it comes to Bucharest's historical value and uniqueness. Preserving built heritage and in the context of urban development can go together, could even support each other, and from both a historical and economic point of view may contribute to the process (Amit-Cohen, 2005). There seems to exist a general agreement on preserving built heritage from benefits for the city point of view though there are also controversies concerning specific issues such as the authenticity (Kong and Yeoh, 1994). This is precisely why preserving built heritage is never an easy task particularly when the site is located in a heavily developed urban area (Yau, 2009). Hence this is part of planning

process which aims to shape a heritage urban development as a key part of the planning framework (Parkinson *et al.*, 2016). Heritage monuments cannot be otherwise seen but as part of conservation areas of identity value integrated in new concepts of use (Steinberg, 1996).

Heritage built environments are subject to adaptive reuse to make their points as items of visual identity therefore significant and strategic for further promoting their built environment (Conejos *et al.*, 2014).

Basically they have a direct impact on the identity and visual integrity of historic cities and their broader setting, as well as on the people who live in them, [...], they are issues of local urban strategies, key components of urban development planning (UNESCO, 2014).

Hence public participation has become a worldwide issue and bottom-up approach in dealing with heritage conservation and city planning (Yung and Chan, 2011). Bucharest does not represent an encouraging example of public participation when it comes to built-heritage conservation.

In accordance with Law no. 422 of 18 July 2001 on the protection of historical monuments, republished, it is prohibited to place on and in historical monuments, inter alia, permanent or temporary placement of billboards, signs, logos or any other kind c); also, in the protected areas of monuments and protected built areas can be set up public utility easements and special building regulations. Thus, in the application of these legal provisions, the regulations of protected built areas of Bucharest, approved by Bucharest Municipality

Council Decision no. 279/2000, set up significant restrictions regarding the placement of outdoor advertising in these areas, up to their total elimination.

However, in reality there is an abundance of outdoor advertising means in urban areas, including these areas or on historic monuments (Fig. 1), without observing protective legal regulations and without respecting the protection intentions.

A negative example, but representative of the effect of excess of outdoor advertising on the city center and on protected areas and historical monuments, is the block of flats ARO-Patria located on Boulevard Gh. Magheru no. 12-14, historical monument placed in group A - historical monuments of national and universal value.

According to the law on protection of historical monuments, republished, for each historic monument, a protective area shall be established, defined according to the topographic, geographic or urban criteria, depending on street network, topography and characteristics of the historical monument, where appropriate, ensuring thus integrated conservation and enhancement of the historical monument and its constructed or natural set up partial or total destruction,

profanation and degradation of historical monuments is prohibited and is punishable by law. Despite all these, the block ARO - Patria historical monument is decaying, partly because of outdoor advertising illegally placed on its front or on its platform.

Also, even though legal provisions are very strict regarding placement of advertising media, in January 2016 in the protected built area Magheru-Balcescu, were identified (Fig. 3): 53 billboards on walls / roof buildings („meshuri”); 47 billboards on ground; 7 supportive frames of unused advertising panels; 4 other types of advertising media (structures on pavements (Fig. 4) etc.) and numerous other posters stuck on poles (Fig. 5), walls of adjacent buildings or street furniture.

Debates on the encroaching commercialization of public space by outdoor advertising highlight its possible negative impact on local quality of life and enjoyment of public spaces. These over stimulating of the outdoor advertisements are often considered a source of visual pollution (Fig. 2), but cities have no standard way of measuring where it exists and its local impact, and thus cannot regulate it effectively (Chmielewski *et al.*, 2016).



Fig. 1. Hotel Lido, historic monument covered with outdoor advertising



Fig. 2. Visual pollution generated by excess of outdoor advertising illegally placed in the protected-built area Magheru-Bălcescu



Fig. 3. Placement of outdoor advertising, by type, in the “Magheru-Bălcescu” Protected Built Area in 2016.
Source: processing map of IMUAU, 2006



Fig. 4. Cooling system with water vapors abandoned on the sidewalk near university of Bucharest, temporarily authorized in the summer of 2015, illegally used as support for advertising



Fig. 5. Graffiti and illegal posters on an electric transformer station

In the absence of any audit regarding benefits (of all types, detailed on sources and categories of stakeholders: public authorities, owners of buildings on which are located means of advertising, specialized advertising agencies etc.) and costs (of all types, including injuries and losses of human life or loss in tourism generated by excessive and illegal advertising media etc.) induced by the current situation of outdoor advertising field, it becomes obvious that from an aesthetic, urban and tourist perspective, the central area of Bucharest is not attractive.

We should specify that in the spirit of promoting quality public spaces and not altering protected built areas, in many cities, new forms of outdoor advertising are emerging with potentially significant implications for the nature of the urban public realm. Public-private partnerships for advertising-funded provision of basic items of urban infrastructure (e.g.: bus shelters, street signs etc.), have grown as a result of structural changes in the advertising industry and shifts towards various forms of urban governance (Iverson, 2012).

6. Conclusions

The discussions regarding outdoor advertising involves more components and more perspectives that may be

prioritised or used to harmonize urban landscapes: not altering urban image by blocking some representative perspectives at the level of the town, the perception concerning facades of some monuments or representative buildings, or some elements of valuable decoration elements etc., providing the quality of public space and protection of citizens, without affecting road and pedestrian, but also showing the advantages of advertising means by placing them in visible areas and providing their clarity for getting the desired economic effectuate, getting income for private actors from this field or budget resources through taxes related to such activities etc.

The result of the field and administrative researches, proves the existence of significant disparities between the rules and applying them in urban areas.

The lack of interest in promoting and protecting the quality of urban space, generated by derogating practices in the construction and urban planning, and the lack of intervention of the institutions responsible for monitoring building permits, have prompted that numerous urban area, especially those with high traffic and extended visibility, to be parasitized by means of advertising illegally placed or not in accordance with the law (Fig. 6 and 7).



Fig. 6. Crowded Outdoor Advertising around the statue of Lascăr Catargiu, from the built homonymous protected area



Fig. 7. Guidance indicator and a historic building A Class, parasitized by illegally placed outdoor advertising

Multiplying accidents caused by incorrect placement of the publicity means or abandoned or fallen advertising structures, as well as the deterioration of urban space have generated a reassessment of the specific legislation and a clearer division of responsibilities of institutions and local government institutions.

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