SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON USE AND MANAGEMENT OF THE SEOULLO 7017 AREA

Enactment No. 6548, Jul. 13, 2017
Amendment of Other Laws No. 6851, Mar. 22, 2018
Amendment of Other Laws No. 7046, Mar. 28, 2019
Partial Amendment No. 7139, May. 16, 2019
Partial Amendment No. 7761, Oct. 05, 2020
Amendment of Other Laws No. 8127, Sep. 30, 2021

Article 1 (Purpose)

The purpose of this Ordinance is to provide a safe and pleasant green environment to pedestrians by providing for matters, etc. necessary for using and managing the Seoullo 7017 area. <Amended by Ordinance No. 7139, May 16, 2019>

Article 2 (Definitions)

The terms used in this Ordinance shall be defined as follows: <Amended by Ordinance No. 7139, May 16, 2019>

1. The term "Seoullo 7017 area (hereinafter referred to as the "Seoullo")" means the pedestrian overpass, the ground squares underneath the overpass, and auxiliary facilities thereon, installed in an area stretching from 527 Namdaemun-ro 5-ga to 62 Manri-dong 1-ga, Jung-gu, in Seoul;
2. The term "use" means fully or partially utilizing all or some of the ground squares, auxiliary facilities, etc. on the Seoullo, except the pedestrian overpass, including temporary restrictions on free passage of multiple unspecified people in exceptional circumstances.

Article 3 (Mayor's Responsibilities)

(1) The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall create a pedestrian environment in which citizens can safely and freely walk along the Seoullo.
(2) The Mayor shall manage the Seoullo appropriately so that citizens can utilize it as a space for recreational activities, cultural activities, public events, etc.

Article 4 (Relationship to Other Ordinances of Seoul Metropolitan Government)

Except as otherwise provided in other ordinances of the Seoul Metropolitan Government, the use and management of the Seoullo shall be governed by this Ordinance. <Amended by Ordinance No. 7139, May 16, 2019>

Article 5 (Entrustment of Administrative Affairs)

(1) In order to efficiently maintain and manage the Seoullo, the Mayor may partially entrust administrative work for managing the Seoullo to a corporation or organization. <Amended by Ordinance No. 7139, May 16, 2019>
(2) The Seoul Metropolitan Government Ordinance on Entrustment Administrative Affairs to the Private Sector shall apply to the procedure, method, etc. necessary for the entrustment under paragraph (1). <Amended by Ordinance No. 7139, May 16, 2019>

Article 6 (Installation and Operation of Convenience Facilities)

(1) The Mayor may install and operate convenience facilities on the Seoullo in order to provide convenience to pedestrians, etc.
(2) If deemed necessary for efficiently operating the convenience facilities installed under paragraph (1), the Mayor may permit a corporation, organization, or individual to operate such facilities by applying the Seoul Metropolitan Government Ordinance on Public Property and Commodity Management; and may issue occupancy and use permits under the Seoul Metropolitan Government Ordinance on the Permission to Occupy Roads for Use and the Collection of Fees for Occupancy and Use, Etc. <Amended by Ordinance No. 7139, May 16, 2019>

Article 7 (Implementation of Programs to Promote Using Seoullo)

(1) The Mayor may implement the following programs to promote using the Seoullo: <Amended by Ordinance No. 7139, May 16, 2019>

1. Exhibitions, public performances, nature exploration, campaigns, and public events for boosting the local economy, etc.;
2. Other programs, etc., the Mayor deems necessary.

(2) If necessary, the Mayor may authorize a corporation, organization, or individual to conduct any of the programs specified in

paragraph (1); and may subsidize such corporation, organization, or individual for necessary expenses in such cases, within the budget.

Article 8 (Application for Usage Permit)

A person who intends to use the Seoullo for a special purpose, such as an event or public performance, shall file an application for Seoullo 7017 usage permit in attached Form 1, with the Mayor not later than seven days before the date the person intends to use the Seoullo (hereinafter referred to as "date of use") but not earlier than 60 days before the date of use.

Article 9 (Permit to Use)

(1) Upon receipt of an application under Article 8, the Mayor shall examine the following matters and shall determine whether to issue a permit, within seven days from the filing date:
1. Whether the intended use violates the purpose of creating the Seoullo;
2. Whether the intended use substantially hinders free passage of pedestrians;
3. Whether the intended use is restricted under other statutes or regulations.
(2) When the Mayor issues a usage permit, he or she shall notify the person who filed an application under Article 8 (hereinafter referred to as "applicant") of the details of the usage permit and may attach to the permit, conditions necessary for maintaining the public order. In such cases, the person notified of the usage permit (hereinafter referred to as "user") shall fulfill the conditions attached to the usage permit.
(3) Upon receipt of at least two applications for Seoullo 7017 usage permit for the same date or for the same place, the Mayor shall issue a permit in the order the applications are received: Provided, That the Mayor may issue a permit in the following orders of priority, in any of the following cases, regardless of the order the applications are received:
1. An event held by the State or a local government for the public interest;
2. A nonprofit cultural or artistic event, such as a public performance or exhibition;
3. An event for children, youths, women, or persons aged at least 65 years.
(4) When the Mayor denies a usage permit, he or she shall clearly notify the applicant of the reasons for denial in writing.

Article 10 (Revocation and Amendment of Usage Permit)

(1) In any of the following cases, the Mayor may revoke or amend a usage permit, suspend the use, or take other necessary measures: <Amended by Ordinance No. 7139, May 16, 2019>
1. If the area is used for other than the permitted purpose;
2. If the user breaches any of the conditions attached to the permit;
3. If the use violates any provision of relevant statutes or regulations;
4. If the use contravenes morality or any other social norm;
5. If it is clearly foreseen on any other ground that the use is likely to harm the lives, bodies, or property of pedestrians, etc.
(2) The Mayor may amend a usage permit, if it is necessary for the State or the Seoul Metropolitan Government to use the Seoullo for the public interest or if the amendment is necessary for ensuring citizens' safety or maintaining the public order or for any other purpose. <Amended by Ordinance No. 7139, May 16, 2019>
(3) When the Mayor revokes or amends a usage permit or suspends the use under paragraphs (1) 4 and 5 and (2), he or she may seek the opinion of the Seoullo 7017 Operation Committee established pursuant to Article 16. <Amended by Ordinance No. 7139, May 16, 2019>

Article 11 (Usage Fee)

(1) The Mayor shall impose on a user of the Seoullo the usage fee prescribed by rule of the Seoul Metropolitan Government within the limits prescribed in attached Table 1: Provided, That a user may be exempt from the usage fee in either of the following cases: <Amended by Ordinance No. 7139, May 16, 2019>
1. An event held by the State or a local government;
2. Where the Mayor deems it necessary for the public interest, such as promoting culture or art.
(2) A user shall pay the usage fee under paragraph (1) to the Mayor within five days from the date the user is notified of the usage permit: Provided, That the Mayor may allow a user to pay the fee not later than the day immediately before the date of use, if he or she deems it necessary.
(3) If a user fails to use the Seoullo due to unavoidable circumstances, the Mayor may fully or partially refund the collected usage fee: Provided, That the foregoing shall not apply where the user is culpable of the failure.
(4) Article 140 of the Local Autonomy Act shall apply to the procedures for collecting usage fees and filing objections, except as otherwise provided in this Ordinance.

Article 12 (Reinstatement)

(1) After using the Seoullo, a user shall remove structures installed by him or her; shall clean the area; and shall take other measures necessary for reinstating the area.
(2) If a user damages the Seoullo, the Mayor may claim that the user take necessary measures, such as compensation for such damage.

Article 13 (Restrictions on Activities)

(1) No person shall engage in any of the following activities in the Seoullo:
1. Throwing any thing into or out of (road, railroad, etc.) the Seoullo;
2. Drinking alcoholic beverage or smoking at any place other than designated places;
3. Dumping waste without permission, playing with fire, cooking, urinating on the street or path, scrawling graffiti, or damaging any facility;
4. Damaging or killing plants;
5. Creating loud noise or oder or engaging in any other offensive behavior;
6. Substantially jeopardizing facilities or works or disrupting the public order in the use of the area.
(2) No person shall engage in any of the following activities in the Seoullo without the Mayor's permission:
1. Commercial activities by street venders or street stalls;
2. Passage of wheeled vehicles, except maintenance vehicles, baby carriages, and wheelchairs.

Article 14 (Administrative Guidance)

The Mayor may provide administrative guidance for the activities specified in Article 13.

Article 15 (Removal)

(1) The Mayor may order a person who uses or occupies the Seoullo without permission to remove facilities such person installed or to take other necessary measures. <Amended by Ordinance No. 7139, May 16, 2019>
(2) If any person fails to comply with an order issued under paragraph (1), the Mayor may remove facilities and take other measures under the Administrative Vicarious Execution Act; and may collect expenses incurred in taking such measures from the person.
(3) Where it is impracticable to attain the intended objectives despite following the procedures prescribed in Article 3 (1) and (2) of the Administrative Vicarious Execution Act in either of the following cases, the Mayor may remove objects, etc. placed in the area or take other necessary measures under Article 74 of the Road Act:
1. Where a person repeatedly and habitually occupies and uses the Seoullo pedestrian overpass without an occupancy and use permit;
2. Where it is necessary to promptly take measures necessary for ensuring safety in passage along the Seoullo pedestrian overpass.

Article 16 (Establishment of Seoullo 7017 Operation Committee)

In order to deliberate or give advice on the following matters regarding maintaining, managing and using the Seoullo, the Mayor shall establish the Seoullo 7017 Operation Committee (hereinafter referred to as the "Committee"): <Amended by Ordinance No. 7139, May 16, 2019>
1. Direction-setting for, and implementing policies for operating and managing the Seoullo;
2. Managing and operating facilities installed in the Seoullo area;
3. Formulating and amending essential plans for the Seoullo;
4. Implementing programs to promote using the Seoullo and cooperation between the public and private sectors;
5. Other matters the Mayor deems necessary.

Article 17 (Composition of Committee)

(1) The Committee shall be comprised of not more than 15 members, including one chairperson and one vice chairperson and any particular gender does not exceed 6/10 of the number of members commissioned in accordance with the main sentence of Article 21 (2) of the Framework Act on Gender Equality: Provided, That the foregoing shall not apply where any unavoidable cause, such as lack of professional workforce of a particular gender in the relevant field, is deemed to exist, and the gender equality working committee adopts a resolution thereon. <Amended by Ordinance No. 6851, Mar. 22, 2018>
(2) The chairperson and vice chairperson of the Committee shall be elected by and from among committee members. <Amended by Ordinance No. 7139, May 16, 2019>

(3) Public officials at Director-General level in the Green Seoul Bureau of the Seoul Metropolitan Government shall serve as ex officio members; while commissioned members shall be commissioned by the Mayor, from among the following persons: <Amended by Ordinance No. 7139, May 16, 2019>
1. Council members recommended by the Seoul Council;
2. Experts in safety, business management, culture, design, urban planning, landscaping, or any other relevant field or persons abundantly experienced in the relevant field;
3. Residents, merchants, industrialists, etc. who have domicile or a place of business in the area surrounding the Seoul Railroad Station.
(4) The Committee shall have an executive secretary to authorize him or her to perform administrative work of the Committee; and the head of the division responsible for maintaining and managing the Seoullo shall serve as the executive secretary.

Article 18 (Term of Office of Committee Members)

(1) The term of office of committee members shall be two years; and such term may be renewed only once consecutively: Provided, That the term of office of a committee member appointed from among public officials shall be limited to the term of his or her service in the relevant position.
(2) In any of the following cases, the Mayor may dismiss a committee member from office if: <Amended by Ordinance No. 7139, May 16, 2019>
1. a committee member wishes to be dismissed from office;
2. a committee member is unable to perform his or her duties due to a long-term mental or physical disorder;
3. a committee member is found incompetent for office due to neglecting duty or indecent conduct or other ground.

Article 19 (Duties of Chairperson)

(1) The chairperson shall represent the Committee and administer all affairs of the Committee.
(2) The vice chairperson shall assist the chairperson and act on behalf of the chairperson, if the chairperson is unable to perform his or her duties due to unavoidable circumstances.

Article 20 (Operation)

(1) Meetings of the Committee shall be classified as regular meetings and special meetings; regular meetings shall be held at least twice annually, while a special meeting shall be called by the chairperson, when the chairperson deems it necessary or upon request from at least 1/3 of the current committee members.
(2) A majority of the members of the Committee shall constitute a quorum, and any resolution thereby shall require the concurring votes of at least a majority of those present.
(3) In principle, meetings of the Committee shall be open to the public.
(4) Allowances, travel expenses, and other necessary expenses may be reimbursed to the members who attend meetings of the Committee, within the budget, according to the Seoul Metropolitan Government Ordinance on the Payment of Committee Allowances and Travel Expenses.

Article 21 (Name and Logo Usage License)

(1) The logos of the Seoullo are the brands symbolizing the Seoullo as prescribed in attached Table 2.
(2) A person who wishes to attach the name and logos of the Seoullo specified in attached Table 2 to goods, etc. he or she produces, or to use such name and logos (hereinafter referred to as "user") shall file an application for a usage license in attached Form 2, with the Mayor and shall obtain approval therefor.
(3) When a user intends to change any of the matters approved under paragraph (2), he or she shall file an application to amend a name and logo usage license in attached Form 3, with the Mayor not later than 30 days before the scheduled date of change and shall obtain approval therefor.
(4) If a user contravenes any of the specified purposes of use or degrades the name and logos after obtaining a name and logo usage license, the Mayor may revoke the usage license, upon recommendation by the Committee.

Article 22 (Usage Fees for Name and Logos)

(1) The Mayor may collect usage fees from a person who has obtained a usage license of the name and logos of the Seoullo under Article 21.
(2) The usage fee rates, the timing for paying such fees, the method of payment, etc. shall be stipulated by a mutual agreement.
(3) In any of the following cases, the Mayor may exempt a person from usage fees:
1. Where the area is used for events, etc. sponsored by the Seoul Metropolitan Government;

2. Where the area is used by a government agency, local government, or educational institution;
3. Where the area is used for the public interest by a public institution, nonprofit non-governmental organization, or nonprofit corporation;
4. Other cases the Mayor deems necessary.

Article 23 (Enforcement Rule)

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