SEOUL METROPOLITAN CITY ORDINANCE ON ESTABLISHMENT AND OPERATION OF JUVENILE FACILITIES

Enactment No. 3783, Sep. 25, 2000
Partial Amendment No. 4246, Jan. 05, 2005
Partial Amendment No. 4367, Mar. 16, 2006
Amendment of Other Laws No. 4368, Mar. 16, 2006
Partial Amendment No. 4530, May. 29, 2007
Whole Amendment No. 3011, Apr. 01, 2008
Amendment of Other Laws No. 4629, May. 29, 2008
Partial Amendment No. 4649, Jul. 30, 2008
Partial Amendment No. 4698, Sep. 30, 2008
Partial Amendment No. 3644, Dec. 18, 2008
Partial Amendment No. 4792, May. 28, 2009
Partial Amendment No. 5329, Jul. 30, 2012
Partial Amendment No. 5799, Jan. 02, 2015
Partial Amendment No. 5957, Jul. 30, 2015
Partial Amendment No. 6006, Oct. 08, 2015
Partial Amendment No. 6483, May. 18, 2017
Partial Amendment No. 6687, Jan. 04, 2018
Partial Amendment No. 6913, Oct. 04, 2018
Partial Amendment No. 6995, Jan. 03, 2019
Amendment of Other Laws No. 7044, Mar. 28, 2019
Partial Amendment No. 7117, May. 02, 2019
Partial Amendment No. 7290, Sep. 26, 2019
Partial Amendment No. 7396, Dec. 31, 2019
Amendment of Other Laws No. 7782, Dec. 31, 2020
Partial Amendment No. 7809, Dec. 31, 2020
Partial Amendment No. 8098, Jul. 20, 2021
Amendment of Other Laws No. 8127, Sep. 30, 2021
Partial Amendment No. 8370, Mar. 10, 2022

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONSThe purpose of this Ordinance is for youths to be treated fairly and guaranteed the rights and interests as community members, to enjoy the freedom of thought and life, and to evolve into healthy democratic citizens of the future society by providing for necessary matters concerning the establishment and operation of youth facilities. <Amended by Ordinance No. 4698, Sep. 30, 2008>

Article 2 (Definitions)

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

1. The term “youth facilities” means facilities established by the Seoul Metropolitan Government (hereinafter referred to as the “Seoul Government”) for activity, welfare, protection, etc. of youths pursuant to the Framework Act on Youth, the Youth Activity Promotion Act, the Youth Welfare Support Act, and the Local Autonomy Act;

  2. The term “operation of youth facilities” means cases where the facilities under subparagraph 1 are operated by the Seoul Government or the operation thereof is delegated to the head of an autonomous Gu or entrusted to a youth organization;

  3. The term “operator of youth facilities” (hereinafter referred to as “operator”) means a person who operates youth facilities pursuant to subparagraph 2;

  4. The term “use or utilization of youth facilities” means the use of installations (equipment) or all services, such as tutelage, provided by youth facilities as needed in a manner that suits the purposes or functions thereof.

[This Article Wholly Amended by Ordinance No. 6006, Oct. 8, 2015]

Article 3 (Scope of Application)

Except as otherwise provided in other statutes, regulations, or Ordinances of the Seoul Government, this Ordinance shall apply to the establishment and operation of youth facilities. <Amended by Ordinance No. 4698, Sep. 30, 2008>

Article 4 (Establishment)

The names, functions, and locations of youth facilities established and operated provided by this Ordinance shall be as specified in attached Table 1. <Amended by Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 6006, Oct. 8, 2015>

Article 5 (Principles of Operation)

(1) Each operator shall operate youth facilities in accordance with the purpose for which such facilities have been established and provide users of youth facilities with the opportunity to use such facilities impartially. <Amended by Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 6006, Oct. 8, 2015>

(2) In principle, each operator shall open and operate youth facilities except on the statutory holidays under subparagraphs 3, 4, 9 and 10-2 of Article 2 of the Regulations on Holidays of Government Offices. In such cases, any person who works on any other public holiday may take a day off on a weekday. <Amended by Ordinance No. 6006, Oct. 8, 2015>

(3) Each operator may permit ordinary citizens to use youth facilities for the improvement of welfare of community residents, but even in such cases, such operator shall give priority for the use of the facilities to youths or youth-related organizations. <Amended by Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 6006, Oct. 8, 2015>

(4) The Mayor shall regularly conduct a safety inspection on youth facilities and disclose the results thereof to ensure the safety of youth facilities. <Newly Inserted by Ordinance No. 5957, Jul. 30, 2015>

Article 5-2 (Integrated Operation)

The Mayor may integrate and operate youth facilities so that youths can be conveniently provided with comprehensive services. [This Article Newly Inserted by Ordinance No. 6995, Jan. 3, 2019]

CHAPTER II USE OF FACILITIES, AND USAGE FEES

Article 6 (Use of Facilities)

CHAPTER II USE OF FACILITIES, AND USAGE FEES(1) Persons who use or utilize youth facilities (hereinafter referred to as “users”) shall be classified as follows: <Amended by Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 6006, Oct. 8, 2015>

1. Youths between the ages of 9 and 24 or youth-related organizations;
2. Individuals or organizations seeking to use youth facilities, other than those under subparagraph 1.

(2) An operator may recruit members and issue membership cards in the operation of youth facilities. <Amended by Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 6006, Oct. 8, 2015>

(3) An operator may restrict or suspend the use of youth facilities in any of the following cases: <Newly Inserted by Ordinance No. 6006, Oct. 8, 2015>

  1. Where a user violates any of the relevant statutes and regulations, Ordinances of the Seoul Government, managing and operating rules, terms and conditions of use, etc.;

2. Where a user causes or is anticipated to cause a serious threat to the safety of other users or to the youth facilities.

Article 7 (Opening Hours)

(1) The opening hours of youth facilities shall comply with the following guidelines: Provided, That the foregoing shall not apply where the operator provides for special opening hours in consideration of the characteristics of the facilities or programs: <Amended by Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 6006, Oct. 8, 2015>

1. For use other than accommodation facilities: From 09:00 to 22:00;
2. For use as accommodation facilities: 24 hours.

(2) Where an operator specifically provides for the opening hours pursuant to the proviso of paragraph (1), such operator shall notify the special opening hours by affixing a notice of the details thereof at the location readily visible to users, etc. <Amended by Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 6006, Oct. 8, 2015>

Article 8 (Usage Fees)

(1) An operator may provide for usage fees, tutelage fees, room rates and charges for use (hereinafter referred to as “usage fees”) within the limits under attached Table 2 and impose and collect usage fees on users. In such cases, the Mayor of the Seoul Metropolitan Government (hereinafter referred to as the “Mayor”) shall announce the information on usage fees in the Official Gazette of the Seoul Metropolitan Government in advance. <Amended by Ordinance No. 4792, May 28, 2009; Ordinance No. 6006, Oct. 8, 2015; Ordinance No. 7117, May 2, 2019>

(2) An operator may reduce or exempt usage fees under paragraph (1), where any person satisfies the any of the following: <Amended by Ordinance No. 4792, May 28, 2009; Ordinance No. 5329, Jul. 30, 2012; Ordinance No. 6006, Oct. 8, 2015; Ordinance No. 6687, Jan. 4, 2018; Ordinance No. 7117, May 2, 2019>

1. Youths who are recipients or belong to the second-lowest income bracket or any of whose family members are recipients or belong to the second-lowest income bracket pursuant to the National Basic Living Security Act;
2. Youths who are either persons of distinguished services to the State or family members of such person pursuant to the Act on the Honorable Treatment and Support of Persons of Distinguished Services to the State;
3. Youths residing in a social welfare facility pursuant to the Social Welfare Services Act;
4. Youths residing in a youth welfare facility pursuant to the Youth Welfare Support Act;
5. Youths eligible for support pursuant to the Single-Parent Family Support Act;

6. Youths registered as persons with disabilities, etc. pursuant to the Act on Welfare of Persons with Disabilities;
7. Where a female between the ages of 13 and 55 uses the swimming pool among facilities specified in attached Table 1: Reduction of the monthly usage fee by 10/100;
8. Where a youth who carries a Dadungi Happy Children Card uses facilities specified in attached Table 1 (only applicable to cases where the number of children mentioned in the Dadungi Happy Children Card is three or more): Reduction of the monthly usage fee by 30/100;
9. Where a daycare center, kindergarten, elementary school, middle school or high school rents facilities specified in attached Table 1 to host a nonprofit public performance or academic event or for performing sports activities: Reduction of the facility rental fee by 50/100;
10. Where the payment of a usage fee under paragraph (1) is made through a simple payment system (referring to a payment system operated by an institution designated by the Minister of SMEs and Startups to reduce the burden of payment fees of micro enterprises; hereinafter the same shall apply), the usage fee may be reduced as determined by the Mayor within the limits of 10/100: Provided, That this shall not apply where usage fees are reduced under subparagraph 7, 8 or 9.
(3) Where a user has paid a usage fee pursuant to paragraph (1) but cannot use youth facilities or programs for reasons not imputable to such user, the operator may return the paid usage fee to such user. <Amended by Ordinance No. 4792, May 28, 2009; Ordinance No. 6006, Oct. 8, 2015>
(4) The Local Autonomy Act, the Local Finance Act, and the Seoul Metropolitan Government Ordinance on Public Property and Commodity Management shall apply to the imposition and collection of usage fees not provided in this Ordinance. <Amended by Ordinance No. 4530, May 29, 2007; Ordinance No. 4698, Sep. 30, 2008>
(5) through (7) Deleted. <by Ordinance No. 7117, May 2, 2019>
[Paragraph (2) 10 of this Article shall be effective until December 31, 2019 pursuant to Article 2 of the Addenda to Ordinance No. 7117 (May 2, 2019).]

Article 9 (Rent of Rental Apartments)

(1) Each operator shall apply the standard security deposits and standard rents of permanent rental housing for the statutory poor determined by the standards for calculating the standard security deposits and standard rents of permanent rental housing for the statutory poor publicly notified by the Minister of Land, Infrastructure and Transport to tenants of the rental apartments for working youths included in youth facilities: <Amended by Ordinance No. 4629, May 29, 2008; Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 5799, Jan. 2, 2015; Ordinance No. 6006, Oct. 8, 2015; Ordinance No. 7044, Mar. 28, 2019>
1. and 2. Deleted. <by Ordinance No. 6006, Oct. 8, 2015>
(2) Notwithstanding paragraph (1), an operator may increase security deposits and rent payments by up to 30% for housing independence of tenants and efficient operation of rental apartments: Provided, That where necessary due to the conditions of a payer, such operator may allow the payer to pay the security deposit and rent in installments. <Amended by Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 6006, Oct. 8, 2015>

CHAPTER III ENTRUSTMENT OF OPERATION

Article 10 (Delegation or Entrustment of Authority)

CHAPTER III ENTRUSTMENT OF OPERATION(1) The Mayor may delegate the operation of youth facilities specified in attached Table 1 to the head of an autonomous Gu or entrust the operation to a youth organization. In such cases, the Mayor may subsidize operating expenses, etc. within budgetary limits in consideration of the operational and financial conditions of the youth facilities: <Amended by Ordinance No. 4698, Sep. 30, 2008; Ordinance No. 4792, May 28, 2009; Ordinance No. 6006, Oct. 8, 2015>
1. through 5. Deleted. <by Ordinance No. 6006, Oct. 8, 2015>
(2) The period of entrustment under paragraph (1) shall not be longer than three years and may be renewed only once. In such cases, the period of renewal shall not be longer than two years. <Newly Inserted by Ordinance No. 6006, Oct. 8, 2015>
(3) Where the Mayor intends to select an organization entrusted under paragraph (2), the Mayor may establish a committee for the examination of entrustment in the department responsible for the examination as to whether the organization entrusted is qualified. <Newly Inserted by Ordinance No. 6006, Oct. 8, 2015>
(4) The Seoul Metropolitan Government Ordinance on Entrustment of Administrative Affairs to the Private Sector may apply mutatis mutandis to matters not provided in this Ordinance, including procedures and methods necessary for entrusting the operation of youth facilities; and the Local Finance Act, the Seoul Metropolitan Government Rule on Financial Accounting and the Financial and Accounting Rules of Social Welfare Corporations and Social Welfare Facilities may apply mutatis mutandis to matters necessary for the budget and accounting of youth facilities. <Amended by Ordinance No. 6006, Oct. 8, 2015>

Article 11 (Enactment of Operating Rules of Facilities)

(1) The Mayor shall determine the standards concerning the organization, human resource management, remuneration, property and commodity management, safety management, procedures and standards for handling affairs, guidance, supervision,

evaluation of operation, etc. for youth facilities within the scope of related statutes and regulations and inform the operator of such standards pursuant to Article 10. <Amended by Ordinance No. 4792, May 28, 2009; Ordinance No. 6006, Oct. 8, 2015>
(2) A person who operates youth facilities shall enact and enforce the operating rules thereof satisfying the standards determined by the Mayor pursuant to paragraph (1). <Amended by Ordinance No. 6006, Oct. 8, 2015>
(3) Where a person who operates youth facilities enacts or amends the operating rules thereof under paragraph (2), such person shall obtain approval therefor from the Mayor. <Amended by Ordinance No. 6006, Oct. 8, 2015>

Article 12 (Guidance and Supervision)

(1) The Mayor may guide and supervise the overall operation of youth facilities, if necessary.
(2) Where it is discovered that a youth facility is operated in an illegal, unjust or improper manner, the Mayor may take measures, such as warning, corrective order, execution order, revocation of determination to provide a subsidy, and redemption of a subsidy.
[This Article Newly Inserted by Ordinance No. 6006, Oct. 8, 2015]
[Previous Article 12 moved to Article 14 <by Ordinance No. 6006, Oct. 8, 2015>]

Article 13 (Cancellation of Delegation or Entrustment)

(1) The Mayor may cancel the delegation or entrustment of youth facility operation pursuant to Article 10 if any of the following subparagraphs applies:
  1. Where the person to whom such operation is entrusted (delegated) violates this Ordinance or other related laws or the terms and conditions of entrustment;
  2. Where such person performs a project contrary to the purpose of establishing the youth facility without prior approval from the Seoul Government;
  3. Where such person neglects to preserve and manage the entrusted property or violates the purpose of use thereof;
  4. Where the Mayor deems it necessary for the public interest.
(2) Where the delegation or entrustment of youth facility operation is cancelled under paragraph (1), no compensation shall be made to the person to whom such operation is entrusted (delegated) even if such person suffers financial loss.
(3) Other matters concerning authorities and responsibilities relating to the delegation or entrustment of youth facility operation may be determined by agreement between the parties.
[This Article Newly Inserted by Ordinance No. 6006, Oct. 8, 2015]
[Previous Article 13 moved to Article 15 <by Ordinance No. 6006, Oct. 8, 2015>]

CHAPTER IV SEOUL ASSOCIATION OF YOUTH CENTER

Article 14 (Organization and Operation of the Seoul Association of Youth Center)

CHAPTER IV SEOUL ASSOCIATION OF YOUTH CENTER(1) An operator may organize and operate the Seoul Association of Youth Center (hereinafter referred to as the “Association of Center”) for the operation, development, and mutual exchange of youth facilities. In such cases, youth facilities shall obtain approval from the Mayor in advance. <Newly Inserted by Ordinance No. 4792, May 28, 2009; Ordinance No. 5329, Jul. 30, 2012; Ordinance No. 6006, Oct. 8, 2015>
(2) The Association of Center shall be a nonprofit corporation or nonprofit organization.
(3) The Association of Center shall be formed by obtaining registration of the establishment thereof or registration as an organization at the location of its main office.
(4) An office of the Association of Center may be established in a youth facility. <Amended by Ordinance No. 6006, Oct. 8, 2015>
[Moved from Article 12 <by Ordinance No. 6006, Oct. 8, 2015>]

Article 15 (Projects of the Seoul Association of Youth Center)

(1) The Association of Center shall perform the following projects: <Newly Inserted by Ordinance No. 4792, May 28, 2009; Ordinance No. 5329, Jul. 30, 2012; Ordinance No. 6006, Oct. 8, 2015>
1. Cooperation in and support for projects and activities performed by youth facilities which are members;
2. Training, education and exchange for improving the expertise of certified youth leaders;
3. Revitalization of youth activities, counselling, welfare, protective services, etc.;
4. Public relations and campaigns for the safety of youth facilities;
5. Survey and research on and support for youth policies;
6. Other projects deemed necessary by the Mayor for the operation and development of youth facilities.
(2) The Mayor may subsidize the Association of Center for expenses incurred in its operation, such as project expenses, within budgetary limits.
(3) The Mayor shall guide and supervise the operation of projects of the Association of Center for which the Mayor provides subsidies.
[Moved from Article 13 <by Ordinance No. 6006, Oct. 8, 2015>]

Article 16 (Enforcement Rules)

Necessary matters concerning the enforcement of this Ordinance shall be prescribed by rule of the Seoul Government.
[This Article Newly Inserted by Ordinance No. 6006, Oct. 8, 2015]

ADDENDUM

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

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

Article 1 (Enforcement Date)

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

ADDENDUM <Ordinance No. 4649, Jul. 30, 2008>

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

ADDENDUM <Ordinance No. 4698, Sep. 30, 2008>

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

ADDENDUM <Ordinance No. 4792, May 28, 2009>

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

ADDENDUM <Ordinance No. 5329, Jul. 30, 2012>

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

ADDENDUM <Ordinance No. 5799, Jan. 2, 2015>

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

ADDENDUM <Ordinance No. 5957, Jul. 30, 2015>

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

ADDENDA <Ordinance No. 6006, Oct. 8, 2015>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures)

Any person in a contractual relationship before this Ordinance enters into force shall be governed by the previous provisions until the contract expires.

ADDENDUM <Ordinance No. 6483, May 18, 2017>

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

ADDENDUM <Ordinance No. 6913, Oct. 4, 2018>

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

ADDENDUM <Ordinance No. 6995, Jan. 3, 2019>

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

ADDENDA <Ordinance No. 7044, Mar. 28, 2019>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures following Change of Committee's Name)

The Workers' Rights Protection Committee organized pursuant to Article 12 of the previous Seoul Metropolitan Government Ordinance on the Protection and Furtherance of Workers' Rights and its members as at the time this Ordinance enters into force

shall be respectively deemed the Workers' Rights Protection Committee under the amended provisions of Article 12 of the Seoul Metropolitan Government Ordinance on the Protection and Furtherance of Workers' Rights and its members.

Article 3 (Transitional Measures following Change of Name of Worker Director System)

A worker director appointed pursuant to Article 5 of the previous Seoul Metropolitan Government Ordinance on the Operation of Worker Director System as at the time this Ordinance enters into force shall be deemed a worker director appointed pursuant to the amended provisions of Article 5 of the Seoul Metropolitan Government Ordinance on the Operation of Worker Director System.

Article 4 (Transitional Measures following Change of Names of Workers' Welfare Facilities)

A workers' welfare facility specified in the attached Table of the previous Seoul Metropolitan Government Ordinance on the Establishment and Operation of Workers' Welfare Facilities that has been established and operated pursuant to Article 3 of the same Ordinance as at the time this Ordinance enters into force shall be deemed a workers' welfare facility established and operated pursuant to the amended provisions of the Seoul Metropolitan Government Ordinance on the Establishment and Operation of Workers' Welfare Facilities.

ADDENDA <Ordinance No. 7117, May 2, 2019>

Article 1 (Enforcement Date)

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

Article 2 (Effective Period for Applying Reduction and Exemption regarding Payment through Simple Payment System for Micro Enterprises)

The amended provisions of Article 8 (2) 10 shall apply until December 31, 2019.