

## ABSTRAK

Lemahnya sanksi terhadap pelanggaran Garis Sempadan Bangunan yang diancamkan bagi pelaku tidak cukup daya paksa untuk mematuhi peraturan yang ada. Tujuan penelitian menemukan dan menganalisis regulasi terhadap pelanggaran tata ruang tentang Garis Sempadan Bangunan (GSB) saat ini yang belum mencerminkan keadilan; untuk menemukan dan menganalisis kelemahan-kelemahan regulasi terhadap pelanggaran tata ruang tentang Garis Sempadan Bangunan (GSB) saat ini; dan untuk merekonstruksi regulasi terhadap pelanggaran tata ruang tentang Garis Sempadan Bangunan (GSB) Berbasis Nilai Keadilan. Penelitian ini dengan paradigma konstruktivisme. Sifat penelitian yaitu deskriptif, dan perskriptif, dengan metode penelitian hukum normatif dan metode penelitian hukum sosiologis. Metode Pengumpulan Data Primer dengan Observasi dan Wawancara. Sumber data dari Data Primer dan Data Sekunder. Analisis data dengan *deskriptif kualitatif*. Hasil Penelitiannya bahwa penegakan hukum terhadap pelanggaran Garis Sempadan Bangunan (GSB) yang terkesan sia-sia, dikarenakan pelanggaran-pelanggaran masih saja terjadi secara terus menerus. Dalam Rumusan Pasal 71 Undang-Undang Nomor 26 Tahun 2007 ataupun Pasal 184 Peraturan Daerah Kota Medan Nomor 1 Tahun 2015, bahwa ancaman pidana terkait hukuman dan denda masih tergolong ringan dan belum memberikan “daya paksa” kepada masyarakat untuk mematuhi ketentuan tersebut. Kelemahan-Kelemahan regulasi terhadap pelanggaran Garis Sempadan Bangunan (GSB) saat ini, bahwa lemahnya sanksi terhadap pelanggaran Garis Sempadan Bangunan (GSB) berimplikasi terhadap karena masyarakat tidak mempunyai kekhawatiran jika melakukan pelanggaran. Penindakannya sanksi administrasi dan/atau sanksi paling berat pembongkaran bangunan gedung. Perlu dilakukan rekonstruksi nilai, bahwa dalam pengenaan sanksi pelanggaran Garis Sempadan Bangunan (GSB) dengan ancaman pidana terkait hukuman dan denda agar diperberat dan harus memberikan “daya paksa” kepada masyarakat untuk mematuhi ketentuan tersebut. Perlu rekonstruksi Pasal 71 Undang-Undang Nomor 26 Tahun 2007 Tentang Penataan Ruang dan Pasal 184 Peraturan Daerah Kota Medan Nomor 1 Tahun 2015 Tentang Bangunan Gedung, sehingga ancaman pidana terkait hukuman dan denda terhadap pelaku harus diperberat. Temuan teori hukum barunya: Teori Penegakan Hukum GSB (Garis Sempadan Bangunan) yang Berkeadilan, artinya Teori Penegakan Hukum GSB (Garis Sempadan Bangunan) dalam memenuhi ketentuan dalam Peraturan Daerah dengan nilai keseimbangan dan nilai keadilan untuk mewujudkan masyarakat adil makmur yang merata berdasarkan Pancasila.

**Kata Kunci: Garis Sempadan Bangunan, Pelanggaran, Penegakan Hukum, Keadilan.**

## **ABSTRACT**

*Weak sanctions against violations of the Building Line that were threatened by the perpetrators were not forced enough to comply with existing regulations. The purpose of the study was to find and analyze regulations on spatial violations of the current Building Border Line (GSB) that have not reflected justice; to find and analyze regulatory weaknesses against spatial violations of the current Building Border Line (GSB); and to reconstruct regulations on spatial violations of the Value-Based Building Base (GSB). This research is based on the constructivism paradigm. The nature of the research is descriptive, and descriptive, with normative legal research methods and sociological legal research methods. Primary Data Collection Method with Observation and Interview. Sources of data from Primary Data and Secondary Data. Data analysis with qualitative descriptive. The results of his research are that law enforcement against violations of building boundary lines (GSB) seems futile, because violations still occur continuously. In the formulation of Article 71 of Law No. 26 of 2007 or Article 184 of the Regional Regulation of Medan City No. 1 of 2015, criminal penalties related to penalties and fines are still relatively mild and have not provided "forced power" to the community to comply with these provisions. Weaknesses - Weaknesses of regulations regarding the current violation of the Building Border Line (GSB), that the weak sanctions against violations of Building Border Line (GSB) have implications for because the community has no worries about committing a violation. Enforcement of administrative sanctions and / or the most severe sanctions for demolition of buildings. It is necessary to reconstruct values, that in the imposition of sanctions for violations of Building Border Line (GSB) with criminal penalties related to penalties and fines to be aggravated and must provide "forced power" to the community to comply with these provisions. It is necessary to reconstruct Article 71 of Law Number 26 of 2007 concerning Spatial Planning and Article 184 of the Regional Regulation of Medan City Number 1 of 2015 concerning Building Buildings, so that the criminal threat related to penalties and penalties against perpetrators must be aggravated. The findings of his new legal theory: The GSB Law Enforcement Theory (Equivalent Building Line), meaning the GSB Law Enforcement Theory (Building Border Line) in fulfilling the provisions in Regional Regulations with the value of balance and the value of justice to realize a just and prosperous society based on the Pancasila.*

**Keywords :** *Building Border Line, Violation, Law Enforcement, Justice.*