

SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON SUPPORT FOR THE SAFETY CONTROL OF CHILDREN'S PLAY FACILITIES

Enactment No. 7086, Mar. 28, 2019
Partial Amendment No. 7362, Sep. 26, 2019
Partial Amendment No. 7415, Dec. 31, 2019

Article 1 (Purpose)

The purpose of this Ordinance is to contribute to accident prevention for and the emotional stability of children by providing for matters necessary for the effective safety control and maintenance of children's play facilities in Seoul Metropolitan City in accordance with the Act on the Safety Control of Children's Play Facilities.

Article 2 (Definitions)

The definitions of terms used in this Ordinance are as follows:

1. The term "children's play equipment" means the play equipment defined in subparagraph 1 of Article 2 of the Act on the Safety Control of Children's Play Facilities (hereinafter referred to as the "Act");
2. The term "children's play facility" means any children's play facility with children's play equipment which is installed in Seoul Metropolitan City among the facilities defined in Article 2 of the Enforcement Decree of the Act on the Safety Control of Children's Play Facilities (hereinafter referred to as the "Decree"): Provided, That any facilities defined in subparagraph 2 of Article 2 of the Seoul Metropolitan Office of Education Ordinance on the Management of Children's Play Facilities shall be excluded;
3. The term "head of a managing and supervisory agency" means the head of an administrative agency that manages and supervises children's play facilities under subparagraph 3 (b) of Article 2 of the Act;
4. The term "management entity" means an individual, institution or organization that is responsible for the maintenance, management, etc. of children's play facilities.

Article 3 (Formulation of Safety Management Plan for Children's Play Facilities)

- (1) The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall formulate a plan for management of children's play facilities (hereinafter referred to as "management plan") every two years for systematic safety management of children's play facilities. <Amended by Ordinance No. 7362, Sep. 26, 2019; Ordinance No. 7415, Dec. 31, 2019>
- (2) A management plan under paragraph (1) shall include the following: <Amended by Ordinance No. 7362, Sep. 26, 2019; Ordinance No. 7415, Dec. 31, 2019>
 1. Matters concerning the expansion and maintenance of facilities;
 2. Matters concerning the inspections of play facilities and the installation of safety facilities to prevent accidents;
 3. Matters concerning the examination of residual bacteria and pollution levels in sand boxes to ensure public health and hygiene;
 4. Matters concerning periodic inspections for the sanitary control of play equipment and the improvement of sand facilities;
 5. Matters concerning the installation of safety facilities such as closed-circuit televisions for the protection of children;
 6. Measures to respond to fine dust in children's play facilities for the protection of children;
 7. Other matters deemed necessary by the Mayor.
- (3) The Mayor may advise on and inspect the safety management of children's play facilities that are managed and supervised by the heads of Gus.
- (4) The budget necessary to implement a plan for management of children's play facilities shall be borne by a management entity: Provided, That the Mayor may assist with part of the expenses in consideration of the financial conditions of a management entity. <Amended by Ordinance No. 7362, Sep. 26, 2019>

Article 4 (Safety Inspections)

- (1) A management entity shall conduct a safety inspection at least once a month pursuant to Article 15 of the Act to maintain the functions and safety of children's play facilities and, if necessary, may request a public health-related specialized institution designated under the relevant law to conduct a sanitary inspection of such facilities.
- (2) The items and methods of safety inspections conducted under paragraph (1) shall be in accordance with the criteria prescribed in Article 11 (1) of the Decree.

Article 5 (Fulfillment of Safety Obligations)

- (1) A management entity shall fulfill the following obligations to prevent accidents of children caused by the use of children's play facilities and respond promptly when accidents occur:
 1. Matters concerning periodic inspections of children's play facilities under Article 12 (2) of the Act;
 2. Matters concerning safety inspections of children's play facilities under Article 15 of the Act and Article 11 of the Decree. In such cases, if necessary, a sanitary inspection of children's play equipment may be requested from a specialized institution;
 3. Matters concerning safety education under Article 20 (1) of the Act;

4. Matters concerning the purchase of insurance under Article 21 (1) of the Act;
 5. Matters concerning necessary measures such as the suspension of use and notification under Article 22 (1) of the Act.
- (2) Where a management entity is unable to conduct a safety inspection under paragraph (1) 2, it may have an agent designated by a written agreement conduct such inspection.

Article 6 (Inspections and Follow-up Measures)

- (1) If the results of a safety inspection and sanitary inspection conducted pursuant to Article 4 (1) fail to satisfy the criteria, a management entity shall promptly undertake appropriate measures.
- (2) The head of a managing and supervisory agency shall advise and supervise management entities in undertaking appropriate measures under paragraph (1).
- (3) The Mayor, if necessary, may assist the head of a managing and supervisory agency in providing advice and supervision under paragraph (2).

Article 7 (Support for Activities for Safety Management of Children's Play Facilities)

- (1) The Mayor may designate and publicly notify a support institution for the safety management of children's play facilities pursuant to Article 18 of the Act and support the following activities:
 1. Protecting users of children's play facilities from hazards and dangers;
 2. Educating employees in responsible for the safety management of children's play facilities;
 3. Providing compensation for damage caused by children's play facilities that have passed installation inspections and safety inspections;
 4. Other activities that the Mayor deems necessary for the safety management of children's play facilities such as statistical research relating to such facilities.
- (2) The head of a managing and supervisory agency may use the system of a support institution for the safety management of children's play facilities, if necessary to efficiently prevent and manage accidents related to such facilities.
- (3) The Mayor may revoke the designation of a support institution for the safety management of children's play facilities provided with support under paragraph (1) in the course of managing or supervising such institution or if a cause for revocation of designation occurs.

Article 8 (Support for Safety Supervisors for Children's Play Facilities)

The Mayor pursuant to Article 12 of the Decree may grant subsidies to cover expenses necessary to promote the use of safety supervisors for children's play facilities operated by autonomous Gus within budgetary limits to ensure the effective safety management of children's play facilities.

Article 9 (Citations and Rewards)

The Mayor may comprehensively evaluate the actual conditions of safety management of children's play facilities and provide citations or rewards to a public official, individual, organization or institution that has shown good performance.

Article 10 (Enforcement Rules)

Matters necessary for the enforcement of this Ordinance shall be prescribed by rule of the Seoul Metropolitan Government.

ADDENDUM

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

ADDENDUM <Ordinance No. 7362, Sep. 26, 2019>

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

ADDENDUM <Ordinance No. 7415, Dec. 31, 2019>

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