

Implementation Of Buleleng District Regulation Number 6 Of 2015 Concerning The Arrangement And Empowerment Of Street Vendors In Singaraja City

I Kadek Yudi Ariawan¹, Ni Ketut Sari Adnyani², I Wayan Landrawan³

Faculty of Law and Social Sciences, Universitas Pendidikan Ganesha,

Email: yudi.ariawan@undiksha.ac.id

Faculty of Law and Social Sciences, Universitas Pendidikan Ganesha,

Email: sari.adnyani@undiksha.ac.id

Faculty of Law and Social Sciences, Universitas Pendidikan Ganesha,

Email: wayan.landrawan@undiksha.ac.id

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Corresponding Author: I

Kadek Yudi Ariawan, email

Yudi.ariawan@undiksha.ac.id

Abstract

This research aims to: (1) To find out the implementation of Buleleng Regency Regional Regulation number 6 of 2015 concerning the arrangement and empowerment of street vendors in the city of Singaraja. (2) To analyze the inhibiting factors faced by the Buleleng district civil service police unit in implementing Buleleng district regulation number 6 of 2015 concerning the arrangement and empowerment of street vendors in the city of Singaraja. This research is empirical legal research, which is descriptive qualitative in nature. Data was obtained through observation, document study and interviews. The sampling method in this research used Non Probability Sampling, the type of Non Probability Sampling applied was Purposive Sampling. This research is supported by legal materials consisting of statutory regulations, journals, articles, literature and relevant scientific papers. The collected data was analyzed through qualitative analysis. The research results show that: (1) The implementation of regional regulation number 6 of 2015 concerning the arrangement and empowerment of street vendors in the city of Singaraja has not been optimal in its implementation, both in substance and structure. (2) The inhibiting factor faced by the civil service police unit in implementing regional regulation number 6 of 2015 regarding the arrangement and empowerment of street vendors in the city of Singaraja, namely in terms of mental attitude, is one of the biggest obstacles in implementing this regulation, there is still a lack of public awareness, especially for traders. Street vendor

1. Introduction

The unofficial sector is considered to have a vital position in providing employment opportunities, increasing income, and reducing poverty. According to Law No. 25/1997 on Manpower, informal sector businesses are defined as economic activities carried out by individuals, families, or groups of individuals who work together based on trust and agreement without having an official legal entity.

According to Todaro & Smith (2020), the informal sector employs between 30 and 70 percent of the urban labor force in developing countries. In Indonesia, the informal sector is one of the strategic sources of economic development. Based on BPS RI data (2022) in the August 2022 National Labor Force Survey (Sakernas), it shows that the majority of the population in Indonesia works in informal activities.

Street vendors or PKL for short are part of unofficial activities, where the work position includes independent activities, either individually or with the help of family without wages being paid (Nazara, 2010).

Street vendors reflect the impact of the difficult economic conditions in society, so they choose to do business in the unofficial sector with limited funds to meet their needs. Street vendors are generally very easy to find, especially in urban areas. One of them is in Singaraja City, which is the center of trade and economic agglomeration in the north of Bali Province.

Singaraja, which is the administrative center of Buleleng Regency in the north of Bali Province, has street vendors as part of the non-official economy that provide products and services. The presence of street vendors in Singaraja benefits consumers, the government and traders by helping to reduce unemployment and providing the needs of the community at affordable prices (Rahyuni *et al.*, 2015). On the other hand, the presence of street vendors is often associated with adverse consequences for metropolitan areas, creating an image of dirtiness, slums, and lack of order. Public complaints about the activities of street vendors who use universal facilities for selling are not uncommon. This phenomenon reflects the lack of proper development planning and supervision in many parts of the city, which has allowed for the disorderly and uncontrolled growth of street vendors in Singaraja.

The Buleleng Regency Government has authorized officers of the Civil Service Police Unit (Satpol PP) in the arrangement and empowerment of street vendors. Where the satpol-PP has been equipped with Regional Regulation No. 6 of 2015.

Based on Article 31 letters (h) and (i) of the PERDA of Buleleng Regency No. 6/2015 related to the Compilation and Enrichment of Street Vendors, it explains that street vendors are not allowed to use public spaces for trading, except those that have been arranged to be used as organized and well-supervised street vendor locations. Street vendors are not allowed to conduct trading activities in areas prohibited for parking, temporary stops, or sidewalks. However, based on Buleleng Regency Satpol-PP data (2023), it shows that street vendor violations in Singaraja City are still quite high during 2020 - 2023.

The high level of violations by street vendors in Singaraja City can be attributed to several factors, including the selection of strategic sales locations that are easily accessible to customers, as well as minimal or no base costs (Ikram *et al.*, 2020). The

chosen locations tend to be at the nodes of roads or places frequented by people and close to functional areas of the city (Sulistyo, 2006).

The government, in this case, Satpol-PP of Buleleng Regency has conducted routine patrols, appeals and education in an effort to anticipate violations of street vendors in Singaraja City. However, these efforts have not achieved satisfactory results, because there are still many street vendors who are stubborn and often steal the opportunity to sell when supervision is lax (Tabelak, 2023).

In this regard, Satpol-PP Buleleng Regency needs to develop a strategy to straighten out the improvement of street vendors who are still operating in the center of Singaraja, Buleleng Regency. In line with what is stipulated in Article 1 of Buleleng District Regulation No. 6 Year 2015, the regulation of street vendors must take into account universal interests, social, beautiful aspects, conditions, economic factors, security, curbing, cleaning, regional, and in accordance with applicable laws. Meanwhile, the empowerment of street vendors must be carried out collaboratively between the local government, business actors, and the environment in order to increase the quality and number of street vendor businesses.

Based on the context of the problems described, the researcher is interested in conducting further investigations related to the regulation and structuring of Street Vendors in Singaraja City in accordance with the Regional Regulation of Buleleng Regency Number 6 of 2015. Therefore, the title proposed for this research is **"IMPLEMENTATION OF THE REGULAR REGULATION OF BULELENG REGENCY NUMBER 6 YEAR 2015 ON THE REGULATION AND DEVELOPMENT OF FIVE STREET VENDORS IN SINGARAJA CITY"**.

2. Research Methods

This study falls into the type of empirical legal approach, where information from the field such as interviews and observations become the main source of data. The empirical approach is used to study law as a socially structured community behavior, which always interacts and is connected to the social dimension of society.

This study is a type of descriptive qualitative study to analyze, describe, and summarize different conditions and situations based on data obtained through interviews or observations regarding the problem being researched in the field (Moleong, 2005).

This research is supported by legal materials consisting of legislation, journals, articles, literature and scientific papers that are relevant to the subject matter studied. The location of this research was carried out in the city of Singaraja and at the Satpol-Pp office of Buleleng Regency.

The data collection technique used is *Non Probability Sampling* Technique and subject determination using *Purposive Sampling* Technique. The data of this study will be processed and analyzed qualitatively, where the information presented is not numerical, but in the form of text or words which are then arranged systematically.

3. Results and Discussion

3.1 Implementation of Buleleng Regency Regional Regulation No. 6/2015 on the Arrangement and Empowerment of Street Vendors in Singaraja City

Regional Regulation of Buleleng Regency No. 6/2015 was designed with a comprehensive objective to support the sustainability of street vendors' businesses. In addition, this regulation also emphasizes the importance of creating a safe, clean, beautiful and orderly city environment. This can be interpreted as an effort to build a better quality of life for the community as a whole. With a well-organized city free from disobedience to rules, a supportive atmosphere will be created for the development of micro-enterprises, tourism, and more equitable social welfare.

Article 31 of the Buleleng District Regulation No. 6 of 2015 coordinates the Arrangement and Empowerment of Street Vendors, which prohibits selling activities on the side of the road or sidewalk, aiming to maintain public order, cleanliness, and city aesthetics.

As a result of the interview with the informant who serves as the head of the field of legislation enforcement at the Buleleng Regency Satpol-PP office, there are several efforts that have been made by the Buleleng Regency Pamong Praja Police Unit to reduce the number of violations which are still faced with challenges from the stubborn habits of street vendors in Buleleng Regency. The following are some of the measures enacted by the Buleleng Pamong Praja Police Unit:

1. Preventive efforts: in preventive efforts, satpol-pp made several efforts, ranging from socialization, reprimands and letters.
2. Repressive efforts: in repressive efforts, satpol-pp takes several actions such as direct action and giving sanctions.

Based on data collected from the Pamong Praja Police Unit at the Buleleng Regency office, the implementation of regulations on the arrangement and control of street vendors has not yet reached an optimal and effective level as a whole. This is in accordance with the data on violations of the Buleleng Regency PERDA No. 6/2015 related to the Arrangement and Empowerment of Street Vendors, which shows an increase in violations every year.

Around the city of Singaraja, there are several spots where street vendors are actively selling, such as on Jln Gajah Mada, Jln Ngurah Rai, Jln Diponegoro, and Jln A. Yani. These locations are chosen by the traders because they are considered strategic for selling.

Violations of street vendors in Singaraja city mostly violate Article 31 of Local Regulation No. 6 of 2015. The article states that street vendors are prohibited from carrying out buying and selling activities in the roadside area, except in zones that have been designated specifically for scheduled and regular street trading activities. Street vendors are also prohibited from selling at locations where parking is prohibited, stopping for a moment.

There are several types of mistakes made by street vendors in the city of Singaraja, such as the informant who sells on Jalan Gajah Mada, where the informant sells on the sidewalk. Furthermore, the informant who sells on Jalan A. Yani, the informant sells using the road body. Which is in accordance with article 31 letter (h) and letter (i) which states that street vendors are prohibited from selling using the shoulder of the road, sidewalks, places where parking is prohibited and temporary stops.

Obstacles in the implementation of Perda No. 6 Year 2015 can be a serious challenge. Lack of understanding of the regulation can result in difficulties in its

implementation. Initiatives to improve public understanding of the regulation can help address this issue, for example through effective education and socialization campaigns.

3.2 Factors Hindering the Implementation of Buleleng Regency Regional Regulation No. 6/2015 on the Arrangement and Empowerment of Street Vendors in Singaraja City

The obstacles arising in the implementation of Buleleng District Regulation No. 6 of 2015 on the Arrangement and Empowerment of PKL against perpetrators who commit violations are as follows:

1) Human resources

The community factor (human resources) in the implementation of Local Regulations reflects an important aspect that affects the success of these regulations. In principle, the regulations set by the government have included the principles of certainty, justice, and benefits for the community. Therefore, residents should play an active role in maintaining public cleanliness and order, as part of their mutual obligations in creating a safe and orderly environment (Saputra *et al.*, 2023).

According to the guidelines for the Arrangement and Empowerment of Street Vendors (PKL) issued by the Ministry of Home Affairs of the Republic of Indonesia with Number 41 of 2012, PKL refers to individuals who carry out trading activities using tools or facilities that can be moved or not, and utilize temporary land and buildings, both owned by the government and the private sector (Alya *et al.*, 2018).

However, the low awareness of street vendors (PKL) of the applicable regulations often results in violations and hampers the effectiveness of the implementation of these regulations. Many street vendors do not understand the regulations issued by the Buleleng Regency Government due to the lack of socialization carried out by the government regarding the rules that have been set.

This is in line with information obtained from PKL informants, who stated that:

"Sorry, I don't know much about the local regulation No. 6/2015 that you mentioned. As a street vendor, I am more focused on the daily operations of my business."

This shows that the problems in the implementation of Local Regulations lie not only in the unclear legal substance, but also in limited resources, inadequate facilities and infrastructure and an unoptimal law enforcement system. The struggle to uphold the standards, rules and principles contained in the law is known as law enforcement. Law enforcement officers need to understand the dynamic journey in the law formulation process as well as the essence of the law underlying the regulations that must be implemented (Rusydi, 2023).

2) Economic Factors

Today's economic factors are reflected in the conditions of modernization sweeping the world, including the advancement of civilization and the improvement of the quality of human life. However, economic inequality is still a widespread problem, even in developing countries like Indonesia. The high level of poverty encourages the lower middle class to seek any means to fulfill their needs. In the context of increasingly fierce business competition, many of them do not have adequate skills, making it difficult to compete. This leads them to seek alternative employment, and

for most, becoming street vendors (PKL) is an option due to their lack of skills, education, or capital for formal entrepreneurship.

3) Mental Attitude Aspect

According to Sudikno Mertokusumo, legal awareness means awareness of our legal obligations towards the wider community, especially regarding what we should do or do (Mertokusumo, 2007).

Law is different from other sciences in the context of human life. The moral obligation to obey and the role of these rules are determined by the characteristics of society. obedience to the law cannot be equated with other forms of social obedience. Unlike social obedience, obeying the law is a responsibility that must be obeyed, and its violation may result in the application of sanctions. It is the community that is the judge of the applicable social sanctions (Salsabilah, 2023).

Based on information obtained from the informant. an officer at the Buleleng Satpol-PP office, who explained that:

"As for the inhibiting factors, we experience several inhibiting factors in enforcing the regulation, such as: lack of understanding of the regulation, the habits of people who are looking for opportunities and habits of breaking the rules."

The problems in this study indicate that the majority of street vendors in Singaraja City have not fully complied with the provisions listed according to Buleleng Regency Regional Regulation No. 6/2015 Article 31 on the Arrangement and Empowerment of Street Vendors, many street vendors in Singaraja City do not have knowledge of the regulation. From this it can be concluded that the majority of the population, especially street vendors, do not understand the regulations in place.

4. Conclusion

Based on the results of the study described by the researcher which includes two problem formulations, it can be concluded as follows:

1. The implementation of Buleleng District Local Regulation No. 6/2015 related to the regulation and strengthening of street vendors has not reached an optimal level. There are still many violations, such as the sale of street vendors on the edge and shoulder of the road, which shows that the enforcement of the Buleleng Regency Regional Regulation has not been effective in reducing the number of violations from year to year. One of the main obstacles is the lack of awareness of the PKL of these rules.
2. The inhibiting factors of Sattpol-PP's efforts in enforcing Buleleng District Regulation No. 6 of 2015 concerning the Arrangement and Empowerment of Street Vendors are constraints in human resources, economic factors and aspects of the mental attitude of the community, which is one of the main challenges due to lack of public awareness, especially street vendors. This situation results in the implementation of Local Regulation No. 6 of 2015 not running optimally. There needs to be a more structured effort from both the Local Government and the Satpol-PP so that the implementation of Local Regulation No. 6 Year 2015 can be implemented optimally.

5. Recommendations

The suggestions in this study are as follows:

1. For local government

The local government should actively participate in handling the problems that arise by working together synergistically with Satpol-PP. The aim is to produce effective solutions and take action against law enforcers who are not in accordance with the applicable provisions in carrying out their duties.

2. For the Community

It is desirable that public awareness, especially of street vendors in Buleleng Regency, can be increased towards applicable regulations, especially regarding the implementation of the Buleleng District Regulation No. 6/2015 regarding the regulation and utilization of street vendors.

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