

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 the terms used in this Ordinance are as follows: <Amended by Ordinance No. 7199, May 16, 2019>

1. The term "spatial lighting" means light-emitting devices and accessory mechanisms that illuminate a specific space to facilitate safe and pleasant night time activities;
2. The term "advertising lighting" means light-emitting devices and accessory mechanisms that are installed on an outdoor advertisement defined in subparagraph 1 of Article 2 of the Act on the Management of Outdoor Advertisements and Promotion of Outdoor Advertisement Industry, or that illuminate such outdoor advertisement for advertising purposes;
3. The term "decorative lighting" means light-emitting devices and accessory mechanisms that are 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, the natural environment, and the like for decorating purposes, or that illuminate the exterior thereof;
4. The term "decorative lighting on a media facade" means a means of lighting where illumination is integrated into a building, which uses LED illumination, beam projector, and the like, to adjust the brightness and color and to enable movement of lights;
5. The term "light festival" means a light festival creating an aesthetic and fantastic atmosphere using electric light bulbs, electric lamps, information technology, and the like.

Article 3 (Scope of Lighting Fixtures)

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

1. Spatial 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 or her jurisdiction, and shall provide measures, including provision of information on light pollution to the citizens of Seoul Metropolitan City (hereinafter referred to as "citizens"). <Amended by Ordinance No. 6302, Jul. 14, 2016>

(2) Citizens shall cooperate on policies to prevent light pollution and shall endeavor to prevent such pollution.

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

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

CHAPTER II FORMULATION, ETC. OF PLANS FOR PREVENTION OF LIGHT POLLUTION (1) The Mayor shall formulate and implement a plan for the prevention of light pollution of districts under his or 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"). <Amended by Ordinance No. 6302, Jul. 14, 2016>

(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 Rules of the Act on the Prevention of Light Pollution due to

Artificial Lighting (hereinafter referred to as the "Enforcement Rules of the Act")

2. Matters regarding urban lighting that save energy and reduce carbon emissions;
3. Matters regarding the formulation of night landscape plans 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; <Amended by Ordinance No. 7199, May 16, 2019>
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 artificial lighting is necessary for the safety and convenience of people, but where excessive artificial lighting has or is likely to have an adverse effect on residential life of people;
4. Class 4 lighting environment management districts: Districts where at least a certain level of artificial lighting is necessary for commercial and industrial activities, but where excessive artificial lighting has or is likely to have an adverse effect on a pleasant and healthy lifestyle of people.

(2) Where the objective of designating 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, subject to deliberation by the Committee.

(3) Necessary matters, such as detailed criteria for designating management areas referred to in the subparagraphs of paragraph (1), an upward light output ratio for each management area, the luminance of building surfaces, and permissible levels of light emission, shall be prescribed by rule of the Seoul Metropolitan Government.

[Moved from Article 8; previous Article 6 moved to Article 10 <by Ordinance No. 6037, Oct. 8, 2015>]

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) In formulating a plan for the management of light environment under paragraph (1), the Mayor shall ensure that the plan reflects the light distribution data of lighting fixtures tested by a specialized institution for traffic safety and the prevention of light pollution.

[Moved from Article 9; previous Article 7 moved to Article 11 <by Ordinance No. 6037, Oct. 8, 2015>]

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 or she shall submit it for deliberation by the Committee.

[Moved from Article 10; previous Article 8 moved to Article 6 <by Ordinance No. 6037, Oct. 8, 2015>]

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 regarding the selection of districts subject to environmental impact assessments of light pollution among the districts under his or 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 request an institution or organization deemed to have specialists, equipment, etc. to conduct some affairs relating to environmental impact assessments of light pollution on his or her behalf.

[Moved from Article 11; previous Article 9 moved to Article 7 <by Ordinance No. 6037, Oct. 8, 2015>]

CHAPTER III GOOD LIGHT COMMITTEE

Article 10 (Good Light Committee)

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

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

[Moved from Article 6; previous Article 10 moved to Article 8 <by Ordinance No. 6037, Oct. 8, 2015>]

Article 11 (Functions of Committee)

The Committee shall deliberate on the following:

1. Matters regarding the formulation and implementation of a plan for the prevention of light pollution under Article 5 of the Act;
2. Matters regarding the formulation and implementation of a plan for the management of light environment under Article 5 of the Decree;
3. Matters regarding 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 regarding the improvement of statutes, regulations, and systems to efficiently implement a plan for the prevention of light pollution;
5. Matters regarding the bearing of expenses incurred in promoting programs for the prevention of light pollution;
6. Matters regarding the strengthening of permissible levels of light emission under Article 6 of the Enforcement Rules of the Act;
7. Matters regarding exemption from the application of permissible levels of light emission under Article 12 (1) of the Act;
8. Other matters prescribed by statutes, regulations, and Ordinances of the Seoul Metropolitan Government 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.

[Moved from Article 7; previous Article 11 moved to Article 9 <by Ordinance No. 6037, Oct. 8, 2015>]

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 or her predecessor's remaining term of office.

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

Article 13 (Disqualification of and Abstention by Committee Members)

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

1. Where a committee member has provided or is providing services or advice, and has conducted or is conducting research and the like, in relation to the relevant agenda item subject to deliberation and advice;
2. Where a committee member has a direct interest in the relevant agenda item subject to deliberation and advice;
3. Where a corporation to which a committee member belongs is directly involved in the relevant agenda item subject to deliberation and advice.

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

(3) If a ground for disqualification arises under any subparagraph of paragraph (1), the chairperson shall, either ex officio or at such committee member's request for abstention, determine whether to disqualify 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 or 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 or 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 or 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 but not more than 12 committee members 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 the 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 not later than five days before the date of meeting and shall notify each committee member of the agenda items tabled at the meeting not later than three days before the date of the meeting: Provided, That the foregoing shall not apply where it is necessary to keep some information confidential or other compelling reason exists.

(4) Upon determining the committee members who shall participate in deliberation under paragraph (2), the chairperson 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.)

The Committee may, if deemed necessary for performing its duties, summon relevant public officials, experts, interested persons, and other persons 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, and other persons 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 (Operating Rules)

Except as provided in this Ordinance, matters regarding the operation of the Committee shall be determined by the chairperson, subject to 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 night landscape plans 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.

[Moved from Article 12 <by Ordinance No. 6037, Oct. 8, 2015>]

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 that reflects 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. <Amended by Ordinance No. 6302, Jul. 14, 2016>

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

[Moved from Article 13 <by Ordinance No. 6037, Oct. 8, 2015>]

Article 22-2 (Correlated Color Temperature and Color Rendering of Lighting)

The Mayor shall ensure that a lighting plan reflects the correlated color temperature and color rendering of lighting, taking into account users' safety, night environment, local characteristics, and other factors.

[This Article Newly Inserted by Ordinance No. 7199, May 16, 2019]

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. <Amended by Ordinance No. 6302, Jul. 14, 2016>

[Moved from Article 14 <by Ordinance No. 6037, Oct. 8, 2015>]

Article 24 (Management of Turning on and off Lights)

(1) Spatial lighting such as street lighting, security lighting in residential areas, and lighting in parks shall be collectively or individually managed so that they are turned on 15 minutes after sunset and off 15 minutes before sunrise: Provided, That where changes in weather conditions such as fog or rainfall are likely to cause harm to citizens' safety, a management agency may adjust the time to turn on and off lights.

(2) The head of a public office building may separately determine the time to turn on and off lights installed on walls and lighting installed around the public office building, in consideration of the night environment, security, distance between residential areas, local characteristics, and the like. <Amended by Ordinance No. 7199, May 16, 2019>

(3) Decorative lighting installed for landscaping of buildings, bridges, structures, and the like shall be turned on 30 minutes after sunset and 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 subject to 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, and the like. <Amended by Ordinance No. 6302, Jul. 14, 2016; Ordinance No. 6778, Jan. 4, 2018>

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

[Moved from Article 15 <by Ordinance No. 6037, Oct. 8, 2015>]

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 luminance distribution) of street lighting meeting standards for street lighting under the Korean Industrial Standards, for the maintenance of the pleasant road traffic environment and the safety of drivers.

[Moved from Article 16 <by Ordinance No. 6037, Oct. 8, 2015>]

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: <Amended by Ordinance No. 7199, May 16, 2019>

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 16 (1) 3 of the Landscape Act;
3. Where a person forms or improves night landscaping by entering into a landscape agreement pursuant to Article 19 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 of the Seoul Metropolitan Government. <Amended by Ordinance No. 6851, Mar. 22, 2018>

[Moved from Article 17 <by Ordinance No. 6037, Oct. 8, 2015>]

Article 27 (Selection of Winners of Good Lighting Prizes and Award-Winning Works from Light Pollution Photography Contests, etc.)

(1) The Mayor may select persons who have made an outstanding contribution to preventing light pollution and forming outstanding decorative lighting, as well as prize-winning works from a light pollution photography contest, to award winners.

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

(3) The selection of winners of Good Lighting Prizes and award-winning works from a contest and the procedures for such selection shall be prescribed by rule of the Seoul Metropolitan Government.

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

ADDENDUM

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>

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

ADDENDUM <Ordinance No. 6851, Mar. 22, 2018>

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

ADDENDA <Ordinance No. 7046, Mar. 28, 2019>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDUM <Ordinance No. 7199, May 16, 2019>

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