

The Existence Of Law Enforcement Against Street Vendors In The City Of Gorontalo

Fadly ode arianto¹, Mutia Cherawaty Thalib², Dolot Alhasni Bakung³

¹ Fakultas Hukum, Universitas Negeri Gorontalo, Indonesia. E-mail: fadlysedaa21@gmail.com

² Fakultas Hukum, Universitas Negeri Gorontalo, Indonesia. E-mail: mutia.thalib@ung.ac.id

³ Fakultas Hukum, Universitas Negeri Gorontalo, Indonesia. E-mail: dolot.alhasni.bakung@gmail.com

ARTICLE INFO

Keywords :

Eksistensi; Hukum;
Pedagang Kaki Lima

How To Cite :

Fadly., Thalib, M. C., Bakung, D. A. (2019). The Existence Of Law Enforcement Against Street Vendors In The City Of Gorontalo *Estudiante Law Journal*. Vol. 1 (2): 569-582

DOI :

ABSTRACT

Tujuan penelitian ini untuk mengetahui eksistensi penegekan hukum terhadap pedagang kaki lima di kota gorontalo. Metode penelitian yang digunakan adalah dualisme penelitian hukum normatif-empiris dimana penelitian yang menggunakan studi kasus hukum normatif-empiris berupa produk perilaku hukum. Pendekatan yang digunakan yaitu pendekatan yuridis serta teknik analisis dengan menggunakan metode analisis secara kualitatif. Hasil penelitian menunjukkan bahwa Pemerintah kota gorontalo telah melakukan upaya peringatan, namun belum maksimal. Karena dengan belum adanya peruntukan lokasi terhadap pedagang kaki lima. Sehingga para pedagang kaki lima masih berjualan di atas trotoar yang mana pedagang kaki lima di larang untuk menggunakan sebagian bahu jalan karena di anggap akan berdampak pada kemacetan, dan juga di larang untuk berjualan di atas saluran air karena akan berdampak pada kesehatan. Pemilihan lokasi untuk para pedagang kaki lima merupakan suatu peran penting terhadap aktivitas bersama sehingga tidak mengganggu ketertiban umum. Tentunya perlu support yang kuat untuk bagaimana bisa menertibkan para pedagang kaki lima, karena jika mereka di berikan pemahaman yang baik.tentang kesadaran hukum memeberikan jaminan kepastian usaha dan memfasilitasi, agar supaya usaha yang meraka rintis bisa berkelanjutan maka mereka dapat mentaati perda tersebut dan juga agar tidak mengganggu ketertiban umum.

@2019 Fadly., Thalib, M. C., Bakung, D. A.

Under the license CC BY-SA 4.0

I. INTRODUCTION

A. Background

Gorontalo City Regulation no. 2 of 2017 concerning structuring and empowering street vendors to chapter 1 Article 1 general provisions point 6 "Street vendors, hereinafter abbreviated as PKL, are business actors who carry out regional regulation business by using movable or immovable business facilities, using city infrastructure, social facilities, public facilities, land and buildings owned by the government and/or private sector which are temporary/not temporary. stay.¹ The ideals of the Indonesian people are stated in the 1945 Constitution as the basis for the Constitution of the Republic of Indonesia, both before and after the amendment, having a strong spirit for the welfare of citizens and forming a welfare state.² Indonesia is one of the countries that put forward the constitution in every aspect of the life of the nation and state.³ State involvement is also one of the characters of the conflict phenomenon.⁴ Sehingga hal ini menjadi hak konstitusional setiap warga Negara Indonesia.⁵ This is because human rights are part of the administration of justice within the framework of an independent judiciary.⁶ The existence of human rights (HAM) will not have any meaning if it is not followed up with the law that regulates the relationship of these rights, meaning that it is the law that formalizes human rights into a set of rules to maintain and protect so that they do not become clashes in society. social and state life.⁷ The government has not implemented the level of service expected, especially by the people who are the target of its services.⁸ This is a strategic step to realize these national goals.⁹ This can happen if the village government realizes that the inherited conditions are internalized into the development program (endogenous development).¹⁰

¹ Peraturan daerah Kota Gorontalo No.2 Tahun 2017 tentang "penataan dan pemberdayaan pedagang kaki lima" bab 1 ketentuan umum Pasal 1, poin 6

² An handrawulan, *Hukum Perusahaan Multinasional, Liberalisasi Hukum Perdagangan Internasional dan Hukum Penanaman Modal*. (Bandung: CV. Pustaka Media, 2011), 15.

³ Fakhris Lutfianto Hapsoro, (2020). Interpretasi Konstitusi dalam Pengujian Konstitusionalitas untuk Mewujudkan The Living Constitution, *Jurnal Law Review*. 2 (2), 144

⁴ Yudha Chandra Arwana, (2019), Jalur Mediasi dalam Penyelesaian Sengketa Pertanahan Sebagai Dorongan Pemenuhan Hak Asasi Manusia. *Jurnal Law Review*. 1 (2), 216

⁵ Nggilu, N., & Wantu, F. M, (2020). Menapaki Jalan Konstitusional Menuju Zaken Cabinet: Ikhtiar Mewujudkan Pemerintah Berkualitas Konstitusi. *Jurnal Hukum Samudra Keadilan*, 15(1), 128

⁶ Nabih Amer, (2020). Analisis Pembubaran Organisasi Kemasyarakatan Dalam Perspektif Negara Hukum. *Jurnal Legalitas*. 13 (1), 12

⁷ Tijow, Lusiana. (2010), Perlindungan Hak Asasi Manusia Terhadap Hak Hidup Anak Dalam Kandungan Di Luar Pbrkawinan Yang Sah. *Jurnal Legalitas* 3 (2), 80

⁸ Fahmi Kamuli, (2021), Regional Head's Authority in Determining Work Placement Due to Mutations of Government Employees, *Jurnal Law Review*. 3 (1), 39

⁹ Ahmad Rustan Syamsuddin. (July, 2020) Pembuktian Penyalahgunaan Wewenang Dalam Perkara Tindak Pidana Korupsi Pengadaan Barang dan Jasa. *Jurnal Law Review*. 2 (2), 163

¹⁰ Zamroni, S. (2016). Desa Membangun Tanpa Meninggalkan Kelompok Pinggiran. *Institute for Research and Empowerment (IRE)*, 2, 6

Merely in the implementation of development is nothing but the welfare of the people themselves.¹¹

Talking about street vendors (PKL) the real meaning of street vendors is for those who shop for market standards, but usually, this place becomes too narrow and crowded, with people pushing each other because of street vendors (PKL) usually, the place is not too crowded. wide, thus disturbing public order, the existence of street vendors have also opened up job opportunities so that the unemployment rate can be suppressed and its existence is needed by the lower class because the prices are arguably cheaper than shops. The existence of street vendors is also profitable, bringing new problems, namely the proliferation of slum settlements using sidewalks as a place to sell, then littering is also common, while urban problems are problems of beauty and cleanliness of the city and are also often a factor in congestion.

Things that disturb public order, such as trading activities on waterways or sidewalks, are carried out by street vendors, referring to Article 1337 of the Regional Regulations which reads "a cause is prohibited, if the cause is prohibited by law or if the cause is contrary to decency or public order. Activities that are against the law or disturb public order. as done by street vendors, where street vendors sell in locations that are not following the regional regulations that have been issued by the Gorontalo City government number 1 of 2018 concerning public order, part 2, traffic, and road rules. Article 10 point (e) which reads "Everyone is prohibited from selling by setting up tents, permanent or non-permanent buildings that are permanent in nature on the road"¹².

In the Regional Regulation Number 9 of 2019 concerning the Gorontalo City spatial plan, Article 97 paragraph (1) point c, the activities of street vendors occupying city infrastructure, public facilities, social facilities, and government and/or private buildings are allowed conditionally, namely limited in terms of quantity and operational time under applicable regulations.¹³

Concerning the above problems, the civil service police must take the right attitude. so that it would be under the new paradigm, which is to be a friendly, friendly apparatus, to be able to create an inner atmosphere and feel of coolness, for the community but remain firm in acting for the sake of strict regulations that apply to Law Number 23 of 2014 concerning regional government, especially Article 255 paragraph 1, namely unit The civil service

¹¹Ariefulloh. (2019). Dilema Penerapan Sanksi Pelanggaran Lalu Lintas Terhadap Anak. *Jurnal Law Review* 1 (2), 199

¹² Peraturan daerah Kota Gorontalo No.1 Tahun 2018. Tentang "Ketertiban Umum"

¹³ Peraturan daerah Kota Gorontalo No 9 tahun 2019 Tentang "Rencana tata ruang wilayah Kota Gorontalo"

police are formed to enforce regional regulations, and local regulations maintain public order and peace and provide community protection.¹⁴

Sejalan dengan kemajuan dan begitu pesatnya ilmu pengetahuan dan teknologi saat ini.¹⁵ Of course, strong support is needed for how to bring order to the street vendors, because if they are given a good understanding of legal awareness it guarantees business certainty and facilitates so that the business they are pioneering can be sustainable, they can comply with the Regional Regulation and also so that does not interfere with public order, and does not conflict with the law. This means that efforts to control street vendors in Gorontalo City, the local government involves the community, in this case, street vendors which will then be published and also the government cannot directly use its authority by forcibly displacing street vendors, but by going through the approach and socialization to the street vendors until they understand, related to the government program. To be relocated without coercion. The basic principles that mark clean government universally include legal certainty, transparency, and accountability.¹⁶

B. Research Question

This paper formulates a problem regarding the existence of law enforcement against street vendors in Gorontalo City. This paper also discusses how the state of spatial planning in Gorontalo City itself is.

C. Research Method

The research method used is a normative-empirical legal research dualism where the research uses a normative-empirical legal case study in the form of a product of legal behavior. The approach used is a juridical approach and analytical techniques using qualitative analysis methods.

II. DISCUSSION

The Existence of Law Enforcement Against Street Vendors in Gorontalo City

Street vendors in Gorontalo City have a big influence on the economy Gorontalo City, but if the way street vendors operate who do not comply with local government regulations, it is likely to cause problems. The bad habit of street vendors in Gorontalo City, namely controlling roads and sidewalks, is not a strange thing to see on the road in Gorontalo City being used as a place to hold stalls by street vendors. They don't care that their actions disturb public

¹⁴ Undang-undang No.23Tahun 2014 tentang " pemerintah daerah" Pasal 255

¹⁵ Lakoro, A., Badu, L. W., Achir N, (2020). Lemahnya Kepolisian Dalam Penanganan Tindak Pidana Perjudian Togel Online, Jurnal Legalitas. 13 (1), 32

¹⁶Fitria Andalus Handayani dan Mohamad Ichsana Nur. (2019), *Implementasi Good and Clean Governance di Indonesia*. Jurnal Pemikiran Administrasi Negara. 11 (1), 8

order, even not infrequently if their wares are slightly bumped due to the density of traffic, street vendors in Gorontalo City use the excuse that they are making a living and ask for understanding, even though what they are doing is very disturbing to other residents.

An act against the law is an act that can harm the rights of others created by law. This shows that unlawful acts only come from the law, not because of agreements based on consent and unlawful acts due to human actions which are determined by law. Based on the results of the study that an act can be said to be against the law if it has completed several elements, namely the existence of an act, the act must be against the law, the act must cause harm, the act was committed in error, and between the act and the loss caused there must be a causal relationship. One of the conditions for a valid agreement is a lawful cause, which is a goal between two parties who have the intention to achieve it. According to Article 1337 of the KUH Regional Regulation, what is not lawful is if the agreement is prohibited by law, it is contrary to law, it is contrary to morals or public order. The ideal public area is characterized by three things: responsive, democratic, and meaningful. responsive in the sense that the area is a space that can be used for various activities and broad interests. democratic, meaning that public space can be used by the general public from various social, economic, and cultural backgrounds and is accessible to various human physical conditions. Things that disturb public order, such as trading activities on waterways or sidewalks carried out by street vendors, refer to Article 1337 of the Regional Regulations which reads "a cause is prohibited if the cause is prohibited by law or if because it is against decency or public order."¹⁷ So that these actions are detrimental to the general public and even often violate legal norms that apply to the general public.¹⁸ So that in modern times is an era where humans are required to develop themselves.¹⁹ Norms that develop in society are flexible and encourage creativity in providing public services.²⁰

Activities that are against the law or disturb public order. As done by street vendors, where street vendors sell in locations that are not following the regional regulations that have been issued by the Gorontalo City government number 1 of 2018 concerning public order, part 2, traffic, and road rules. Article 10 point (e) reads "Everyone is prohibited from selling by setting up tents, permanent or non-permanent buildings that are permanent in nature on the road. The unlawful acts committed by street vendors, one of which is

¹⁷ Pasal 1337 KUH Peraturan Daerah

¹⁸ Novendri M. Nggilu dan Ahmad (2020). Denyut Nadi Amandemen Kelima Undang-Undang Dasar 1945 melalui Pelibatan Mahkamah Konstitusi sebagai Prinsip the Guardian of the Constitution. *Jurnal Konstitusi*, 16 (4), 785-808

¹⁹ Bakung, Dolot Alhasni. (2020) Determinasi Perlindungan Hukum Pemegang Hak Atas Neighboring Right. *JALREV* 2 (1), 67

²⁰ Norma L.P. Wemben. (2010). "Kinerja Pelayanan Pada Kantor Badan Pertanahan Nasional Kabupaten Gorontalo." *Jurnal Legalitas* 3 (2), 131

disturbing public order. street vendors selling on sidewalks where buyers park their motorbikes when buying goods sold by street vendors often cause traffic jams.

Based on information from Mr. MUHAMMAD ARIS N as a Civil Servant Investigator of the Gorontalo City Satpol PP provided the following information:

“There are still policies provided by the local government such as cadets are allowed on condition that is afternoon until evening and after the morning is clean, then socialization related to government policies in structuring and controlling street vendors. He answered that it is a routine activity where members of the Satpol PP Gorontalo City patrols every morning and anything found in the form of violations in the Gorontalo City area is reprimanded verbally or in writing (a warning letter)”²¹

Related to the Gorontalo City Regional Regulation Number 9 of 2019 concerning the Gorontalo City spatial plan. in the Regional Regulation as the points drawn by the researcher, in which further explanation of the place, time, and procedures for using space for the informal sector is regulated through a mayoral regulation. In Regional Regulation No. 2 of 2017 concerning the arrangement and empowerment of street vendors, it is said that the increasing number of street vendors in the area has had an impact on disrupting the smooth flow of traffic, aesthetics, and cleanliness as well as the function of urban area infrastructure.

By what is happening in the field with the increasing number of street vendors. has disrupted public order as stated in Article 1337 of the Regional Regulation, namely a reason that is not lawful is if the agreement is prohibited by law contrary to morals or public order. and until now the local government has not found a place for street vendors. Street vendors are a picture that we often see and encounter in everyday life, so people who hold their wares on the roadside, shop terrace, yard, or field in a market, are identically called street vendors. consider as a nuisance, destroyer of beauty, order, and comfort of the city.

Street vendors are one way to make ends meet. the difficulty of employment opportunities available to members of the community with low education with very limited experience and skills. Street vendors as one of the main components of micro-enterprises involved in informal sector businesses, face an environment that is still not conducive, thus becoming a factor that hinders the existence and development of their business. This has resulted in the general condition of street vendors experiencing relatively low productivity and

²¹ Result of an interview, MUHAMMAD ARIS N (Investigator of Civil Servant of Satpol PP Gorontalo City)

competitiveness.²² So with this the need for supervision in each work environment.²³ Efforts that can be made for this are to bring legal decisions closer to the sense of justice experienced by the community so that the implementation of the law creates more order in the community itself.²⁴

What's more important is that it's now one of the most efficient steps in doing business.²⁵ To quote as said by Fence M. Wantu in his Journal that the essence of justice is something that is an assessment from one person to another, which is generally seen from the party receiving the treatment only.²⁶ The government through the law has provided a starting point for justice, which is carried out for justice based on God Almighty.²⁷ provide protection for basic rights or human dignity, especially for justice seekers.²⁸

This sector is a choice because it is easy to enter, so this can reduce unemployment and poverty. In addition, the existence of street vendors is also beneficial for consumers from the lower middle class because the prices are relatively cheap.²⁹

The existence of street vendors in urban areas is not a group of people who fail to enter the urban economic system. However, this situation shows that the existence of street vendors is a transformation from a rural community based on agriculture to an urban society based on regional regulations for trade, industry, and services.³⁰ The concept of the informal sector, which was first introduced by Hart, clearly divides economic activities that are formal and informal. The term informal sector by Keith Hart in 1971 in his research on small business units in Ghana. then Hart's terminology was used by a mission to Kenya organized by the ILO (International Labor Organization).³¹

²² Juhur. (2015), *Model Pengembangan Pedagang Kaki Lima (PKL) Kuliner di Kota Singkawang*, Jurnal Ekonomi Bisnis dan Kewirausahaan. 4 (1), 126

²³Iriyanto Tiranda. (July, 2019). Konsep Ideal Penanganan Perkara Tindak Pidana Korupsi Pungutan Liar Berdasarkan Asas Peradilan. Jurnal Law Review. 1 (2), 132

²⁴Ibrahim Ahmad, (2010), Prinsip Keadilan Dalam Penyelesaian Sengketa Tanah Untuk Kepentingan Pembangunan. Jurnal Legalilas. 3 (2), 21

²⁵Mohamad Rivaldi Moha, (July, 2020), Urgensi Pendaftaran Penyelenggara Sistem Elektronik Bagi Pelaku Usaha E-Commerce. Jurnal Law Review. 2 (2), 115

²⁶Fence M. Wantu. (Juni, 2013). Kendala Hakim Dalam Menciptakan Kepastian Hukum, Keadilan, Dan Kemanfaatan Di Peradilan Perdata. Jurnal Mimbar Hukum. 25 (2), 206

²⁷Fenty Puluhulawa, Lusiana M, Tujow, Sutrisno. (Oktober, 2020). Penerapan Asas Keadilan, Kepastian Hukum Dan Kemanfaatan Dalam Putusan Hakim. Jurnal Gorontalo Law Riview. 3, (2), 184

²⁸Dian Ekawaty Ismail. (Februari, 2009). Upaya Perlindungan Hak-Hak Tersangka/Terdakwa Melalui Mekanisme Praperadilan di Kota Gorontalo. Jurnal Mimbar Hukum. 21 (1), 85

²⁹Zulwida Rahmayeni, Nila pratiwi. (2018). *Studi mengenai pedagang kaki lima (pkl) di pasar aur kunning kota bukitinggi dalam konsep islam*. Jurnal tunas pendidikan. 1 (1), 32

³⁰Christina Menuk S, *Jurnal Faktor-Faktor Yang Mempengaruhi Pendapatan Pedagang Kaki Lima Studi Kasus Pkl Di Surabaya*, hlm 288 30

³¹Mulyadi S, *Ekonomi Sumber Daya Manusia Dalam Perspektif Pembangunan*, (RajaGrafindo Persada : Jakarta, 2006), 94

There are two impacts related to the presence of street vendors (PKL), namely:

32

1. Positive Impact

- a. In general, the goods sold by street vendors have low prices, are available in many places, with various items, and the presence of street vendors can be like a promising tourism potential, even street vendors are mushrooming in many corners of the city the main buyers are the middle class. down who have low purchasing power.
- b. The positive impact is also seen from a social and economic perspective because the presence of street vendors benefits from the city's economic growth. After all, the informal sector has an efficient and economical nature.

2. Negative Impact

On the negative side, the characteristics of street vendors who use space for public purposes, especially on the roadside and sidewalks for their activities, which results in the non-functioning of public interest facilities, the absence of street vendors' activities in urban spaces, causes the patterns and structures of modern and traditional cities to blend into one so that giving rise to a contracted appearance, majestic modern buildings side by side with simple buildings also tend to be shabby, there needs to be an integrated effort from related parties for the issuance of these street vendors as an effort to restore the function of public space according to its designation.

Street vendors peddle a lot of their wares in places that are not intended for selling, causing a lot of losses. One of the places used by street vendors to sell their wares is the sidewalk whose function is to facilitate pedestrians. Their presence not only harms the right of pedestrians to enjoy sidewalk facilities but also has an unsightly impact. the order of the city is not regular, not to mention some parties are not responsible for letting their merchandise tents remain in the sidewalk area. this is still a problem for which there is no significant solution

The reality that is happening at this time is that the quality of our urban space is decreasing and it is still far from the minimum standard of a comfortable city, especially in the inadequate use of open space. The decline in quality includes, among others, not being managed and the lack of maintenance of pedestrians or pedestrian spaces, changing the function of a green park or having become a hangout place for street vendors, which disturbs the comfort of other city residents to enjoy it, the presence of street vendors always violates the rules or

³² Effendi, Tadjuddin Noor, *Perkembangan penduduk sektor informal, dan kemiskinan di kota*, (Yogyakarta: Aditya Media, 1996), 45

regulations. standard norms, causing congestion, pollution, garbage, disturbing health and sanitation, environmental cleanliness, and order.³³

This site does not only occur during the day even at night the number is increasing. then with more and more street vendors who are increasingly popping up which are the cause of congestion and damage the beauty of the city, with the existence of these street vendors, a lot of waste is scattered along the road and causes traffic jams. Street vendors are still considered a lot of trouble and don't want to be relocated

With the above problems, the civil service police must take the right attitude. so that it would be under the new paradigm, which is to be a friendly, friendly apparatus, to be able to create an inner atmosphere and feel of coolness, for the community but remain firm in acting for the sake of strict regulations that apply to Law Number 23 of 2014 concerning regional government, especially Article 255 paragraph 1, namely unit The civil service police are formed to enforce regional regulations, and local regulations maintain public order and peace and provide community protection.³⁴

As stated by the civil servant investigator Satpol PP Gorontalo City. Mr. Muhammad Aris N's view of the local government towards street vendors is how he answered frankly related to the Regional Regulations for street vendors that have not been effective because there must be a special placement for the location of street vendors determined by the local government, while the local government has not found a place to determine the location of street vendors. the location of street vendors so there are still policies provided by the local government such as cadets are allowed on condition that is afternoon until evening and after the morning is clean, then socialization related to government policies in structuring and controlling street vendors he replied that it was a routine activity where members of the Gorontalo City Satpol PP every morning carry out patrols and anything found in the form of violations in the Gorontalo City area is reprimanded verbally or in writing (warning letters) related to the obstacles encountered in the process of structuring and controlling a street vendor, he replied that the problem was that there was no location placement.³⁵ As the party issuing the policy, the government must be able to see the balance in social life.³⁶ The results of policies issued by the Government are solely derived from the wishes of the people.³⁷

³³ David Cardona, *Strategi komunikasi pembangunan dalam penataan pedagang kaki lima* (Scopindo Media Pustaka, 2020), 4

³⁴ Undang-undang No.23, Tahun 2014 tentang " pemerintah daerah" Pasal 255

³⁵Result of an interview, MUHAMMAD ARIS N (Investigator of Civil Servant of Satpol PP Gorontalo City)

³⁶ Elfrida Ratnawati, (2021). *The Impacts of Government Policy on Covid-19 to Airlines Liability: A Case Study in Indonesia*. Jurnal Law Review. 3 (1), 72

³⁷ Putri Handayani Nurdin, (July, 2019), Politik Hukum Pengaturan Pendidikan Politik oleh Partai Politik. JALREV 1 (2), 146

As the results of interviews with several street vendors in Gorontalo City who explained their selling activities:

“I sell ice in front of this campus from 11 a.m. to 3 p.m., I sell my merchandise, every day after I finish selling my merchandise cart I put it next to the bus stop because I sell ice sometimes when it rains the buyers are quiet so my income is also reduced, but if it's a hot day, the income will only increase”³⁸

“I sell batagor from 2 pm to 6 pm, I have been selling for almost 2 years in front of the campus, this is my merchandise, every day before selling I am helped by my son to take a cart and selling equipment where I usually leave the cart because I selling in a non-permanent place so every day unloading before and after selling”³⁹

“indeed our presence here, the traders sometimes often cause traffic jams because our buyers have to park their vehicles in front or beside our selling carts so that it disturbs road users, but it can't be helped, this is a strategic place for us to sell our wares, wherein this place in front of the campus our merchandise sells out quickly, so our income increases”⁴⁰

Street vendors are included in one of the informal sectors which do not have legal legality in running their business, meaning that at any time they can be caught in a raid if at any time there is a sudden raid.

“I sell somay from 3 pm to 7 am, I have been selling for almost 7 months in front of the campus, this is my merchandise, every day I sell here because I sell in non-permanent places so every day I always dismantle the place of sale this”

Based on information from Mr. Muhammad Aris N as a civil servant investigator for the Gorontalo City Satpol PP, he provided the following information::

“There are still policies provided by the local government such as cadets are allowed on condition that is afternoon until evening and after the morning is clean, then socialization related to government policies in structuring and controlling street vendors. He answered that it is a routine activity where members of the Satpol PP Gorontalo City patrols every morning and anything found in the form of violations in the Gorontalo City area is reprimanded verbally or in writing (a warning letter)”⁴¹

³⁸ Result of Interview with Mrs. Fatma an Ice Seller 03 November 2021

³⁹ Result of Interview with Mrs. Lia a Batagor Seller 03 november 2021

⁴⁰ Result of Interview with Mr. Ahmad a Pop Ice Seller 03 November 2021

⁴¹ Interview with Mr. MUHAMMAD ARIS N as Civil Servant Investigator of Gorontalo City Satpol PP

Street vendors can be said because street vendors are generally excluded from the flow of city life and the progress of the city itself. While it is said to be powerless, this is because street vendors are usually unreachable and unprotected by law and are often the object of urban control and structuring which is often repressive. Since the economic crisis in Indonesia in 1998, many economic activities have tended to shift to the informal sector. Economic activities in the informal sector, one of which is street vendors. It can be seen that almost all major cities in Indonesia are growing very rapidly. Moreover, during the monetary crisis, many industries went out of business, resulting in many layoffs. This in turn added new unemployment, which later emerged as street vendors as a way out of unemployment.

III. CONCLUSION AND RECOMMENDATION

A. Conclusion

Gorontalo city government has made warning efforts, but not maximal. Because there is no location allotment for street vendors. As a result, street vendors are still selling on sidewalks where street vendors are prohibited from using part of the road shoulder because it is considered to have an impact on congestion, and also prohibited from selling on waterways because it will have an impact on health. The selection of locations for street vendors is an important role in joint activities so as not to disturb public order.

B. Recommendation

Of course, strong support is needed for how to bring order to street vendors, because if they are given a good understanding of legal awareness, it guarantees business certainty and facilitates, so that the business they are pioneering can be sustainable, they can obey the regulation and also so that does not disturb public order.

REFERENCE

Books

David Cardona, *Strategi Komunikasi Pembangunan Dalam Penataan Pedagang Kaki Lima* Scopindo Media Pustaka, 2020

Abdulkadir Muhammad. *Hukum dan Penelitian Hukum Cet-1*, Bandung: PT Citra Aditya Bakti, 2014

Mulyadi S, *Ekonomi Sumber Daya Manusia Dalam Perspektif Pembangunan*, RajaGrafindo Persada : Jakarta, 2006

Effendi, Tadjuddin Noor, *Perkembangan penduduk sektor informal, dan kemiskinan di kota*, Yogyakarta : Aditya Media, 1996

An handrawulan. *Hukum Perusahaan Multinasional, Liberalisasi Hukum Perdagangan Internasional dan Hukum Penanaman Modal*. Bandung: CV. Pustaka Media, 2011

Journal

Ahmad, Ibrahim, *Prinsip Keadilan Dalam Penyelesaian Sengketa Tanah Untuk Kepentingan Pembangunan*. Jurnal Legalilas 3 No. 2, (2010).

Ariefulloh, *Dilema Penerapan Sanksi Pelanggaran Lalu Lintas Terhadap Anak*, Jurnal Law Review. 1 No. 2 (2019): 192-211.

Bakung, Dolot Alhasni, *Determinasi Perlindungan Hukum Pemegang Hak Atas Neighboring Right*. Jurnal Law Review 2 No. 1 (2020): 65-82.

Handayani, Cristina Menuk S.; Wibowo, Tony Susilo. Faktor-faktor yang Mempengaruhi Pendapatan Pedagang Kaki Lima Studi Kasus PKL di Surabaya. *Majalah Ekonomi*, 21.2 Desember (2016): 286-294.

Dian Ekawaty Ismail, *Upaya Perlindungan Hak-Hak Tersangka/Terdakwa Melalui Mekanisme Praperadilan di Kota Gorontalo*. Jurnal Mimbar Hukum. 21 No. 1, Februari (2009): 81-92.

Elfrida Ratnawati, *The Impacts of Government Policy on Covid-19 to Airlines Liability: A Case Study in Indonesia*, Jurnal Law Review . 3 No. 1 (2021): 72-92

Fahmi Kamuli, *Regional Head's Authority in Determining Work Placement Due to Mutations of Government Employees*, Jurnal Law Review. 3 No. 1 (2021) 36-54

Fence M. Wantu, *Kendala Hakim Dalam Menciptakan Kepastian Hukum, Keadilan, Dan Kemanfaatan Di Peradilan Perdata*. Jurnal Mimbar Hukum. 25 No. 2, Juli (2013). 205-218.

Fenty Puluhulawa, Lusiana M, Tujow, Sutrisno. *Penerapan Asas Keadilan, Kepastian Hukum Dan Kemanfaatan Dalam Putusan Hakim*. Jurnal Gorontalo Law Riview. 3 No. 2, Oktober (2020), 168-187.

Fitria Andalus Handayani dan Mohamad Ichsana Nur, *Implementasi Good and Clean Governance di Indonesia*. Jurnal Pemikiran Administrasi Negara. 11 No.1 (2019), 1-11

- Hapsoro, Fakhris Lutfianto, *Interpretasi Konstitusi dalam Pengujian Konstitusionalitas untuk Mewujudkan The Living Constitution*. Jurnal Law Review 2 No. 2 July (2020): 139-160.
- Lakoro, A., Badu, L. W., Achir N, *Lemahnya Kepolisian Dalam Penanganan Tindak Pidana Perjudian Togel Online.*" JURNAL LEGALITAS. 13 No. 1 (2020): 31-50.
- Moha, Mohamad Rivaldi, *Urgensi Pendaftaran Penyelenggara Sistem Elektronik Bagi Pelaku Usaha E-Commerce*. JALREV 2 No. 2 Juli (2020): 101-119.
- Nabih Amer, *Analisis Pembubaran Organisasi Kemasyarakatan Dalam Perspektif Negara Hukum*. Jurnal Legalitas. 13 No. 1 (2020): 1-15.
- Nggilu, N., & Wantu, F. M, *Menapaki Jalan Konstitusional Menuju Zaken Cabinet: Ikhtiar Mewujudkan Pemerintah Berkualitas Konstitusi*. Jurnal Hukum Samudra Keadilan, 15 No. 1 (2020): 126-140.
- Novendri M. Nggilu dan Ahmad, *Denyut Nadi Amandemen Kelima Undang-Undang Dasar 1945 melalui Pelibatan Mahkamah Konstitusi sebagai Prinsip the Guardian of the Constitution*. Jurnal Konstitusi. 16 No. 4 (2020): 785-808
- Nurdin, Putri Handayani, *Politik Hukum Pengaturan Pendidikan Politik oleh Partai Politik*. Jurnal Law Review. 1 No. 2, July (2019): 144-166.
- S, Zamroni, *Desa Membangun Tanpa Meninggalkan Kelompok Pinggiran*. 2. (2016): 1-10.
- Syamsuddin, Ahmad Rustan, *Pembuktian Penyalahgunaan Wewenang Dalam Perkara Tindak Pidana Korupsi Pengadaan Barang dan Jasa*. Jurnal Law Review. 2 No. 2, Juli (2020): 161-181.
- Tijow, Lusiana. *Perlindungan Hak Asasi Manusia Teriiadap Hak Hidup Anak Dalam Kandungan Di Luar Pbrkawinan Yang Sah*. Jurnal Legalitas. 3 No. 2 (2010)
- Tiranda, I. *Konsep Ideal Penanganan Perkara Tindak Pidana Korupsi Pungutan Liar Berdasarkan Asas Peradilan*. Jurnal Law Review. 1 No 2, July (2019): 120-143
- Wemben, Norma L.P, *Kinerja Pelayanan Pada Kantor Badan Pertanahan Nasional Kabupaten Gorontalo.*" Jurnal Legalitas 3 No. 2 (2010)

- Yudha Chandra Arwana, Jalur Mediasi dalam Penyelesaian Sengketa Pertanahan Sebagai Dorongan Pemenuhan Hak Asasi Manusia. *Jurnal Law Review*. 1 (2) (2019): 212-236.
- Khairina Afriani Candra Dewi, *Skripsi Strategi Bisnis Pada Pedagang Kaki Lima (Pkl) Di Taman Bungkul Surabaya (Studi Kasus Pedagang Kaki Lima (PKL) Di Taman Bungkul*. Thesis, Surabaya, 2014
- Jumhur, *Model Pengembangan Pedagang Kaki Lima (PKL) Kuliner di Kota Singkawang*, *Jurnal Ekonomi Bisnis dan Kewirausahaan*, 4 No. 1 (2015): 125-139
- Zulwida Rahmayeni, Nila pratiwi.2018. *Studi mengenai pedagang kaki lima (pkl) di pasar aur kunning kota bukitinggi dalam konsep islam*. *Jurnal tunas pendidikan*, 1 No. 1 (2018): 31-40.
- Handayani, Cristina Menuk S.; Wibowo, Tony Susilo. Faktor-faktor yang Mempengaruhi Pendapatan Pedagang Kaki Lima Studi Kasus PKL di Surabaya. *Majalah Ekonomi*, 21 No. 2 Desember (2016): 286-294.