

REGULATION OF THE MUNICIPALITY OF PASURUAN
NUMBER 5 OF 2017
ON
LODGING MANAGEMENT

BY THE BLESSINGS OF ALMIGHTY GOD

MAYOR OF PASURUAN,

Considering : a. that the development of trading, industry, tourism, and education sectors will influence the increase in the need for lodging or residence for workers and students from other regions;
b. that to fulfill the need for lodgings or residences that are disciplined, decent, comfortable, and safe for workers and students from other regions, participation from all parties is required;
c. that based on the consideration as referred to in point a and point b, it is necessary to issue a Regional Decision on Lodging Management;

Observing : 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law of the Republic of Indonesia Number 17 of 1950 on Establishment of Small City Regions in the Provinces of East Java, Central Java and West Java (State Gazette of the Republic of Indonesia on 14 August 1950) as amended by Law of the Republic of Indonesia Number 13 of 1954 on Amendment to Laws Number 16 and 17 of 1950 (Former Republic of Indonesia) on Establishment of Big Cities and Small Cities in Java (State Gazette of the Republic of Indonesia of 1954 Number 40, Supplement to the State Gazette of the Republic of Indonesia Number 551);
3. Law of the Republic of Indonesia Number 28 of 2002 on Buildings (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 4247);
4. Law of the Republic of Indonesia Number 26 of 2007 on Spatial Planning (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 4725);
5. Law of the Republic of Indonesia Number 1 of 2011 on Housing and Residential Area (State Gazette of the Republic of Indonesia of 2011 Number 7, Supplement to

the State Gazette of the Republic of Indonesia Number 5188);

6. Law of the Republic of Indonesia Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234);
7. Law of the Republic of Indonesia 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 of the Republic of Indonesia Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
8. Government Regulation Number 46 of 1982 on Changes in Borders of Second-Level Municipal Region of Pasuruan (State Gazette of the Republic of Indonesia of 1982 Number 73, Supplement to the State Gazette of the Republic of Indonesia Number 3241);
9. Government Regulation Number 44 of 1994 on House Occupancy of Non-Owner (State Gazette of the Republic of Indonesia of 1994 Number 73);
10. Government Regulation Number 36 of 2005 on Implementing Regulation of Law Number 28 of 2002 on Buildings (State Gazette of the Republic of Indonesia of 2005 Number 83, Supplement to the State Gazette of the Republic of Indonesia Number 4532);
11. Presidential Regulation Number 87 of 2014 on Implementing Regulation of Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2014 Number 199);
12. Regulation of the Minister of Home Affairs Number 14 of 2015 on Non-permanent Resident Registration Guide (State Bulletin of the Republic of Indonesia of 2015 Number 147);
13. Regulation of the Minister of Home Affairs Number 80 of 2015 on Formulation of Regional Legal Products (State Gazette of the Republic of Indonesia of 2015 Number 2036);
14. Regulation of the Municipality of Pasuruan Number 05 of 2003 on Implementation of Public Peace and Order in the Municipality of Pasuruan (Regional Gazette of the Municipality of Pasuruan of 2003 Number 01 Series E);
15. Regulation of the Municipality of Pasuruan Number 09 of 2003 on Neighborhood Association and Community Association (Regional Gazette of the Municipality of Pasuruan of 2003 Number 03 Series E);
16. Regulation of the Municipality of Pasuruan Number 01 of 2012 on Regional Spatial Planning of the Municipality of Pasuruan on 2011-2031 (Regional Gazette of the Municipality of Pasuruan of 2012 Number 05);
17. Regulation of the Municipality of Pasuruan Number 02 of 2012 on Issuance of Regulation of the Municipality of

Pasuruan (Regional Gazette of the Municipality of Pasuruan of 2012 Number 06, Supplement to the Regional Gazette of the Municipality of Pasuruan Number 06); Regulation of the Municipality of Pasuruan Number 22 of 2012 on Buildings (Regional Gazette of the Municipality of Pasuruan of 2013 Number 26, Supplement to the Regional Gazette of the Municipality of Pasuruan of 2013 Number 26) as amended by Regulation of the Municipality of Pasuruan Number 9 of 2015 on Amendment to Regulation of the Municipality of Pasuruan Number 22 of 2012 on Buildings (Regional Gazette of the Municipality of Pasuruan Number 26, Supplement to the Regional Gazette of the Municipality of Pasuruan of 2013 Number 26);

18. Regulation of the Municipality of Pasuruan Number 7 of 2016 on Formation and Organization of Regional Apparatus (Regional Gazette of the Municipality of Pasuruan of 2015 Number 3, Supplement to the Regional Gazette of the Municipality of Pasuruan Number 3);

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

HAS DECIDED:

To issue : REGIONAL REGULATION ON LODGING MANAGEMENT.

CHAPTER I GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Mayor means the Mayor Pasuruan.
2. Investment and One-Stop Integrated Service Office means the Investment and One-Stop Integrated Service Office of the Municipality of Pasuruan.
3. Public Housing and Residential Area Office means the Public Housing and Residential Area Office of the Municipality of Pasuruan.
4. Lodging (*Pemondokan*) or also known as Rental House (*Rumah Kos*) means a house or room rented for residence in a certain period for individuals or legal entities.
5. Lodging Provider means an individual or legal entity that operates Lodging facilities.
6. Lodger means one or several individuals residing in a Lodging.
7. Lodging Management License means a permit granted by the Mayor or appointed Officer as a valid requirement of a house or room used as a Lodging.
8. Neighborhood Association (*Rukun Tetangga*), hereinafter abbreviated to RT, means the institution established through local community deliberation to provide government and community services as stipulated by the Village.

9. Body means a group of persons and/or capital constituting a single entity, whether conducting business or otherwise, which include limited liability company, limited partnership, other types of partnership, state-owned enterprise (SOE) or local-owned enterprise (LOE), under any name and in any form, firm, consortium, cooperative, pension fund, partnership association, foundation, mass organization, socio-political organization or other organizations, institutions, and other forms of body, including collective investment contracts and permanent establishments.

CHAPTER II PRINCIPLES, OBJECTIVES, AND SCOPE

Article 2

Lodging management is in accordance with the principles of:

- a. benefit;
- b. morality;
- c. balance;
- d. tranquility;
- e. order; and
- f. propriety.

Article 3

The purposes of regulating Lodging management are:

- a. to revitalize and maintain the identity of the Municipality of Pasuruan as a culturally and religious city;
- b. to keep peace and order in the society;
- c. to conduct control and order of the people;
- d. to prevent and solve arising social problems;
- e. to control environment resourcing; and
- f. to provide legal certainty for Lodging Providers.

Article 4

- (1) The scope of implementation of Lodging as regulated in this Regional Regulation includes the houses or rooms provided as residences for one or more persons for a certain period of time.
- (2) The rooms as referred to in section (1) include rooms either within a house or outside the owner's house that are rented to one or more persons for a certain period of time based on mutual agreement between both parties and in compliance with the provisions of legislation.

CHAPTER III OBLIGATIONS AND PROHIBITIONS

Part One Obligations

Article 5

- (1) Every Lodging Provider is obligated to:

- a. obtain a Lodging Management License for persons or Bodies that manage a minimum of 3 (three) Lodging rooms on one location;
- b. be responsible for the environment, peace, and order;
- c. take part in preventing immoral conduct and any activities violating the legislation;
- d. be responsible for all activities of the lodging;
- e. provide written reports regarding the number and identities of the Lodgers to Head of RT on every adjustment;
- f. report to the Head of RT if any Lodger invites a guest who stays for over 1 x 24 (one time twenty-four) hours;
- g. ensure that every guest of the Lodgers has a valid ID in accordance with the provisions of legislation;
- h. make and implement written regulations for the Lodgers;
- i. provide guidance to the Lodgers on adjusting to the local community as well as actively participating in the community activities and development;
- j. maintain the cleanliness and health of the environment; and
- k. obey the prevailing conditions.

(2) The provisions on location as referred to in section (1) point a are further stipulated in the Mayor Regulation.

Article 6

- (1) For Lodging Providers who do not live in the same Lodging are obligated to appoint a person in charge to be responsible for the Lodging management;
- (2) In assigning responsibility to the person in charge as referred to in section (1), the following requirements must be fulfilled:
 - a. the person in charge must reside in and have a Citizen Resident Identification of the local Village; and
 - b. the assignment is reported to the Head of RT.

Part Two Prohibitions

Article 7

- (1) Every Lodging Provider is prohibited from managing a Lodging inhabited by Lodgers of different genders in one integrated unit, with the exception of husband and wife provided with a Marriage Certificate.
- (2) Every Lodger is prohibited to invite guests of the opposite gender to the room, with the exception that the guest is the husband/wife, proofed with a Marriage Certificate, or family members proofed with a Family Certificate.

CHAPTER IV LICENSE

Article 8

Every person or Body managing Lodging with a minimum of 3 (three) rooms in one location is obligated to obtain a Lodging Management License.

Article 9

- (1) The Lodging Management License is submitted in a written application addressed to the Mayor through the Head of the Investment and One-Stop Integrated Service Office.
- (2) The application as referred to in section (1), is accompanied with the following requirements:
 - a. identification of the Lodging Provider;
 - b. Building Permit (*Izin Mendirikan Bangunan*, IMB); and
 - c. a proof of ownership and/or authorization of the land and building.
- (3) The provision regarding regulation and procedure of applying for Lodging Management License as referred to in section (1) and section (2) are further stipulated in the Mayor Regulation.

Article 10

- (1) The Investment and One-Stop Integrated Service Office issues the Lodging Management License no later than 5 (five) days as of the date the complete and concrete application is received.
- (2) The application that is rejected in obtaining Lodging Management License may be resubmitted.
- (3) In the event that the Lodging Management License retrieved by the applicant is damaged, unreadable, or lost, the applicant may make a written request for a Lodging Management License substitution to the Head of the Investment and One-Stop Integrated Service Office.

Article 11

- (1) A Lodging Management License cannot be transferred to other parties.
- (2) In the event that a transfer occurs, the new rightful holder is obligated to request a Lodging Management License from the Mayor through the Head of the Investment and One-Stop Integrated Service Office.

Article 12

- (1) A Lodging Management License is valid for 5 (five) years and may be extended.
- (2) The extension as referred to in section (1) is requested no later than 3 (three) months prior to the end period of validity.

CHAPTER V PUBLIC PARTICIPATION

Article 13

Lodging Providers participate in preventing the distribution and abuse of Narcotics, Psychotropics, Other Addictive Substances, alcoholic beverages, and other types prohibited under the provisions of legislation.

Article 14

- (1) The community actively participates in supervising peace and order of Lodging management in their respective environment.
- (2) The public participation as referred to in section (1) is conducted in accordance with the provisions of legislation.

CHAPTER VI GUIDANCE AND SUPERVISION

Article 15

- (1) The Municipal Government conducts guidance and supervision on Lodging Management.
- (2) The guidance, supervision, and control of space and building of Lodging is carried out by the Public Housing and Residential Area Office pursuant to its main duties and functions, and in coordination with the relevant institutions.

CHAPTER VII ADMINISTRATIVE SANCTIONS

Article 16

- (1) Every Lodging Provider that violates the provisions as referred to in Article 5, Article 6 section (1) and section (2), and Article 7, is subject to administrative sanction in the form of revocation of the Lodging Management License.
- (2) Lodgings that have had their Lodging Management License revoked are permitted to re-operate the Lodging once fulfilling the prevailing requirements and obtaining a no objection statement from the Head of RT.
- (3) Lodgings that have had their Lodging Management License revoked twice cannot be permitted to re-operate and must be closed down.
- (4) The provisions on the procedures for the imposition of administrative sanctions are further stipulated in the Mayor Regulation.

CHAPTER VIII TRANSITIONAL PROVISIONS

Article 17

The Lodging Management prior to this Regional Regulation must be adjusted with the provisions of this Regional Regulation no later than 1 (one) year after the promulgation of this Regional Regulation.

CHAPTER IX CLOSING PROVISIONS

Article 18

The implementing regulations of this Regional Regulation are issued no later than 1 (one) year after the promulgation of this Regional Regulation.

Article 19

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

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

Issued in Pasuruan
on 15 August 2017

MAYOR OF PASURUAN,

signed

SETIYONO

Promulgated in Pasuruan
on 15 August 2017

REGIONAL SECRETARY
OF THE MUNICIPALITY OF PASURUAN,

signed

BAHRUL ULUM

REGIONAL GAZETTE OF THE MUNICIPALITY OF PASURUAN OF 2017 NUMBER
5

Jakarta, 18 December 2025
Has been translated as an Official Translation
on behalf of the Minister of Law
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,

DHAHANA PUTRA



**ELUCIDATION
OF
REGULATION OF THE MUNICIPALITY OF PASURUAN
NUMBER 5 OF 2017
ON
LODGING MANAGEMENT**

I. GENERAL

The Municipality of Pasuruan as a city of developing trading, industry, tourism, and education, will influence the increase in the need for lodging or residence for workers and students from other regions. The large number of students studying in the Municipality of Pasuruan, as well as workers from other regions residing temporarily in the Municipality of Pasuruan, will have an impact on the social life of lodging facilities and their surrounding communities. To ensure that the social life has positive impacts, legal provision is needed to be used as a fundamental and guidance for parties involved in the management or regulation of lodging as well as law enforcement from the Government of the Municipality of Pasuruan towards those who violate it.

This Regional Regulation not only regulates licensing but also stipulates the rights and obligations of Lodging Providers and Lodgers. It is expected that this Regulation will foster a conducive environment in the Municipality of Pasuruan, particularly for students and workers in carrying out their activities, as well as for the surrounding community.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Point a

The term “principle of benefit” means that the Lodging operation provides benefits to the Lodging Provider, Lodger, and the community.

Point b

The term “principle of morality” means that the Lodging operation must respect existing values and norms.

Point c

The term “principle of balance” means that the Lodging operation must take into account the rights and obligations of all parties.

Point d

The term “principle of tranquility” means that the Lodging operation must implement tranquility in the community environment to create a clean, safe, and tranquil environment.

Point e

The term “principle of order” means that the Lodging operation must implement the orderliness of the community.

Point f

The term “principle of propriety” means that the Lodging operation must be aligned with the prevailing values in the community.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Section (1)

Sufficiently clear.

Section (2)

The term “family” means the smallest unit of society consisting of husband and wife, husband and wife with their child, or father and child, or mother and child.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Sufficiently clear.

Article 14

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Sufficiently clear.

Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

SUPPLEMENT TO THE REGIONAL GAZETTE OF THE MUNICIPALITY OF
PASURUAN NUMBER 5