



COPY

REGENT SUKOHARJO
PROVINCE OF CENTRAL JAVA

SUKOHARJO REGENCY REGULATIONS
NUMBER 78 OF 2019

ABOUT

PROCEDURES FOR IMPOSING ADMINISTRATIVE SANCTIONS AGAINST
VIOLATIONS OF REGIONAL REGULATIONS
SUKOHARJO DISTRICT NUMBER 3 OF 2014
CONCERNING PUBLIC ORDER

REGENT SUKOHARJO,

Considering : that in order to implement the provisions of Article 50 paragraph
(5) Sukoharjo Regency Regional Regulation Number 3 of 2014 concerning
Public Order, needs to stipulate
Regent's Regulation on Procedures for Imposing Sanctions
Administration of Violations in Regional Regulations on Public Order;

- Remember :
1. Law Number 13 of 1950 concerning the Establishment of Regency
Areas within the Province of Central Java;
 2. Law Number 12 of 2011 concerning the Formation of Legislation (State
Gazette of the Republic of Indonesia of 2011 Number 82, Supplement
to the State Gazette of the Republic of Indonesia Number 5234);
 3. Law Number 23 of 2014 concerning Regional Government (State
Gazette of the Republic of Indonesia of 2014 Number 244,
Supplement to the State Gazette of the Republic of Indonesia
Number 5587) as amended several times, most recently by Law
Number 9 of 2015 concerning the Second Amendment to the Law.
Law Number 23 of 2014 concerning Regional Government (State
Gazette of the Republic of Indonesia of 2015 Number 58, Supplement
to State Gazette of the Republic of Indonesia Number 5679);
 4. Government Regulation Number 72 of 2017 concerning Development
of Supervision of Regional Government Implementation (State
Gazette of the Republic of Indonesia of 2017 Number 73, additional
State Gazette of the Republic of Indonesia Number 6041);
 5. Presidential Regulation Number 87 of 2014 concerning Implementing
Regulations of Law Number 12 of 2011 concerning the Formation of
Legislation (State Gazette of the Republic of Indonesia of 2014
Number 199);

6. Minister of Home Affairs Regulation Number 54 of 2011 concerning Standard Operating Procedures for Civil Service Police Units;
7. Regulation of the Minister of Home Affairs Number 80 of 2015 concerning the Establishment of Regional Legal Products (State Gazette of the Republic of Indonesia of 2015 Number 2036) as amended by Regulation of the Minister of Home Affairs Number 120 of 2018 concerning Amendments to Regulation of the Minister of Home Affairs Number 80 of 2015 concerning Formation Regional Legal Products (State Gazette of the Republic of Indonesia 2018 Number 157);
8. Sukoharjo Regency Regional Regulation Number 3 of 2014 concerning Public Order (Sukoharjo Regency Regional Gazette of 2014 Number 3, Supplement to Sukoharjo Regency Regional Gazette Number 210);
9. Sukoharjo Regency Regional Regulation Number 4 of 2016 concerning Civil Servant Investigators (Sukoharjo Regency Regional Gazette of 2016 Number 4, Supplement to Sukoharjo Regency Regional Gazette Number 229);
10. Sukoharjo Regency Regional Regulation Number 12 of 2016 concerning the Formation and Structure of Regional Apparatus (Sukoharjo Regency Regional Gazette of 2016 Number 12, Supplement to Sukoharjo Regency Regional Gazette Number 236);

DECIDE :

To stipulate: REGENT'S REGULATION CONCERNING PROCEDURES FOR IMPOSING ADMINISTRATIVE SANCTIONS FOR VIOLATIONS IN SUKOHARJO DISTRICT REGIONAL REGULATION NUMBER 3 OF 2014 CONCERNING PUBLIC ORDER.

PIG

GENERAL REQUIREMENTS

article 1

In this Regent's Regulation what is meant by:

1. The region is Sukoharjo Regency.
2. The Regent is the Regent of Sukoharjo.
3. Regional Government is the Regional Head as the organizing element of the Regional Government who leads the implementation of government affairs which are the authority of the autonomous region.
4. Regional Regulations are Sukoharjo Regency Regional Regulations Number 3 of 2014 concerning Public Order.
5. The Civil Service Police Unit, hereinafter referred to as Satpol PP, is the Sukoharjo Regency Civil Service Police Unit.

6. One Stop Investment and Integrated Services Service
hereinafter abbreviated to DPMPTSP is the Sukoharjo Regency One Stop Investment and Integrated Services Service.
7. Public order is a situation where the regional government and the people can carry out activities in an orderly manner
regular.
8. People are individuals or bodies as legal subjects who are responsible for rights and obligations.
9. An entity is a group of people and/or capital which constitutes a unit, whether conducting business or not conducting business, including limited liability companies, limited liability companies, other companies, state-owned enterprises (BUMN) or regionally-owned enterprises (BUMD) with name and in whatever form, privately owned business entity, firm, kongsi, cooperative, pension fund, partnership, association, foundation, mass organization, socio-political organization, or any other organization, institution and other forms of entity including collective investment contracts and forms of business still.
10. A permit is a form of approval issued by an authorized agency in accordance with the provisions of laws and regulations to carry out activities and/or business.
11. Civil Servant Investigators, hereinafter abbreviated to PPNS, are certain Civil Servant Officials within the regional government who are given special authority by law to carry out investigations into violations of Regional Regulations.

CHAPTER II

SCOPE

Section 2

The scope regulated in this Regent's Regulation includes:

- a. Type of Violation;
- b. Type of administrative sanction; And
- c. Imposing administrative sanctions

CHAPTER III

TYPE OF VIOLATION

Article 3

Types of violations that are subject to administrative sanctions in Regional Regulations include:

- a. orderly spatial planning;
- b. health order;
- c. orderly non-smoking area;
- d. orderly roads and public facilities;
- e. orderly living environment;
- f. orderliness of rivers, waterways and water sources;
- g. orderly building occupants;

- h. social order;
- i. orderly entertainment and crowds; And
- j. orderly community participation.

CHAPTER III

TYPES OF ADMINISTRATIVE SANCTIONS

Article 4

- (1) Any person who violates the provisions as intended in Article 3 may be subject to sanctions administration.
- (2) The types of administrative sanctions as intended in paragraph (1) can be in the form of:
 - a. revocation of permits;
 - b. administrative fines; or
 - c. government coercion (*bestuur dwang*).

CHAPTER IV

IMPOSITION OF ADMINISTRATIVE SANCTIONS

Part One

Revocation of Permit

Article 5

- (1) Any person who violates the provisions as intended in Article 3 may be subject to administrative sanctions in the form of revocation of the permit.
- (2) The imposition of administrative sanctions in the form of revocation of permits as intended in paragraph (1) is carried out with the following provisions:
 - a. giving a first written warning to violators within 7 (seven) calendar days;
 - b. giving a second written warning to the violator accompanied by a summons within 3 (three) calendar days after the violator received the first warning;
 - c. giving a third written warning to the violator within 1 (one) calendar day after the violator receives the second warning;
 - d. Permit revocation imposed on violators shall be carried out no later than 1 (day) calendar after the third warning is received by the violator.
- (3) The imposition of administrative sanctions in the form of revocation of permits as intended in paragraph (1) can be carried out without being preceded by giving a written warning as intended in paragraph (2) letters a, b and c, in the case of being caught red-handed committing a violation of:
 - a. organize and/or carry out all forms gambling;
 - b. distributing, storing and selling alcoholic beverages without a permit;

- c. Makes a mistake so that the building where the activity/business is located is used to consume alcoholic beverages without permission; and/or
 - d. commit immoral acts and/or activities that leads to immoral acts.
- (4) Imposition of administrative sanctions in the form of a warning written as intended in paragraph (2) letters a, b and c are carried out by the technical agency in charge
 - (5) The imposition of administrative sanctions in the form of revocation of permits as intended in paragraph (1) is carried out by DPMPTSP or by the permit issuing agency.

The second part Administrative Fines

Article 6

- (1) Any person who violates the provisions as intended in article 3 may be subject to an administrative fine
- (2) The imposition of administrative fines as intended in paragraph (1) may be preceded by a written warning
- (3) The implementation of giving written warnings as intended in paragraph (2) is carried out by the technical agency in charge
- (4) The amount of the administrative fine as intended in paragraph (1) is regulated in a certain rupiah value

Article 7

- (1) Provisions for the amount of administrative fines as intended in article 6 are as follows:
 - a. the first violation is subject to an administrative fine of Rp. 500,000.00 (five hundred thousand rupiah);
 - b. a second violation is subject to an administrative fine of IDR 1,000,000.00 (one million rupiah);
 - c. Violations committed for the third time and thereafter are subject to an administrative fine of IDR 2,000,000.00 (two million rupiah);

Article 8

- (1) Before the administrative fine is imposed as intended in Article 6 paragraph (1), a Minutes of Investigation must first be made by Satpol PP assisted by PPNS.
- (2) In addition to making an inspection report as intended in paragraph (1), the offender's identity will be confiscated as collateral.
- (3) Administrative fines are imposed by Satpol PP in the form of a bill.
- (4) The bill as intended in paragraph (3) must at least contain the identity of the sanctioned person, the type of violation committed, the amount of the administrative fine and the due date for payment of the fine.

- (5) The identity of the violator confiscated as collateral as intended in paragraph (2) is returned after the violator has paid the administrative fine imposed.
- (6) The results of the imposition of administrative fines are deposited into the regional treasury as regional income.

Part Three Government Coercion (*bestuur dwang*)

Article 9

- (1) Any person who violates the provisions as intended in Article 3 may be subject to administrative sanctions in the form of government coercion (*bestuur dwang*).
- (2) The type of government coercion as referred to in paragraph
 - (1) in the form of:
 - a. temporary closure;
 - b. sealing; or
 - c. demolition.

Article 10

- (1) The imposition of coercive administrative sanctions by the Government in the form of temporary closure or sealing as intended in Article 9 paragraph (2) letters a and b can be implemented without being preceded by a written warning.
- (2) The imposition of coercive government sanctions in the form of temporary closure or sealing which is carried out without prior written warning as intended in (1) can be carried out in the case of:
 - a. carrying out activities/businesses that do not have a specified permit or have a permit but its validity period has expired;
 - b. carrying out activities/businesses that are not in accordance with the permits held;
 - c. provide facilities:
 - 1) using buildings where activities/businesses are located and/or houses to consume alcoholic beverages without permission; and/or
 - 2) using buildings where activities/businesses are held and/or houses as places for immoral acts.
 - d. caught red-handed committing violations of:
 - 1) organize and/or carry out all forms gambling;
 - 2) distribute, store and sell drinks alcohol without permission; and/or
 - 3) committing immoral acts and/or activities that leads to immoral acts.
- (3) In the event that the imposition of sanctions as intended in paragraph (1) is preceded by a written warning, the temporary closure or sealing shall be carried out no sooner than 1 (one) day after the written warning is given.

- (4) The imposition of government coercive administrative sanctions in the form of temporary closure or sealing as intended in paragraph (1) can be marked in the form of:
 - a. installation of bylaw line signs;
 - b. installation of warning boards without permission; c. installation of padlocks;
 - d. installing stickers; and/or
 - e. another form.
- (5) The implementation of giving written warnings as intended in paragraph (3) is carried out by the relevant technical agency in charge.
- (6) The implementation of the Government's coercive sanctions in the form of temporary closure or sealing as referred to in paragraph (1) is carried out by Satpol PP and/or together with the Team.

Article 11

The implementation of government coercive administrative sanctions in the form of demolition as intended in Article 9 paragraph (2) letter c refers to the provisions of laws and regulations in the field of building construction.

Article 12

The types of administrative sanctions as referred to in Article 4 paragraph (2) can be imposed simultaneously or individually.

CHAPTER V

CLOSING

Article 13

This Regent's Regulation comes into force on the date of invitation.

So that everyone is aware, this Regent's Regulation is ordered to be promulgated by placing it in the Regional Gazette of Sukoharjo Regency.

Set in Sukoharjo
on December 11, 2019

REGENT SUKOHARJO,

signed

Promulgated in Sukoharjo
on December 11, 2019

WARDOYO WIJAYA

REGIONAL SECRETARY
SUKOHARJO DISTRICT,

signed

AGUS SANTOSA

REGIONAL NEWS SUKOHARJO DISTRICT
YEAR 2019 NUMBER 79

The copy corresponds to the original
HEAD OF LEGAL SECTION,

signed

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