

REGULATION OF THE MUNICIPALITY OF BALIKPAPAN
NUMBER 4 OF 2022
ON
AMENDMENT TO REGIONAL REGULATION NUMBER 13 OF 2015
ON HOUSEHOLD WASTE AND HOUSEHOLD-LIKE WASTE MANAGEMENT

BY THE BLESSINGS OF ALMIGHTY GOD

THE MAYOR OF BALIKPAPAN,

- Considering:
- a. that in order to conduct integrated and comprehensive waste management, fulfil the rights and obligations of the community, as well as the duties and authorities of the Local Government in providing public services;
 - b. that several provisions in Regional Regulation Number 13 of 2015 on Household Waste and Household-like Waste Management are no longer in accordance with current conditions and need to be amended;
 - c. that based on the considerations as referred to in point a and point b, it is necessary to issue a Regional Regulation on Amendment to Regional Regulation Number 13 of 2015 on Management of Household Waste and Household-like Waste;

- Observing:
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 27 of 1959 on Establishment of Emergency Law Number 3 of 1953 on Extension of the

Establishment of Level II Regions in Kalimantan (State Gazette of the Republic of Indonesia of 1953 Number 9) as a Law (State Gazette of the Republic of Indonesia of 1959 Number 72, Supplement to the State Gazette of the Republic of Indonesia Number 1820) as amended several times last by Law Number 8 of 1965 on Establishment of Level II Regions of Tanah Laut, Tapin, and Tabalong by Amending Law Number 27 of 1959 on Establishment of Emergency Law Number 3 of 1953 on Extension of the Formation of Level II Regions in Kalimantan (State Gazette of the Republic of Indonesia of 1965 Number 51, Supplement to the State Gazette of the Republic of Indonesia Number 2756);

3. Law Number 18 of 2008 on Waste Management (State Gazette of the Republic of Indonesia of 2008 Number 69, Supplement to the State Gazette of the Republic of Indonesia Number 4851);
4. Law Number 23 of 2014 on Local Governments (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 last by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);
5. Regulation of the Municipality of Balikpapan Number 13 of 2015 on Household Waste and Household-like Waste Management (Regional Gazette of the Municipality of Balikpapan of 2015 Number 13, Supplement to the Regional Gazette of the Municipality of Balikpapan Number 25);

With the Joint Approval of
THE REGIONAL HOUSE OF REPRESENTATIVES OF THE MUNICIPALITY
OF BALIKPAPAN
and
MAYOR OF BALIKPAPAN

HAS DECIDED:

To issue: REGIONAL REGULATION ON AMENDMENT TO REGIONAL REGULATION NUMBER 13 OF 2015 ON HOUSEHOLD WASTE AND HOUSEHOLD-LIKE WASTE MANAGEMENT.

Article I

Several provisions in Regional Regulation Number 13 of 2015 on the Management of Household Waste and Similar Types of Household Waste (Regional Gazette of the Municipality Balikpapan of 2015 Number 13, Supplement to the Regional Gazette of the Municipality of Balikpapan Number 25) are amended as follows:

1. The provisions of section (2) of Article 6 is amended to read as follows:

Article 6

- (1) The waste reduction as referred to in Article 5 point a is carried out through activities of:
 - a. limiting waste generation;
 - b. recycling waste; and
 - c. reusing waste.
- (2) Provisions regarding the waste reduction activities as referred to in section (1) are regulated by a Mayor Regulation.

2. The provisions of Article 7 are amended to read as follows:

Article 7

- (1) The handling of Household Waste and Household-like Waste as referred to in Article 5 point b includes:
 - a. sorting;
 - b. collection;
 - c. transportation;
 - d. processing; and/or
 - e. final processing.

- (2) Provisions regarding the handling of Household Waste and Household-like Waste as referred to in section (1) are regulated by a Mayor Regulation.
3. The provisions of section (1) and section (2) of Article 8 are amended to read as follows:

Article 8

- (1) The sorting of Household Waste and Household-like Waste as referred to in Article 7 section (1) point a is carried out by each person at the source.
- (2) The Sorting as referred to in section (1) is carried out by classifying Waste into at least 5 (five) types of waste consisting of:
 - a. organic waste;
 - b. inorganic waste;
 - c. hazardous and toxic household waste;
 - d. other specific waste; and
 - e. residue.
- (3) The waste sorting as referred to in sections (1) and (2) must use facilities that fulfill the following requirements:
 - a. the number of facilities corresponds to the Waste grouping types as referred to in section (2);
 - b. labelled or marked; and
 - c. material, shape, and colour of the receptacles.
- (4) Further provisions regarding waste sorting as referred to in section (2) are regulated by a Mayor Regulation.

4. The provisions of Article 9 are amended to read as follows:

Article 9

- (1) Waste collection and transportation are the responsibilities of:
 - a. public, who can dispose of rubbish into TPS or Waste Transfer Stations;

- b. waste management institutions, established by Neighbourhood Units or by community groups themselves to collect waste at TPS, Waste Transfer Stations, and/or TPS 3R;
 - c. Local Government for the transportation of waste from TPS, Waste Transfer Stations, and/or residues from TPS 3R to TPST or TPA;
 - d. Managers of commercial settlements, commercial areas, industrial areas and special areas for collecting waste from its sources to TPS and/or TPS 3R and transporting it from TPS and/or TPS 3R to TPST or TP
 - e. Local Government for transporting waste from public and social facilities, from its sources and/or from TPS, Waste Transfer Stations, and/or from TPS 3R to TPST or TPA; and
- (2) Waste storage from households, public facilities, social facilities, and other facilities to TPS is conducted from 18:00 to 06:00.
 - (3) Further provisions regarding waste storage from households, public facilities, social facilities, and other facilities to Waste Transfer Station are regulated by a Mayor Regulation.
 - (4) Waste transportation equipment must meet the requirements for safety, environmental health, comfort, and cleanliness.
 - (5) Further provisions regarding the collection and transportation waste as referred to in section (1) are regulated by a Mayor Regulation.
- 5. Article 10 is deleted.
 - 6. Article 11 is deleted.
 - 7. The provisions of section (2) of Article 13 are amended to read as follows:

Article 13

- (1) Local Government may provide incentives to agencies / institutions, business entities, community groups, or individuals who engage in the following activities:
 - a. implementing the best innovations in waste management;
 - b. reporting violations against waste management regulations;
 - c. reducing waste generation; and/or
 - d. handling waste regularly.
 - (2) The incentives as referred to in section (1) may take the forms of:
 - a. rewards;
 - b. publication of best performance assessment; and/or
 - c. other forms in accordance with the development of science and the provisions of legislation.
 - (3) Further provisions regarding the procedure for incentives giving as referred to in section (2) are regulated in a Mayor Regulation.
8. The provisions of section (2), section (4), section (6), and section (7) of Article 18 are amended and one (1) section is added, namely section (8) to read as follows:

Article 18

- (1) Every person is obligated to reduce and manage waste in an environmentally sound manner.
- (2) Every person, whether households, commercial settlement areas, commercial areas, industrial areas, special areas, public facilities, social facilities, or other areas, is obligated to sort waste at its source and store it properly.
- (3) Managers of commercial settlement areas, commercial areas, industrial areas, and special areas are obligated to provide separate waste bins and

transportation based on the types of waste to TPST or TPA.

- (4) Every business Actor is obligated to limit the use of single-use plastic products/packaging on their produced goods.
 - (5) Business actors are obligated to actively coordinate and cooperate with the Local Government in implementing waste management.
 - (6) Every four (4) wheeled or more public vehicle is obligated to be equipped with a trash can.
 - (7) Every incidental event organizer is obligated to:
 - a. be responsible for the cleanliness of the event location;
 - b. provide sorted waste and hand it over to the waste management in accordance with the type; and
 - c. transport the waste residue resulting from the event to the TPA.
 - (8) Further provisions regarding the provision of waste bins and separate transportation according to the types of waste to TPST or TPA as referred to in section (3) are regulated in a Mayor Regulation.
9. The provisions of Article 19 are amended to read as follows:

Article 19

- (1) Every person who carries out waste management business activities is obligated to have a business licensing.
 - (2) Business licensing as referred to in section (1) is implemented by electronic integrated business licensing system (online single submission).
10. Article 20 is deleted

11. Provisions of Article 27 are amended to read as follows:

Article 27

Every person is prohibited from:

- a. storing waste outside of provided TPS and/or Waste Transfer Station;
- b. handling waste by open dumping at final processing sites;
- c. burning waste in open areas;
- d. disposing animal carcasses on roads, green belts, parks, rivers, canals, public facilities, or similar places;
- e. disposing waste or other litter from vehicles;
- f. storing litter or animal carcasses in TPS, waste transfer station, their surroundings, as well as public facilities;
- g. storing waste to TPS and/or waste transfer station using motor or non-motor vehicles with a volume more than 1 (one) cubic meter, except by authorized personnel for official purposes;
- h. racking and scavenging waste at TPS and/or Waste transfer station, except by authorized personnel for official purposes;
- i. storing waste at TPS and/or waste transfer station outside the designated hours; and
- j. disposing waste into drainage, rivers, and coastal areas.

12. Five (5) new Articles, namely Article 29A, Article 29B, Article 29C, Article 29D, and Article 29E, are inserted between Article 29 and Article 30 to read as follows:

Article 29A

- (1) Managers of commercial settlement areas, commercial areas, industrial areas, and special areas who violate the provisions as referred to in Article 18 section (3) are imposed with / subject to administrative sanctions.

- (2) The administrative sanctions as referred to in section (1) and section (2) are in the forms of:
- a. written warning;
 - b. government coercion;
 - c. administrative fines;
 - d. suspension of business licenses; and/or
 - e. revocation of business licenses.

Article 29B

- (1) Every owner/ user of four (4) wheeled public vehicles or more who violates the provisions as referred to in Article 18 section (6) is imposed with/ subject to administrative sanctions.
- (2) The administrative sanctions as referred to in section (1) consist of an administrative fine of Rp100,000.00 (one hundred thousand rupiah).

Article 29C

- (1) Every person who violates the provisions as referred to in Article 19 section (1) is imposed with administrative sanctions.
- (2) The administrative sanctions as referred to in section (1) are in the forms of:
- a. written warning;
 - b. government coercion;
 - c. administrative fine;
 - d. suspension of business licensing; and/or
 - e. revocation of business licensing.

Article 29D

- (1) Every person who violates the provisions as referred to in Article 27 point a to point f, point h, and point i is imposed with administrative sanctions.
- (2) The administrative sanctions as referred to in section (1) are in the forms of:
- a. verbal warning;
 - b. written warning;

- c. administrative fine of Rp100,000.00 (one hundred thousand rupiah); or
- d. administrative sanction in the form of social work by cleaning the area where the violation takes place.

Article 29E

Further provisions regarding the procedures for imposing administrative sanctions, as referred to in Article 29A, Article 29B, Article 29C, and Article 29D are regulated in a Mayor Regulation.

13. The provisions of section (1) of Article 31 is amended to read as follows:

Article 31

- (1) Civil Servant Investigators within the Local Government are given special authority as investigator for criminal offences violating this Regional Regulation.
- (2) The Civil Servant Investigators as referred to in section (1), have the authority for:
 - a. examining the accuracy of reports or information regarding criminal offences in the field of waste management;
 - b. examining individuals suspected of committing criminal offences in the field of waste management;
 - c. requesting information and evidence from individuals regarding criminal incidents in the field of waste management;
 - d. examining accounting, records, and other documents related to criminal offences in the field of waste management;
 - e. conducting inspections at specific locations suspected of containing evidence, accounting, records, and other documents, and seizing materials and items resulting from criminal

offences that may be used as evidence in criminal cases in the field of waste management; and

- f. requesting for expert assistance in investigating criminal offences the execution of investigative duties in the field of waste management.

- (3) The Civil Servants Investigators as referred to in section (1) notify the start of the investigation and the results of the investigation to the State Police Investigators of the Republic of Indonesia.

- (4) The Civil Servants Investigators as referred to in section (1) submit the results of the investigation to the prosecutor through the State Police Investigators of the Republic of Indonesia.

14. The provisions of Article 32 are amended to read as follows:

Article 32

Every person who violates the provisions as referred to in Article 27 point g and j is subject to imprisonment for a maximum of 3 (three) months or a fine for a maximum of Rp5,000,000.00 (five million rupiah).

Article II

This Regional Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgated this Regional Regulation by its placement in the Regional Gazette of the Municipality of Balikpapan.

Issued in Balikpapan
on 29 August 2022
MAYOR OF BALIKPAPAN,

signed

RAHMAD MAS'UD

Promulgated in Balikpapan
on 30 August 2022
ACTING REGIONAL SECRETARY OF THE MUNICIPALITY OF BALIKPAPAN,

signed

MUHAIMIN

REGIONAL GAZETTE OF THE MUNICIPALITY OF BALIKPAPAN OF 2022
NUMBER 4

Jakarta, 19 March 2025

Has been translated as an Official Translation
on behalf of the Minister of Law
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,



PUTRA

ELUCIDATION
OF
REGULATION OF THE MUNICIPALITY OF BALIKPAPAN
NUMBER 4 OF 2022
ON
AMENDMENTS TO REGIONAL REGULATION NUMBER 13 OF 2015 ON
HOUSEHOLD WASTE AND HOUSEHOLD-LIKE WASTE MANAGEMENT

I. GENERAL

According to Law Number 18 of 2008 on Waste Management and Government Regulation Number 81 of 2012 on Management of Household Waste and Household-Like Waste, waste management is a shared responsibility between the government and the community, with the potential for collaboration with institutions or other parties in accordance with the provisions of legislation.

The following are some strategic issues that are associated with Regulation of the Municipality of Balikpapan Number 13 of 2015 on Management of Household Waste and Household-Like Waste: (a) organization of waste management in the Municipality of Balikpapan, (b) Sanctions and compensations (reward and punishment) for the community, (c) Development and application of technology for more effective and efficient waste disposal, (d) Necessity of enhancing the waste disposal information system to increase community awareness, and (e) Role and guidance of the community in the disposal of household waste and household-like waste, which requires further improvement.

The Civil Service Police Unit's authority as the enforcement apparatus of Regional policies must be adapted to the development of community requirements and regulatory policies. This is predicated on the challenges encountered by the Civil Service Police Unit in fulfilling its

responsibilities and exercising its authority to enforce Regional Regulations and/or the Regulations of Regional Head.

II. ARTICLE BY ARTICLE

Article I.

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

Sufficiently clear.

Point 4

Sufficiently clear.

Point 5

Sufficiently clear.

Point 6

Sufficiently clear.

Point 7

Sufficiently clear.

Point 8

Sufficiently clear.

Point 9

Sufficiently clear.

Point 10

Sufficiently clear.

Point 11

Sufficiently clear.

Point 12

Sufficiently clear.

Point 13

Sufficiently clear.

Point 14

Sufficiently clear.

Article II

Sufficiently clear.

SUPPLEMENT TO REGIONAL GAZETTE OF THE MUNICIPALITY OF
BALIKPAPAN NUMBER 63