SEOUL METROPOLITAN GOVERNMENT FRAMEWORK ORDINANCE ON ENVIRONMENT

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Partial Amendment No. 4186, Mar. 30, 2004
Amendment of Other Laws No. 4329, Nov. 10, 2005
Partial Amendment No. 4480, Mar. 08, 2007
Partial Amendment No. 4524, May. 29, 2007
Partial Amendment No. 4633, May. 29, 2008
Amendment of Other Laws No. 6016, Oct. 08, 2015
Partial Amendment No. 6174, Mar. 24, 2016
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Partial Amendment No. 6832, Mar. 22, 2018
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Amendment of Other Laws No. 7423, Dec. 31, 2019
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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONSThe purpose of this Ordinance is to provide for the fundamental conceptual framework on environmental conservation of the Seoul Metropolitan Government, the responsibilities of the Seoul Metropolitan Government, each autonomous Gu, each business entity, and each citizen, and matters that constitute fundamentals of policies on environmental conservation to implement the environmental policies comprehensively and systematically and encourage all players in society to cooperate with policies on environmental conservation, thus creating and preserving a comfortable living environment and natural environment. <Amended on Jan. 4, 2018; Jan. 3, 2019>

Article 2 (Basic Idea)

(1) The Seoul Metropolitan Government (hereinafter referred to as the "Seoul Government") shall implement policies on environmental conservation so as to ensure that the environment necessary for citizens to enjoy a healthy and comfortable lifestyle can be developed and inherited to future generations. <Amended on Jan. 4, 2018>
(2) The Seoul Government shall promote environmental conservation so as to make the sustainable growth of Seoul Metropolitan City possible and develop it as an ecologically desirable city in which people and nature can coexist in harmony.
(3) The Seoul Government shall ensure that its policies on the conservation of the global environment are reflected in practices in every aspect of business activities and citizens' daily life.
(4) The fundamental conceptual framework under paragraphs (1) through (3) shall be reflected to the maximum extent possible in all policies of the Seoul Government. <Amended on Jan. 4, 2018>

Article 3 (Basic Principles)

The Seoul Government shall implement policies on environmental conservation based on the following basic principles: <Amended on Nov. 5, 2003; Jan. 4, 2018>
1. The principle of integrated environmental management;
2. The principle of prior consideration for the conservation and management of the living environment, natural environment, and global environment;
3. The principle of cooperation with the State and other domestic and foreign local governments;
4. The principle of the prevention of environmental pollution and of the burden of expenses to be imposed on persons causing pollution;
5. The principle of disclosure of environmental information and citizens' participation;
6. The principle of the saving of resources and energy and the cycling of resources.

Article 4 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended on Nov. 5, 2003; May 29, 2008; Jan. 4, 2018>
1. The term "environment" means the natural environment and the living environment;
2. The term "natural environment" means the state of nature (including the ecosystem and natural landscape) including all living things and inanimate things underneath, on, and above the ground;

3. The term "living environment" means the environment relating to daily life of human beings, such as air, water, wastes, noise, vibration, bad odor, sunlight, and artificial lighting;
4. The term "environmental pollution" means a state in which air pollution, water pollution, soil pollution, marine pollution, radioactive contamination, noise, vibration, bad odor, obstruction of sunlight, light pollution by artificial lighting, and other pollution, harm human health or environment;
5. The term "environmental conservation" means all activities for protecting the environment from environmental pollution, improving contaminated environment, and maintaining and developing the comfortable state of environment;
6. The term "conservation of the global environment" means all activities of environmental conservation for taking countermeasures against phenomena adversely affecting the whole or a substantially large part of the Earth, such as global warming, the destruction of the ozone layer, marine pollution, and the decline in biological diversity, and for contributing to the welfare of the humankind and to citizens' comfortable life;
7. The term "environment-friendly product" means a product that can contribute to the saving of resources more than any other product or service for an identical purpose of use and that can reduce environmental pollution.

Article 5 (Responsibilities of the Seoul Government)

(1) The Seoul Government shall be responsible for establishing and implementing comprehensive policies on the following matters for the environmental conservation and creation of a new urban environment: <Amended on Nov. 5, 2003; May 29, 2008; Jan. 4, 2018>
1. Matters regarding the prevention of environmental pollution, such as air, water, and soil;
2. Matters regarding the conservation of the natural environment;
3. Matters regarding the conservation of a natural ecosystem appropriate for local conditions, including the protection of wild flora and fauna and the securing biodiversity;
4. Matters regarding the cyclical use of resources, the efficient use of energy, increasing the production and purchase of environment-friendly products, and the disposal and reduction of wastes;
5. Matters regarding the appropriate control of hazardous chemical substances;
6. Matters regarding the conservation of the global environment, including the prevention of global warming, the protection of the ozone layer, and the prevention of acid rain;
7. Matters regarding the encouragement of citizens' participation and cooperation in environmental conservation;
8. Matters regarding the coexistence of people and nature, the conservation of good landscapes, and the preservation of historical and cultural heritage;
9. Matters regarding the training and education of human resources specializing in the environment;
10. Matters regarding the establishment and implementation of the Seoul Agenda 21;
11. Other matters regarding the prevention of environmental pollution.
(2) The Seoul Government shall recognize the importance of each autonomous Gu's role in environmental conservation and shall endeavor to assist each autonomous Gu in implementing policies on environmental conservation.

Article 5-2 (Reporting)

(1) The Seoul Government shall submit to the Seoul Metropolitan Council a report on major policies on environmental conservation each year. <Amended on Jan. 4, 2018>
(2) A report under paragraph (1) shall contain the following:
1. Matters regarding environmental pollution and environmental damage;
2. Results of the implementation of policies on environmental conservation;
3. Other important matters regarding environmental conservation.
[This Article Newly Inserted on Nov. 5, 2003]

Article 6 (Responsibilities of Autonomous Gus)

Each autonomous Gu shall be responsible for establishing policies appropriate for natural and social conditions in regard to the prevention of environmental pollution, the conservation of the natural environment, the control of hazardous chemical substances, and the establishment and implementation, etc. of its local agenda 21 for the environmental conservation of its district in accordance with the Seoul Government's policies on environment; and for implementing such policies in good faith. <Amended on Nov. 5, 2003>

Article 7 (Responsibilities of Business Entities)

(1) Each business entity shall be responsible for endeavoring to properly dispose of various environmental pollutants generated in connection with its business activities and conserve the natural environment and cooperating with the Seoul Government and the competent autonomous Gu in implementing their policies.
(2) Each business entity shall endeavor to save and recycle resources and reduce the generation of pollutants by transforming the whole process, such as acquiring raw materials and producing, processing, selling, and disposing of products into an environment-friendly process, and shall cooperate in meeting the environmental standards of the Seoul Government. <Amended on Nov. 5,

2003>
(3) Each business entity shall continuously conduct research activities to reduce environmental pollution caused by using and disposing of products or other goods in connection with its business activities and shall endeavor to provide information necessary therefor. <Amended on Jan. 4, 2018>
(4) Each business entity shall fully cooperate with citizens and organizations in their activities of environmental conservation, including research and promotional programs, and shall endeavor to provide them with financial or other support so that activities of environmental conservation can be proliferated to local communities.

Article 8 (Citizens' Rights)

(1) Every citizen has a right to live in a healthy and pleasant environment.
(2) Every citizen has a right to participate in the processes of establishing and implementing the Seoul Government's environmental policies and a right to access the environmental information possessed by the Seoul Government.

Article 9 (Responsibilities of Citizens)

(1) Citizens shall endeavor to establish an environment-friendly lifestyle by saving energy and resources, reducing wastes in their daily life, etc.
(2) Citizens shall take active countermeasures when they discover any activity causing environmental pollution by requesting the correction of such activity at the scene, reporting it to competent authorities, etc. <Amended on Jan. 4, 2018>
(3) Citizens shall fully cooperate with the Seoul Government and each autonomous Gu in implementing their policies on environmental conservation.
(4) Citizens shall endeavor to develop a comfortable urban environment by conducting voluntary activities for the preservation and improvement of the environment around their living space.

Article 10 (Roles of Schools and Mass Media)

(1) Schools shall continuously conduct environmental education and take other measures necessary for helping growing youth establish and practice healthy environmental values in their daily life.
(2) Mass media shall endeavor to convert citizens' awareness of environmental conservation and develop an atmosphere for practicing the awareness.
(3) Civic organizations, such as non-governmental environmental organizations shall endeavor to conduct activities for environmental conservation, including promotional activities for enhancing citizens' commitment to practicing environmental conservation and monitoring environmental pollution.

CHAPTER II ENVIRONMENTAL PLANS

Article 11 (Environmental Plans)

CHAPTER II ENVIRONMENTAL PLANS(1) The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall establish an environmental plan of the Seoul Government (hereinafter referred to as "environmental plan") every 10 years for the comprehensive and methodical implementation of policies on environmental conservation. <Amended on Nov. 5, 2003; Jan. 4, 2018; Mar. 25, 2021>
(2) An environmental plan shall include the following: <Amended on Nov. 5, 2003; Jan. 4, 2018; Mar. 25, 2021>
1. Changes of and prospects for environmental conditions;
2. Goals of environmental conservation and the direction for policies;
3. Project plans for each area by phase for achieving the goals of environmental conservation;
4. The calculation of costs and expenses incurred in the implementation of projects and methods for financing such projects;
5. Other important matters regarding environmental conservation.
(3) When the Mayor intends to establish an environmental plan or amend any essential part of such plan, he or she shall endeavor to reflect citizens' opinions therein. <Amended on Nov. 5, 2003; Mar. 25, 2021>
(4) When the Mayor intends to establish an environmental plan, he or she shall collect opinions from the Citizens' Green Seoul Committee under Article 26 (2), the head of each autonomous Gu, etc. before finalizing the plan. <Amended on Nov. 5, 2003; Mar. 8, 2007; Jan. 4, 2018; Mar. 25, 2021>
(5) When the Mayor intends to establish or amend a major plan of the Seoul Government, he or she shall give priority to the environment to prevent the plan from contravening an environmental plan. <Amended on Nov. 5, 2003; Mar. 25, 2021>
[Title Amended on Mar. 25, 2021]

Article 12 (Conservation of Natural Environment)

(1) The Seoul Government and citizens shall be aware that the conservation of the natural environment and ecosystem is the basis of the survival and livelihood of people and shall endeavor to maintain and preserve the order and balance of nature.
(2) Deleted. <Nov. 5, 2003>

(3) Deleted. <Nov. 5, 2003>
(4) Necessary matters regarding the conservation of the natural environment shall be prescribed separately by ordinance of the Seoul Government. <Amended on Nov. 5, 2003>

Article 13 (Conservation of Global Environment and International Cooperation)

(1) The Seoul Government shall endeavor to conserve the global environment, such as prevention of global warming, protection of the ozone layer, and prevention of acid rain. <Amended on Nov. 5, 2003>
(2) The Seoul Government shall endeavor to exchange information and technology on the conservation of the global environment and cooperate internationally with foreign local governments, non-governmental organizations, and relevant institutions so as to conserve the global environment. <Newly Inserted on Nov. 5, 2003>

CHAPTER III POLICIES ON ENVIRONMENTAL CONSERVATION

Article 14 (Establishment of Seoul Government's Environmental Standards)

CHAPTER III POLICIES ON ENVIRONMENTAL CONSERVATION(1) In order to protect citizens' health and develop a comfortable environment pursuant to Article 12 (3) of the Framework Act on Environmental Policy, the Mayor shall establish stricter environmental standards for the Seoul Government, appropriate for environmental conditions of the Seoul Government, than the environmental standards under the Enforcement Decree of the Framework Act on Environmental Policy and shall endeavor to maintain such standards. <Amended on Oct. 8, 2015; Jan. 4, 2018>
(2) The Seoul Government's environmental standards under paragraph (1) shall be as listed in attached Table 1. <Amended on May 29, 2007; Jan. 4, 2018>

Article 15 (Establishment of Seoul Government's Standards for Permissible Emissions)

(1) If the Mayor deems that there is a problem in maintaining the Seoul Government's environmental standards under Article 14, he or she may establish stricter standards for permissible emissions than relevant standards under Ordinance of the Ministry of Environment. <Amended on Jan. 4, 2018>
(2) The Seoul Government's standards for permissible emissions under paragraph (1) shall be as listed in attached Table 2. <Amended on May 29, 2007; Jan. 4, 2018>
(3) Deleted. <Nov. 5, 2003>

Article 16 Deleted. <Sep. 26, 2019>

Article 16-2 Deleted. <Sep. 26, 2019>

Article 16-3 Deleted. <Sep. 26, 2019>

Article 17 (Environmental Impact Assessment)

(1) If a project that a business entity intends to implement is likely to impact on the environment, the Mayor may conduct an environmental impact assessment. <Amended on Nov. 5, 2003; May 29, 2008>
(2) The projects subject to environmental impact assessment under paragraph (1), the procedures for environmental impact assessments, and other necessary matters shall be prescribed separately by ordinance of the Seoul Government. <Amended on Nov. 5, 2003; May 29, 2008; Jan. 4, 2018>

Article 18 (Installation and Management of Environmental Facilities)

The Seoul Government shall take measures necessary for securing sites for public environmental facilities, such as facilities for recycling wastes and water and facilities for preventing air pollution, and measures necessary for installing, maintaining, and managing such facilities. <Amended on Nov. 10, 2005; May 29, 2008>

Article 19 (Promotion of Cyclical Use of Resources)

(1) The Seoul Government shall take measures necessary for promoting the cyclical use of resources, the efficient use of energy, and the reduction and recycling of wastes in citizens' daily lives and business activities in order to prevent environmental pollution. <Amended on May 29, 2008>
(2) The Seoul Government shall take measures under paragraph (1) in installing, maintaining, and managing public facilities and conducting other projects. <Amended on Dec. 31, 2019>
(3) Matters necessary for the promotion of the cyclical use, etc. of resources shall be prescribed separately by ordinance of the Seoul Government.

Article 20 (Establishment of Environmental Conservation Fund)

(1) The Seoul Government may establish the environmental conservation fund in order to secure its own financial resources for environmental conservation and improvement. <Amended on May 29, 2008>
(2) Necessary matters regarding the establishment and management of the environmental conservation fund shall be prescribed

separately by ordinance of the Seoul Government. <Amended on May 29, 2008>

Article 21 (Subsidization of Activities for Environmental Conservation)

(1) The Seoul Government shall take measures for financing as required for the implementation of policies on environmental conservation and improvement. <Amended on May 29, 2008>
(2) The Seoul Government may partially subsidize each autonomous Gu, within the budget, for its costs and expenses incurred in projects for environmental conservation. <Amended on May 29, 2008>
(3) In order to encourage citizens' voluntary activities for environmental conservation, the Seoul Government may provide citizens, business entities, non-governmental environmental organizations, and research institutes, with information, technology, and financial support as necessary for their installation and operation of facilities or their surveys and researches and may also reward persons who report environmental pollution within the budget. <Amended on May 29, 2007; May 29, 2008; Jan. 4, 2018>

Article 22 (Regulatory Measures)

The Seoul Government may take necessary regulative measures against activities causing environmental pollution and activities in violation of statutes or regulations that are likely to affect the proper conservation of the natural environment. <Amended on May 29, 2008; Jan. 3, 2019>

Article 23 (Settlement of Disputes and Remedies for Damage)

The Seoul Government shall establish the Seoul Government Committee for the Conciliation of Environmental Disputes and take other necessary measures to promptly and properly settle disputes arising from environmental pollution and to properly remedy damage caused by environmental pollution. <Amended on May 29, 2008>

Article 24 (Cooperation with the State and Other Local Governments)

(1) Where multi-regional operations are required in implementing a policy on environmental conservation, the Seoul Government shall endeavor to implement the policy jointly with the State and other local governments. <Amended on May 29, 2008>
(2) The Seoul Government shall endeavor to cooperate with governmental agencies, local governments, and non-governmental organizations by exchanging information and technology therewith. <Amended on May 29, 2008>

Article 24-2 (International Cooperation for Environmental Conservation)

(1) The Mayor shall endeavor to cooperate with the global community for environmental conservation.
(2) The Mayor may build a network of East Asia Clean Air Cities (hereinafter referred to as the "EACAC") joined by the city governments in East Asia and may provide financial support for the following activities for environmental conservation:
1. Promoting joint research and projects for improving air quality;
2. Developing programs aimed to enhance the competency of city governments in improving air quality, and planning and operating programs for exchange of human resources;
3. Attracting and supporting international organizations and research institutions engaged in air quality improvement;
4. Holding and supporting international forums or meetings of the EACAC on air quality improvement;
5. Other matters deemed necessary by the Mayor.
(3) The Mayor may establish and operate a secretariat for the EACAC to ensure its smooth operation and activities under paragraph (2), and may provide support in terms of finance and human resources necessary therefor.
[This Article Newly Inserted on Mar. 26, 2020]
[Previous Article 24-2 moved to Article 24-3 <Mar. 26, 2020>]

Article 24-3 (Cooperation in Policies on Environmental Conservation)

Public institutions, business entities, organizations, citizens, etc. that have received administrative, technical, or financial support, in the form of entrusted projects and subsidies, from the Seoul Government or an autonomous Gu or that have entered into an agreement therewith shall be aware of their responsibilities and roles in advancing policies on environmental conservation, such as air quality improvement, resources circulation, new and renewable energy dissemination, and greenhouse gas emissions reduction; and shall actively support such policies.
[This Article Newly Inserted on Jan. 3, 2019]
[Moved from Article 24-2 <Mar. 26, 2020>]

CHAPTER IV DISCLOSURE OF INFORMATION AND CITIZENS' PARTICIPATION

Article 25 (Disclosure of Information)

CHAPTER IV DISCLOSURE OF INFORMATION AND CITIZENS' PARTICIPATION(1) In order to secure the reliability of policies on environmental conservation and encourage citizens' voluntary participation by satisfying citizens' right to know, the Seoul Government shall disclose information necessary for environmental conservation within the extent of not violating rights of individuals and corporations.

(2) The Seoul Government shall endeavor to organize an integrated information system, such as operation of environmental information centers so that environmental information can be disclosed efficiently.

Article 26 (Citizens' Participation)

(1) The Seoul Government shall take measures necessary for ensuring that citizens' opinions are reflected in the course of establishing and implementing policies on environmental conservation and that citizens participate in the course.
(2) The Seoul Government shall establish the Citizens' Green Seoul Committee pursuant to paragraph (1). <Amended on Nov. 5, 2003; Jan. 4, 2018>
(3) Necessary matters regarding the organization and operation of the Citizens' Green Seoul Committee shall be prescribed separately by ordinance of the Seoul Government. <Amended on Nov. 5, 2003>
(4) The Mayor may commission citizens with specialized knowledge and experience in environmental conservation as environmental instructors for environmental education and guidance for citizens. <Newly Inserted on Nov. 5, 2003>

Article 26-2 (Advice on Environmental Conservation)

(1) As regards the operation of the environmental policy committee that the Seoul Government shall establish pursuant to Article 58
(2) of the Framework Act on Environmental Policy, the Citizens' Green Seoul Committee under Article 26 (2) shall perform the affairs of the aforesaid committee. <Amended on Oct. 8, 2015; Jan. 4, 2018>
(2) The following matters regarding environmental conservation shall be subject to deliberation by the Citizens' Green Seoul Committee under paragraph (1): <Amended on Jan. 4, 2018; Mar. 25, 2021>
1. Matters regarding the establishment and amendment of an environmental plan under Article 11 (1);
2. Matters regarding the establishment and amendment of environmental standards under Article 14;
3. Matters specified by statutes, regulations, and other Ordinances of the Seoul Government as relevant to environmental conservation.
[This Article Newly Inserted on Mar. 8, 2007]

Article 27 (Promotion of Environmental Education and Promotional Activities)

(1) The Seoul Government shall endeavor to produce and distribute materials regarding the environment, promote educational education, and conduct promotional activities with cooperation from autonomous Gus, educational institutions, non-governmental organizations, and other relevant institutions. <Amended on Dec. 31, 2019>
(2) Deleted. <Nov. 5, 2003>
(3) Necessary matters regarding environmental education and promotional activities shall be prescribed separately by ordinance of the Seoul Government. <Newly Inserted on Nov. 5, 2003>

Article 28 (Conducting Environmental Survey and Research)

(1) In order to accurately ascertain the actual state of environment, the Seoul Government shall keep systems necessary for monitoring, measurement, etc. in good order, shall periodically conduct surveys on the environmental quality of the area within its jurisdiction, and shall announce the details of such surveys and the results of countermeasures taken.
(2) If necessary for a survey on environmental quality under paragraph (1), relevant experts, citizens, and non-governmental organizations may be invited to participate in the survey. <Amended on Jan. 4, 2018>
(3) In order to properly implement policies on environmental conservation, the Seoul Government shall collect information on the prevention of environmental pollution, the conservation of the natural environment, the conservation of the global environment, and environmental conservation, etc.; conduct scientific surveys and researches; conduct activities of research and development; and disseminate the results of research and development. <Amended on Dec. 31, 2019>

Article 29 (Environmental White Paper)

(1) The Mayor shall prepare and publish an environmental white paper each year to contribute to the comprehensive implementation of policies on environmental conservation and inform citizens of the current status of environment, the details of policies on environmental conservation, and the results of implementation of such policies.
(2) The environmental white paper under paragraph (1) shall include the following matters: <Amended on Jan. 4, 2018>
1. Matters regarding the current status of the environment;
2. Major policies on environmental conservation and the current status of the implementation of such policies;
3. Other important matters regarding environmental conservation.