SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON TACKLING CLIMATE CHANGE

Enactment No. 4679, Sep. 30, 2008
Amendment of Other Laws No. 5137, Jul. 28, 2011
Amendment of Other Laws No. 5208, Dec. 29, 2011
Partial Amendment No. 5544, Aug. 01, 2013
Amendment of Other Laws No. 5767, Dec. 11, 2014
Partial Amendment No. 5786, Jan. 02, 2015
Amendment of Other Laws No. 5948, Jul. 30, 2015
Partial Amendment No. 5974, Jul. 30, 2015
Amendment of Other Laws No. 6016, Oct. 08, 2015
Partial Amendment No. 6019, Oct. 08, 2015
Amendment of Other Laws No. 7154, May. 16, 2019
Partial Amendment No. 7467, Jan. 09, 2020
Partial Amendment No. 7946, Mar. 25, 2021
Amendment of Other Laws No. 8127, Sep. 30, 2021
Amendment of Other Laws No. 8235, Dec. 30, 2021

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONSThe purpose of this Ordinance is to contribute to the advancement of health and welfare of citizens and the sustainable and healthy development of Seoul Metropolitan Government by adequately handling the adverse effects of climate change on the global environment and promoting the reduction of greenhouse gas emissions generated by citizens' activities, and to prescribe matters necessary for implementation of the Clean Air Conservation Act and the Enforcement of Decree of the same Act. <Amended on Jan. 2, 2015>

Article 2 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended on Aug. 1, 2013; Jan. 9, 2020; Mar. 25, 2021>

1. The term "climate change" means a change in the climate system in which natural climate change that has been observed for a considerable period of time occurs in addition because the atmospheric composition of the earth changes due to human activity;
2. The term "greenhouse gases" means carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and those prescribed by the Enforcement Decree of the Framework Act on Low Carbon, Green Growth, which are substances in gaseous state in the atmosphere that absorb or reemit infrared radiation heat and cause greenhouse effect;
3. The term "emission of greenhouse gases" means direct emission that emits, discharges or leaks greenhouse gases generated from the activities of people into the atmosphere and indirect emission that makes greenhouse gases emitted using electricity or heat (applicable only to those that have fuel or electricity as the source of energy) provided by other persons;
4. 4. The term "carbon neutrality" is a state of net-zero greenhouse gas emissions achieved by taking measures to balance emissions of greenhouse gas with its removal;
5. The term "vulnerability to climate change" means the degree that a specific system of a society is exposed to the adverse effects of climate change and fails to cope with them;
6. The term "car mileage" means a system in which incentives are paid according to the reduction rate or reduction amount when the mileage of a vehicle is reduced compared to the previous one;
7. The term "vulnerability to climate change" means the degree that a specific system of a society is exposed to the adverse effects of climate change and fails to cope with them.

Article 3 (Greenhouse Gas Reduction Targets)

(1) The Seoul Metropolitan Government (hereinafter referred to as "Seoul Government") shall set targets for the reduction of the total emission volume of greenhouse gases and include the same in a master plan for tackling climate change pursuant to Article 8 (1).

(2) The Seoul Government shall set a goal to become carbon neutral by 2050 to overcome the climate crisis. <Amended on Jul. 30, 2015; Mar. 25, 2021>

Article 4 (Responsibilities of Seoul Government)

(1) The Seoul Government has an obligation to formulate policies against climate change, suited to regional characteristics, and execute the same.

(2) The Seoul Government shall endeavor to minimize the emission of greenhouse gases generated in connection with projects for

which it is the main executing body.
(3) The Seoul Government shall recognize the importance of roles of autonomous Gus to tackle climate change and endeavor to support policies against climate change formulated by autonomous Gus.
(4) The Seoul Government shall endeavor to provide necessary support, such as provision of information related to climate change to business operators and citizens, for promoting emission control and absorption of greenhouse gases.

Article 5 (Responsibilities of Autonomous Gus)

(1) Each autonomous Gu shall be held responsible for the formulation of policies against climate change in consideration of the characteristics of its jurisdictional area according to the policies against climate change of the Seoul Government and shall execute such policies in good faith.
(2) Each autonomous Gu shall endeavor to operate an exclusive organization in charge of the formulation and execution of policies against climate change and actively participate and cooperate in the policies against climate change of the Seoul Government.

Article 6 (Responsibilities of Business Operators)

(1) Each business operator shall take measures for the emission control of greenhouse gases generated in connection with his or her business activities.
(2) Each business operator shall be held responsible for cooperation in policies against climate change executed by the Seoul Government and autonomous Gus.
(3) Each business operator shall actively cooperate in providing information related to the emission of greenhouse gases, such as kinds and emissions, etc. of greenhouse gases generated in connection with his or her business activities.

Article 7 (Responsibilities of Citizens)

(1) Each citizen shall endeavor to control the emission of greenhouse gases generated in connection with his or her daily life.
(2) Each citizen shall be held responsible for cooperation in policies against climate change executed by the Seoul Government or autonomous Gus.

CHAPTER II FORMULATION OF MASTER PLANS FOR TACKLING CLIMATE CHANGE

Article 8 (Master Plans for Tackling Climate Change)

CHAPTER II FORMULATION OF MASTER PLANS FOR TACKLING CLIMATE CHANGE(1) The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall formulate and execute a master plan for tackling climate change of the Seoul Metropolitan Government (hereinafter referred to as "master plan for tackling climate change") every five years for the comprehensive and systematic promotion of policies against climate change.
(2) The following matters shall be included in each master plan for tackling climate change referred to in paragraph (1):
1. The present status and prospect of greenhouses gas emissions;
2. Matters on systematic promotion for the establishment and attainment of objectives of the emission control of greenhouse gases;
3. Assessment of the impacts of climate change and establishment of measures for adaptation thereto;
4. Education and public relations on climate change;
5. Calculation of expenses incurred in the execution of projects and methods of financing;
6. Other matters necessary for the promotion of a master plan for tackling climate change.
(3) Where the Mayor formulates a master plan for tackling climate change, he or she shall confirm the same after deliberation by the Climate Change Countermeasure Committee pursuant to Article 12 (1). The same shall also apply to cases where he or she changes a master plan for tackling climate change. <Amended on Jan. 9, 2020>
(4) The Mayor shall publish a master plan for tackling climate change confirmed pursuant to paragraph (3).

Article 9 (Annual Execution Plans)

(1) The Mayor shall formulate an annual execution plan according to a master plan for tackling climate change under Article 8 and execute the same.
(2) Where the Mayor formulates an annual execution plan, he or she shall confirm the same after deliberation by the Climate Change Countermeasure Committee pursuant to Article 12 (1).
(3) The Mayor shall publicize an annual execution plan confirmed pursuant to paragraph (2).

Article 10 (Report to Seoul Metropolitan Council)

The Mayor shall report an annual execution plan and a report on the outcomes of the execution thereof to the Seoul Metropolitan Council each year.

Article 11 (White Paper on Climate Change)

(1) The Mayor shall, each year, prepare and publish a white paper on climate change to make the important details and conditions of the promotion of a master plan for tackling climate change known to citizens.

(2) The following matters shall be included in a white paper on climate change referred to in paragraph (1):
1. The present status and prospect of climate change;
2. The promotion of a master plan for tackling climate change and an annual execution plan;
3. The execution of a budget related to the promotion of policies against climate change;
4. Other information, etc. that citizens should know in connection with climate change.

CHAPTER III CLIMATE CHANGE COUNTERMEASURE COMMITTEE

Article 12 (Establishment and Operation of Climate Change Countermeasure Committee)

CHAPTER III CLIMATE CHANGE COUNTERMEASURE COMMITTEE(1) The Mayor shall establish the Climate Change Countermeasure Committee (hereinafter referred to as the "Committee") under his or her control to deliberate on the following matters, such as deliberation on matters concerning the formulation and modification of a master plan for tackling climate change and an annual execution plan, and reflection of the opinions of experts and citizens in the process of determination and execution, etc. of policies against climate change:
1. Matters concerning the establishment of a foundation for the efficient promotion of a master plan for tackling climate change;
2. Matters concerning the formulation, change and execution of a master plan for tackling climate change;
3. Matters concerning the formulation, change and execution of an annual execution plan;
4. Other matters referred to the Committee by the chairperson as he or she deems them necessary for the promotion of policies against climate change.
(2) The Committee shall be comprised of not more than 20 members, including one chairperson.
(3) The Vice Mayor I for Administrative Affairs of the Seoul Metropolitan Government shall serve as the chairperson of the Committee, and in the event he or she is unable to perform his or her duties due to inevitable causes, the Director General of Environmental Protection Headquarters shall act for and on behalf of him or her. <Amended on Dec. 29, 2011>
(4) The chairperson shall preside over the overall affairs of the Committee and publicly represent the Committee.
(5) Persons referred to in the following subparagraphs shall be members: <Amended on Jul. 28, 2011; Dec. 29, 2011; Dec. 11, 2014; Jul. 30, 2015; Oct. 8, 2015; May 16, 2019>
1. Chief Officer of Climate & Environment Headquarters, Director-General of Green Seoul Bureau, Deputy Mayor of City Transportation Headquarters, Director-General of Urban Planning Bureau, Chief Officer of Housing and Architecture Bureau, and Director-General of Water Circulation Safety Bureau;
2. Persons commissioned by the Mayor from among those who have considerable knowledge and experience in tackling climate change.
(6) The term of office of a commissioned member shall be two years, which may be renewed consecutively: Provided, That the term of office of a member filling a vacancy shall be the remaining period of his or her predecessor.
(7) If necessary, the Mayor may establish subcommittees for the efficient promotion of the business affairs of the Committee.

Article 13 (Meetings)

(1) The chairperson shall call a meeting of the Committee when he or she deems it necessary or at the request of not less than 1/3 of incumbent members.
(2) A meeting of the Committee shall be held by the attendance of a majority of the incumbent members, and its resolution shall be made with the consent of a majority of the members present at the meeting.

Article 14 (Allowances)

The Mayor may reimburse expenses incurred in activities of the Committee in the form of activity money, allowances, travel expenses, etc. within the budget. <Amended on Mar. 25, 2021>

CHAPTER IV MEASURES TO REDUCE GREENHOUSE GASES

Article 15 (Calculation of Greenhouse Gas Emissions)

CHAPTER IV MEASURES TO REDUCE GREENHOUSE GASES(1) The Mayor shall calculate greenhouse gas emissions, etc. in Seoul according to related statutes, regulations, etc. for the effective promotion of policies against climate change through an understanding of the accurate conditions on the emission of greenhouse gases. <Amended on Jan. 9, 2020>
(2) The Mayor shall disclose information on greenhouse gas emissions calculated pursuant to paragraph (1) to the public.

Article 16 (Plan for Reducing Greenhouse Gas Emissions)

(1) Where a person operating a business in excess of a certain scale as defined in the Enforcement Rule (hereinafter referred to as "specified business operator") invests in facilities, etc. controlling the emission of greenhouse gases, the Mayor may provide him or her with financial and other necessary support. <Amended on Jan. 9, 2020>
(2) A specified business operator who intends to receive support pursuant to paragraph (1) shall submit a plan stating each of the

following (hereinafter referred to as "plan for reducing greenhouse gas emissions") to the Mayor: <Amended on Jan. 9, 2020>
1. The name and address of the specified business operator (in the case of a corporation, the name of the corporation, the name of its representative and the seat of its main office);
2. The types and emission quantity, etc. of greenhouse gases generated from business activities;
3. Targets for the reduction of greenhouse gas emissions and a plan for measures for the attainment of objectives;
4. Other matters decided by the Mayor.
(3) The standards for and methods of support pursuant to paragraph (1) and other necessary matters shall be decided by the Mayor. <Amended on Jan. 9, 2020>

Article 17 (Report on Reduction of Greenhouse Gas Emissions)

(1) A specified business operator who has received support pursuant to Article 16 (1) shall submit a report on the progress of a plan for reducing greenhouse gas emissions (hereinafter referred to as "report on reduction of greenhouse gas emissions") to the Mayor, as decided by the Mayor. <Amended on Jan. 9, 2020>
(2) The Mayor shall evaluate the report on reduction of greenhouse gas emissions submitted by a specified business operator pursuant to paragraph (1), and where the reduced amount fails to meet the target set in the relevant plan for reducing greenhouse gas emissions pursuant to Article 16 (2), the Mayor may suspend providing support or request the specified business operator to return the money already granted, as decided by the Mayor. <Amended on Jan. 9, 2020>
(3) A specified business operator requested to return the money granted pursuant to paragraph (2) shall comply with such request.

Article 18 (Publication of Plan for Reducing Greenhouse Gas Emissions)

The Mayor shall publicize, without delay, details of the matters concerning a specified business operator prescribed by Articles 16 and 17. <Amended on Jan. 9, 2020>

Article 19 (Application of Eco-Friendly Standards to Buildings)

(1) Each person who constructs a building and each owner of an existing building shall endeavor to follow eco-friendly standards determined by the Metropolitan Government for the emission control of greenhouse gases.
(2) Specific matters regarding eco-friendly standards under paragraph (1), operation procedures thereof, tax benefits, etc. shall be separately prescribed by ordinance of the Seoul Government.

Article 20 (Restraint from Use of Motor Vehicles)

(1) Business operators and citizens shall restrain themselves from the use of motor vehicles in business activities and daily lives for the emission control of greenhouse gases.
(2) Each person who owns a motor vehicle shall endeavor to properly service and drive the motor vehicle to minimize greenhouse gases emitted by the motor vehicle.

Article 21 (Prohibition of Idling of Motor Vehicles)

(1) No motor vehicle driver shall idle his or her motor vehicle when it is parked or stopped in accordance with the Seoul Metropolitan Government Ordinance on Restrictions on Idling of Motor Vehicles.
(2) The Seoul Government shall endeavor to develop and spread related equipment, devices, etc. for the prevention of idling of motor vehicles.

Article 22 (Purchase and Proliferation of Eco-Friendly Motor vehicles)

(1) Where the Seoul Government and autonomous Gus purchase motor vehicles, they shall preferentially purchase eco-friendly motor vehicles, such as hybrid cars, electric vehicles, etc., and endeavor to proliferate eco-friendly motor vehicles.
(2) The Seoul Government may provide the purchasers of eco-friendly motor vehicles with financial and other necessary support.

Article 23 (Participation in Energy Saving Mileage)

(1) Citizens shall endeavor to actively participate in eco-mileage and car mileage promoted by the Seoul Government in order to lead a low-carbon and eco-friendly life and to contribute to the reduction of greenhouse gases and air pollutants.
(2) The Mayor may provide necessary support, such as financial support, to energy-saving mileage participants.
[This Article Wholly Amended on Jan. 9, 2020]

Article 24 (Car-Free Day)

(1) The Seoul Government and autonomous Gus may formulate and execute policies for controlling the operation of motor vehicles in central city areas for reducing greenhouse gases generated from driving motor vehicles.
(2) The Seoul Government and an autonomous Gu may control the operation of motor vehicles in central city areas by designating a car-free day and car-free street according to the purport of paragraph (1), and hold various events related to reduction of green gases, and circulation of resources, etc: Provided, That they shall go through various procedures under the Urban Traffic Readjustment Promotion Act and the Road Traffic Act. <Amended on Jul. 30, 2015>

Article 25 (Promotion of Use of Bicycles)

The Seoul Government and autonomous Gus shall formulate and execute policies for promoting the use of means of eco-friendly transportation, such as bicycles, so that citizens may move safely and conveniently without using motor vehicles.

Article 25-2 Deleted. <Jan. 9, 2020>

CHAPTER V MEASURES TO ADAPT TO CLIMATE CHANGE

Article 26 (Measures to Adapt to Climate Change)

CHAPTER V MEASURES TO ADAPT TO CLIMATE CHANGEThe Seoul Government shall formulate and execute measures to maintain sustainable development with minimal adverse effects, such as personal or physical damage to citizens from diverse environmental conditions in the future due to climate change (hereinafter referred to as "measures to adapt to climate change").

Article 27 (Establishment of System to Assess Climate Change Impacts)

The Seoul Government shall establish a system to assess climate change impacts to study environmental changes caused by climate change and its impacts on citizens' health, etc.

Article 28 (Assessment of Impacts of and Vulnerability to Climate Change)

In formulating measures to adapt to climate change, the Seoul Government shall assess the impacts of and vulnerability to climate change.

CHAPTER VI SUPPORT FOR TACKLING CLIMATE CHANGE

Article 29 (Establishment and Operation of Research Center for Management of Climate Change)

CHAPTER VI SUPPORT FOR TACKLING CLIMATE CHANGE(1) The Seoul Government may establish and operate the Seoul Metropolitan Research Center for Management of Climate Change (hereinafter referred to as the "Research Center for Management of Climate Change") for the efficient promotion of policies for dealing with climate change.
(2) The Research Center for Management of Climate Change shall perform the following functions:
1. Research into methods of cutting greenhouse gas emissions;
2. Development and proposal of policies for tackling climate change;
3. Fostering of experts in dealing with climate change, public relations and education;
4. Other projects the Mayor deems necessary for dealing with climate change.

Article 30 (Cooperative Relations with the State)

(1) The Seoul Government shall endeavor to cooperate with the State and other local governments in implementing policies that require wide-area cooperation for tackling climate change.
(2) The Seoul Government shall endeavor to cooperate with government agencies, local governments, civic groups, etc., in the exchange of information and technology related to the management of climate change.
(3) The Seoul Government shall endeavor to exchange information and technology and make international cooperation in relation to the management of climate change with foreign local governments, civic groups, related institutions, etc.

Article 31 (Education and Public Information)

The Seoul Government shall formulate policies necessary to advance understanding of citizens and the spread of knowledge on climate change and the emission control of greenhouse gases.

Article 32 (Establishment of Fund)

(1) The Seoul Government shall establish and operate the Climate Change Fund to raise its own funds for the promotion of policies against climate change, such as reducing greenhouse gas emissions.
(2) Necessary matters concerning the establishment and operation of the Climate Change Fund shall separately be prescribed by Ordinance.

Article 33 (Financial Support)

(1) The Seoul Government shall establish taxation and financial measures necessary for the promotion of policies against climate change.
(2) The Seoul Government may wholly or partially subsidize expenses incurred by autonomous Gus in the promotion of policies against climate change within the budget.
(3) The Seoul Government may provide information, technology, finance, etc. necessary for citizens, business operators, civic groups or research institutions to establish and operate facilities and conduct investigation or research, or conduct overseas cooperation projects such as prevention of desertification, or technical development, etc. for the management of climate change. <Amended on Oct. 8, 2015>

Article 34 (Rules)

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

[This Article Newly Inserted on Jan. 9, 2020]