

SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON THE PREVENTION OF LIGHT POLLUTION AND MANAGEMENT OF FORMATION OF GOOD LIGHT

Enactment No. 4990, Jul. 15, 2010
Amendment of Other Laws No. 5164, Sep. 29, 2011
Whole Amendment No. 5733, Jul. 17, 2014
Partial Amendment No. 6037, Oct. 08, 2015
Partial Amendment No. 6302, Jul. 14, 2016
Partial Amendment No. 6778, Jan. 04, 2018
Amendment of Other Laws No. 6851, Mar. 22, 2018
Amendment of Other Laws No. 7046, Mar. 28, 2019
Partial Amendment No. 7199, May. 16, 2019
Partial Amendment No. 8045, May. 20, 2021

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONS The purpose of this Ordinance is to improve the quality of life of citizens, protect ecosystems, and save energy, by providing for matters delegated by the Act on the Prevention of Light Pollution due to Artificial Lighting and other matters necessary for managing the formation of good light.

Article 2 (Definitions)

The definitions of terms used in this Ordinance shall be as follows:

1. The term "space lighting" means devices that emit light and accessory mechanisms illuminating a specific space to facilitate safe and pleasant night time activities;
2. The term "advertising lighting" means devices that emit light and accessory mechanisms installed on an outdoor advertisement defined in subparagraph 1 of Article 2 of the Outdoor Advertisements, etc. Control Act, or illuminating such outdoor advertisement for advertising purposes;
3. The term "decorative lighting" means devices that emit light and accessory mechanisms installed on the exterior of a building (referring to a building defined in Article 2 (1) 2 of the Building Act; hereinafter the same shall apply), structure, sculpture, or the natural environment, etc. or illuminating the exterior thereof, with the aim of decorating such building, structure, sculpture, or the natural environment, etc.;
4. The term "decorative lighting on a media facade" means a means of lighting to integrate a building and illumination, which adjusts the brightness and color of light and makes the movement of light possible using LED illumination, beam projector, etc.;
5. The term "light festival" means a light festival creating an aesthetic and fantastic atmosphere using electric light bulbs, electric lamps, or IT technology, etc.

Article 3 (Scope of Lighting Fixtures)

This Ordinance shall apply to any of the following lighting fixtures:

1. Space lighting under subparagraph 1 of Article 2 of the Enforcement Decree of the Act on the Prevention of Light Pollution due to Artificial Lighting (hereinafter referred to as the "Decree");
2. Advertising lighting under subparagraph 2 of Article 2 of the Decree;
3. Decorative lighting under subparagraph 3 of Article 2 of the Decree.

Article 4 (Responsibilities of Mayor, etc.)

(1) The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall formulate and implement policies on the prevention of light pollution, in consideration of local characteristics of districts under his/her jurisdiction, and shall provide measures, including provision of information on light pollution to the citizens of Seoul Metropolitan Government (hereinafter referred to as "citizens"). <Amended by Ordinance No. 6302, Jul. 14, 2016>

(2) Citizens shall cooperate in policies on the prevention of light pollution and shall endeavor to prevent light pollution.

CHAPTER II FORMULATION, ETC. OF PLAN FOR PREVENTION OF LIGHT POLLUTION

Article 5 (Formulation of Plan for Prevention of Light Pollution)

CHAPTER II FORMULATION, ETC. OF PLAN FOR PREVENTION OF LIGHT POLLUTION (1) The Mayor shall formulate and implement a plan for the prevention of light pollution of districts under his/her jurisdiction every five years pursuant to Article 5 (1) of the Act on the Prevention of Light Pollution due to Artificial Lighting (hereinafter referred to as the "Act").

(2) A plan for the prevention of light pollution under paragraph (1) shall include the following:

1. Matters referred to in Article 2 (2) 1 through 6 of the Enforcement Rule of the Act on the Prevention of Light Pollution due to Artificial Lighting (hereinafter referred to as the "Enforcement Rule of the Act")
2. Matters concerning energy conservation and reduction of carbon dioxide from urban lighting;
3. Matters concerning the formulation of a night landscape plan and night landscape guidelines.

Article 6 (Designation of Lighting Environment Management Districts)

(1) The Mayor may designate lighting environment management areas as follows, to prevent light pollution and appropriately manage urban lighting:

1. Class 1 lighting environment management districts: Districts where excessive artificial lighting has or is likely to have an adverse effect on the natural environment;
2. Class 2 lighting environment management districts: Districts where excessive artificial lighting has or is likely to have an adverse effect on agriculture, forestry, and fisheries, and the growth of animals and plants;
3. Class 3 lighting environment management districts: Districts where excessive artificial lighting has or is likely to have an adverse effect on residential life of people, which require artificial lighting for the safety and convenience of people;
4. Class 4 lighting environment management districts: Districts where excessive artificial lighting has or is likely to have an adverse effect on a pleasant and healthy lifestyle of people, which require at least a certain level of artificial lighting for commercial activities.

(2) Where the objective of designation of a lighting environment management area designated pursuant to paragraph (1) becomes irrelevant, or it is necessary to alter a lighting environment management area, the Mayor may revoke the designation of a lighting environment management area or alter such designation, after deliberation by the Committee.

(3) Necessary matters, such as detailed criteria for designating management areas referred to in subparagraphs of paragraph (1), an upgraded luminous flux rate for each management area, the brightness of building surfaces, and permissible levels of light emission, shall be prescribed by rule.

Article 7 (Formulation of Plans for Management of Light Environment)

(1) The Mayor shall formulate a plan for the management of light environment to manage the light environment of lighting environment management districts in an eco-friendly manner, pursuant to Article 5 of the Decree.

(2) Where the Mayor formulates a plan for the management of light environment under paragraph (1), he/she shall reflect photometric data of lighting fixtures tested by a professional institution in the relevant plan, for traffic safety and the prevention of light pollution.

Article 8 (Exemption from Application of Permissible Levels of Light Emission)

When the Mayor determines whether to approve exemption from the application of permissible levels of light emission of lighting environment management districts pursuant to Article 6 (2) of the Decree, he/she shall submit it for deliberation by the Committee.

Article 9 (Environmental Impact Assessments of Light Pollution, etc.)

(1) The Mayor shall conduct environmental impact assessments of light pollution pursuant to Article 16 of the Act and may seek advice on the following from experts in such cases:

1. Detailed matters, such as the subject matter and scope of assessment, under Article 10 (1) 3 of the Enforcement Rules of the Act;
2. Matters concerning the selection of districts subject to environmental impact assessments of light pollution among the districts under his/her jurisdiction;
3. Where reconciliation is required due to a dispute between the parties interested in light pollution;
4. Other matters necessary to conduct assessments, such as procedures for conducting environmental impact assessments of light pollution.

(2) The Mayor may require an institution or an organization deemed to have professional manpower, equipment, etc. to conduct some affairs relating to environmental impact assessments of light pollution on his/her behalf.

CHAPTER III GOOD LIGHT COMMITTEE

Article 10 (Good Light Committee)

CHAPTER III GOOD LIGHT COMMITTEE The Mayor shall establish the Good Light Committee of Seoul Metropolitan Government (hereinafter referred to as the "Committee") pursuant to Article 7 (1) of the Act to deliberate on important matters concerning light pollution control.

[This Article Wholly Amended by Ordinance No. 6037, Oct. 8, 2015]

Article 11 (Functions of Committee)

The Committee shall deliberate on the following:

1. Matters concerning the formulation and implementation of a plan for the prevention of light pollution under Article 5 of the Act;
2. Matters concerning the formulation and implementation of a plan for the management of light environment under Article 5 of the

Decree;

3. Matters concerning the designation of lighting environment management districts under Article 9 of the Act and the revocation or alterations of designation of lighting environment management districts under Article 10 of the Act;
4. Matters concerning the improvement of statutes and systems for the efficient promotion of a plan for the prevention of light pollution;
5. Matters concerning the bearing of expenses incurred in promoting programs for the prevention of light pollution;
6. Matters concerning the strengthening of permissible levels of light emission under Article 6 of the Enforcement Rules of the Act;
7. Matters concerning exemption from the application of permissible levels of light emission under Article 12 (1) of the Act;
8. Other matters prescribed by statutes and municipal ordinances to be deliberated by the Committee and matters the chairperson deems necessary for the prevention of light pollution and management of the formation of good light.

Article 12 (Composition of Committee)

(1) The Committee shall be comprised of a minimum of 25 and a maximum of 50 members, including one chairperson and one vice-chairperson.

(2) The Director-General of Urban Planning Bureau shall serve as the chairperson of the Committee, and the vice-chairperson shall be elected by and from among attending members. <Amended by Ordinance No. 6778, Jan. 4, 2018>

(3) Members of the Committee shall be commissioned or appointed by the Mayor from among the following persons:

1. Members of the Seoul Metropolitan Council;
2. Public officials designated by the Mayor;
3. Persons who have knowledge and expertise in any field of light pollution, night landscaping, LED, media facade, design, etc.;

(4) The term of office of committee members who are not public officials shall be two years and may be renewed consecutively only once: Provided, That the term of office of any member commissioned or appointed to fill a vacancy shall correspond to his/her predecessor's remaining term of office.

[This Article Newly Inserted by Ordinance No. 6037, Oct. 8, 2015]

Article 13 (Disqualification or Refrainment as Committee Members)

(1) If a member falls under any of the following, the Committee shall disqualify him/her from deliberating and rendering advice on the relevant agenda item:

1. Where a committee member has performed or is performing any service, such as consulting service or research service, in connection with the agenda item tabled to deliberate and render advice;
2. Where a committee member has a direct interest in the agenda item tabled to deliberate and render advice;
3. Where the corporation to which a committee member belongs is directly involved in the agenda item tabled to deliberate and render advice.

(2) In any of the cases referred to in paragraph (1), the involved committee member shall propose refrainment from deliberating or rendering advice on the relevant agenda item.

(3) If a committee member is deemed subject to the disqualification under any subparagraph of paragraph (1), the chairperson shall, ex officio or upon such committee member's proposal for abstention, determine whether to exclude the committee member.

[This Article Newly Inserted by Ordinance No. 6037, Oct. 8, 2015]

Article 14 (Dismissal of Committee Members)

In any of the following cases, the Mayor may dismiss a committee member from office even before the committee member's term of office expires, and the term of office of the committee member newly commissioned to fill a vacancy shall correspond to his/her predecessor's remaining term of office: <Amended by Ordinance No. 6302, Jul. 14, 2016>

1. If a committee member is unable to continue to perform his/her duties due to an illness that needs medical treatment for a long period, an overseas trip for a minimum of six months, or other event;
2. If a committee member wants to be dismissed from office;
3. If a committee member is found incompetent for the office due to indecent conduct or on other ground.

[This Article Newly Inserted by Ordinance No. 6037, Oct. 8, 2015]

Article 15 (Duties, etc. of Chairperson)

(1) The chairperson shall represent the Committee and administer all affairs thereof.

(2) If the chairperson is unable to perform his/her duties due to unavoidable circumstances, the vice-chairperson shall act on behalf of the chairperson. <Amended by Ordinance No. 6778, Jan. 4, 2018>

(3) The Committee shall have an executive secretary who shall perform administrative work, and the head of the responsible division or the person designated by the head of the responsible division shall serve as the executive secretary.

[This Article Newly Inserted by Ordinance No. 6037, Oct. 8, 2015]

Article 16 (Operation, etc. of Committee)

(1) The chairperson shall convene and preside over meetings of the Committee.

(2) A meeting shall be held with not less than 7 and not more than 12 committee members, as designated by the chairperson in consultation with the vice-chairperson; and a majority of the members of the Committee shall constitute a quorum, and any resolution thereof shall require a concurring vote of at least a majority of those present: Provided, That the committee members excluded from deliberation under Article 13 shall be excluded for the purpose of calculating the number of current committee members. <Amended by Ordinance No. 6302, Jul. 14, 2016>

(3) The chairperson shall determine agenda items of a meeting and the committee members who shall participate in deliberation by not later than five days before the date of meeting and shall notify each committee member of the agenda items tabled at the meeting by not later than three days before holding the meeting: Provided, That the foregoing shall not apply where it is necessary to keep some information confidential or other compelling reason exists.

(4) When the chairperson determines the committee members who shall participate in deliberation under paragraph (2), he/she shall notify the person who applied for deliberation, etc. of the list of such committee members.

[This Article Newly Inserted by Ordinance No. 6037, Oct. 8, 2015]

Article 17 (Duty of Confidentiality)

Neither members of the Committee nor other persons involved in any affair of the Committee shall divulge confidential information they have learned in the course of performing their duties.

[This Article Newly Inserted by Ordinance No. 6037, Oct. 8, 2015]

Article 18 (Request for Cooperation, etc.)

When the Committee deems necessary for performing its duties, it may summon relevant public officials, experts, interested persons, etc. to attend a meeting to hear their opinions or may request relevant institutions or organizations to provide necessary documents.

[This Article Newly Inserted by Ordinance No. 6037, Oct. 8, 2015]

Article 19 (Allowances)

The Committee may reimburse committee members, experts, etc. who attend a meeting of the Committee for actual expenses, including allowances and travel expense, within the budget: Provided, That the foregoing shall not apply to public officials who attend a meeting in direct connection with their duties. <Amended by Ordinance No. 6302, Jul. 14, 2016>

[This Article Newly Inserted by Ordinance No. 6037, Oct. 8, 2015]

Article 20 (Detailed Operating Rules)

Except as otherwise provided for in this Ordinance, matters concerning the operation of the Committee shall be determined by the chairperson, after resolution by the Committee.

[This Article Newly Inserted by Ordinance No. 6037, Oct. 8, 2015]

CHAPTER IV MANAGEMENT OF FORMATION OF GOOD LIGHT

Article 21 (Night Landscape Plans and Night Landscape Guidelines)

CHAPTER IV MANAGEMENT OF FORMATION OF GOOD LIGHTThe Mayor shall formulate a night landscape plan and night landscape guidelines to prevent light pollution, such as glare and an intrusive light emitted from outdoor lighting fixtures, and to form good light.

Article 22 (Formulation, etc. of Lighting Plans)

(1) Any person who intends to install, improve, or add lighting fixtures under subparagraphs 1 and 3 of Article 3 shall formulate a lighting plan by reflecting the standards for installation and management of lighting fixtures under Article 15 of the Act, the standards for permissible levels of light emission under Article 6 (1) of the Enforcement Rules of the Act, and the night landscape guidelines under Article 21, before installing any lighting fixture. <Amended by Ordinance No. 6302, Jul. 14, 2016>

(2) With regard to a lighting plan formulated pursuant to paragraph (1), matters specified in the attached Table shall undergo deliberation by the Committee.

(3) The Mayor may give direction or advice so that lighting fixtures can be installed and managed appropriately pursuant to paragraph (1).

Article 23 (Management of Formation of Good Light, etc.)

(1) Any person who intends to install and manage lighting fixtures in outdoor space shall observe standards for installation and management of lighting fixtures under Article 15 of the Act, permissible levels of light emissions under Article 6 (1) of the Enforcement Rules of the Act, and night landscape guidelines under Article 12, to form good light.

Article 24 (Management of Turning on and Turning off Lights)

(1) Timing for turning on lights of street lighting, security lighting in residential areas, and space lighting in parks, etc. shall be 15 minutes after sunset, and timing for turning off lights shall be 15 minutes before sunset, through integrated or individual

management: Provided, That where harm to the safety of citizens is expected due to changes in weather conditions, such as fog or rainfall, a management agency may adjust timing for turning on and turning off lights.

(2) The head of a public office building may specifically determine the timing for turning on and turning off lights installed on walls and lighting installed around the public office building, in consideration of the night environment, security, etc.

(3) Decorative lighting installed for landscaping of buildings, bridges, structures, etc. shall be turned on 30 minutes after sunset and turned off not later than 23:00, and the duration of a visual show presented with decorative lighting on a media facade shall not exceed 40 minutes per hour, in principle: Provided, That such timing and duration may be adjusted after deliberation by the Committee, if visual shows are presented in the special tourist zones designated under Article 70 of the Tourism Promotion Act and for a domestic or overseas event or for promoting tourism, etc. <Amended by Ordinance No. 6302, Jul. 14, 2016; Ordinance No. 6778, Jan. 4, 2018>

(4) In principle, a sensor shall be installed for lighting under paragraphs (1) through (3) so that lights may be turned on and off automatically.

Article 25 (Maintenance of Uniform Levels of Brightness of Street Lighting)

The Mayor shall endeavor to maintain the uniform level of brightness (referring to the uniform level of brightness distribution) of street lighting meeting standards for street lighting under the Korean Industrial Standards, for the maintenance of the ideal road traffic environment and the safety of drivers.

CHAPTER V SUPPORT SYSTEM

Article 26 (Lighting Support Programs)

CHAPTER V SUPPORT SYSTEM(1) The Mayor may provide administrative and financial support to persons who improve or upgrade the following lighting facilities and night landscape:

1. Where a person improves or upgrades lighting fixtures that have an important effect on the natural environment and residential environment in lighting environment management districts;
2. Where a person implements a project for the formation or improvement of night landscape under Article 13 (1) 3 of the Landscape Act;
3. Where a person forms or improves night landscaping by entering into a landscape agreement pursuant to Article 16 of the Landscape Act.

(2) Any person who intends to obtain support under paragraph (1) shall submit a project plan, including a lighting plan under Article 22 (1), to the Mayor, and the scope of and procedures for financial support and other relevant matters shall be prescribed by rule. <Amended by Ordinance No. 6851, Mar. 22, 2018>

Article 27 (Selection of Winners of Good Lighting Prizes and Best Light Pollution Images and Awarding of Prizes, etc.)

(1) The Mayor may select persons who have notably contributed to preventing light pollution and forming outstanding decorative lighting and best works, from among light pollution photographs submitted to an open exhibition, and award prizes to winners.

(2) The Mayor may honor winners with a cash prize, plaque, medal, etc.

(3) The selection of winners of Good Lighting Prizes and best works submitted to an open exhibition and the procedure for such selection shall be prescribed by rule.

[This Article Wholly Amended by Ordinance No. 6778, Jan. 4, 2018]

ADDENDUM <Ordinance No. 5733, Jul. 17, 2014>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6037, Oct. 8, 2015>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6302, Jul. 14, 2016>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6778, Jan. 4, 2018>

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