



ENFORCEMENT OF CRIMINAL SANCTIONS AGAINST STREET VENDORS (PKL) USING PUBLIC FACILITIES IN THE PERSPECTIVE OF URBAN SPATIAL PLANNING

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Abstract

This research examines in depth the regulation, law enforcement, and implications of the enforcement of criminal sanctions against street vendors (PKL) who use public facilities to sell, with a focus on the review of urban spatial planning. The method used is a literature study with a qualitative approach, reviewing laws, local regulations, as well as judicial practices and recent research results. The findings show that criminal sanctions play an important role in maintaining spatial order, but the success of enforcement is strongly influenced by regulatory synergy, supervision models, and empowerment of small business actors. Positive implications include improving the quality of public space, while negative effects can arise if law enforcement is not accompanied by relocation and empowerment solutions. Harmonization between criminal law enforcement and spatial policy is needed to create an orderly, fair and sustainable city.

Keywords: Criminal sanctions, Street vendors, Spatial planning, Law enforcement, Justice.

Introduction

In urban life that continues to grow with social dynamics, the existence of street vendors has become a daily sight in various public spaces. The economic activities carried out by informal street vendors often become the main alternative, especially for city residents who are not absorbed into the formal sector. Their presence in various corners of the city shows the close relationship between the economic drive of small communities and the availability of public facilities that have not been fully managed optimally by the local government. Besides, their selling activities provide convenient access to consumers and encourage micro-economic circulation, but on the other hand, their actions often cause spatial problems and the orderliness of public facilities.

The increase in the number of street vendors is directly proportional to the urban community's need for accessible economic access. This reality is increasingly felt in large cities, where available and affordable business space is very limited (Nurhayati & Purnomosidi, 2024). As a result, traders often choose to utilize public facilities such as sidewalks, city parks, and pedestrian paths as business locations. While this provides an opportunity for the community to survive economic pressures, the illegal use of public spaces creates conflicts with the urban fabric and direct conflicts with public interests.

Legal aspects come to the fore when informal trading activities enter the realm of public facilities that are normatively regulated for the convenience, safety, and functionality of the wider community. Applicable regulations such as regional, ministerial, and small business law, have regulated obligations and prohibitions that are binding at both administrative and criminal levels (Liu et al., 2024; Yofferson et al., 2024). The reality shows that the implementation of regulations often faces obstacles, either due to limited apparatus resources, economic interests, or resistance from informal business actors themselves.

The tension between the interests of the law and informal economic actors is a crucial issue that deserves further study. The obligation of law enforcement officials to implement regulations goes hand in hand with humanitarian demands to provide livelihood space to economically vulnerable groups of society (Setiono, 2018; Siwi et al., 2021). Therefore, problems regarding the use of public facilities by street vendors are no

longer just a matter of order, but also related to the balance of legal protection, the fulfillment of citizens' basic rights, and sustainable spatial development.

The conflict between the rule of law and the economic needs of street vendors in public facilities creates serious problems. In many big cities, the implementation of administrative to criminal sanctions for violations of public space utilization is often inconsistent, both due to enforcement constraints and the influence of social pressure (Nurhayati & Purnomosidi, 2024; Yofferson et al., 2024). In addition, in some areas, the existing legal structure still faces weaknesses in synchronizing enforcement that accommodates aspects of social justice and citizen protection proportionally.

A further complicating issue arises from the unhealthy competition between businesses that fulfill their administrative tax and retribution obligations and street vendors who sell informally and do not pay retribution (Prasetyo et al., 2023; Setiono, 2018). This condition often triggers social inequality and lowers the trust of those who have complied with formal regulations. Such issues, if left unchecked, can undermine urban economic order and trigger horizontal conflicts in the public sphere.

In addition to law enforcement problems, urban governance also faces the challenge of consistency in regulating the location and timing of informal trade activities. Many traders move in red zones or areas that have been designated as prohibited areas for various reasons, such as market potential and minimal risk of repression (Nababan & Suparmin, 2025; Siwi et al., 2021). These conditions make urban planning chaotic and cause degradation of the aesthetic function of public facilities. Legal uncertainty regarding vending spaces further exacerbates the problem, given that some regulations still contain implementation ambiguities at the regional level (Setiono, 2018).

Observing the increasingly complex problems, criminal law enforcement against street vendors who use public facilities for trading deserves to be critically examined. The choice of sanctions, the effectiveness of enforcement mechanisms, and fairness in legal treatment for all business actors are important matters that demand attention based on the principles of justice and the rule of law (Agita et al., 2020; Liu et al., 2024; Nurhayati & Purnomosidi, 2024).

The uniqueness of this topic arises from the dynamic relationship between the need to regulate public space and the interests of fulfilling the economic life of city residents. Fair arrangement and law enforcement require planning and a strong normative basis. A closer look at the practice of street vendors in public facilities provides a real picture of the effectiveness of the law as well as the challenges of balancing the interests of the state and the interests of individuals or small business groups.

Through this review, it was also revealed that an understanding of normative juridical principles is absolutely necessary so that there is no implementation bias and potential criminalization of the weak economic community. This means that accurate critical analysis is needed so that the application of regulations really prioritizes substantive justice, and not merely legal formalities that are separated from the social context.

The purpose of this study is to academically examine the character of regulation and enforcement of criminal law applied to street vendors in public facilities, analyze the extent to which substantive justice is achieved for all business actors both formal and informal, and map the juridical and spatial consequences of the application of criminal law sanctions. This study is expected to contribute as the main reference for policy making, regulation development, and as an enlightenment for the development of urban planning law that is oriented towards social justice.

Method

This research uses a literature study approach with a qualitative method. This method was chosen to comprehensively examine all regulations, legal theories, and practices of enforcing criminal rules against street vendors who utilize public facilities for trading. Qualitative literature study allows the author to evaluate primary and secondary sources derived from books, legal journals, and relevant legislation documents. The advantage of this approach lies in its ability to justify the distribution of law enforcement practices with normative facts contained in authoritative and actual literature (Creswell, 2014; Darmawan, 2015)

The research stages were carried out through the collection of primary, secondary and tertiary legal materials, then analyzed using descriptive-analytical techniques. The literature search process includes national and regional regulations and court decisions if available. The

emphasis in this research is directed at identifying the character of sanction arrangements, enforcement mechanisms, and juridical arguments used by the authorities in the process of enforcing criminal law against street vendors. Comparative studies and critical analysis are used to compare the effectiveness of legal provisions from various regions, so as to obtain an objective understanding of the differences and implementation issues in the field (Darmawan, 2015; Neuman, 2014).

Result and Discussion

Regulation and Enforcement of Criminal Law Against Street Vendors in Public Facilities

The development of big cities in Indonesia has brought new dynamics in the utilization of public space. The phenomenon of urbanization has led to an increase in the number of informal economic actors, including street vendors (PKL), who rely on sidewalks, parks, and public facilities as business spaces. One of the factors causing business activities in sidewalks is due to economic factors and the provision of facilities from the government is very limited (Thesia et al., 2022). The existence of street vendors not only fulfills the economic needs of the urban poor, but is also a vital element of the social and economic life of the city itself. The absence of a clear boundary between private and public space often creates tension between the effort to make a living and the obligation to maintain the order of urban space.

Amidst the rapid growth of street vendor activities, classic issues related to urban land use and environmental order arise (Darmawan et al., 2022). The use of sidewalks, roads, and public facilities for trading poses a spatial dilemma: on the one hand, street vendors fulfill the economic rights of vulnerable citizens; on the other hand, their presence is often seen as disrupting public order, accessibility, and the beauty of the city. Street vendors are often the main target of government policies, such as eviction and relocation (Putra et al., 2021). Therefore, the need for fair and accommodating regulation is urgent in order to maintain a balance between the interests of the informal economy and the interests of the wider public sphere.

The history of regulation of street vendors is inseparable from the context of urban economic growth. The central and local governments

have repeatedly issued policies that aim to find common ground between the empowerment of micro-economic actors and spatial protection. At the most basic level, the recognition of the existence of street vendors as part of the city's economic structure is also accompanied by the demand to adjust to the rules of the spatial game. Regulating the law for street vendors to control indiscriminate sales is important to maintain order and security in the neighborhood (Aritonang et al., 2023). The implementation of this regulation is often characterized by a tug-of-war of interests and challenges in the execution of field arrangements. It is stated that spatial planning is important so that each province, city / regency must have rules that guide spatial planning and become a reference in the implementation of development (Junef, 2017).

Another factor that complicates the management of street vendors in public spaces is the regional diversity and socio-cultural characteristics of Indonesian cities. Not all cities face similar levels of urbanization pressure and street vendor density. Local governments are often faced with the difficult choice between strictly adhering to the doctrine of spatial discipline or taking a compromise approach to prevent social problems from exploding. This is why the formulation of street vendor regulations requires special sensitivity to socio-economic realities and diverse local characteristics.

The idea of structuring street vendors cannot be separated from the idea of protecting human rights, social justice, and the principle of sustainable urban planning. The regulations that are drafted are not only intended to bring order to space, but also to provide a tangent between the economic needs of vulnerable groups and the general function of urban space. Within this framework, various national and local regulations were born that frame the existence of street vendors in public spaces, while encouraging the enforcement of order, environmental sustainability, and proportional protection of economic rights.

The regulation of street vendors (PKL) who run businesses in public facilities is based on a number of national and regional regulations. These regulations are based on the protection of spatial planning and public order, as well as the sustainability of public space functions in urban areas as stipulated in a number of ministerial regulations and regional regulations (Siwi et al., 2021). Law enforcement cannot be separated from

references to Law Number 9 of 1995 concerning Small Businesses which emphasizes restrictions on business space for street vendors, simultaneously accompanied by technical policies from local governments that tend to be adaptive to the dynamics of their respective regions (Liu et al., 2024). In practice, the use of sidewalks or shared spaces as a place to sell must meet certain criteria, as stated in the Minister of PUPR Regulation Number 03/PRT/M/2014.

The implications of these arrangements are multidimensional. When street vendors choose to sell in public facilities without a valid permit, they fall into the realm of administrative violations with potential criminal sanctions if they meet certain elements in the legal provisions. These provisions are applied in a gradual manner, where repeated violations or violations that cause broad social impacts can lead to criminal proceedings (Nurhayati & Purnomosidi, 2024). In many cases, the Satuan Polisi Pamong Praja is at the forefront of enforcement, with written procedures that refer to the provisions of local regulations related to public order and consumer protection (Yofferson et al., 2024). In accordance with Government Regulation Number 16 of 2018 concerning the Pamong Praja Police Unit, order and tranquility in society is something that is highly desired by both state administrators, for the realization of order and tranquility, this is certainly inseparable from the contribution of public services, namely Satpol PP in collaboration with other law enforcement officials (Jumadil, 2022).

Roeis et al. (2023) mentioned that from several literatures it can be said that the supervision system by Satpol PP in the arrangement of street vendors is not effective and not optimal so that the existence of street vendors can cause urban planning problems and public order disturbances. Nevertheless, law enforcement mechanisms in the field often encounter challenges, both in terms of regulation socialization, supervision, and social resistance arising from the street vendors themselves. In several studies, the structuring and enforcement of street vendor laws tend to present dilemmas at the implementation level, especially in areas with high poverty and unemployment rates. This can be seen in the case of Denpasar City, where the application of sanctions tends to fluctuate depending on the intensity of supervision and the apparatus' assessment of the socio-economic impact (Siwi et al., 2021).

The legality theory is the essential basis that criminal sanctions against street vendors must be based on clear written provisions. Criminal law is used not as a tool of oppression, but as a means of maintaining public order and justice. Therefore, the entire enforcement process must follow legal procedures that are transparent, accountable, and proportional to avoid abuse of authority (Nababan & Suparmin, 2025). Law enforcement officials are required to prove every element of the offense, including whether the PKL activities have met the criteria for violations regulated by law.

In some cities, such as in the study of Rusdi et al. (2021) in Sorong City, it was found that the effectiveness of law enforcement is largely influenced by the quality of coordination between agencies, regulatory certainty, and preventive measures. Law enforcement against street vendors selling in public facilities should ideally run parallel with empowerment, so that in addition to the enforcement aspect, there are also economic and social protections accommodated in urban planning policies (Agita et al., 2020).

Regulations on zoning for street vendors (PKL) have been organized hierarchically and systematically through various legal products at the central and regional levels. The establishment of prohibited areas for street vendors is the foundation of city order to ensure that public space is used according to the function of the regional spatial plan. Normatively, these restrictions gain primary legitimacy through Presidential Regulation No. 125/2012 on the Arrangement and Empowerment of Street Vendors. This regulation stipulates that the arrangement of street vendors must be in line with spatial policies and sustainable urban development goals.

Presidential Regulation No. 125/2012 explicitly requires local governments to conduct an inventory of locations that can and cannot be used for selling. The results of the inventory must be stipulated in the form of a regional head decree so that it has permanent legal force. In the Annex of the Presidential Regulation, it is explained that prohibited areas for street vendors include sidewalks, main roads, city parks, green lanes, and other strategic areas that have been identified in the detailed spatial plan (RDTR).

In addition to the Presidential Regulation, regulations at the ministerial level also deepen the technical norms of zoning arrangements.

Minister of Home Affairs Regulation No. 41/2012 on Guidelines for Structuring and Empowering Street Vendors provides detailed technical guidelines for the implementation of zoning, including procedures for location verification, street vendor data management, and zone-based business license distribution. This regulation binds all regional heads to establish detailed prohibited and permitted zones through regional regulations or regional head decrees.

Minister of Public Works and Housing (PUPR) Regulation No. 03/PRT/M/2014 emphasizes areas with strict prohibitions, such as sidewalks, pedestrian paths, and public facilities that are essential for the city's circulation function. This regulation demands synergy between public space management and local regulation enforcement officers, as well as regulating the procedures for installing prohibition signs or red zone signs for locations that are prohibited from being used for street vendor activities.

Prohibition signs, signs and information boards are legal instruments required by regulations. Their presence is not only a physical marker, but also juridically binding. Street vendors who sell in areas with prohibition signs can normatively be subject to administrative sanctions or criminal sanctions as outlined in local regulations related to public order and spatial planning in each region, which refer directly to the *Perpres* and *Permen* above.

The assertiveness of the division of zone functions is also directed at minimizing the potential for conflict between street vendors and public space users. Juridically, unauthorized space utilization in prohibited areas is an administrative violation and can be subject to actions such as goods control, revocation of permits, and misdemeanors based on regional regulations. Thus, the division of zones becomes a measurable law enforcement instrument and has a strong legislative basis. In terms of enforcing local regulations and organizing *trantibum* (public order and peace), Satpol PP can take action through stages in accordance with its Standard Operating Procedures both judicially and non-judicially (Darmawan, 2019).

The application of criminal or administrative sanctions is only applied when there is a real violation of the zoning that has been regulated legally. Consistency between the *Perpres*, *Permendagri*, and *Permen PUPR*

forms an integrated legal system that becomes a mandatory reference for all local governments, so that every action taken by Satpol PP, for example, remains within the corridor of the principle of legality and prevents arbitrary practices.

With a focus on regulation, it is clear that zoning norms and prohibited areas for street vendors are strictly regulated in national legal products that must be adopted and operationalized through local regulations or regional head decrees. Effective implementation requires transparent legality, a proportional sanction system, and a regulation-based monitoring mechanism. This regulation is the main foundation for spatial order while providing legal certainty for all parties related to street vendors in public spaces.

As reflected in the practice in various cities, local regulations on public order are the most widely used legal umbrella in prosecuting violations by street vendors. Classic problems often arise when these regulations are implemented without the support of participatory dialog and a comprehensive empowerment approach. The main actors of law enforcement are often burdened with a repressive image due to the lack of optimal preventive and mediation approaches (Nurhayati & Purnomosidi, 2024). Local governments have obstacles in terms of law enforcement because they are influenced by several factors that do not support the implementation of these regulations, such as public awareness of the laws that apply with the existence of local government regulations and the sanctions given do not create a deterrent effect for the perpetrators so that mistakes will continue to be repeated (Anggraeni & Henda, 2020).

Furthermore, some regions serve as examples of the careful application of sanctions by prioritizing aspects of fairness and proportionality. Liu et al. (2024) in a study of the Tirosa Roundabout Park in Kupang City, concluded that although administrative and criminal sanctions are possible, their implementation must pay attention to the socio-economic conditions of the perpetrators so as not to harm the economic recovery of marginalized communities. Courts have also repeatedly upheld that the *ultimum remedium* principle demands that criminal sanctions be used as a last resort.

The regulation of street vendors (PKL) in the context of urban space utilization and urban order has a strong foundation in various national regulations. One of the main regulations is Law No. 32/2009 on Environmental

Protection and Management. This law not only regulates environmental protection in general, but also emphasizes the importance of environmentally friendly spatial planning in the development process, including the use of public space by the informal sector such as street vendors.

In Article 7 and Article 33 of Law 32/2009, it is emphasized that every business actor who utilizes space in urban areas must pay attention to the carrying capacity and capacity of the environment. For street vendors, this regulation serves as a sign so that their business activities do not cause damage or disruption to environmental functions, such as damaging city parks, polluting sidewalks, or disturbing public facilities. This regulation provides a legal basis for local governments to implement policies limiting the use of space by street vendors in order to maintain the quality of the urban environment. In addition to the environmental aspect, the economic empowerment aspect of street vendors is also strengthened through Law No. 9/1995 on Small Businesses. In this regulation, street vendors are recognized as part of the small business sector that has the right to obtain protection, guidance, and access to business development. Article 6 to Article 9 regulates the rights and obligations of small business actors, including the right to use space legally allocated by the government as well as the obligation to maintain order, cleanliness, and not disturb the surrounding community.

Law 9/1995 also emphasizes the government's obligation to pay special attention to facilitating business space for small businesses, especially in urban areas with high spatial competition pressure. The provision of a proper business place is seen as a tangible manifestation of partiality to the people's economy, but also requires a balance with broader public interests. Thus, space restrictions by street vendors must be carried out within the corridors of legal certainty and proportionality of social protection.

The protection of green zones and public open spaces is of particular concern in the Minister of Public Works Regulation No. 05/PRT/M/2008 on Guidelines for the Provision and Utilization of Green Open Spaces (RTH) in urban areas. This regulation stipulates the principle that the main functions of RTH are to ensure the quality of the environment, provide space for inclusive social interaction, and as a vehicle for urban disaster mitigation. In the context of street vendors, the regulation locks in the provision that business zones in RTH are only

permitted on a limited basis with strict requirements to maintain the sustainability of ecological functions.

Minister of Public Works Regulation 05/PRT/M/2008 Article 22 and Article 23 explicitly stipulate that economic activities, including trading, in public green spaces can only be carried out to the extent that they do not damage vegetation, ecosystems, or the designed spatial layout. In practice, regions are given the authority to establish limited business zones in city parks and other public areas, while still following a permit mechanism and periodic environmental monitoring-so that control over compliance becomes more effective.

These regulations, when integrated, create a comprehensive legal system to regulate the presence of street vendors in urban areas. The integration of aspects of environmental protection, small business empowerment, and public space management forms the legal foundation for local governments to conduct a balanced arrangement-not discriminating against street vendors, but also not neglecting the public interest. Thus, national legal products act as normative as well as juridical guidelines that must be a reference for the enforcement of local regulations on street vendors. The main strength of this regulation lies in the multi-sectoral approach provided. On the one hand, street vendors obtain space and business opportunities legally; on the other hand, they are also bound by a commitment to maintain order, cleanliness, and environmental sustainability. Any deviation to the provisions of space use or destruction of public facilities can be sanctioned under administrative, civil, or criminal provisions in accordance with applicable regulations.

National regulations on street vendors in Law 32/2009, Law 9/1995, and Minister of Public Works 05/PRT/M/2008 emphasize the need for a balance between the right to do business and the obligation to protect public interests. Local governments are obliged to adopt all of these provisions in their policies for structuring and empowering street vendors at the local level, in order to create an orderly, fair, and sustainable urban space management that benefits small businesses while still prioritizing the quality of living space for the community at large.

Theoretically, criminal law enforcement against street vendors is an effort to safeguard public interests, rights to common space, urban order, and consumer protection. The enforcement process requires

synchronization between agencies, transparency of procedures, and clarity of socialization of regulations to the public. Street vendors must still be given access to justice, advocacy space, and reasonable business opportunities so that their existence still respects public rights, the environment, and urban order.

At the implementation level, the implementation of regulations and legal sanctions often face the domestic economic demands of traders, so an integrated approach between law enforcement and social policy is very important. The success of the enforcement system is not only measured by the number of offenders disciplined, but also by the harmonization of interests among city residents. Regulations must be updated regularly to be responsive to social changes and the economic dynamics of urban communities.

A number of regulations stipulate the operating hours of street vendors to avoid excessive disturbance and ensure the smooth running of public activities. This aspect is part of the effort to synchronize modern urban governance with the economic rights of citizens who lack access to formal markets. This contributes to ensuring that economic activities do not create obstacles to public order and the sustainability of public space functions.

Consistent policies in criminal law enforcement will strengthen the rule of law. However, the enforcement system needs to pay attention to the principle of restorative justice for small business actors. This means that policies should not solely focus on punitive aspects, but also provide empowerment pathways to navigate the domestic economic interests of traders.

At the practical level, various national spatial policies have been implemented, these regulations are followed up through legal products in the regions, however, until now there are problems in regional spatial planning and development caused, among others, by the rapidly growing population as well as increasing land use (Thahir, 2023). In sustainable urban spatial planning, criminal law enforcement against street vendors in public facilities plays an important role in maintaining a balance between the protection of collective interests and the fulfillment of economic rights of marginalized groups. Law enforcement must be able to educate as well as provide fair protection for all parties, both the community, the government, and the street vendors themselves. The success of this law enforcement model in the future will determine the maturity of legal democracy and the overall quality of urban life.

Justice for Formal and Informal Businesses

The equity debate between formal and informal businesses often arises in urban law discourse, particularly regarding the use of public facilities for trading. Formal businesses are normatively obliged to pay taxes and levies, while street vendors operating informally are often free from the burden of fiscal administration (Prasetyo et al., 2023; Setiono, 2018). This dichotomy creates unequal economic competition and triggers feelings of unfairness among formal businesses that are fully compliant with regulations. In its implementation, law enforcement officials and local governments are often faced with a dilemma between enforcing regulations and protecting the economic rights of vulnerable groups.

The non-uniformity of law enforcement on street vendors creates real inequality. Unequal competition between formal entrepreneurs and informal street vendors results in economic disparity, potential horizontal conflicts, and negative perceptions of the effectiveness of the state administrative system (Fakhrusy & Widodo, 2018). At the practical level, formal businesses feel disadvantaged because urban spatial governance is perceived to provide protection to certain groups only. The weakness of the retribution and tax monitoring system exacerbates this condition, leading to public dissatisfaction with public authorities. Several studies have highlighted the tendency of the authorities to take a persuasive approach to street vendors more often than strict enforcement on formal perpetrators. This attitude, although based on a humanitarian spirit, has the potential to reduce the authority of the law in the eyes of the public (Nurhayati & Purnomosidi, 2024).

The application of criminal sanctions against street vendors without consideration of substantive justice can lead to economic marginalization or social exclusion. This dilemmatic situation is more complex when local governments are faced with the pressure of economic growth and improving community welfare simultaneously. The push for fair law enforcement needs to pay attention to retribution and taxation as the main instruments of economic equality in cities. Non-compliance of informal business actors in paying retribution can cause distortion in the flow of regional revenue which has an impact on the reduction of public budget for public facilities (Prasetyo et al., 2023). This issue becomes even more substantial considering that Law No. 9/1995 on Small Businesses already

provides a clear legal framework regarding the obligations of street vendors, including licensing matters and procedures for tax and retribution payments.

In some cities, integrative solutions have been implemented through empowerment and rearrangement of street vendors to legal locations determined by the local government (Agita et al., 2020). This effort is considered to be able to connect justice between formal and informal groups, minimize conflict, and enforce order. The process of legalizing street vendors' business locations by paying low retribution is considered the fairest option for both parties, as long as it is accompanied by legal certainty and effective monitoring. This approach has proven to strengthen the city's economic resilience without sacrificing legal certainty.

Local regulations such as those implemented in Probolinggo and Denpasar districts have emphasized the coordinative role of officials in organizing informal business areas so that they do not run into prohibited zones and ensure fiscal contributions to the local treasury (Aditya, 2020; Siwi et al., 2021). Local governments are also authorized to set detailed rules on the placement, operational schedule, and amount of retribution for street vendors. Harmonization efforts are in place to prevent discriminatory law enforcement and foster collective awareness of the importance of contributions to the common good.

The philosophical framework of justice in the implementation of spatial planning and business in urban areas must be able to accommodate the dynamics of actors with heterogeneous economic backgrounds. Criminal law enforcement on street vendors who use public facilities must consider the parameters of distributive justice, not just formal legalistic interpretations. This concept of justice can be realized if regulations truly accommodate social, economic, and collective problems, and are enforced consistently and transparently (Nababan & Suparmin, 2025).

The justice argument also refers to the consumer protection promised by Law No. 8/1999. The use of public facilities by street vendors, in addition to impacting formal businesses, also has consequences for the community at large in terms of comfort, security, and order (Prasetyo et al., 2023). In practice, justice enforcement must carefully navigate the interests of citizens seeking a livelihood and the public interest in an orderly, organized, and comfortable urban space.

To conclude, justice for formal and informal businesses cannot be separated from the rule of law and the fairness of regional fiscal policies. Improvement efforts in this sector have implications for upholding the rule of law, and also strengthening public participation and equitable city management. Harmonizing criminal law with tax and spatial administration systems, along with policies to empower informal businesses, is key to achieving sustainable justice for all economic actors in urban areas.

At the practical level, alignment with the principle of justice requires continuous dialogue between the local government and all business actors. The issue of revenue from the street vendor retribution sector must still be carried out so as not to cause fiscal disparity, but at the same time legal settlements must avoid coercive methods that are counterproductive to efforts to organize people's trade.

City administration policies that refer to justice between formal and informal actors bridge the economic needs of the community, fulfillment of rights to urban space, while encouraging the growth of a legal culture that upholds the rule of law and collective protection. The principles of distributive and corrective justice must be translated into every legal norm and regional policy relating to the regulation of street vendors in public facilities. Thus, harmony is achieved between economic needs, fiscal responsibility, consumer protection, and public order so that cities can become inclusive and productive living spaces.

Implications of Criminal Sanctions for Street Vendors on Spatial Planning

The juridical study of the implications of imposing criminal sanctions for street vendors who utilize public facilities for trading activities confirms the close interaction between law enforcement and urban spatial management. Criminal sanctions in the realm of public space violations are not merely a punitive instrument but also a catalyst for collective behavior change so that the use of urban space runs in harmony with the provisions and objectives of regional planning. Based on Law Number 26 of 2007 concerning Spatial Planning, the public space management system requires order, sustainability, and legal certainty. When street vendors utilize sidewalks, parks, or pedestrian paths without legality, there is a deviation in spatial planning principles that require the area to function for circulation, aesthetics, and safety (Setiono, 2018; Siwi et al., 2021).

The implementation of criminal sanctions provides a deterrent effect that is expected to reduce similar violations in the future as well as a preventive tool for potential violators. However, the implementation of criminal sanctions that is not accompanied by comprehensive spatial evaluation and monitoring has the potential to lead to a shift in the mode of violation without reducing the intensity of the main problem itself (Liu et al., 2024). Criminal sanctions ultimately reflect the role of the state in upholding the rule of law that intersects with the constitutional rights of citizens in obtaining proper business space (Nurhayati & Purnomosidi, 2024).

The effectiveness of enforcement of criminal sanctions against street vendors is highly dependent on the synergy between legislation, spatial planning, and the readiness of the monitoring model. In practice, a number of regions have integrated repressive and restorative approaches referring to the Minister of Public Works Regulation No. 03/PRT/M/2014 and the Minister of Public Works Regulation No. 05/PRT/M/2008 regarding green open spaces (Siwi et al., 2021). Street vendors are encouraged to comply with the provisions of ritual zones, operating hours, and legal provisions stipulated in regent or mayor decrees. This ensures that the implementation of law enforcement does not lose the essence of substantive justice and remains based on laws and regulations.

The imposition of criminal sanctions has systemic implications for the spatial structure of the city. The practice of enforcement often results in the creation of green areas, pedestrians, and public facilities that are more functional for the public interest. However, Agita et al. (2020) shows that evictions and enforcement without relocation actually create social disparities and open up new spaces for violations in other locations. The criminal law approach should be designed as a last resort, after administrative instruments, social dialog, and spatial engineering have been optimally implemented (Setiono, 2018).

The enforcement of criminal sanctions against street vendors (PKL) in public facilities needs to be assessed comprehensively, especially in the context of urban spatial planning and the social protection framework based on Law No. 20/2008 on Micro, Small and Medium Enterprises (MSMEs). This law provides a foundation that the state has an obligation

to provide protection and empowerment for micro businesses, of which street vendors are a major part. Urban spatial planning policies that emphasize aspects of discipline and order, if not balanced with social protection, can risk socioeconomic exclusion and violations of the right to a decent livelihood (Liu et al., 2024).

Street vendors are generally in an economically vulnerable position as they fall under the criteria of micro businesses according to Law 20/2008. According to Article 6, micro businesses have limited capital, net worth, and very limited production capacity. State protection of street vendors is not only administrative in the form of licenses or prohibitions on selling in public spaces, but also concerns the economic sustainability of their families. The government is required to create a conducive business climate, as mandated in Article 5 and 7, which requires the state to balance spatial enforcement with the guarantee of the basic rights of micro businesses.

The impact of enforcing criminal sanctions against street vendors, especially in the form of eviction or confiscation of merchandise, often leads to the loss of the family's main source of income. The implementation of repressive policies without being accompanied by affirmative efforts such as training, relocation, and access to financing causes the social protection promised by the law to be not optimal. Law 20/2008 demands that every strategic policy-including legal action-always be accompanied by an empowerment program so as not to undermine the principle of the right to a decent livelihood.

The regulation of the location of street vendors through local regulations, governor's instructions, or perwal is encouraged to always refer to the principles of microenterprise protection. Local programs that provide PKL centers, micro business licenses, and entrepreneurship training take their legal basis from key articles of Law 20/2008. The role of local governments in organizing and disciplining street vendors must be carried out simultaneously with empowerment efforts, so that the process of urban spatial planning is not only focused on physical control, but also on socio-economic protection.

Easy access to financing for street vendors is an important aspect emphasized in Law 20/2008. Controlling street vendors without providing adequate access to capital through cooperatives or microfinance

institutions will increase the risk of street vendors returning to informal business patterns that are more vulnerable to the law. Modern policies should combine spatial planning with inclusive financial instruments, ensuring that street vendors can improve their business status from micro to small or medium scale.

Besides structuring and law enforcement, partnership is an important strategy proposed in Law 20/2008. Street vendors can be strategic partners in local economic development, including in market modernization programs, urban farming in public spaces, or the integration of micro-enterprises in city supply chains. Thus, the enforcement of criminal sanctions does not become an obstacle to the development of the people's economy, but rather a starting point for the transformation of micro-enterprises through mutually beneficial partnerships.

Thus, public policies that are not achieved in accordance with the objectives because they experience resistance will be one of the questions why a policy needs to be evaluated, what causes it and how solutions should be taken, and whether the policy should be stopped or not (Anggoro et al., 2023). Evaluation of policy impact must pay attention to indicators of the sustainability of social protection after PKL curbing. Policies that only focus on punitive aspects will trigger social effects in the form of unemployment, the movement of street vendors to gray areas that are not monitored by the law, and the emergence of new pockets of poverty in urban areas. Conversely, a combination of spatial planning enforcement and the fulfillment of micro-enterprise protection rights will create a conducive, equitable and sustainable spatial planning.

The success of street vendor management in the urban spatial framework is determined by the government's commitment to translate the substance of Law 20/2008 into every policy and legal action. Enforcement of criminal sanctions must be carried out selectively, proportionally, and based on the principles of social justice. Integration between the spatial vision and the spirit of micro-enterprise empowerment will produce an inclusive city order while supporting populist economic development.

As a juridical basis, PKL zone restrictions have been clearly formulated in a number of presidential regulations, regional regulations, and other sectoral juridical instruments. The installation of prohibition

boards, integrated supervision, and the creation of digital reporting systems are part of contemporary spatial law innovations (Siwi et al., 2021). A fair arrangement should not only rely on the strictness of the authorities, but also build community participation in maintaining the balance of urban space functions (Dzaki et al., 2024).

The positive impact of criminal sanctions can be seen in several cases of structuring strategic areas such as parks, roundabouts, and public transportation centers. Rusdi et al. (2021) shows an improvement in the quality of environment and spatial functions after the application of criminal law enforcement. Thus, cities can reduce the incidence of congestion, pollution, and traffic accidents that are usually triggered by street vendors selling without permission in public facilities. The negative side cannot be ignored, because without a human rights-based approach and inclusive city policies, criminal sanctions can add to the socio-cultural wounds. A collaborative urban planning policy model is needed, between stakeholders, law enforcement, and the street vendor community so that spatial policies do not lead to systematic evictions and the emergence of new slum areas on the outskirts of the city (Aditya, 2020).

Proper enforcement of criminal sanctions enhances the overall quality of urban rule of law, strengthens the city's competitiveness both nationally and globally, and ensures the optimal functionality of public spaces in accordance with city planning frameworks. Simultaneously, the legal system must incorporate flexibility to facilitate compromise, utilize restorative justice mechanisms for dispute resolution, and encourage social innovation directed at the legal and humanitarian reorganization of commercial zones. Effective law enforcement establishes public confidence by creating predictable and equitable outcomes, thereby minimizing arbitrariness in urban governance and fostering sustainable social cohesion (Arnowo, 2023). Transparent and impartial implementation of sanctions provides a foundation for long-term economic growth by attracting investment and supporting entrepreneurial activity vital for urban prosperity. In addition, lawful management of public spaces deters illicit activities and improves the citizens' quality of life, reflecting urban administration's commitment to safety and order. The integration of restorative justice approaches not only serves to resolve conflicts, but also repairs communal trust and mitigates the alienation often associated with

punitive interventions. Encouraging innovation within legal boundaries provides a pathway for adaptive solutions to emerging urban challenges without undermining legal certainty. Furthermore, the systematic reorganization of trade areas based on clearly defined legal and ethical standards promotes inclusive economic development. Ultimately, the synergy of efficient sanction enforcement, adaptive legal responses, and socially responsive urban policies cultivates a resilient civic environment grounded in justice and collective advancement.

The success of applying criminal sanctions to street vendors depends on how well the legal system responds to urban changes. The accuracy of spatial planning and the strong role of legal institution in creating and orderly fair cities also become the main factors. These sanctions show the state's commitment to protect public interest while still respect to the economic rights of vulnerable group. Moreover, the enforcement of criminal sanctions must be evaluated regularly based on spatial data and supervised by independent institutions to prevent mistakes and misuse of power by authorities. The implications for spatial planning will be positive if law enforcement is aligned with empowerment programs, participatory social approaches, and urban planning that is sustainable and adaptive to changing times.

Thus, the function of public spaces, smooth city traffic, and the beauty of the urban environment can be protected, which is in line with the legal principles. Criminal sanctions of urban spatial planning must be interpreted as the last bastion to maintain the balance between collective interests and the economic existence of small people.

Conclusion

The enforcement of criminal sanctions against street vendors (PKL) who utilize public facilities is one of the important instruments in realizing an orderly, functional, and equitable urban layout. The implementation of regulation is based on the principles of legality, legal certainty, and the protection of public interests as mandated by national and regional laws. This study confirms that criminal sanctions can drive collective behavior change and maintain the rule of law, but it needed to respect the principles of distributive justice, protect the economic rights of marginalized communities, and encourage participatory dialogue between

the government and city residents. The effectiveness of criminal sanctions is largely determined by the integration between aspects of legislation, spatial planning, socio-economic empowerment, and cross-sectoral supervision in a synergistic and transparent manner. PKL management and supervision must be carried out in line with justice and empowerment-based relocation efforts, to prevent the emergence of new slums and encourage the transformation of humane public spaces. An adaptive, collaborative and data-driven urban legal system will ensure that every enforcement policy not only brings order, but also development justice for all city stakeholders.

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