SEOUL SPECIAL METROPOLITAN CITY ORDINANCE ON THE MAINTENANCE AND IMPROVEMENT OF URBAN AREAS AND DWELLING CONDITIONS FOR RESIDENTS

Enactment No. 4167, Dec. 30, 2003
Amendment of Other Laws No. 4174, Mar. 05, 2004
Partial Amendment No. 4238, Nov. 05, 2004
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Partial Amendment No. 9455, Jan. 03, 2025
Amendment of Other Laws No. 9487, Jan. 03, 2025

ADDENDA <Ordinance No. 4860, Sep. 29, 2009>

Article 1 (Enforcement Date)

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

Article 2 (Repeal of other Ordinances)

The Seoul Special Metropolitan City Ordinance on Urban Redevelopment Projects, the Seoul Special Metropolitan City Ordinance on City-Center Redevelopment Projects, and the Seoul Special Metropolitan City Ordinance on the Implementation of Residential Environment Improvement Projects shall be hereby repealed respectively.

Article 3 (General Transitional Measure)

Dispositions, proceedings, and other acts done pursuant to each Ordinance under Article 2 of the Addenda at the time this Ordinance enters into force shall be deemed to have been done pursuant to provisions of this Ordinance.

Article 3-2 (Transitional Measure concerning Requirements for Designation of Residential Environment Improvement Zones)

With regard to an area for which an application has been filed for the designation of a district on the ground that the area met the requirements for the designation of a zone under the previous provisions at the time this Ordinance enters into force, the provisions shall not apply to the density of units to the requirements for the designation of a rearrangement zone, notwithstanding subparagraph 1 of Article 4 of this Ordinance.

[This Article Newly Inserted on Apr. 28, 2005]

Article 4 (Applicability to Guidelines for Construction of Rental Housing Units)

Subparagraph 3 of Article 9 regarding the guidelines for the construction of rental housing units shall apply to the rearrangement zones regarding which the public announcement of the availability of public inspection is first made for drafting a bill for the designation of a rearrangement zone after this Ordinance enters into force.

Article 5 (Transitional Measure for Guidelines for Eligibility for Parcelling-Out Sale)

Notwithstanding Article 24 (2) 1, a housing unit with an exclusive area of not more than 60 square meters or a rental housing unit in a rearrangement zone may be supplied in compensation for a separate house or a multi-family dwelling, which has been converted into a multi-household house with the separate registration of partition completed for the housing unit, while the previous relevant ordinances shall apply if total exclusive area for dwelling in a multi-household house exceeds 60 square meters: Provided, That if a housing unit is owned in the form of shares in joint ownership of a house converted into a multi-household house, such a housing unit shall not be included in the total exclusive area for dwelling, and if there are remaining units left over after distributing housing units with an exclusive area of not more than 85 square meters to association members who filed an application for parcelling-out sale and if the association members who have housing units with an exclusive area of not more than 60 square meters distributed request to upgrade the size of units, larger units may be additionally distributed to association members whose rights have a greater value than other members' rights.

Article 6 (Transitional Measure concerning Approved Promotion Committees)

Notwithstanding Article 3 (1) 1, in the case of a complex for which a promotion committee was established with approval pursuant to Article 9 of the Addenda to the Act at the time this Ordinance enters into force, the standard age of a decrepit or substandard

building shall be 22 years, if it is not lower than five stories, or 21 years, if it is not higher than four stories.

Article 7 (Transitional Measure concerning Guidelines for Parcelling-Out Sale for Multi-Family Dwelling)

Notwithstanding Article 24 (2) 3, in cases of a multi-family dwelling, the shares in or the partitioned ownership of which was registered for each family unit on or before January 15, 1997 (including a de facto multi-family dwelling, the shares in or stratum ownership of which was registered after it had been built as a separate house with a building permit before the multi-family dwelling system was introduced on April 21, 1990), one person of each family shall be deemed eligible for parcelling-out sale only within the extent of the number of families under the building permit for the multi-family dwelling. <Amended on Nov. 10, 2005>

Article 8 (Transitional Measure concerning Guidelines for Eligibility for Parcelling-Out Sale in Housing Redevelopment Projects)

Notwithstanding Article 24, in cases of a rearrangement zone (excluding a rearrangement zone for which a plan for the rearrangement zone is not yet formulated) designated as a redevelopment zone pursuant to Article 4 of the former Urban Redevelopment Act before this Ordinance enters into force, the date on which public notice of the designation of the zone is given shall be deemed the enforcement date of this Ordinance, and “30 square meters” in the proviso to Article 24 (1) 2 shall be construed as “20 square meters”.

Article 9 (Transitional Measure concerning Guidelines for Eligibility for Supply of Rental Housing Units)

Notwithstanding Article 32 (1) 1, the guidelines for the eligibility for the supply of rental housing units in a rearrangement zone designated as a redevelopment zone pursuant to Article 4 of the former Urban Redevelopment Act at the time this Ordinance enters into force shall be governed by the previous provisions of relevant ordinances. In such cases, the day on which public notice of the designation of the zone shall be deemed the day on which the public announcement of the availability of public inspection is made for the designation of a rearrangement zone under Article 11 of the Decree.

Article 10 Omitted.

ADDENDA <Ordinance No. 4174, Mar. 5, 2004>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures)

(1) The title of the Seoul Special Metropolitan City Urban Development Corporation recorded on registers and other official records as at the time this Ordinance enters into force shall be deemed the title of the SH Corporation.

(2) The Seoul Special Metropolitan City Urban Development Corporation shall be deemed the SH Corporation in regard to acts done by the Seoul Special Metropolitan City Urban Development Corporation and its legal relationships as at the time this Ordinance enters into force.

Article 3 Omitted.

ADDENDUM <Nov. 5, 2004>

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

ADDENDA <Mar. 17, 2005>

(1) (Enforcement Date)

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

(2) (Applicability to Applications for Drafting Bill for Designation of Rearrangement Zone)

The amended provisions of the latter part of Article 6 (1) shall apply to applications filed for drafting a bill for the designation of a rearrangement zone on or after this Ordinance enters into force.

(3) (Transitional Measure concerning Delegation of Authority for Amended Designation of Rearrangement Zone)

The amended designation of a rearrangement zone for which an application was filed with the Mayor by the competent head of Gu as at the time this Ordinance enters into force shall be governed by the previous provisions.

ADDENDUM <Apr. 28, 2005>

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

ADDENDA <Sep. 30, 2005>

(1) (Enforcement Date)

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

(2) (Transitional Measure concerning Requirements for Designation of Rearrangement Zones subject to Establishment of Rearrangement Plan)

Notwithstanding the standard density of units specified in Article 4 of the Ordinance, the relevant provisions shall not apply to the density of units, subject to prior deliberation by the urban planning committee at the time a housing redevelopment zone is designated, as to a prospective rearrangement zone in a natural greenbelt area selected as a prospective rearrangement zone on the basic housing redevelopment plan of the Seoul Special Metropolitan City in 1998 and reflected in the basic plan of the Seoul Special Metropolitan City for the rearrangement of urban and residential environments in 2010.

ADDENDUM <Nov. 10, 2005>

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

ADDENDA <Jan. 1, 2006>

(1) (Enforcement Date)

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

(2) (Applicability to Guidelines for Construction of Rental Housing Units)

The amended provisions of subparagraph 5 of Article 9 shall apply to rearrangement zones designated on or after this Ordinance enters into force.

(3) (Applicability to Articles of Association)

The amended provisions of subparagraph 7 of Article 12 shall apply to the associations, an application for authorization for the establishment of which is filed on or after this Ordinance enters into force.

(4) (Applicability to Partial Subsidization for Costs and Expenses for Installation of Rearranged Infrastructure)

The amended provisions of Article 35 (2) 2 shall apply to roads installed on or after this Ordinance enters into force.

ADDENDUM <Jul. 19, 2006>

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

ADDENDUM <Jul. 30, 2007>

(1) (Enforcement Date)

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

ADDENDA <Dec. 26, 2007>

(1) (Enforcement Date)

This Ordinance shall enter into force on February 1, 2008.

(2) (Transitional Measure concerning Residents' Proposals for Drafting Bill for Designation of Rearrangement Zone)

Notwithstanding the amended provisions of Article 6, a promotion committee approved for the establishment of an association before this Ordinance enters into force may propose a bill for the designation of a rearrangement zone in accordance with the previous provisions within one year from the date this Ordinance enters into force.

(3) (Transitional Measure concerning Methods and Guidelines for Management and Disposal of Housing Redevelopment Projects)

The amended provisions of Article 28 shall apply to the management and disposal plans of which an application for approval is filed on or after the date this Ordinance enters into force.

ADDENDUM <Mar. 12, 2008>

(1) (Enforcement Date)

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

ADDENDA <Mar. 12, 2008>

(1) (Enforcement Date)

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

(2) (Applicability to Guidelines for Housing Supply)

The amended provisions shall apply to rearrangement zones of which a written authorization for the management and disposal is filed as at the time the current Ordinance enters into force and thereafter.

ADDENDUM <Ordinance No. 4629, May 29, 2008>

Article 1 (Enforcement Date)

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

ADDENDA <May 29, 2008>

(1) (Enforcement Date)

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

(2) (Applicability to Guidelines for Housing Supply)

The amended provisions of Article 26 (1) 1 shall apply to rearrangement zones of which a written authorization for the management and disposal is filed at the time this Ordinance enters into force and thereafter.

ADDENDA <Jul. 30, 2008>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Buildings Actually in Use for Residential Purpose)

In cases of “buildings actually in use for residential purpose” in the previous provisions of Article 24 (1) 1 in force before the amendment of this Ordinance, applicants for parcelling-out sale in an area in which the rearrangement plan under Article 4 (1) of the Act was made available to residents for public inspection before this Ordinance enters into force and applicants for parcelling-out sale in any area other than the aforesaid area, all members of whose household do not own a housing unit from the day on which public notice of the designation of the rearrangement zone under Article 4 (3) of the Act is given to the end of the period set for filing an application for parcelling-out sale pursuant to Article 46 (1) of the Act shall be governed by the previous provisions.

Article 3 (Transitional Measure concerning Eligibility for Parcelling-Out Sale)

The amended provisions of Article 24 (2) 6 shall apply to applications filed for a building permit on or after this Ordinance enters into force.

ADDENDUM <Sep. 30, 2008>

This Ordinance shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 41 (2) shall enter into force on January 1, 2009.

ADDENDUM <Jan. 8, 2009>

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

ADDENDA <Apr. 22, 2009>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Eligibility for Parcelling-Out Sale in Projects for Reconstruction of Separate Houses, etc.)

(1) The amended provisions of Article 24-2 (2) 1 shall apply to the houses converted into multi-household houses after this Ordinance enters into force.

(2) The criteria for households under Article 24-2 (2) 2 shall apply to cases for which the establishment of an association is authorized on or after August 7, 2009.

(3) The amended provisions of Article 24-2 (2) 4 shall apply to applications filed for a building permit on or after this Ordinance enters into force.

Article 3 (Transitional Measures concerning Guidelines for Parcelling-Out Sale of Cooperative Houses, etc.)

(1) Notwithstanding Articles 24 (2) 3 and 24-2 (2) 3, in the case of a household who completed the registration before May 7, 1988

of a share in, or partitioned ownership of, a cooperative house built pursuant to Article 4 (2) of the former Seoul Special Metropolitan City Ordinance on the Implementation of Housing Improvement and Redevelopment Projects, one person of each household shall be eligible for parcelling-out sale only within the extent of the number of housing units actually partitioned.

(2) The amended provisions of paragraph (1) shall apply to applications filed for authorization for the establishment of an association on or after this Ordinance enters into force.

Article 4 (Transitional Measures concerning Guidelines for Parcelling-Out Sale for Multi-Family Dwelling, etc.)

(1) Notwithstanding Article 24 (2) 3, in the case of a multi-family dwelling, the shares in, or the partitioned ownership of, which was registered for each family unit on or before January 15, 1997 (including a de facto multi-family dwelling, the shares in, or partitioned ownership of, which was registered after it had been built as a separate house with a building permit before the multi-family dwelling system was introduced on April 21, 1990), one person of each family shall be deemed eligible for parcelling-out sale only within the extent of the number of families under the building permit for the multi-family dwelling.

(2) The amended provisions of paragraph (1) shall apply to the cases for which an application for authorization for the implementation of a project is filed on or after this Ordinance enters into force, and an association that has been authorized to implement a project shall, if it intends to have the authorization amended under paragraph (1), obtain consent from all landowners involved.

ADDENDA <Jul. 30, 2009>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Guidelines for Construction of Collective Housing Units)

The amended provisions of subparagraph 2 of Article 9 shall apply to rearrangement zones designated on or after this Ordinance enters into force: Provided, That cases where public inspection has been made available for residents pursuant to Article 11 of the Decree in order to establish a rearrangement plan in accordance with the previous provisions shall be governed by the previous provisions.

Article 3 (Transitional Measures concerning Guidelines for Parcelling-Out Sale for Houses Converted into Multi-Household Houses)

(1) Notwithstanding Articles 27 (2) 1 and 28 (2) 1, if a multi-family dwelling, the shares in, or the partitioned ownership of, which was registered for each family before January 15, 1997, was converted into a multi-household house without an increase in the number of families on the relevant building permit, one person of each family shall be eligible for parcelling-out sale.

(2) The amended provisions of paragraph (1) shall apply to the cases for which an application for authorization for the implementation of a project is filed on or after the date this Ordinance enters into force.

Article 4 (Transitional Measures concerning Change in Criteria for Households)

(1) The criteria for households amended under Article 27 (1) and (2) shall apply to cases for which an application for authorization for the implementation of a project is filed on or after August 7, 2009.

(2) Notwithstanding the amended provisions of Article 27 (1) and (2), cases for which an application for authorization for the implementation of a project has been filed before this Ordinance enters into force shall be governed by the previous provisions.

Article 5 (Applicability to Rights to Claim Preferential Parcelling-Out Sale of Tenants in Commercial Facilities)

The proviso to subparagraph 2 of Article 34 shall apply to rearrangement zones designated on or after this Ordinance enters into force.

Article 6 (Transitional Measure concerning Disposition of State-Owned or Public Land in Residential Environment Improvement Districts)

Contracts already executed before this Ordinance enters into force shall be governed by the previous provisions or terms and conditions of the contracts.

Article 7 Omitted.

ADDENDUM <Sep. 29, 2009>

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

ADDENDUM <Ordinance No. 4949, Mar. 2, 2010>

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

ADDENDA <Ordinance No. 5007, Jul. 15, 2010>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on July 16. 2010: Provided, That the amended provisions of Article 48 (2) shall enter into force on October 1, 2010.

Article 2 (Transitional Measures concerning Designation of Zones and Decrepit or Substandard Buildings)

(1) The amended provisions of Article 4 (1) shall apply to cases for which public inspection is made available for residents pursuant to Article 11 (1) of the Decree on or after this Ordinance enters into force.

(2) Notwithstanding the amended provisions of Article 2 (1) of the Decree (Presidential Decree No. 21679), the zones, for which public inspection has been made available for residents pursuant to Article 11 (1) of the Decree at the time this Ordinance enters into force by determining decrepit or substandard buildings pursuant to the previous provisions in force as at the time the Decree was amended, shall be governed by the previous provisions.

Article 3 (Applicability to Base Date of Determination of Rights and Transitional Measures therefor)

(1) The amended provisions of Articles 27 and 28 shall apply to cases for which a basic plan is established (including areas newly included in a prospective rearrangement zone) on or after this Ordinance enters into force.

(2) The areas for which a basic plan has been established and the areas for which a district unit plan has been decided and publicly notified before this Ordinance enters into force shall be governed by the previous provisions (Articles 27 and 28).

Article 4 (Transitional Measures concerning Public Administration)

(1) Dispositions, proceedings, and other acts done pursuant to the previous provisions before this Ordinance enters into force shall be deemed to have been done pursuant to this Ordinance.

(2) Notwithstanding Article 45 (1), the scope of application of the public administration to a rearrangement project for which a contractor has been selected pursuant to Article 7 (2) of the Addenda to the Act (Act No. 6852, Dec. 30, 2002) at the time this Ordinance enters into force shall be a period from the date this Ordinance enters into force to the time when the competent head of Gu authorizes the implementation of the project.

(3) Notwithstanding Article 45 (1), the scope of application of the public administration to a rearrangement project for which the establishment of a promotion committee has been approved prior to the designation of a rearrangement zone before this Ordinance enters into force shall be a period from the date this Ordinance enters into force to the time when a contractor is selected at the general meeting of the association.

(4) Notwithstanding the amended provisions of Article 77-4 (2) 1 of the Act, rearrangement projects for which an application for approval for the organization of a promotion committee has been filed with the competent head of Gu pursuant to Article 13 (2) of the Act before this Ordinance enters into force shall be governed by the previous provisions.

Article 5 (Applicability to Public Administration)

The amended provisions of Chapter VI shall apply to rearrangement projects for which a contractor or a design architect has not been selected at the general meeting under Article 24 of the Act at the time this Ordinance enters into force.