

**IMPLEMENTASI PERATURAN DAERAH KOTA TANJUNGPINANG
NOMOR 7 TAHUN 2018 : STUDI KASUS PEDAGANG KAKI LIMA DI
RUANG TERBUKA KOTA TANJUNGPINANG**

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ABSTRAK

Pemanfaatan ruang terbuka publik di Kota Tanjungpinang sering kali berbenturan dengan pedagang kaki lima yang berjualan secara ilegal. Fenomena ini memicu kesenjangan antara norma hukum dan realitas implementasi di lapangan. Penelitian ini bertujuan untuk menganalisis keabsahan kewenangan Pemerintah Kota Tanjungpinang dalam menata pedagang kaki lima berdasarkan Peraturan Daerah Nomor 7 Tahun 2018 tentang Perubahan Atas Peraturan Daerah Nomor 5 Tahun 2015 Tentang Ketertiban Umum, serta mengidentifikasi faktor-faktor penghambat efektivitas penegakan regulasi tersebut. Metode penelitian yang digunakan adalah yuridis empiris untuk melihat bekerjanya hukum di masyarakat. Analisis data dilakukan secara kualitatif dengan pisau analisis Teori Otonomi Daerah dan Teori Efektivitas Hukum Soerjono Soekanto. Data primer diperoleh melalui wawancara mendalam dengan pihak Satuan Polisi Pamong Praja, Penyidik Pegawai Negeri Sipil, para pedagang setempat, serta Masyarakat. Hasil penelitian menunjukkan bahwa Pemerintah Kota Tanjungpinang memiliki kewenangan atribusi yang sah. Namun, implementasinya belum optimal karena lemahnya koordinasi lintas instansi antara fungsi penertiban dan fungsi pemberdayaan ekonomi. Penegakan hukum juga cenderung inkonsisten akibat dilema kemanusiaan serta adanya sejarah kebijakan diskresi lisan kepala daerah terdahulu yang kini dianggap sebagai hukum kebiasaan oleh pedagang. Kesimpulannya, penegakan Peraturan Daerah Nomor 7 Tahun 2018 belum efektif secara komprehensif. Hambatan utama bersumber dari ketidakharmonisan sanksi hukum, dilema sosial-ekonomi aparat, keterbatasan sarana relokasi yang strategis, serta rendahnya kesadaran dan kepatuhan hukum masyarakat akibat desakan ekonomi.

Kata Kunci: Implementasi Peraturan Daerah, Ketertiban Umum, Pedagang Kaki Lima, Ruang Terbuka, Efektivitas Hukum, Otonomi Daerah.

**IMPLEMENTATION OF TANJUNGPINANG CITY REGIONAL
REGULATION NUMBER 7 OF 2018: A CASE STUDY OF STREET
VENDORS IN TANJUNGPINANG CITY OPEN SPACES**

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ABSTRACT

The utilization of public open spaces in Tanjungpinang City often conflicts with street vendors operating illegally. This phenomenon triggers a gap between legal norms and the reality of implementation in the field. This study aims to analyze the legal validity of the Tanjungpinang City Government's authority in managing street vendors based on Regional Regulation Number 7 of 2018 concerning Amendments to Regional Regulation Number 5 of 2015 on Public Order, as well as to identify the inhibiting factors regarding the effectiveness of enforcing the regulation. The research method used is empirical juridical to examine how law operates in society. Data analysis was conducted qualitatively using the analytical frameworks of Regional Autonomy Theory and Soerjono Soekanto's Legal Effectiveness Theory. Primary data were obtained through in-depth interviews with the Public Order Agency, Civil Servant Investigators, local street vendors, and the community. The results show that the Tanjungpinang City Government possesses legitimate attribution authority. However, its implementation remains suboptimal due to weak cross-agency coordination between enforcement and economic empowerment functions. Law enforcement also tends to be inconsistent due to humanitarian dilemmas and a history of oral discretion policies from previous regional leaders, which vendors now regard as customary law. In conclusion, the enforcement of Regional Regulation Number 7 of 2018 is not yet comprehensively effective. The main obstacles stem from the disharmony of legal sanctions, the socio-economic dilemmas faced by enforcement officers, limited access to strategic relocation facilities, and low public legal awareness and compliance driven by economic pressures.

Keywords: Implementation of Regional Regulation, Public Order, Street Vendors, Open Space, Legal Effectiveness, Regional Autonomy.