

# Policy Analysis of Medan City Regional Regulation Number 5 of 2012 in Issuing Building Construction Permits in Medan City

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## ABSTRACT

This study aims to determine policy analysis of Medan City Regional Regulation Number 5 of 2012 in issuing building construction permits in Medan City. The type of research used is a descriptive study with a qualitative approach. In this study, the selection of informants used a purposive sampling technique to determine the research subject. The steps in analyzing the data in this study were carried out through the stages of data analysis using the Miles and Huberman model consisting of data reduction, data display, and conclusion drawing. The results of research on policy analysis of Medan City Regional Regulation Number 5 of 2012 in issuing building construction permits in Medan City there are supporting and inhibiting factor which of these factors are solutions, namely providing detailed and clear conditions for managing building permits, so that people can easily complete the files that must be provided.

**Keywords:** Policy, Regulation, Construction

## INTRODUCTION

Based on data from the Central Statistics Agency of North Sumatra Province, in 2016, the population in North Sumatra Province by district/city, it appears that as many as 14,250,000 people or 7.08 percent, of course Medan City experiences an imbalance of territory and population. Moreover, Medan City is one of the metropolitan cities, where community activities are growing rapidly and require

space. In addition to this, in Medan City very often encountered buildings that are not in accordance with the function of city space. In fact, to the point of causing damage to the balance and the environment. The increasing population will demand housing development involving developers, the government, and the community. The government's involvement in the form of granting management permits to investors/developers and land acquisition, developers who carry out physical construction, and people who are evicted by developers because their land is subject to development projects are a combination of problems that arise in terms of the policy of building permits or carrying out construction in Medan City.

Permits to construct buildings in the city of Medan have been regulated in the Medan City Regional Regulation Number 5 of 2012, in Article 9 it is stated that every constructing building and or buildings, both individuals and entities must have a building permit issued by the Mayoral Government.

Establishing a building is indeed a common thing in an area, especially in a big city such as Medan City where there are a lot of outsiders working or migrating so that high population growth causes an increase in social, economic and urban development problems, for example an increase in unemployment, an increase in unemployment crime, increased pollution,

the proliferation of street vendors, decreased quality of settlements, and the spread of traffic jams. The trend of population growth in urban areas that is increasing and rapidly increasing is a natural thing because there is an assumption that urban areas have a strong attraction. For example, wider job opportunities, providing higher income, providing career development opportunities and so on (Wilonoyudho, 2009).

The attractiveness of the city encourages high population movement or urbanization. Urbanization continues to occur and even increases in almost all areas of the urban environment due to the attractiveness of development activities coupled with the occurrence of poverty in rural areas due to the increasingly limited business area forcing migrants to build makeshift settlements, namely looking for space or land, which according to them seems it is still possible for temporary shelter locations, even around waste disposal sites (Nugroho, 2006).

Medan City is one of the autonomous regions in the form of a city located in North Sumatra Province which of course in the development process requires large funds to finance regional development in various sectors. Therefore, the need for development financing through local revenue is considered quite decisive. In line with the need for substantial financing, Medan City government is required to actively seek to explore and create potential sources of regional revenue such as local taxes and levies. Taxes and levies play an active role in increasing the local revenue itself. Levies are payments from residents to the state because of certain services provided by the state for individual residents.

Meanwhile, according to Article 1 Number 64 of Law Number 28 of 2009 concerning regional taxes and regional levies, what is meant by regional levies is regional levies as payment for services or the granting of certain permits specifically provided and/or granted by the regional government for the benefit of private persons or persons

agency, one example of a levy or levy is a building permit levy. Some of the characteristics inherent in the regional levies currently collected in Indonesia are as follows:

1. Retribution is a levy levied based on local laws and regulations.
2. Receipts of levy receipts go to the local government treasury.
3. The party who pays the levy receives a counter-achievement (reward) directly from the local government for the payment made.
4. Retribution is payable if there are services provided by the local government that are enjoyed by individuals or entities.
5. Sanctions imposed on user fees are economic sanctions, that is, if they do not pay the user charges, they will not receive services provided by the local government.

The implementation of the Medan City Regional Regulation Number 5 of 2012 regarding the retribution for building permits in Medan City is currently still facing obstacles. A building permit should be owned by the applicant to construct a building within the administrative area of Medan City. However, the purpose of the building permit is to arrange the building in accordance with the city spatial plan and to maintain the reliability of the building that meets the administrative requirements and technical requirements in accordance with the function of the building. What is included in constructing this building is starting from the work of constructing a building wholly or partly including digging, stockpiling, leveling the land related to the work of constructing buildings, repairing/renovating and adding buildings. This study aims to determine policy analysis of Medan City Regional Regulation Number 5 of 2012 in issuing building construction permits in Medan City.

## **RESEARCH METHODS**

The type of research used is a descriptive study with a qualitative approach.

Descriptive study is one type of research method that describes a population, situation, or phenomenon being studied. This research will always focus on answering the questions of how, what, when, and where if the formulation of the research problem, not why (Bungin, 2010; Suyanto et al., 2005). Qualitative approach is research that is descriptive and tends to use analysis. Process and meaning are highlighted in qualitative research. The theoretical basis is used as a guide so that the research focus is in accordance with the facts on the ground (Gunawan, 2013; Singarimbun, 1995).

In this study, the selection of informants used a purposive sampling technique to determine the research subject. Purposive sampling technique is used in the selection of research informants because it used certain criteria (Idrus, 2009; Nazir, 2011). The criteria are:

1. Policy makers for building permits in Medan City.
2. Know about the licensing policy for constructing buildings in Medan City.

So in this study the informants are:

1. Head of Complaints, Policy, and Reporting on Building Permits in Medan Denai District.
2. Head of Section for Handling Public Complaints and Section for Reporting and Service Improvement in Medan Denai District.
3. There are 5 people who have applied for building permits in Tegal Sari Mandala III Village, Medan Denai District.

The steps in analyzing the data in this study were carried out through the stages of data analysis using the Miles and Huberman model consisting of (Yanuar, 2012; Yusuf, 2008):

#### 1. Data Reduction

Reducing data means summarizing, choosing the main things, focusing on the important things, looking for themes and patterns. Thus the data that has been reduced will provide a clearer picture, and

make it easier for researchers to conduct further data collection, and look for it when needed.

#### 2. Data Display

In qualitative research, data presentation can be done in the form of brief descriptions, charts, relationships between categories, flowcharts, and the like. By presenting the data, it will be easier to understand what happened, plan further work based on what has been understood.

#### 3. Conclusion Drawing

The initial conclusions drawn are still temporary, and will change if no strong evidence is found to support the next stage of data collection. However, if the conclusions raised at an early stage are supported by valid and consistent evidence when the researcher returns to the field to collect data, then the conclusions put forward are credible.

## **RESULT**

### **General Condition**

From an economic point of view, it provides a competitive advantage, because it is relatively flat in a very wide expanse and is a port city in the Malacca Strait. This can be seen from the development and economic growth of Medan City which is always above the provincial and national average economic growth. Physically, the general condition of Medan City is not favorable because it is a flat area, has low soil permeability and shallow groundwater depth. This condition makes it difficult for drainage and liquid waste management, so this will continue to be a latent problem in Medan City.

Demographically because Medan City is an alluvial plain, an ideal area for intensive agriculture and industrial crops that have a high selling value such as tobacco. So that the city of Medan in the past has become a dense residential area because it is an agricultural center located in a port city. This means that the problems that arise due to population density have been attached to the city of Medan from time to time, the city of Medan is located between the coordinates

of 2o 27" to 2o 47" north latitude and 98o 35" to 98o 44" east longitude. Administratively, the area of Medan City is almost entirely bordered by the Deli Serdang Regency, namely the West, East and South. Throughout the northern region directly adjacent to the Strait of Malacca, which is one of the busiest traffic lanes in the world. As for the boundaries of the administrative area.

Medan City, can be described as follows:

North Side: Strait of Malacca.

South Side: Deli Tua District and Pancur Batu District, Deli Serdang Regency.

West Side: Sunggal District, Deli Serdang Regency.

East Side: Percut District, Deli Serdang Regency.

The administrative area of Medan City is 26,510 hectares consisting of 21 sub-districts with 151 urban villages divided into 2,000 neighborhoods. Medan Labuhan Subdistrict has the largest area of 3,667 Ha (13.83% of the total area of Medan City). Medan Belawan District is an area that has the second largest area, which is around 2,625 Ha. Meanwhile, Medan Maimun District has the smallest area, which is 298 Ha (1.12% of the total area).

Figure 1. Medan City Administration Map



### Policy Analysis of Medan City Regional Regulation Number 5 of 2012 in Issuing Building Construction Permits in Medan City

Implementation of the policy of Medan City Regional Regulation Number 5 of 2012 in issuing building permits in Tegal Sari Mandala III Village, Medan Denai District, Medan City. Based on the categorization carried out by the researcher: first, that the purpose of the Medan City Regional Regulation Number 5 of 2012 regarding the retribution for constructing buildings, the retribution for constructing buildings in Medan City is paid through integrated services in Medan City, then the levy rates for shops and residential houses are not the

same, for the distribution of levies in Medan City, it is in accordance with what has been determined by the Medan City Government. The community is obliged to take care of a building permit, because if they do not apply for a building permit, the building they are occupying is considered illegal and the Housing and Settlement Areas Agency is obliged to warn and if it has been warned but the community does not respond then the service is obliged to dismantle the building with the help of the Civil Service Police Unit. Praja, because the one in charge of demolition is the Civil Service Police Unit.

Second, Based on the explanations from the sources above, it can be concluded that the

impact of the building permit is very good for the people who take care of it, because the community already has the legality of the building, and people who have obtained a building permit are no longer worried about being exposed to green lines or road widening.

The results of research on policy analysis of Medan City Regional Regulation Number 5 of 2012 in issuing building construction permits in Medan City there are supporting and inhibiting factor:

#### Supporting Factor

1. Licensing service agency, Medan City already has its own licensing service agency, namely a building permit policy in Tegal Sari Mandala III Village, Medan Denai District, Medan City one-stop integrated service in 2020 in December which causes services to be maximized.

#### Inhibiting Factor

1. Most people are still confused about the application for a building permit. The public still does not understand the terms and calculations in accordance with the contents of the Mayor's Regulation Number 83 of 2017 concerning the technical calculation of levies and the conditions for issuing permits
2. Awareness of corporate and private taxpayers to register their buildings.

### CONCLUSION AND SUGGESTION

The results of research on policy analysis of Medan City Regional Regulation Number 5 of 2012 in issuing building construction permits in Medan City there are supporting and inhibiting factor which of these factors are solutions, namely providing detailed and clear conditions for managing building permits, so that people can easily complete the files that must be provided.

The suggestions in this study are as follows:

1. In implementing this, the authors suggest that providing detailed and clear conditions for managing building

permits, so that people can easily complete the files that must be provided. The requirements that are detailed in detail will make the public's interest in applying for the building permit very large, especially they will take care of the building permit directly and will avoid middlemen.

2. In the administrative process, the author still gets people who do not want to take care of building permits due to the difficulty of the existing administrative system, so the authors suggest to keep the administrative system in order to take care of building permits so that all people are not careless in constructing buildings.
3. In the implementation of quoting the levy for building permits, it may have gone well, because it was deposited directly to the Medan City Government, but the authors suggest that they carry out strict supervision around the location of the Housing and Spatial Planning Office in order to eradicate middlemen, and also keep carry out strict surveillance of illegal structures.

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