SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON URBAN PARKS

Enactment No. 1505, Apr. 15, 1981
Partial Amendment No. 1567, Dec. 10, 1981
Partial Amendment No. 1696, Nov. 25, 1982
Partial Amendment No. 1874, Mar. 22, 1984
Partial Amendment No. 1986, Jan. 22, 1985
Partial Amendment No. 2086, May. 05, 1986
Partial Amendment No. 2186, May. 08, 1987
Partial Amendment No. 2356, May. 11, 1988
Partial Amendment No. 2492, Jul. 18, 1989
Partial Amendment No. 2746, Apr. 13, 1991
Partial Amendment No. 2754, May. 14, 1991
Partial Amendment No. 2926, May. 12, 1992
Partial Amendment No. 2976, Jan. 13, 1993
Amendment of Other Laws No. 2978, Jan. 13, 1993
Partial Amendment No. 2988, Mar. 18, 1993
Partial Amendment No. 3032, Sep. 25, 1993
Amendment of Other Laws No. 3057, Dec. 31, 1993
Partial Amendment No. 3212, Jun. 10, 1995
Partial Amendment No. 3407, Jul. 05, 1997
Partial Amendment No. 3438, Dec. 05, 1997
Partial Amendment No. 3652, Jul. 31, 1999
Partial Amendment No. 3680, Oct. 30, 1999
Partial Amendment No. 3906, Sep. 29, 2001
Partial Amendment No. 3944, Dec. 31, 2001
Partial Amendment No. 4055, Jan. 10, 2003
Partial Amendment No. 4111, Jun. 16, 2003
Amendment of Other Laws No. 4131, Jul. 25, 2003
Amendment of Other Laws No. 4284, Jun. 16, 2005
Amendment of Other Laws No. 4311, Sep. 30, 2005
Partial Amendment No. 4352, Dec. 29, 2005
Partial Amendment No. 4436, Oct. 04, 2006
Whole Amendment No. 4547, Jul. 30, 2007
Partial Amendment No. 4654, Jul. 30, 2008
Partial Amendment No. 4722, Jan. 08, 2009
Amendment of Other Laws No. 4817, Jul. 30, 2009
Partial Amendment No. 4917, Jan. 07, 2010
Amendment of Other Laws No. 4967, Apr. 22, 2010
Partial Amendment No. 5004, Jul. 15, 2010
Partial Amendment No. 5107, Jul. 28, 2011
Amendment of Other Laws No. 5208, Dec. 29, 2011
Amendment of Other Laws No. 5272, Mar. 15, 2012
Partial Amendment No. 5468, Mar. 28, 2013
Amendment of Other Laws No. 5554, Aug. 01, 2013
Partial Amendment No. 5856, Apr. 02, 2015
Amendment of Other Laws No. 6016, Oct. 08, 2015
Partial Amendment No. 6074, Jan. 07, 2016
Partial Amendment No. 6456, Mar. 23, 2017
Partial Amendment No. 6521, May. 18, 2017
Partial Amendment No. 6626, Sep. 21, 2017
Partial Amendment No. 6850, Mar. 22, 2018
Amendment of Other Laws No. 6851, Mar. 22, 2018
Partial Amendment No. 7003, Jan. 03, 2019
Partial Amendment No. 7097, Mar. 28, 2019
Partial Amendment No. 7119, May. 02, 2019
Partial Amendment No. 7266, Jul. 18, 2019
Partial Amendment No. 7398, Dec. 31, 2019
Amendment of Other Laws No. 7423, Dec. 31, 2019
Partial Amendment No. 7661, Jul. 16, 2020
Partial Amendment No. 7760, Oct. 05, 2020
Partial Amendment No. 7795, Dec. 31, 2020

Amendment of Other Laws No. 7912, Mar. 25, 2021
Partial Amendment No. 7971, Mar. 25, 2021
Amendment of Other Laws No. 8127, Sep. 30, 2021
Partial Amendment No. 8190, Sep. 30, 2021
Amendment of Other Laws No. 8235, Dec. 30, 2021

Article 1 (Purpose)

The purpose of this Ordinance is to prescribe matters mandated by the Act on Urban Parks and Greenbelts; the Enforcement Decree of the same Act; and the Enforcement Rule of the same Act and matters necessary for the enforcement thereof.
[This Article Wholly Amended on Jan. 8, 2009]

Article 2 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended on Jan. 7, 2010; Jul. 28, 2011; Oct. 8, 2015>
1. The term "park management agency" means the Mayor of the Seoul Metropolitan Government or the head of an autonomous Gu who manages an urban park pursuant to Article 19 (1) and (2) of the Act on Urban Parks and Green Areas;
2. The term "user fee" means a fee collected from a person who uses park facilities;
3. The term "rental fee" means the amount calculated at the current price as the concept of a rent where a park management agency entrusts a person who is not a park management agency with the management of park facilities;
4. The term "park" means an urban park referred to in subparagraph 3 of Article 2 of the Act on Urban Parks and Green Areas;
5. The term "greenbelt" means a greenbelt referred to in subparagraph 5 of Article 2 of the Act on Urban Parks and Green Areas.
[This Article Wholly Amended on Jan. 8, 2009]

Article 3 (Detailed Criteria for Urban Parks)

Among the urban parks referred to in Article 15 (1) 3 (h) of the Act on Urban Parks and Green Areas (hereinafter referred to as the "Act"), theme parks prescribed by Ordinance shall be as follows: <Amended on Jul. 15, 2010; Oct. 8, 2015; Sep. 21, 2017; Oct. 5, 2020>
1. An ecological park: A park established to promote biodiversity and to be used by the public for rest and ecological learning by creating life inhabiting spaces;
2. An amusement park: A park for purpose of promoting leisure and emotional life of citizens by building various recreational and amusement facilities;
3. A street park: A park established in the vicinity of roadside or residential areas for purpose of providing spaces for rest to the public and improving the scenery.
[This Article Wholly Amended on Jan. 8, 2009]

Article 4 (Minor Changes in Park Development Plan)

Matters determined by ordinance referred to in subparagraph 4 of Article 13 of the Enforcement Decree of the Act on Urban Parks and Green Areas (hereinafter referred to as the "Decree") are as follows:
1. Building and removal of amusement facilities in a private capital induced park for which a permit has been granted;
2. A decrease in the floor space of a building for which a permit has been granted or an increase therein by not more than 1/20: Provided, That it shall be allowed only once for a building reflected in an initial park development plan;
3. A change in a park development plan for children's park or minipark: Provided, That in such cases, such change shall be published in the official gazette of Seoul Metropolitan Government.
[This Article Wholly Amended on Jan. 8, 2009]

Article 5 (Establishment of Park and Park Facilities)

(1) Parks and park facilities shall be managed open so that all citizens may use them conveniently: Provided, That special opening hours may be set for a park with a fence or a park for which a park management agency deems that special opening hours are necessary to protect facilities of the park, such as user-paid facilities.
(2) A park and park facilities pursuant to Articles 19 and 21 of the Act shall be developed in the park unit determined by urban management planning: Provided, That in cases of a large-scale park, where the Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") deems it necessary for public interest, he or she may build park facilities in part of the park area determined by urban management planning.
(3) Where the Mayor intends to build park facilities according to the proviso paragraph (2), the project implementation area shall not be less than 10,000 square meters: Provided, That this shall not apply to cases where a park management agency builds park facilities directly.
(4) History-related facilities prescribed by municipal ordinance among the park facilities that can be installed at a historical park

under Article 9 (1) 6 of the Enforcement Rule of the Act on Urban Parks and Green Areas shall be as follows: <Newly Inserted by Ordinance No. 5468, Mar. 28, 2013>
1. Existing facilities with historicity, such as a Hyanggyo or Seowon;
2. Facilities required for preserving and managing history, such as interpretive centers or memorial halls;
3. Facilities necessary for the succession, development and experience of history and cultural heritage and for the educational activities related thereto, such as traditional culture experience centers;
4. Korean traditional temples under Article 4 of the Korean Traditional Temples Preservation and Support Act, which are located in a historic park.
[This Article Wholly Amended on Jan. 8, 2009]

Article 6 (Entrustment of Management of Park and Park Facilities)

(1) Among those who build and manage park facilities with designation of a performer of urban planning infrastructure project and approval of an implementation plan of a park management agency pursuant to Article 20 of the Act or those entrusted with management of park facilities by a park management agency pursuant to Article 21 (1) of the Act, a person who builds and manages a park or park facilities with private capital may entrust a third party with management of part of the relevant park facilities after reporting this to the competent park management agency.
(2) Where a park management agency entrusts the management of park facilities, it shall, in principle, select a trustee by means of general bidding: Provided, That in cases of sports facilities, convenience facilities or amusement facilities, it may select a trustee by means of limited bidding in consideration of their distinct characteristics.
(3) Deleted. <Jan. 7, 2016>
(4) Notwithstanding paragraph (2), where a case falls under Article 25 of the Enforcement Decree of the Act on Contracts to Which a Local Government Is a Party, a park management agency may select a trustee by private contract. <Amended on Jul. 15, 2010; Apr. 2, 2015>
[This Article Wholly Amended on Jan. 8, 2009]

Article 7 (Period of Management Entrustment)

(1) The period of management entrustment of a park and park facilities shall be less than three years: Provided, That this shall not apply to calculation of the period of free use following the donation.
(2) Where a person entrusted with management of a park or park facilities pursuant to Article 6 (4) intends to renew an entrustment contract by private contract because the period of entrustment expires, he or she shall file an application with a park management agency 30 days before the relevant period of entrustment expires. <Amended on Jul. 15, 2010>
(3) When a park management agency receives an application for entrustment contract by means of a private contract pursuant to paragraph (2), it may extend the period of contract within the extent of three years only once where it does not deem that the contract causes inconvenience in the management and operation of the relevant park facilities, etc. <Amended on Apr. 2, 2015>
[This Article Wholly Amended on Jan. 8, 2009]

Article 8 (Revitalization of Leisure and Cultural Activities of Citizens)

(1) A park management agency may operate diverse park utilization programs optimizing the seasonal characteristics of parks in order to revitalize leisure and cultural activities of citizens. <Amended on Jan. 7, 2016>
(2) When a park management agency runs park utilization programs referred to in paragraph (1), it may charge entry fees within the scope of attached Table 2.
(3) Where a park management agency runs park utilization programs referred to in paragraph (1), it may fully or partially entrust the operation of the programs, and where it runs programs in trust, it may subsidize program operating expenses within budgetary limits.
[This Article Wholly Amended on Jan. 8, 2009]
[Title Amended on Jan. 7, 2016]

Article 9 (Parks Subject to Permission to Occupy and Use)

Parks for which a park management agency may issue a permit to occupy and use pursuant to Article 24 of the Act shall be as follows:
1. A park, the development of which is completed under an urban planning project or other Acts (where the development is partially completed, referring to the completed part);
2. A park not included in the first phase implementation plan pursuant to Article 85 of the National Land Planning and Utilization Act;
3. A park for which an implementation plan by phase shall be formulated pursuant to Article 85 of the National Land Planning and

Utilization Act and for which two years have passed from the date of the announcement of determination of urban management planning although the plan is not formulated as of the date of application for a permit to occupy and use;
4. A park which does not fall under paragraph (1) 1 through 3 and for which there exists no plan to build park facilities in a park development plan pursuant to Article 16 of the Act and a park management agency deems that there is no issue in the creation and management of the park;
5. Other urban planning infrastructure built pursuant to Article 3 of the Rules on Decision, Structure and Building Standards of Urban Planning Infrastructure.
[This Article Wholly Amended on Jan. 8, 2009]

Article 10 (Detailed Criteria for Permission to Occupy and Use Park)

(1) Criteria for permission to occupy and use a park under Article 24 (2) of the Act shall be as follows: <Amended on Jul. 28, 2011; Mar. 22, 2018>
1. An off-street parking lot under subparagraph 3 of Article 22 of the Decree shall be built with rainwater permeable eco-friendly facilities, such as crushed stones on the ground and grass blocks,; and the part built after the period of occupation and use expires shall be restored to the original state by a person permitted to occupy and use immediately;
2. A temporary building for management pursuant to subparagraph 8 of Article 22 of the Decree shall be limited to a place of work for agriculture, forestry, fisheries, or mining and to purpose of drying the products in the park;
3. The standards for installing a temporary building pursuant to subparagraph 9 of Article 22 shall be as follows:
(a) "Storage facilities" means a building which does not fall under dangerous article storage and disposal facilities or the secondary use thereof and is limited to purpose of warehouse, cold or refrigerating storage, and loading dock;
(b) The gross area of a temporary building which may be built on a lot in the lot unit according to the Cadastral Act shall be less than 200 square meters;
(c) Where a lot is divided into not less than two lots after the land is designated as a park, it shall be deemed one lot regardless of the number of lots after the division;
4. Where not less than two park management agencies manage a park when a temporary building pursuant to subparagraph 10 of Article 22 of the Decree is built, the gross area shall be less than 200 square meters per park management agency;
5. In cases of rebuilding, reconstruction, enlargement, or major repair of an existing building or existing structure pursuant to subparagraph 14 of Article 22 of the Decree, the following shall apply:
(a) It shall be limited to a building already built under a permit according to the relevant statutes and regulations, such as the Building Act, before the relevant park is determined or on which a certificate of inspection of the completion has been issued according to the Special Measures for Readjustment of Specific Buildings Act, and which is a compliant building registered in the building register and a building annexed thereto, and a structure built according to other statutes or regulations;
(b) The expansion of a building shall be of a building referred to in item (a) and shall be in accordance with the Building Act, and the scale of expansion shall be less than the gross area of the building registered in the building register;
(c) It shall exclude cases where an existing single building is divided into not less than two buildings or cases where not less than two existing buildings are annexed: Provided, That for division or annexation not accompanied by a new site development in the same site, even though a building is divided or annexed, cases where a building is used for purpose before the division or annexation shall be excluded;
(d) It shall be limited to cases where an access road, water supply system, sewerage, and other incidental facilities are not required owing to permission to occupy and use, such as a building which requires the development of a new site or a house isolated from any neighboring village;
6. A storage yard for construction equipment and materials pursuant to subparagraph 15 of Article 22 of the Decree shall occupy the least area necessary for construction.
(2) A permit to occupy and use referred to in paragraph (1) shall meet the following requirements: <Amended on Dec. 31, 2019>
1. Where independent facilities are built underground, and a part of entrance, ventilation opening, or other incidental facilities required to be built is protruded on the ground, its size shall be minimized and landscaping shall be done, such as covering with earth, or planting of trees, in order to match the surrounding scenery;
2. The facilities shall not cause environmental pollution, such as excessive discharge of sewage, waste water, and exhaust gas;
3. In cases of a temporary building, it shall be limited to cases where the construction of a new access road is not required owing to permission to occupy and use;
4. It shall not violate any of the related statutes and regulations, such as the Building Act.
[This Article Wholly Amended on Jan. 8, 2009]

Article 11 (Green Areas Subject to Permission to Occupy and Use)

(1) Green Areas for which a permit to occupy and use may be issued pursuant to Article 38 of the Act shall be as follows:
1. A greenbelt, the creation of which is completed (where any part of the creation is completed, referring to the part completed)

under an urban planning project or other statutes;
2. A greenbelt not included in the first phase implementation plan pursuant to Article 85 of the National Land Planning and Utilization Act;
3. A greenbelt, for which an implementation plan by phase shall be formulated pursuant to Article 85 of the National Land Planning and Utilization Act and for which two years have passed from the date of public notice for determination of urban management planning although the plan is not formulated as of the date of application for a permit to occupy and use;
4. Notwithstanding subparagraphs 1 through 3, a permit to occupy and use may be issued for building another urban planning infrastructure determined overlapping with a greenbelt pursuant to Article 3 of the Rules on Decision, Structure and Building Standards of Urban Planning Infrastructure.
[This Article Wholly Amended on Jan. 8, 2009]

Article 12 (Detailed Criteria for Permission to Occupy and Use Greenbelts)

Criteria for permission to occupy and use land in green areas under Article 38 of the Act shall be as follows: <Amended on Jul. 15, 2010; Oct. 8, 2015; Mar. 28, 2019>
1. The criteria referred to in Article 10 (1) 1 through 3, 5, and 6 shall be met;
2. An access road crossing a green area pursuant to subparagraph 3 of Article 43 of the Decree:
(a) Where a person intends to occupy and use a green area to use as a road, a green area management agency shall not permit such occupation and use: Provided, That this shall not apply to cases falling under item (b);
(b) Where the inside road has already been determined by urban planning, it shall be limited to a period until the road is open;
(c) In principle, an access road shall not exceed eight meters in width in principle; however, where a wider road is required, a greenbelt management agency shall give permission to occupy and use it as a road (referring to a road under the National Land Planning and Utilization Act and the Private Road Act) pursuant to subparagraph 3 of Article 22 of the Decree;
(d) The shortest distance between access roads crossing a green area on the roadside shall be at least 250 meters: Provided, That this shall not apply to cases where it is necessary to separate an entrance and exit because it is unavoidable in local circumstances or required for smooth traffic flow;
(e) A greenbelt management agency shall not permit an access road in a greenbelt on the side of a motorcar road or detour: Provided, That this shall not apply to cases where its necessity is recognized because the opening of an access road does not hinder the function of a greenbelt and remarkably decreases surrounding traffic congestion, and a greenbelt management agency has consulted about the access road with a road management agency;
(f) Where it is inevitable to permanently use a road built under the proviso to item (e), a greenbelt management agency shall permit to occupy and use it as a road pursuant to subparagraph 3 of Article 22 of the Decree;
(g) Where a green area management agency intends to give permission to occupy and use a greenbelt on the side of the railroad, it shall consult with the manager of a railroad protection zone pursuant to Article 63 of the Enforcement Decree of the Railroad Safety Act;
(h) In cases of a greenbelt on the side of an industrial complex, a green area management agency shall permit to build an urban planning road according to a street network in the industrial complex and shall not permit an access road by individual factory;
(i) Where land, the land category of which according to the Cadastral Act is a site becomes the land with no sides abutting on the public way owing to determination of a green area, a green area management agency shall give permission to occupy and use after planning the inside road in consideration of local conditions of the land or give permission to occupy and use it as a road pursuant to subparagraph 3 of Article 22 of the Decree;
3. In cases of a storage yard of construction equipment and materials pursuant to subparagraphs 5 and 6 of Article 43 of the Decree, where a green area management agency implements construction works of green area and construction of facilities which cause placement of the relevant green area (a road, railroad, etc.), and it is inevitable to build a temporary building for construction in a green area not yet created, it shall manage the same as a temporary building pursuant to Article 15 (5) 3 of the Enforcement Decree of the Building Act.
[This Article Wholly Amended on Jan. 8, 2009]

Article 13 (Period of Permission to Occupy and Use)

(1) Where a park management agency or green area management agency issues a permit to occupy and use a park or green area, the period of permission to occupy and use shall be determined in consideration of occupying and using facilities, an implementation period of a park and green area creation project, etc.; and where no period of permission to occupy and use is prescribed, it shall not exceed three years. <Amended on Mar. 25, 2021>
(2) A period for existence of a temporary building in the short-term or temporary structure in the short-term built for a sports event, assembly, exhibition, exposition, performance referred to in subparagraph 10 of attached Table 1 to Article 23 of the Decree shall be as follows:
1. Not more than two months in cases of a sports event or assembly;

2. Not more than one year in cases of an exhibition, exposition, or performance.
(3) Where a person who has obtained a permit to occupy and use a park or green area intends to obtain the extension of the period of occupation and use after the relevant period of occupation and use expires, he or she shall apply for the extension thereof to a park management agency or green area management agency at least 30 days before the period expires. In such cases, a park management agency or green area management agency may extend the period within the extent that the extension of the period of occupation and use does not hinder the management and operation of the relevant park or green area facilities. <Amended on Jul. 15, 2010; May 18, 2017>
[This Article Wholly Amended on Jan. 8, 2009]

Article 14 (Management of Objects Occupied and Used)

(1) Where a park management agency or green area management agency issues a permit to occupy and use a park or green area, it shall ascertain whether the details of such permit is properly implemented and, if necessary, may request a person permitted to occupy and use to make a boundary survey.
(2) Where a park management agency or green area management agency issues a permit to occupy and use a park or green area, it shall prepare and manage the management book of permits to occupy and use in which the purpose of occupation and use, a period of a permit to occupy and use, the area and objects occupied and used, etc, are mentioned.
[This Article Wholly Amended on Jan. 8, 2009]

Article 15 (Park Admission Fees and User Fees)

(1) An admission fee to a park and a user fee for the use of a park and facilities falling under Article 46 of the Decree shall be respectively prescribed by rule of the Seoul Metropolitan Government within the limits of attached Tables 1 and 2, in consideration of cost accounting, the rate of inflation, etc. <Amended on Jul. 15, 2010; Jul. 28, 2011>
(2) Where a trustee intends to receive a user fee for the use of park facilities, he or she shall report thereon to the relevant park management agency before the implementation thereof, and detailed matters related thereto shall be as prescribed by rule of the Seoul Metropolitan Government. Where the park management agency deems that a user fee reported by the trustee is unreasonable, it may adjust such user fee. <Amended on Jul. 28, 2011>
(3) An admission fee to a park and user fee for the use of the park may be paid in foreign currency and by credit card in order to vitalize the use of a park. In such cases, the applicable exchange rate shall be the final purchase price in cash on the preceding day by a bank which is the treasury of Seoul Metropolitan Government, and where there is change, a fraction below 10 won shall not be calculated. <Amended on Jul. 28, 2011>
(4) Where a person uses park facilities for up to three months, he or she shall deposit a warranty bond (less than 15 percent of a user fee for the use of facilities), a warranty bond shall be returned within 15 days from the date park facilities are reinstated, excluding the expenses incurred. <Newly Inserted on Jan. 7, 2010>
[This Article Wholly Amended on Jan. 8, 2009]

Article 16 (Rental Fees of Park Facilities)

In principle, a rental fee shall be calculated and collected by appraised value, cost accounting service, etc., and where a trustee is selected by general competition bidding, etc., the value of the successful bid, the estimated price of which is the appraised value or the price by cost accounting service shall be collected as a rental fee: Provided, That in cases falling under any of the following subparagraphs, a rental fee shall be exempted and facilities maintenance cost, etc. may be subsidized within budgetary limits:
1. Where a park management agency entrusts the management of a park which is open after vesting free of charge pursuant to Article 99 of the National Land Planning and Utilization Act to its relative;
2. Where a park management agency entrusts the management and operation of a park or park facilities generating no revenues to a non-profit corporation or organization;
3. Where a park management agency entrusts a memorial hall of patriotic martyrs for the country and patriots and its related facilities pursuant to Article 4 of the Act on the Honorable Treatment of Persons of Distinguished Services to Independence to an organization which has donated them;
4. Where the Mayor deems it necessary for the efficient management and operation of a park or park facilities.
[This Article Wholly Amended on Jan. 8, 2009]

Article 17 (Fees for Occupation and Use)

A person who obtains a permit to occupy and use a park or green area (hereinafter referred to as "occupant") shall pay a fee for occupation and use referred to in attached Table 3.
[This Article Wholly Amended on Jan. 8, 2009]

Article 18 (Standards for Calculation of Fees and Payment Methods)

(1) A fee for admission or fee for occupation and use shall be paid on a notice for payment issued by a park management agency or green area management agency or by method of purchasing an admission ticket: Provided, That a fee to use video recording, photography, or a playground among the fees to use park facilities may be paid by means of revenue stamp meter of a park management agency or green area management agency, credit cards, or with electronic currency and electronic settlement of accounts making use of information and communication network. <Amended on Apr. 22, 2010; Aug. 1, 2013>

(2) In principle, a rental fee of park facilities pursuant to Article 16 shall be calculated in the total amount of the period of entrustment; and where it is necessary to calculate in installments, it shall be calculated according to the following subparagraphs:

1. On a yearly basis: the yearly amount × the number of years entrusted;
2. On a monthly basis: the yearly amount × the number of months entrusted / 12;
3. On a daily basis: the yearly amount × the number of days entrusted / 365.

(3) A fee for occupation and use pursuant to Article 17 shall be calculated and imposed as a yearly amount each year. In such cases, where the period of occupation and use is less than one year, a fee for occupation and use shall be calculated according to the following subparagraphs:

1. On a monthly basis: the yearly amount × the number of months occupied and used / 12;
2. On a daily basis: the yearly amount × the number of days occupied and used / 365.

(4) Payment methods of a rental fee and fee for occupation and use shall be as follows:

1. Where the period of management entrustment and occupation and use does not exceed one year, when a park management agency or green area management agency entrusts the management or issues a permit to occupy and use (hereafter in this paragraph referred to as "permission"), the amount calculated at the time of permission regarded as the base date of calculation shall be paid in full before the date of commencement of occupation and use;
2. Where the period of management entrustment and occupation and use exceeds one year, the amount for one year from the date of permission shall be paid before the date of commencement of occupation and use, and the amount for the following year thereafter shall be paid within 30 days from the date falling under the first date of commencement of occupation and use every year.

[This Article Wholly Amended on Jan. 8, 2009]

Article 19 (Refund of Fees)

(1) An admission fee or user fee paid in advance may be refunded, and where any cancellation is made by a user, the user fee paid shall be returned according to the following categories: <Amended on Mar. 25, 2021>

1. Where such cancellation is made due to a natural disaster, force majeure event, or any other reason beyond the relevant facility's control: Refund in full amount;
2. Where such cancellation is made seven days prior to the scheduled date of use or on the day of use: Refund in full amount;
3. Where such cancellation is made six days to three days prior to the scheduled date of use: Refund the remaining amount after deducting 10/100 of the relevant user fee;
4. Where such cancellation is made two days to one day prior to the scheduled date of use: Refund the remaining amount after deducting 30/100 of the relevant user fee;
5. Where such cancellation is made on or after the use date: Refund shall not be made.

(2) In cases falling under any of the following subparagraphs within the period permitted for use and making profits and the period permitted for occupation and use, rental fees or fees for occupation and use already paid may be fully or partially refunded: <Amended on Jan. 7, 2016>

1. Where a natural disaster occurs or the Mayor cancels permission or changes details of permission according to the necessity for public interest;
2. Where the refund is deemed inevitable because the area of actual occupation and use of a park is much less than the area permitted to be occupied and used or there are errors in the calculation of a rental fee or fee for occupation and use.

(3) Except as provided for in this Ordinance, matters shall be prescribed by rule of the Seoul Metropolitan Government. <Newly Inserted on Mar. 25, 2021>

[This Article Wholly Amended on Jan. 8, 2009]

Article 20 (Reduction or Exemption of Fees)

(1) The Mayor may exempt any of the following persons from an admission fee: <Amended on Jan. 7, 2010; Mar. 28, 2019; Jul. 18, 2019>

1. A state guest, diplomatic mission and its retinue;
2. A child under 6 years of age, a person over 65 years of age, or a disabled person under the Act on Welfare of Persons with Disabilities (including one guardian in cases of a person with severe disabilities);

3. A person who has access to a park for investigation and research in the park for public interest or scientific purposes;
4. A person who has access to a park to perform his or her official duties;
5. A person referred to in each subparagraph of Article 86 (1) of the Enforcement Decree of the Act on the Honorable Treatment and Support of Persons, etc. of Distinguished Services to the State;
6. A person of merit who participated in a war who holds a card of person of merit who participated in a war issued by the Minister of Patriots and Veterans Affairs;
7. A person who holds an honorary citizenship of Seoul Metropolitan City;
8. A person falling under each subparagraph of Article 17-2 (1) of the Enforcement Decree of the Act on Honorable Treatment of and Support for Persons Who Died or Were Injured for Public Good.
(2) The Mayor may reduce an admission fee referred to in attached Table 1 as prescribed by rule of the Seoul Metropolitan Government within the extent of not less than 30 percent and not more than 50 percent to a person falling under any of the following subparagraphs: <Amended on Jan. 3, 2019; Mar. 28, 2019>
1. A person who uses a park within one month after he or she used a park and cultural facilities designated by the Mayor;
2. A person who holds a multi-child family support card issued by the Seoul Metropolitan Government or a member of the family registered on the card: Provided, That the Seoul Grand Park shall accept a person who holds a multi-child family support card issued by the Gyeonggi Provincial Government or a member of the family registered on the card;
3. A group of not less than 30 persons;
4. Other matters prescribed by rule of the Seoul Metropolitan Government.
(3) In cases falling under any of the following subparagraphs, the Mayor may reduce or exempt a fee for occupation and use:
1. Where a person install historic remains to be preserved permanently or a monument with distinguished services, etc.;
2. Where a local government occupies and uses a park or green area for the construction of a common or public building and structure;
3. Where a local government occupies and uses a park or green area for the installation of water and sewage pipes, gas pipe, or a water tank for fire-fighting;
4. Where a park management agency deems other facilities corresponding to the provisions of subparagraphs 1 through 3 necessary for public interest.
(4) The Mayor may reduce the amount of an admission fee referred to in attached Table 1 or user fees for the use of park facilities referred to in attached Table 2 to a person who pays such fees through Zero Pay (referring to a transaction system operated by agencies designated by the Minister of SMEs and Startups to lower settlement fees for small business owners) by any of the following standards: <Newly Inserted on May 2, 2019>
1. Admission fee in attached Table 1: Fee reduction within the scope of 30 percent as determined by the Mayor: Provided, That this shall not apply to the reduction of admission fees pursuant to paragraph (2);
2. User fee for the use of park facilities in attached Table 2: Fees reduced within the scope of 10 percent as determined by the Mayor.
[This Article Wholly Amended on Jan. 8, 2009]
[Paragraph 4 of this Article shall be effective until December 31, 2019 under Article 2 of the Addenda of Ordinance No. 7119 (May 2, 2019)]

Article 21 (Application Mutatis Mutandis)

For matters not prescribed in this Ordinance concerning the collection and reduction or exemption of a usage fee, fee for occupation and use, etc., the relevant fee, etc. may be imposed or collected by applying the criteria for collection, reduction, or exemption under relevant statutes and regulations and other Ordinances mutatis mutandis.
[This Article Wholly Amended on Jan. 8, 2009]

Article 22 (Acts Subject to Application of Prohibited Acts)

No person shall do any act referred to in each subparagraph of Article 49 (2) of the Act in an urban park falling under subparagraph 3 of Article 2 of the Act. <Amended on Jan. 7, 2016>
[This Article Wholly Amended on Jan. 8, 2009]

Article 23 (Imposition and Collection of Administrative Fines)

(1) The standards by which the Mayor imposes administrative fines pursuant to Article 56 (1) of the Act shall be as specified in attached Table 4 under Article 51 (1) of the Decree. <Amended on Jan. 7, 2016; Oct. 5, 2020>
(2) Objection to the imposition and collection of administrative fines shall be filed in accordance with the Act on the Regulation of Violations of Public Order. <Newly Inserted on Oct. 5, 2020>
[This Article Wholly Amended on Jan. 8, 2009]

[Title Amended on Oct. 5, 2020]

Article 24 (Urban Park Committee of Seoul Metropolitan City)

The Urban Park Committee of Seoul Metropolitan City (hereinafter referred to as the "Committee") shall be established in the Seoul Metropolitan Government (hereinafter referred to as the "Seoul Government") to provide advice or deliberate on matters referred to in Article 16 (4) of the Act and the subparagraphs of Article 50 (1) of the Act, and matters referred to the Committee by the Mayor in relation to parks and green areas: <Amended on May 18, 2017>

1. Deleted; <May 18, 2017>
2. Deleted. <May 18, 2017>

[This Article Wholly Amended on Jan. 8, 2009]
[Title Amended on May 18, 2017]

Article 25 (Composition of Committee)

(1) The Committee shall be comprised of no more than 29 members, including one chairperson and one vice chairperson. <Amended on Oct. 5, 2020>

(2) The Vice-Mayor for Administrative Affairs shall be the chairperson of the Committee, and the vice chairperson shall be elected by the Committee from among its members. <Amended on Mar. 15, 2012; May 18, 2017>

(3) The Mayor shall appoint or commission members from among those referred to in the following subparagraphs:

1. Public Officials in Grade II or III of the Seoul Government;
2. Those who have abundant knowledge and experience relating to parks.

(4) The term of office of members referred to in paragraph (3) 2 shall be two years, and they may only serve no more than two consecutive terms. <Amended on May 18, 2017>

(5) The Committee shall have one administrative secretary and one clerk to conduct its business, and the manager of the department in charge of the Committee shall be the administrative secretary and the assistant manager in charge of the Committee shall be the clerk.

(6) Where a member falls under any of the following subparagraphs, the Mayor may dismiss the relevant member, even before his or her term of office expires: <Amended on Jul. 15, 2010>

1. When a member deceases or is unable to perform his or her duties owing to an illness which requires long-term medical treatment, overseas travel for at least six months, or such;
2. When a member wishes to be dismissed of his or her own accord;
3. When a member is disqualified in connection with his or her duties or attracts public criticism by gross negligence;
4. When a member is deemed inappropriate for performing his or her duties owing to the loss of his or her dignity, etc.

[This Article Wholly Amended on Jan. 8, 2009]

Article 26 (Duties of Chairperson)

(1) The chairperson shall represent the Committee and preside over affairs of the Committee.

(2) The vice chairperson shall assist the chairperson and perform duties of the chairperson on his or her behalf when he or she cannot perform duties owing to unavoidable reasons.

(3) When both the chairperson and vice chairperson are unable to perform their duties, a member elected by the Committee from among its members shall perform the relevant duties.

[This Article Wholly Amended on Jan. 8, 2009]

Article 27 (Meeting)

(1) A regular meeting shall be called once a month but may be adjusted in consideration of items on the agenda. <Amended on Mar. 25, 2021>

(2) A meeting of the Committee shall be held by the majority of the incumbent members and a decision shall be made with the consent of the majority of members present.

(3) A member who has a stake in a decision of the Committee shall not participate in the decision.

[This Article Wholly Amended on Jan. 8, 2009]

Article 28 (Allowance)

An allowance may be paid to members who attend meetings of the Committee within budgetary limits: Provided, That this shall not apply to where a member who is a public official attends a meeting of the Committee with regard to his or her duties.

[This Article Wholly Amended on Jan. 8, 2009]

Article 29 (Operating Rules)

Except as provided in this Ordinance, the chairperson shall determine matters necessary for the operation of the Committee through the resolution of the Committee.

[This Article Wholly Amended on Jan. 8, 2009]

Article 30 (Contracts for Use of Sites for Urban Parks)

Matters determined by ordinance referred to in Article 12-2 (2) of the Act are as follows:

1. A contract for use of a site for the urban park (hereinafter referred to as "contract for use of a park site") shall include land area subject to the contract for use of the park site (including its address, owner, area, and land category);
2. The initial term covered under the contract for use of a park site shall be less than three years, and the following shall apply to the expiration and renewal of the contract:
(a) The relevant landowner and park management agency shall notify the park management agency and the landowner, respectively, of whether the contract is expired or renewed by no later than May 31 of the year preceding the expiration date;
(b) Upon receipt of a notice under item (a), the landowner or the park management agency shall notify whether the contract is to be expired or renewed within 30 days from the date of receipt;
(c) Where no notice is given under item (a), the contract shall be renewed for the same period as that of the preceding contract period from the day following the expiration date: Provided, That the method agreed by a landowner and a park management agency shall be applied;
(d) The alteration of a contract shall be made by the agreement between the parties to the contract at the request of either of the landowner or the park management agency;
3. Article 71 of the Act on Acquisition of and Compensation for Land for Public Works Projects shall apply mutatis mutandis to the method of calculating site usage fees: Provided, That if the contracting parties have agreed on a different method of calculating a site usage fee, the method agreed upon shall apply;
4. The park management agency shall pay a site usage fee pursuant to the contract for use of the park site at the request of the landowner:
(a) The landowner shall request the payment of the site usage fee on a yearly basis (the calculation of the period of a contract for less than one year shall be the period of such contract) from the date the relevant contract is concluded;
(b) The park management agency shall, in principle, deposit cash into the bank account designated by the landowner within 30 days from the date of receipt of the claim for payment;
(c) The timing and methods of paying the site usage fee pursuant to items (a) and (b) may be adjusted by a consultation between the land owner and the park management agency;
5. Park facilities at a site for the contract for use of the park site shall be established and managed by the park management agency; Provided, That the method agreed upon by a landowner and a park management agency shall be applied, if agreed;
6. A change in the contract for use of a park site may be made under an agreement between the landowner and the park management agency, and the termination of the contract or the change of the contract period shall meet the standards of subparagraph 2;
7. Where a party to a contract for use of a park site violates the contract terms and conditions, the other party may take the following measures:
(a) The other contracting party shall request the contracting party to execute the contract within one month;
(b) If the breach of the contract continues, although the other contracting party has requested a contracting party to duly execute the contract twice or more, the former may terminate the contract on the ground of such breach of contract;
(c) Expenses incurred pursuant to item (b) shall be borne by the party who has violated the contract;
8. Where any right, other than the purpose of use or profit-making, is established on the relevant site, a contract for use of a park site shall be made with the consent of the relevant holder of such right;
9. Where it does not impede the establishment of the urban park and does not disturb the public use of the urban park, the park management agency may allow the landowner to use his or her land subject to the contract for use of a park site before the establishment of the urban park;
10. Other methods and contents of a contract for use of a park site shall be prescribed by rule of the Seoul Government.

[This Article Newly Inserted on Mar. 25, 2021]

[Previous Article 30 moved to Article 31 <Mar. 25, 2021>]

Article 31 (Division of Jurisdiction over Business on Parks or Green Areas)

(1) Division of jurisdiction over business on urban parks and green areas between the Seoul Metropolitan Government and an autonomous Gu of Seoul Metropolitan City shall be as specified in attached Table 5.

(2) Expenses incurred in the acquisition or creation of a park or green area and the conduct of the business concerning maintenance of existing facilities, etc. shall be borne according to the division of jurisdiction over business referred to in paragraph (1): Provided, That the Mayor may partially subsidize expenses to be borne by an autonomous Gu in consideration of its financial circumstances, etc.
[This Article Wholly Amended on Jan. 8, 2009]
[Moved from Article 30, Previous Article 31 moved to Article 32 <Mar. 25, 2021>]

Article 32 (Delegation of Business)

(1) Business which the Mayor delegates to the head of a Gu or the head of a business unit shall be as attached Table 6.
(2) Permission, etc. referred to in attached Table 6 shall be deemed to include business incidental thereto unless provided otherwise.
[This Article Wholly Amended Jan. 8, 2009]
[Moved from Article 31 <Mar. 25, 2021>]