SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON THE MANAGEMENT AND PROMOTION OF CULTURE DISTRICTS

Enactment No. 3951, Jan. 05, 2002
Partial Amendment No. 4023, Jul. 15, 2002
Amendment of Other Laws No. 4131, Jul. 25, 2003
Amendment of Other Laws No. 4140, Sep. 25, 2003
Amendment of Other Laws No. 4459, Jan. 02, 2007
Partial Amendment No. 4655, Jul. 30, 2008
Amendment of Other Laws No. 4743, Mar. 18, 2009
Partial Amendment No. 5460, Mar. 28, 2013
Partial Amendment No. 5951, Jul. 30, 2015
Amendment of Other Laws No. 6899, Jul. 19, 2018
Amendment of Other Laws No. 7423, Dec. 31, 2019
Partial Amendment No. 7637, Jul. 16, 2020
Partial Amendment No. 7722, Oct. 05, 2020
Amendment of Other Laws No. 7782, Dec. 31, 2020
Amendment of Other Laws No. 8235, Dec. 30, 2021

Article 1 (Purposes)

The purpose of this Ordinance is to provide for matters concerning the management and promotion of culture districts designated in order to manage and protect historical and cultural resources and create the cultural environment pursuant to Article 18 of the Regional Culture Promotion Act and Article 37 (3) of the National Land Planning and Utilization Act and subparagraph 1 of Article 9 of Seoul Metropolitan Government Ordinance on Urban Planning. <Amended by Ordinance No. 4131, Jul. 25, 2003; Ordinance No. 4655, Jul. 30, 2008; Ordinance No. 5951, Jul. 30, 2015>

Article 2 (Definitions)

The definitions of terms used in this Ordinance shall be as follows: <Amended by Ordinance No. 4655, Jul. 30, 2008; Ordinance No. 5460, Mar. 28, 2013; Ordinance No. 5951, Jul. 30, 2015>

1. The term "culture district management plan (hereinafter referred to as management plan)" means a plan the head of an autonomous Gu having jurisdiction over a culture district (hereinafter referred to as "head of a Gu") formulates in order to manage and promote the culture district so that it may meet the purpose of designation pursuant to Article 18 (2) of the Regional Culture Promotion Act (hereinafter referred to as the "Act");
2. The term "recommended facility" means a facility approved in accordance with a management plan because it is deemed necessary to preserve, develop or promote the relevant culture district among cultural facilities referred to in attached Table 1 of the Enforcement Decree of the Culture and Arts Promotion Act and business facilities referred to in Article 16 (2) of the Enforcement Decree of Regional Culture Promotion Act (hereinafter referred to as the "Decree");
3. The term "conference of residents" means an autonomous organization of residents including those occupying a recommended facility, building owners, representatives of vocational associations, residents, etc. in a culture district that may represent the culture district;
4. The term "traditional cultural product certification system" means a certification system on a product of a business establishment designated in accordance with a culture district management plan for the authorization of and differential marketing support to recommended facilities which have excellent technology and cultural products, such as an antique shop (including antiques), mounter, writing brush shop, paper shop, and handicraft shop, in a culture district.

Article 3 (Management Plan)

(1) Where the head of a Gu intends to formulate a management plan, he/she shall include the following matters in addition to matters provided in Article 17 (1) of the Decree: <Amended by Ordinance No. 4655, Jul. 30, 2008; Ordinance No. 5951, Jul. 30, 2015>

1. Conditions and standards of specific support to recommended facilities within the extent of support under Article 5; <Amended by Ordinance No. 4655, Jul. 30, 2008>
2. A plan for supporting an autonomous Gu organization and the conference of residents for the management and promotion of a culture district;
3. A plan for environmental improvement of a culture district, such as street hawkers and outdoor advertising signboards;
4. A plan for securing funds for the management and promotion of the relevant culture district; and
5. Other matters necessary for the management of the relevant culture district. <Amended by Ordinance No. 4655, Jul. 30, 2008>

(2) Where the head of a Gu intends to hear opinions of residents pursuant to Article 17 (2) of the Decree in the formulation of a management plan referred to in paragraph (1), he/she shall officially announce the following matters in the Official Gazette and the

Internet, and keep documents referred to in paragraph (1) and offer such documents for public perusal of residents and interested parties in the relevant culture district for at least 14 days: <Amended by Ordinance No. 4655, Jul. 30, 2008; Ordinance No. 5951, Jul. 30, 2015>

1. An outline of a management plan;
2. The date and hour and place of public perusal.

(3) The head of a Gu shall conduct an evaluation of the current status of the execution and the results of implementation of a management plan approved by the Mayor of the Seoul Metropolitan Government (hereinafter referred to as “Mayor”) every year and report the results of evaluation to the Mayor by the end of January of the following year. <Amended by Ordinance No. 5951, Jul. 30, 2015>

(4) The Mayor shall evaluate a management plan every three years after the date of approval of the management plan, as prescribed by the Rule, and may revoke the designation of a culture district where he/she deems the designation of the culture district ineffective.

(5) Where the designation of a culture district is revoked pursuant to paragraph (4), the Mayor or the head of a Gu may withdraw loans to recommended facilities provided pursuant to Article 5. <Amended by Ordinance No. 4655, Jul. 30, 2008; Ordinance No. 5951, Jul. 30, 2015>

Article 4 (Approval for Changes in Management Plan, etc.)

(1) Where the head of a Gu intends to change types of recommended facilities referred to in Article 2 and important matters prescribed by the Rule of the matters in a management plan, he/she shall hear opinions of residents before he/she files an application for change with the Mayor. In such cases, Article 3 (2) shall apply mutais mutandis to procedures and methods for gathering opinions of residents. <Amended by Ordinance No. 5951, Jul. 30, 2015>

(2) Where the head of a Gu changes any matter in addition to matters referred to in paragraph (1), he/she shall report such matter to the Mayor within 10 days from the date he/she changes such matter.

Article 5 (Support for Culture Districts)

(1) The Mayor or the head of a Gu may provide support falling under the following subparagraphs in order to promote a culture district: <Amended by Ordinance No. 5460, Mar. 28, 2013>

1. Tax and impost reductions or exemptions to recommended facilities within the extent prescribed by related Acts and subordinate statutes or Ordinances;
2. The lending of funds to a building owner to cover the cost of construction, remodeling or major repair of a recommended facility within the extent of 100 million won;
3. The lending of funds to an operator of a recommended facility to cover expenses for facilities and equipment and operating expenses within 100 million won, respectively; and
4. Other matters necessary for the management and promotion of the culture district, such as environmental improvement, culture and arts events and programs, cultural product development, traditional cultural products certification system, support for the operation of the conference of residents in the culture district.

(2) Where it is necessary to maintain and protect recommended facilities in the culture district, the Mayor or the head of a Gu may directly lease a building and let those who intend to operate recommended facilities move thereinto.

(3) The Mayor or the head of a Gu may request a financial institution to provide loans under paragraph (1) 2 and 3 with its funds in cooperation with the financial institution. In such cases, he/she may make up the difference in interest for the relevant financial institution. <Amended by Ordinance No. 4655, Jul. 30, 2008>

(4) Detailed matters concerning conditions of and procedures for loans under the provisions of paragraph (1) 2 and 3 and the extent of making up the difference in interest referred to in paragraph (3) shall be prescribed by the Rule.

Article 6 (Restrictions on Acts in Culture District)

(1) Where the Mayor designates a culture district as an urban planned district under Article 51 (1) of the National Land Planning and Utilization Act and formulates a district plan in order to maintain or create the historical and cultural environment in the culture district, a person who intends to construct a building, etc. in the relevant district shall comply with the relevant district plan, and where the Mayor designates a culture district as an improvement planned district under Article 16 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents and formulates an improvement plan, a person who intends to construct a building or change the purposes of the building in the relevant district shall comply with the relevant improvement plan. <Amended by Ordinance No. 4131, Jul. 25, 2003; Ordinance No. 4655, Jul. 30, 2008; Ordinance No. 5460, Mar. 28, 2013; Ordinance No. 5951, Jul. 30, 2015; Ordinance No. 6899, Jul. 19, 2018>

(2) The Mayor may restrict business or the establishment of a facility likely to interfere with the purpose of designation of a culture district in the culture district for each district in order to maintain, preserve and revitalize the culture district pursuant to Article 18 (3) 3 of the Act and Article 18 (2) of the Decree, and types of business or facilities prohibited in the Insadong Culture District shall be as specified in attached Table. <Newly Inserted by Ordinance No. 4023, Jul. 15, 2002; Ordinance No. 4459, Jan. 2, 2007; Ordinance No. 4655, Jul. 30, 2008; Ordinance No. 5951, Jul. 30, 2015>

Article 7 Deleted. <by Ordinance No. 4140, Sep. 25, 2003>

Article 8 (Establishment of Autonomous Gu Culture District Promotion Fund)

(1) The head of a Gu shall establish and manage the Autonomous Gu Culture District Promotion Fund (hereinafter referred to as the "Autonomous Gu Fund") in order to secure funds necessary for the promotion and development of the culture district: Provided, That this shall not apply to an autonomous Gu that does not receive funds for the Culture District Promotion Fund from the central administrative agencies and the Seoul Metropolitan City. <Amended by Ordinance No. 5951, Jul. 30, 2015>

(2) Matters necessary for the creation, purposes and operation of the Autonomous Gu Fund shall be prescribed by Ordinance of each autonomous Gu. <Amended by Ordinance No. 5951, Jul. 30, 2015>

(3) The head of a Gu shall report matters concerning the operation of the Autonomous Gu Fund to the Mayor within 20 days after every half year ends. <Amended by Ordinance No. 5951, Jul. 30, 2015>

Article 9 (Culture District Deliberative Committee)

(1) The Mayor shall establish the Culture District Deliberative Committee of Seoul Metropolitan Government (hereinafter referred to as the "Committee") in order to deliberate on the following matters and provide advice and suggestions: <Amended by Ordinance No. 4655, Jul. 30, 2008>

1. Matters concerning the formulation and change of a management plan;
2. Matters concerning the evaluation of the current status of the execution of a management plan; and
3. Other matters the Mayor deems necessary in ordre to administer and manage the culture districts. <Amended by Ordinance No. 4655, Jul. 30, 2008>

(2) The Committee shall be composed of as follows: <Amended by Ordinance No. 4655, Jul. 30, 2008>

1. The Committee shall be composed of not more than ten members including one chairperson and one vice chairperson; <Amended by Ordinance No. 4655, Jul. 30, 2008>
2. The First Administrative Deputy Mayor shall be the chairperson of the Committee, and the vice chairperson shall be elected by the Committee from among its members; and
3. The Mayor shall appoint or commission members of the Committee whenever the Committee holds a meeting among related public officials, experts, members of the Seoul Metropolitan Government Council and citizen representatives, and appoint or commission members of the Committee so that members who are not pubic officials of Seoul Metropolitan Government may get majority. <Amended by Ordinance No. 4743, Sep. Mar. 18, 2009>

(3) Members shall be dismissed simultaneously with the closure of the relevant meeting. <Amended by Ordinance No. 4655, Jul. 30, 2008; Ordinance No. 4743, Sep. Mar. 18, 2009; Ordinance No. 5951, Jul. 30, 2015>

(4) Where the chairperson intends to convene a meeting, he/she shall notify in writing each member of the date and hour and place of the meeting and matters brought up to the meeting by three days prior to the holding of the meeting: Provided, That this shall not apply to urgent cases. <Amended by Ordinance No. 4743, Sep. Mar. 18, 2009; Ordinance No. 5951, Jul. 30, 2015>

Article 10 (Conference of Residents)

(1) Residents in a culture district may organize the conference of residents in order to preserve the culture district and gather opinions of residents in the culture district.

(2) The conference of residents referred to in paragraph (1) shall include the representative of those who operate recommended facilities in the culture district.

(3) The head of a Gu shall provide support so that the conference of residents referred to in paragraph (1) may be harmoniously organized and managed for its original purpose.

Article 11 (Enforcement Rule)

Matters necessary for the enforcement of this Ordinance shall be prescribed by the Rule.

Article 12 (Administrative Fines)

(1) A person who violates an order or disposition under Article 6 (2) shall be subject to an administrative fine pursuant to Article 24 of the Regional Culture Promotion Act and the standards for imposing administrative fines in Article 24 of the Enforcement Decree of said Act.

(2) The procedures for imposing and collecting administrative fines under paragraph (1) shall be prescribed by the provisions of the Act on the Regulation of Violations of Public Order.

(3) The Mayor shall delegate the authority for imposing administrative fines to the head of a Gu.

[This Article Newly Inserted by Ordinance No. 5951, Jul. 30, 2015]

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Ordinance No. 4023, Jul. 15, 2002>

(1) (Enforcement Date)

This Ordinance shall enter into force on July 27, 2002.

(2) Applicability

The Amended provisions of Article 6 (2) shall apply beginning with the first report on business startup, etc. made after this Ordinance enters into force.

ADDENDA <Ordinance No. 4131, Jul. 25, 2003>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Ordinance No. 4140, Sep. 25, 2003>

(1) (Enforcement Date)

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

(2) Omitted.

(3) Omitted.

ADDENDA <Ordinance No. 4459, Jan. 2, 2007>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on January 1, 2007.

Articles 2 through 7 Omitted.

ADDENDUM <Ordinance No. 4655, Jul. 30, 2008>

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

ADDENDA <Ordinance No. 4743, Mar. 18, 2009>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Seoul Metropolitan Government Ordinance on the Formulation of Master Plan for Development of Apartment Districts)

Notwithstanding the amended provisions of Articles 3 and 12, the former provisions shall apply to a master plan for the development of Apgujeong Apartment District and Isu Apartment District formulated before this Ordinance enters into force.

ADDENDA <Ordinance No. 5460, Mar. 28, 2013>

Article 1 (Enforcement Date)

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

Article 2 (Applicability concerning Types of Business or Facilities Prohibited in Insadong Culture District)

The amended provisions of attached Table shall apply beginning with the first person who makes a report on business startup, the first person who takes over a type of business prohibited, etc. after this Ordinance enters into force.

ADDENDA <Ordinance No. 5951, Jul. 30, 2015>

Article 1 (Enforcement Date)

This Ordinance shall enter into force 30 days after the date of its promulgation.

Article 2 Deleted.

ADDENDA <Ordinance No. 6899, Jul. 19, 2018>

Article 1 (Enforcement Date)

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

Articles 2 through 35 Deleted.