SEOUL METROPOLITAN GOVERNMENT FRAMEWORK ORDINANCE ON CONSERVATION AND USE OF HANGANG PARK

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Partial Amendment No. 2490, Jul. 18, 1989
Partial Amendment No. 2498, Aug. 17, 1989
Partial Amendment No. 2930, May. 12, 1992
Partial Amendment No. 2987, Mar. 18, 1993
Partial Amendment No. 3286, Apr. 15, 1996
Partial Amendment No. 3684, Mar. 20, 1997
Partial Amendment No. 3586, Mar. 20, 1999
Partial Amendment No. 3655, Jul. 31, 1999
Amendment of Other Laws No. 3684, Nov. 15, 1999
Partial Amendment No. 4146, Sep. 30, 2003
Partial Amendment No. 4354, Dec. 29, 2005
Partial Amendment No. 4526, May. 29, 2007
Amendment of Other Laws No. 4588, Dec. 26, 2007
Partial Amendment No. 4887, Nov. 11, 2009
Partial Amendment No. 4897, Jan. 07, 2010
Partial Amendment No. 5186, Oct. 27, 2011
Whole Amendment No. 5509, May. 23, 2013
Partial Amendment No. 6018, Oct. 08, 2015
Partial Amendment No. 6867, May. 03, 2018
Amendment of Other Laws No. 7046, Mar. 28, 2019
Partial Amendment No. 7121, May. 02, 2019
Partial Amendment No. 7419, Dec. 31, 2019
Amendment of Other Laws No. 7423, Dec. 31, 2019
Partial Amendment No. 7765, Oct. 05, 2020
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Partial Amendment No. 8110, Jul. 20, 2021
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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONSThe purpose of this Ordinance is to allow citizens to conveniently use Hangang Park and conserve the natural environment thereof by providing for matters necessary for ecological conservation of Hangang Park and for citizens' use of the park.

Article 2 (Scope of Application)

The scope of application of this Ordinance shall be limited to the main body of water and banks of the Hangang River under the administrative jurisdiction of the Seoul Metropolitan Government.

Article 3 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended on May 2, 2019>

1. The term "Hangang Park" means green belts situated within the Hangang River basin managed by the Seoul Metropolitan Government in the form of parks and greenbelts defined in subparagraph 1 of Article 2 of the Act on Urban Parks and Greenbelts or river banks with facilities installed by the Seoul Metropolitan Government;
2. The term "conservation" means activities conducted or measures taken to restore, maintain, and manage the natural ecosystem of Hangang Park so as to hand down to posterity, an environment where human beings can coexist with nature;
3. The term "park facilities" means facilities installed in Hangang Park for the conservation of the natural environment and for citizens' good leisure activities;
4. The term "user fees" means charges collected from persons who use any park facility.

Article 4 (Basic Principles)

The following basic principles shall be observed for the conservation and use of Hangang Park: <Amended on May 3, 2018>
1. All measures related to Hangang Park shall be taken to create the environment necessary for the healthy and pleasant lifestyle of citizens and nature and to hand down such environment to future generations;
2. Measures shall be taken to restore the natural ecosystem of Hangang Park and improve the quality of water so as to make the park a place where citizens and nature can coexist in harmony;
3. All facilities in Hangang Park shall be appropriate for the public interest and installed for the ecological environment and shall be maintained and managed for sustainable use;
4. In principle, citizens shall be encouraged to participate in all matters concerning the conservation and use of Hangang Park, and relevant information shall be disclosed to the public;
5. No plan or project formulated or implemented for Hangang Park shall contravene the master plan for, or any policy on, national rivers.

Article 5 (Responsibility of Mayor of the Seoul Metropolitan Government)
The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall formulate policy on the conservation and citizens' use of Hangang Park and shall take measures necessary for the implementation of such policy.

Article 6 (Responsibility of Users)
(1) Except in an emergency or any other extenuating circumstance, no citizen who uses Hangang Park shall intentionally damage a facility in Hangang Park and shall always use such facility in a safe and clean manner.
(2) No person shall engage in any activity that destroys the natural environment or ecosystem of Hangang Park.

Article 7 (Relationship to Other Ordinances)
Except as otherwise provided in any statute or regulation, the conservation and citizens' use of Hangang Park shall be governed by the provisions of this Ordinance.

CHAPTER II CONSERVATION OF HANGANG PARK

Article 8 (Formulation of Master Plans)
CHAPTER II CONSERVATION OF HANGANG PARK(1) In order to ensure the comprehensive and systematic conservation and management of Hangang Park, the Mayor shall formulate a master plan for the conservation and management of Hangang Park (hereinafter referred to as "master plan") once every five years.
(2) If any event occurs making it inevitable to amend the master plan formulated under paragraph (1), such master plan shall be revised and supplemented in accordance with the changed circumstances.
(3) Matters that shall be included in the master plan shall be prescribed by rule of the Seoul Metropolitan Government.

Article 9 (Formulation of Joint Measures)
(1) In order to ensure the systematic and comprehensive conservation and management of Hangang Park, the Mayor may formulate joint measures with neighboring local governments.
(2) The Mayor may implement collaborative programs for survey, research, restoration, recovery, etc. in order to formulate joint measures under paragraph (1).

Article 10 (White Papers on Hangang Park)
(1) The Mayor shall produce and publish a white paper every year to contribute to the comprehensive implementation of measures for the conservation and restoration of Hangang Park and to inform citizens of the details and progress of such measures.
(2) White papers produced under paragraph (1) shall include the following: <Amended on Dec. 31, 2019>
1. Major measures taken for the conservation of the natural ecosystem and environment of Hangang Park and the status of such measures;
2. Current situation of use of Hangang Park;
3. Other matters deemed necessary for citizens to be informed of.

Article 11 (Systematic Collection and Disclosure of Information)
(1) The Mayor shall collect, survey, and monitor essential information and indexes relevant to Hangang Park in a systematic

manner, and shall disclose such information to citizens.
(2) The information so collected may be published in a white paper on Hangang Park under Article 10.

CHAPTER III USE AND MANAGEMENT OF HANGANG PARK

Article 12 (Establishment and Operation of Park Facilities)

CHAPTER III USE AND MANAGEMENT OF HANGANG PARK(1) The Mayor may establish and operate the park facilities specified in attached Table 1 for proper use of Hangang Park.
(2) The Mayor shall ensure that the facilities established under paragraph (1) conform to the basic principles under Article 4 and relevant statutes and regulations, including the River Act. <Amended on May 2, 2019>

Article 13 (Entrusted Operation)

(1) The Mayor may entrust to a corporation, organization, or private individual all or some of administrative affairs concerning the management and operation of park facilities established under Article 12 or may permit a corporation, organization, or private individual to use or benefiting from such park facilities.
(2) A person eligible for entrustment of park facilities under paragraph (1) or a person eligible for permission for the use of or benefiting from such park facilities (hereinafter referred to as "operator") shall be selected by a general open bidding procedure, and the term of use shall not exceed three years.
(3) A person who wishes to be entrusted with the operation of park facilities under paragraph (1) or who wishes to be permitted to use or benefit from such park facilities shall file an application therefor with the Mayor.
(4) Matters necessary for the selection of operators of park facilities and the operation of such park facilities shall be prescribed by rule of the Seoul Metropolitan Government.
(5) The Seoul Metropolitan Government Ordinance on Entrustment of Administrative Affairs to the Private Sector and other relevant statutes and regulations shall apply mutatis mutandis to the obligations, coaching, and supervision of facility operators, and the revocation of selection of facility operators.

Article 14 (User Fees)

(1) The Mayor may collect user fees from the users of any park facility within the limits prescribed in attached Table 2.
(2) In any of the following cases, the Mayor may fully or partially exempt a person from user fees: <Amended on May 3, 2018; May 2, 2019; Oct. 5, 2020>
1. An event hosted or sponsored by the State or a local government in relation to the conservation and use of the Hangang River;
2. A person who has rendered distinguished service to the State; a person wounded for a righteous cause; a person with a disability (including a guardian accompanying such person); a senior citizen aged 65 or over; a holder of the happy children card; a participant in Saturday suburban lesson; and a child under the custody of a child welfare facility;
3. An organization or a participant approved by the Mayor under Article 16 for the conservation and use of the Hangang River;
4. An event hosted or sponsored by the Mayor for the conservation and use of the Hangang River;
5. An organization or private individual contributing talent for a performance or an event for citizens or contributing to the management of sports facilities;
6. A person who pays user fees through a simplified payment system for micro-enterprises (referring to a payment system operated by an operation agency designated by the Minister of SMEs and Startups for reducing the burden of clearing fees levied on micro-enterprises): Provided, That if there is an overlap with the causes for a full or partial fee exemption specified in subparagraphs 1 through 5, only the greatest exemption ratio shall apply.
(3) The extent of full or partial exemption from user fees under paragraph (2) shall be prescribed by rule of the Seoul Metropolitan Government: Provided, That in cases falling under paragraph (2) 6, the ratio of exemption may be determined by the Mayor, but by a ratio not exceeding 10/100 of the user fee. <Amended on May 2, 2019>
(4) Notwithstanding paragraphs (1) through (3), if the Mayor deems it necessary, such as the installation or operation of new facilities or pilot installation or operation of new facilities, user fees and partial or full exemption may be separately set and operated. <Newly Inserted on Oct. 8, 2015>
(5) Article 140 of the Local Autonomy Act shall apply to the procedures for imposing and collecting the user fees prescribed in paragraph (1) and for filing written objections. <Amended on Oct. 8, 2015>
(6) Pursuant to Article 13 (1), the Mayor may authorize an operator to collect user fees under paragraph (1). <Amended on Oct. 8, 2015; May 2, 2019>
(7) The Mayor shall refund the user fees where a person who paid such fees cancels use. <Amended on Oct. 5, 2020>
[Paragraph 2 (6) of this Article shall remain effective until Dec. 31, 2020 under the provisions of Article 2 of the Addenda to

Ordinance No. 7121 (May 2, 2019).]

Article 15 (Promotion of Use of Park)

(1) The Mayor may implement various programs for the use of Hangang Park, befitting each season and each place, in order to promote the use of the park.
(2) The Mayor may charge admission fees equivalent to actual cost for any program implemented for the use of the park.
(3) The Mayor may permit a person to completely or partially operate a program for the use of or benefiting from the park and may subsidize expenses incurred by him or her while operating the program, within the budget.

Article 16 (Administrative and Financial Assistance)

(1) The Mayor may provide administrative assistance to organizations operated for the following activities and may subsidize such organizations for necessary operating expenses, within the budget: <Amended on Dec. 31, 2019>
1. Restoration of the ecosystem of the Hangang River and improvement of park facilities;
2. Conservation and improvement of the quality of water, environment, ecosystem, wildlife, and landscape;
3. Inheritance and development of culture, art, and history of the Hangang River;
4. Management of various cultural events or ecological programs;
5. Management of community experts in Hangang Park;
6. Other programs and activities deemed appropriate for the conservation and use of the Hangang River.
(2) The organizations to which the Mayor may provide administrative and financial assistance under paragraph (1) are as follows:
1. Statutory public interest organizations (corporations) related to the conservation and use of the Hangang River;
2. Non-profit, non-governmental organizations related to the conservation and use of the Hangang River;
3. Voluntary organizations and groups participating in a project (program) for forming the Hangang River community.
(3) If an organization referred to in paragraph (2) wishes to use a facility in Hangang Park, it may be permitted to preferentially use the facility for a specified period.
(4) Further details necessary for the method of participation of organizations, subsidization for, and management of, operating expenses, etc. shall be prescribed by rule of the Seoul Metropolitan Government.

Article 17 (Prohibited Activities)

(1) No person shall conduct any of the following activities in the premises of Hangang Park: <Amended on Oct. 8, 2015; Ordi May 3, 2018; May 2, 2019; Oct. 5, 2020; May 20, 2021>
1. Causing a tree or plant to be injured or killed without valid cause;
2. Causing another person to feel disgust or apprehend fear or to risk inflicting any harm on another person by generating a loud noise or a strong odor or by behaving in a disorderly manner under the influence of alcohol;
3. Abandoning wastes discharged by an accompanying pet (limited to urine on a structure, if the waste is urine) without removing them;
4. Unauthorized commercial activities of street vendors;
5. Not leashing an accompanying dog for control;
6. Camping or cooking at any place other than a designated place;
7. Dumping rubbish or waste (including cigarette butts, chewing gum, and scrap paper) at any place other than a designated place;
8. Parking a vehicle at any place other than a designated place;
9. Commercial activities conducted with a powered device with at least two wheels: Provided, That excluded herefrom shall be commercial activities in places designated under the Seoul Metropolitan Government Ordinance on Designation, Management, Etc. of Places of Business of Food Trucks;
10. Entering any place other than a roadway, by a powered device with wheels: Provided, That this shall not apply to any of the following activities:
(a) Where a person with a disability or senior citizen uses a powered device with wheels;
(b) Where a means of transportation designated by the Mayor is used to improve accessibility to Hangang;
(c) Where a person enters a facility in Hangang Park for purposes of facility management, such as cleaning, construction, or repair thereof;
(d) Where a person uses an electric bicycle defined in subparagraph 1-2 of Article 2 of the Promotion of the Use of Bicycles Act or a personal mobility defined in subparagraph 19-2 of Article 2 of the Road Traffic Act to pass through a bicycle land referred to in subparagraph 8 of the same Article;
11. Unauthorized farming;
12. Picking flowers and/or fruits without authorization;
13. Maltreating any animal inhabiting the park or capturing such animal without permission;

14. Not removing wastes generated while enjoying relaxation or amusement;
15. Recreational fishing in violation of Article 18.
(2) The Mayor shall install signs at the entrances and exits of Hangang Park where the activities specified in paragraph (1) are prohibited.

Article 18 (Prohibition of Recreational Fishing)

(1) In order to protect the quality of water of the Hangang River, conserve the aquatic ecosystem, and ensure the safety of citizens using the Hangang River, the Mayor may place restrictions on fishing gear, fishing seasons, species for fishing, fishing zones, fishing methods, etc., but further details shall be prescribed by rule of the Seoul Metropolitan Government.
(2) The criteria for the demarcation of no-fishing zones under paragraph (1) are as follows:
1. An area where ecological conservation is required;
2. A place near a pedestrian walkway, where any conflict with citizens using the Hangang River occurs;
3. A place dangerous for fishing, such as a cutting area or cliff.
(3) If the ground for prohibition under paragraph (2) 2 and 3 ceases to exist, the Mayor shall immediately exclude the relevant area from the no-fishing zone and shall install signs giving notice of a no-fishing zone at the area designated as a no-fishing zone. <Amended on May 2, 2019>
(4) When the Mayor intends to designate a no-fishing zone under paragraph (2), he or she shall gather consensus from the Citizens' Hangang Committee.

Article 19 (Control of Prohibited Activities)

(1) In order to control the activities prohibited under Article 17, the Mayor may operate patrol squads composed of subordinate public officials or security guards and other persons specified by rule of the Seoul Metropolitan Government. Public officials or security guards shall be included in such squads.
(2) A person who controls prohibited activities shall show a badge prescribed separately by rule of the Seoul Metropolitan Government, to a violator before taking any action for control.
(3) When a public official or security guard detects any prohibited activity under Article 17 pursuant to paragraph (1), he or she shall make a document describing the place and activities of violation (attached Form 1), along with personal information, photographs, and other evidential matters: Provided, That if it is impracticable to verify personal information because the violator absconds or disobeys the public official, the relevant reason shall be described in the document. <Amended on May 2, 2019>

Article 20 (Imposition of Administrative Fines)

(1) Guidelines for administrative fines imposed for prohibited activities under Article 17 shall be as specified in attached Table 3.
(2) Any person exempted from user fees imposed under Article 14 (2) by fraud or other improper means shall be punished by an administrative fine equivalent to three times the amount from which the person was exempted.
(3) The Act on the Regulation of Violations of Public Order shall apply to the imposition and collection of administrative fines and the filing of written objections thereto.

Article 21 (Disposal of Wastes)

(1) The Mayor shall appropriately manage and dispose of all wastes produced in Hangang Park.
(2) The Mayor may apply different fee rates to wastes in proportion to the quantity of discharged wastes to collect disposal fees from the entrustee or users of park facilities (hereinafter referred to as "volume-rate disposal system"), and the wastes subject to the volume-rate disposal system shall be governed by Article 6 (2) 2 of the Seoul Metropolitan Government Ordinance on Wastes Control. <Amended on May 2, 2019>
(3) The entrustee of park facilities shall comply with the matters prescribed by rule of the Seoul Metropolitan Government for appropriate management and disposal of wastes, and the Mayor may supervise compliance therewith.
(4) Matters necessary for the enforcement of the volume-rate disposal system under paragraph (2) shall be prescribed by rule of the Seoul Metropolitan Government.
(5) Fee rates for waste disposal under paragraph (2) shall be prescribed by rule of the Seoul Metropolitan Government within the limits on the prices for standard garbage bags for Hangang Park specified in attached Table 4.

CHAPTER IV CITIZENS' HANGANG COMMITTEE

Article 22 (Citizens' Hangang Committee)

CHAPTER IV CITIZENS' HANGANG COMMITTEE(1) In order to seek advice on the following matters regarding Hangang Park, the Mayor shall establish and operate the Seoul Citizens' Hangang Committee (hereinafter referred to as the "Committee"): <Amended on Dec. 31, 2019>
1. Formulation of master plans, visions, strategies, and short- and long-term tasks for the restoration of the ecosystem of the Hangang River;
2. Installation and efficient management and use of major facilities in Hangang Park;
3. Inspection of the progress of restoration and use of the Hangang River;
4. Measures for cooperation with organizations referred to in Article 16;
5. Other matters regarding the conservation and management of the Hangang River.
(2) The Committee shall be comprised of not more than 40 members, including chairpersons and vice chairpersons. <Amended on May 2, 2019>
(3) The Vice-Mayor II for Administrative Affairs and one member elected by, and from among, commissioned members shall serve as chairpersons. The commissioned member nominated by the greatest number of members shall be appointed as chairperson in such cases. <Amended on May 3, 2018>
(4) Committee members shall be appointed or commissioned by the Mayor from among the following persons:
1. Ex officio members: Vice-Mayor II for Administrative Affairs, the Chief Officer of the Hangang Project Headquarters, and the Deputy Mayors and Directors-General specified by rule of the Seoul Metropolitan Government;
2. Commissioned members: Members of the Seoul Metropolitan Council and persons who have knowledge and expertise in park environments and ecosystems, the restoration of nature, waters, urban planning, landscape, or culture.
(5) The term of office of a committee member who is a public official shall coincide with the term of service for his or her official position; the term of office of a committee member who is not a public official shall be two years, but may be consecutively renewed only once; and the term of office of a member of the Metropolitan Council shall coincide with the term of office for the relevant standing committee: Provided, That the term of office of a committee member appointed or commissioned to fill a vacancy shall coincide with the remaining term of office of his or her predecessor. <Amended on May 3, 2018>
(6) The Committee may form and operate sectional committees and subcommittees for efficient operation, but further details thereof shall be prescribed by rule of the Seoul Metropolitan Government.

Article 23 (Operation of Committee)

(1) The chairpersons shall convene and preside over meetings of the Committee.
(2) Meetings of the Committee shall be classified as regular meetings and special meetings; regular meetings shall be convened semiannually, while special meetings may be convened in the following cases: <Amended on Dec. 31, 2019>
1. Upon the Mayor's request to convene such meeting;
2. Upon the chairpersons' request to convene such meeting;
3. Upon the request of at least 1/3 of current members of the relevant Committee (including sectional committees or subcommittees) to convene such meeting.
(3) A majority of the members of the Committee shall constitute a quorum, and any decision thereof shall require the concurring vote of at least a majority of those present. The chairpersons also have a vote in such cases.
(4) The Committee shall keep meeting minutes and may disclose them to the public, if necessary.
(5) The members who attend a meeting (including meetings of a sectional committee or subcommittee) or who participate in the Committee's activities and the persons who provide labor or services separately for collection of data necessary for a meeting and examination and advice on agenda items may be paid allowances and reimbursed travel expenses, within the budget. <Amended on May 3, 2018>
(6) The Mayor shall report the matters discussed at the Committee to the Seoul Metropolitan Council before putting the resolutions into action.

Article 24 (Enforcement Rule)

Matters necessary for the enforcement of this Ordinance shall be prescribed by rule of the Seoul Metropolitan Government. <Amended on May 2, 2019>