



The Participation of the Breeders : Regional Regulation of Dumai City Concerning Livestock and Pets

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Abstract

This article aims to look at community participation in implementing Dumai City Act Number 10 of 2008 concerning livestock and pets, namely what impacts arise and what sanctions will be received if they do not comply and what are the anticipatory actions of the breeders so that they will not suffer losses in the future. This study is a qualitative research categorized as sociological juridical research. The data analysis was conducted using descriptive analysis. The results showed that the breeders (livestock farmers)' lack of understanding on the regulations that had been set was one of the obstacles arising in the implementation of the law. It is hoped that the related parties involved in this Regional Regulation understand the legal sanctions and the impacts that arise from any disobedience acts. From various community backgrounds and in terms of educational factors, cultural factors, geographical aspects, and facility factors, it appears that the government's role in creating all aspects involved in jointly implementing this regional regulation is required. Besides, breeders must implement these regional regulations as a form of anticipatory action; thus, such livestock and pet activities will not harm themselves and their environment.

I. Introduction

Indonesia is well-known for its abundant natural resources and fertile land. As a matter of fact, Indonesia will be able to earn the title of one of Asia's agricultural and livestock countries. Livestock farming sector is an economic potential which is

continuously developed in Indonesian society ([Reza, 2016](#)). In addition to focusing on infrastructure, the government is currently also focusing on the welfare of its people through various agricultural programs, one of which is improving animal husbandry which supports the welfare of the people in the area. There have been some efforts carried out to increase the agricultural and livestock sectors in many regions in Indonesia ([Sa'diyah, 2017](#)).

With regional autonomy, each region now has the authority to regulate its own region independently. Along with the region's rapid development and increasing agricultural development, of course, regulations that regulate various sectors in order for them to be in line with the regional development mission are required. A regulation is required, particularly in the livestock sector, so that it can later be directed and in line with the rapid development of an area. Giving the regions the authority to create legal products, which in practice means regulating problems in their regions, marks the beginning of the formation of Regional Regulations on livestock.

This is also conducted in Dumai, as the second-largest city in Indonesia, covering 1,727.38 KM² after Palangkaraya city (web.dumaikota.go.id, 2021). Dumai City has many areas that have the potential for the welfare of its people ([Afrizal, 2020](#); [Harfis et al., 2019](#)). Besides its strategic location facing neighboring Malaysia and known as an industrial city, Dumai City also remains focused on animal husbandry. Various programs have been carried out by the government for breeders so that the goal of increasing the welfare of the community can be realized. Thus, to support this goal, the local government of Dumai City has issued a Regional Regulation of Dumai City Act Number 10 of 2008 Concerning Livestock And Pets which is certainly a tangible manifestation that must be implemented and applied ([Dumai City, 2008](#)). In its application, it certainly needs the involvement of several parties who are directly related in the implementation.

Regional regulations are one of the tools for implementing social and democratic transformations in regions that can respond to rapid changes. The principles must be followed in the creation of regional regulations. A series of processes, including the planning process, the drafting process, the deliberation process, and the process of stipulating and promulgating a regional regulation, have been formally established in order to make the formation of regional regulations more focused and coordinated. The principles must be followed in the creation of regional regulations. A series of processes, including the planning process, the drafting process, the deliberation process, and the process of stipulating and promulgating a regional regulation, have been formally established in order to make the formation of regional regulations more focused and coordinated.

The need for government's role, for example through the Food and Agriculture Office of Dumai City as the agency which is responsible for animal husbandry and supported by other agencies as well as the need for the community's role both in groups and individually to implement the regulations that have been issued. The increasing number of livestock spread in the community has also been the Government's and society's concern. The following table 1 illustrates the number of livestock population in Dumai City:

Table 1. Livestock Population in Dumai City in 2019

Sub-district	Cow	Buffalo	Goat/sheep	Pig	Village chicken	Chicken	Duck
Bukit Kapur	2054	35	574	7	6097	217000	1088
Medang Kampai	698	5	148	-	137	264000	80
Sungai Sembilan	1671	-	1863	66	8118	39492	1211
Dumai Barat	365	3	790	-	883	330000	95
Dumai Selatan	224	8	573	10	-	66000	-
Dumai Timur	105	-	295	2108	1463	-	179
Dumai Kota	-	-	21		243	-	80
Total	5117	51	4264	3191	16941	916492	2733

Source: Statistics Indonesia Dumai City, 2020

Based on the table above, it can be seen that there are a high number of livestock farms in some areas such as in Bukit Kapur, Sungai Sembilan, and Medang Kampai subdistricts. The higher the number of livestock owned by the breeders is, the wider the tamping area for livestock activities will certainly be. The Regional Regulation of Dumai City Act Number 10 of 2008 Concerning Livestock and Pets has regulated how to manage livestock and pets. This law aimed at preventing, eradicating, and overcoming diseases transmitted by animals to humans as well as maintaining the cleanliness and public health to be free from any waste of the farms and/or feces from these animals.

In its implementation, there are still obstacles that arise. From the observations made, public complaints about roaming livestock are still an issue that needs to be taken into account. A lack of awareness on the part of breeders in following the rules of this municipalities is also a reason for discussion. The sight of livestock that has been deliberately released in prohibited areas is still often seen and is a common sight in areas far from the city center. So, how should this phenomenon be viewed from a legal standpoint and from the perspective of a farmer? From these problems, the authors are interested in seeing how public participation in carrying out the Regional Regulation of Dumai City Act Number 10 of 2008 Concerning Livestock And Pets.

II. Research Methods

This research uses a qualitative approach ([Al Amaren & Indriyani, 2019](#)). Qualitative is a research approach that reveals certain social situations by properly describing reality, formed by words based on techniques for collecting and analyzing relevant data obtained from natural situations ([Al Amaren et al., 2020](#)). Sociological juridical research is conducted based on normative law focusing on the reactions and interactions that occur when the norm system works in society ([Efendi & Ibrahim, 2018](#); [Soehartono et al., 2021](#)). This research examines how breeders treat their livestock according to the established rules and finds out what sanctions will be obtained if they do not enforce them. Informants are determined through purposive technique, i.e. selecting informants who know the problems to be studied very well. Accordingly, there were 5 breeders in Dumai City who matched the criteria selected as the informants in this study. This study used primary data, i.e. the data obtained directly from the informants, and secondary data, i.e. supporting data in the form of library literature and applicable legal documents.

III. Result and Discussion

Regional regulations are regional legal products formed by the approval of the regional parliament. [Suharjono \(2014\)](#) explained that regional regulation is a legal instrument for the implementation of regional autonomy, which functions to determine the direction and policy of regional development and its support facilities. Regional regulations is really the elaboration of higher laws and regulations that are adapted to regional characteristics that certainly do not contradict higher laws. The regional regulations that are made must contain a regulation that is implemented. So that, before making a regional regulations, one should consider the social conditions of the community in such a way that the regional regulations implemented later has a clear direction and purpose. The regional regulations is a legal rule in which there are rules to be implemented by the regions with full responsibility. This is important, when viewed from a legal point of view, of course, as a regulatory tool to make it more orderly. [Farkhani et al \(2018\)](#) said that law had been established as a means of service to the attainment of order and peaceful society, both individually and in groups. A law that makes it necessary to do or not do something that also explains the authority of the institution and the sanctions imposed if it violates the law. This is in line with the opinion of Romli in [Saifullah \(2018\)](#) which states that the law may not only change the patterns of government implementation, but that it is also widespread in people's lives. Thus, the law is considered to be a system that regulates the achievement of the planned objectives.

The Regional Regulation of Dumai City Act Number 10 of 2008 Concerning Livestock and Pets as described in Chapter 4, article 4 has explained how the general provisions of animals or livestock for the community, among others: farmers must provide the cage, handling equipment, feed, drinking water, and other supporting equipment in maintaining their livestock at least 25 meters from the house. The determination of this distance certainly has a purpose. The condition found in the study was there were still many breeders whose cages right behind the house. This certainly does not comply with the provisions stipulated in the Regional Regulation of Dumai City Act Number 10 of 2008. This rule seems difficult to be applied by breeders, especially since the drum actually adjusts to the land area and position of the farmer or group of breeders. There is an obligation for breeders to position their livestock cages far from settlements. This is related to the vulnerability of spreading the disease to the community. It is also explained that the distance of the livestock drums affects the water in the well ([Sari & Situmorang, 2020](#)), and cause pollution to the surrounding soil and groundwater ([Wea et al., 2016](#)).

The obligation of breeders to maintain health can be actualized from the health maintenance of the livestock, where the farmers/breeders must register their maintenance activities at the relevant agency ([Kembarane et al., 2018](#)). As stipulated in Chapter IV Article 6, it is explained that every livestock must be registered by the owner or the activity of farming at the relevant Agency. This is related to several government activities related to livestock health, such as counseling and vaccination for animals. Breeders must inform the health condition of their livestock and routinely conduct vaccination to the livestock so that the animal is healthily guaranteed and the meat is suitable for public consumption.

In addition, data collection and assistance to breeders are often carried out by relevant agencies in the regions. Guidance carried out by the government has been stipulated in chapter VI in article 9 states that the development of livestock business is carried out by the government, i.e. the Agency in charge of animal functions, livestock, and the head of the service. Breeders are obliged to follow and to succeed all the programs set by the government. This is substantial for the successful implementation of the established regional regulations. Consequently, by following the guidance carried out by the government, the breeders will have a positive impact on both breeders and the surrounding community.

The reality condition found during the study showed that farmers and/or breeders mostly release their cattle outside of the cage. Moreover, tying and letting livestock in gardens, roadsides, and even in plantation areas were a common sight. In fact, the Regional Regulation of Dumai City Act Number 10 of 2008, Chapter IX, Article 12 clearly states that the prohibition of livestock roaming in office areas, health services, houses of worship, schools and campuses, shopping areas, airports, ports, terminals, green open spaces, city recreation, sports green, urban forest borders, public cemetery, public facilities, and residential areas. As breeders, they should understand and follow what has been ruled by this regional regulation such as keep farming their livestock in cages and do not allow them to roam as well as not to place their livestock in areas adjacent to public facilities.

Even though they actually have their own reasons related to the growth of released animals, animals will definitely develop faster than when being farmed in cages. Besides, the reason given by the breeders was such as their settlements were still far from the city center and were still dominated by areas which were not highly populated. This reason is certainly contrary to what has been stipulated in the Regional Regulation of Dumai City Act Number 10 of 2008. The obligation to place their livestock must be certainly conducted based on the regulation to create security and order in the community. In fact, such similar things have happened in many areas in Indonesia, like in West Sumatra, where parts of the region tend to release their livestock around without being tied, locked up, and without supervision from the owner ([Indrayani & Malau, 2019](#)). In Donggala district, the same thing also happened that it needed Animal Control from the related agencies ([Reza, 2016](#)). Meanwhile, in Palu city, there was also the release of livestock which disturbed public order ([Mustainah et al., 2020](#)).

From a legal perspective, there are several important factors in the implementation of Regional Regulation of Dumai City Act Number 10 of 2008, including from a sociological standpoint, that community legal awareness is the main factor in ensuring that the implementation of the Regional Regulation well. The educational factor, the low level of education of the breeders, affects their thinking, which results in less awareness of the law. Once viewed from the point of view of the substance of the law, after the Regional Regulation has been a legal rule of law, it must automatically be implemented and become a legal rule that must be applied by striving for optimized socialization of the community so that there will be no losses from the breeders thereafter. The issue of coaching the community to be aware of the law is closely linked to the implementation

of the law. This is useful in order for people to act in accordance with the provisions of the law. The government should pay attention to the background of the breeders. The breeder tend to come from a community class with a low level of education and a middle to lower level of economy. The government, as the law enforcement authority, should have an effective way of providing breeders with understanding of how to comply with regional regulation of Dumai City Act Number 10 of 2008. This is important if breeders are to understand the regional regulation and if the community understands it, it will automatically comply with that as well. So that the role of law enforcement as a conductor is a good one between the rules and the behavior of the community.

Meanwhile, from a cultural factor, the habits of the community continue to make people ignore this regional regulation. The habit of the community to release livestock is commonplace and does not feel that it violates the applicable law. The livestock farming culture that has been applied for a long time has become a contradiction in line with the changing times when culture is no longer in line with the conditions of society presently. In the past, people raised livestock by releasing them to find their own food without having to care for them. The animals will return to the cage in the afternoon, and some farmers will even release their livestock into the forest at random, and the animals will be caught when the farmer wants to sell them. This kind of culture is out of step with the times, when culture is perceived to be a problem in the community. The influx of livestock into people's gardens and areas creates new challenges for breeders. Therefore, the need for the community to understand the culture of the release of any livestock is an act that violates the rules that have been set in the regional regulation.

The geographical factor as well affects the application of this Regional Regulation. The geographical conditions of the farmer's environment, which was once far from people's homes and far from the city center, have now changed along with the rapid development of the region. The expansion of the area and conversion of the plantation area into a community settlement resulted in the vacant land being densely populated with people's houses. Residents who were previously hesitant to live in areas far from the city center are now actively moving into the interior areas. The lack of open land or empty plantation land to release livestock due to population density makes the space for breeders narrower, resulting in the release of livestock to community residential areas. For this reason, it is necessary to provide the breeders with understanding in order to comply with the Regional Regulation so as not to harm the surrounding environment.

In the meantime, with regard to the facility factor, the fulfillment of this factor is also a matter of concern. The implementation of the facilities by preparing a cage in accordance with the rules is, of course, financially burdensome for the breeder. The pattern of breeders running their livestock business is in line with their economic capacity. They only prepare improvised cages and do not make special cages, and the location must be far from the settlements that result in farmers having to rent land or even buy land specifically. This is burdensome for breeders, where many of the people who raise livestock have other professions and think that farming is an additional job. Their primary occupation is that of a farmer. Raising livestock is a family investment. Because, in addition to increasing income, raising livestock creates an asset that can be sold at a

high price in the future. It differs from breeders who make a living from their livestock business. The average farmer chooses poultry as livestock because the process does not take long. Regardless of the reason, their livestock must be cared for in accordance with applicable regulations to provide a sense of security to the surrounding community. Therefore, it is necessary for breeders to understand the contents of these regional regulations in order for breeders to attempt to implement these regional regulations.

Breeders are required to comply with what has been stipulated in the Regional Regulation of Dumai City Act Number 10 of 2008. This is important for breeders so that later they will be directed and create order in the community. As in Chapter 4, article 4, which requires breeders to provide sufficient cages, this must be done so that there is no longer livestock released in areas that have been prohibited by regulations. If there is any supervision and control from the competent authority or it begins with a public report on the livestock problem, there will be action from the relevant agency in resolving the problem. When there are actions taken, it will be detrimental to the farmer. For example, there are disciplinary actions from the authorities due to livestock roaming and disturbing public order that is secured by the Civil Service Police Unit (*Pamong Praja*). As explained by [Sandra et al \(2019\)](#), livestock control conducted by the *Pamong Praja* is intended for breeders who do not comply with the established regulations. From this, there will be losses incurred for the farmer, where the livestock is secured which leads to confiscation.

Breeders should follow the rules that have been established by Regional Regulation of Dumai City Act Number 10 of 2008 concerning Livestock and Pets in order not to get sanctions from these regulations. Maintaining and reporting their activities also need to be done, especially smallholder breeders who are not part of the livestock business group but own livestock should follow established rules. Consequently, there are no detrimental things such as Law Enforcement for Unlicensed Breeders that occur in Blitar Regency, where there are actions applied to community breeders who do not have a permit ([Kembarane, 2020](#)). Breeders who are not members of the livestock group should report their activities to the relevant agency so that they can be given what steps need to be taken so that later they as breeders understand and know what must be prepared and also not to do any disobedience to the established regulations.

The Regional Regulation of Dumai City Act Number 10 of 2008 Concerning Livestock and Pets also explains Chapter X concerning Sanctions that will be accepted for breeders if they disobey the regulations stipulated in Article 13, it is explained that Every person or business entity that has a license and is registered and violates the rules will be closed and revoked the maintenance permit and even up to the confiscation of animals or livestock. The closure and revocation of maintenance permits will be detrimental to the survival of the farmers as they will get the impact on the closure and revocation of business licenses to raise livestock which will result in losses borne by breeders both moral and material. Also, criminal sanctions are regulated in Chapter X in Regional Regulation of Dumai City Act Number 10 of 2008 which confirms that if they violate they will be subject to criminal law with a maximum imprisonment of 3 months or a 50 million rupiahs fine. In this regulation, it is clear that the punitive sanctions received by breeders violate the provisions.

The role of the law, in particular, is to maintain public order. Where the law tends to cause society to change and adhere to established rules in order to live a balanced and harmonious life. Indeed, regional regulations are thought to be incapable of changing everything. However, it is critical to focus on the breeders who carry it out. It is reasonable to expect breeders to be aware of the importance of participating in the implementation of existing regional regulations. The existence of a culture of awareness of the laws enforced by breeders will undoubtedly aid in the implementation of this regional regulation.

There is also a need for breeders and community participation in complying with what has been set, in addition to awareness of the available legal instruments that attempt to enforce this regional regulation. As a result, the regional regulation is no longer merely an excellent role model, but has been moved by all who are interested in it. As a matter of fact, if carried out jointly, the Regional Regulation can be portrayed as “low as a social engineering tool”. Based on the “Sociological Jurisprudence” theory pioneered by Roscoe Pound with his progressive steps to use the law to organize change, or better known as “law as a tool of social engineering” ([Lathif, 2017](#)). Furthermore, “Law in the context of social engineering” is used to organize people’s interests in order to achieve a proportional stability, helping to achieve maximum goals and benefits whilst also avoiding collisions and end up wasting. According to Roscoe Pound, “law as a tool of social engineering and social control” encourages interaction and coexistence in society. In order to fulfill its role, Roscoe Pound categorizes the interests that must be protected by the law as follows: 1). Public Interest consists of the state’s interest as a legal entity and the state’s interest as the guardian of society’s interests, 2). Social Interest, which focuses on the interests of peace and order, the protection of social institutions, the prevention of moral degeneration, the prevention of violations of human rights, and social welfare, 3). Private Interest, which includes individual, family, and property interests. Roscoe Pound’s perspective on “Law as a Tool of Social Engineering” is divided into three parts: (1) That the law actually serves as a tool for regulating and managing society, (2) Fulfillment of the community’s needs or interests in a balanced manner and (3) A need for supervision in order to preserve and advance human civilization.

From the results of the research conducted, it is concluded that several provisions in the Regional Regulation of Dumai City Act Number 10 of 2008 Concerning Livestock And Pets have clearly regulated the responsibility of breeders to their livestock which will certainly provide great benefits for the sustainability of the running livestock business. Besides, there are rules that stipulate breeders to continue to be actively responsible in maintaining the cleanliness and health both from the cage and from the natural health around the farm area. The compliance measures taken by breeders are also evident of the support from breeders to register and maintain their farm business to get better. Moreover, there is an obligation for breeders not to carry out any activities which are contrary to the Regional Regulation of Dumai City Act Number 10 of 2008 both in groups and individually which resulted in any sanctions against breeders that would certainly be detrimental to breeders.

IV. Conclusion

Based on the results of the study, it can be concluded that several provisions and some of rule stated in the local government Regulation of Dumai City Act Number 10 Year 2008 Concerning Livestock and Pets has been carried out by the authority offices. However, the breeders actively participating in the implementation of this regional regulation were still not optimal. Lack of insight from breeders to the existing regulations is one of the obstacles in implementing the rules. Raising breeders awareness of the law is an important first step. From various community backgrounds and in terms of educational factors, cultural factors, geographical aspects, and facility factors, it appears that the government's role in creating all aspects involved in jointly implementing this regional regulation is required. Moreover, the implementation of sanctions must be applied and the breeders need to be given socialization concerning the understanding of the rules as well as the impact of any disobedience acts that eventually there will be no losses experienced by breeders.

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