

Pursuant to Article 84 of the Maritime Property and Seaports Act (Official Gazette 158/03, 141/06, 38/09, 123/11, 56/16 and 98/19), Article 9 of the Ordinance on conditions and manner of maintaining order in ports and other parts of the internal sea waters and territorial sea of the Republic of Croatia (Official Gazette 72/21) and the Maritime Code, Official Gazette 181/04, 76/07, 146/08, 61/11, 56/13, 26 / 15,17 / 19), management of the Kermas Istra d.o.o, on 1.12.2021. bringing

## **REGULATIONS ON ORDER MAINTENANCE IN PORT OF SPECIAL PURPOSE – MARINA POLESANA**

### **I GENERAL PROVISIONS**

1. This Ordinance regulates the terms and methods of maintaining order in port of special purpose - MARINA POLESANA (hereinafter MP).
2. These rules apply to the entire area (land and sea) used by MP in accordance with the agreement of maritime property concession for the purpose of construction and use of port special purpose – a nautical tourism port.
3. The Regulations on maintaining order in port of Marina Polesana will be displayed at the reception desk and other appropriate places.
4. Regulation in the marina is carried out by the director and the authorized persons by it. Regulation in the port is approved by the competent port of authority. The regulations applies to the all owners or users of the vessels located in the territory of the marina and which are using the services provided by MP.

### **II RULES FOR BERTH USERS**

#### **1. DETERMINING THE PLACE FOR MOORING VESSEL**

1. The place for mooring vessels (hereinafter: berth) will be determined by authorized person of MP.
2. For safety reasons, or other justified reasons, MP reserves the right to move the vessel without prior consent of the vessel owner/operator.

#### **2. VESSELS ENTERING, LEAVING AND REPORTING PROCEDURE OF MP**

1. The vessel entering or leaving MP may not exceed the speed limit of 3 knots in the entire MP sea area.
2. When entering or leaving the marina, vessels which are already on the waterway shall have the right of way.
3. Every arrival at the MP shall be announced by the vessel operator via telephone, radio link via VHF channel 17 or in direct contact with the crew in the marina waters, and the MP staff shall, if necessary, give instructions and orders for entering.
4. The vessel operator is obliged to carry a valid navigation permit issued by the Harbourmaster's Office or a licence disc/sticker and the list of persons and crew onboard the vessel (crew list).
5. The vessel operator shall report the vessel's arrival at the MP reception desk without delay, and present their personal identification documents, vessel documents and the crew list, and fill in the GUEST REGISTRATION (*PRIJAVA GOSTIJU*) form for each person on board if there is a legal obligation to do so.
6. When leaving the marina for a period longer than one day, the vessel user shall announce the vessel's departure/return (in person, by phone or by radio link). Otherwise the MP cannot guarantee the berth will be vacant upon their return.

#### **3. ARRIVAL OF VESSELS BY LAND**

1. When the vessel is arriving at the MP by land, on a trailer, the vessel user shall report its arrival at the MP reception desk.

2. At the request of the vessel user, the reception desk will create a work order for launching the vessel into the sea or storing it on land.
3. The vessel user shall obtain a navigation permit, or a licence disc/sticker from the Harbourmaster's Office if the vessel is placed at the sea berth, and shall also present at the reception desk all the required documents and fill in the GUEST REGISTRATION (*PRIJAVA GOSTA*) form for each person if there is a legal obligation to do so.
4. Before transporting the vessel to the marina by land, with towing vehicle on a trailer or truck, the vessel owner is obligated to be informed about the regulations related to the entry of the vessel into the republic of Croatia, and timely announce the arrival of the vessel in the marina in order to prepare customs documentation and referencer to freight forwarding, if required.

#### **4. MOORING AND ANCHORING**

1. The vessels are moored according to the mooring system set up at the MP and they have to be moored in a safe way, with appropriate ropes of correct dimensions.
2. Mooring ropes must not hinder the navigation of other vessels. No buoys may be affixed to anchor ropes.
3. For the purpose of safety of all vessels, it is strictly prohibited to use mooring chains.
4. Anchoring is prohibited at the MP. In exceptional cases, the MP manager may allow temporary anchoring if there is a justified reason to do so.
5. The entering/leaving of the marina is the responsibility of the vessel user, regardless of the assistance provided by MP mariners.

#### **5. STAY AT THE MARINA POLESANA**

1. The vessel user is responsible for the proper functioning of their vessel, as well as for the safety and navigability of the vessel, on the entire area of the MP, and for the entire period of their stay.
2. During its stay at the MP, the vessel has to be visibly marked by a name and a registration mark. Each change of name and registration mark has to be recorded in the vessel's documents and reported to the MP reception desk.
3. The vessel user who signed the Contract for Berth Use with the MP shall report to the MP reception desk each crew arrival on board, presenting personal documents for the entire crew for the purpose of registration of the guest's stay.
4. The vessel user may switch on the connections of the vessel to electricity and water installations only if the vessel has the proper piping and wiring intended for this purpose and adjusted to the Croatian standard, and if he/she or a member of the crew is present on the vessel. During temporary absence of the crew from the vessel, during the time the vessel is situated at the MP, the connections have to be switched off.
5. The vessel user shall equip the vessel with fire extinguishers which will efficiently serve its purpose on the vessel.
6. For the purpose of protecting other vessels, works on board (such as sanding, painting and similar) shall be permitted only at certain designated places in the MP.

#### **6. DEPARTURE FROM MARINA POLESANA**

1. When leaving the MP, the vessel user shall disconnect all the connections of the vessel to electricity and water installations.
2. Also, the vessel user shall close all valves on openings situated on the underwater part of the vessel's hull.
3. Every time the vessel leaves the MP, the user shall leave the berth in good order.
4. If the vessel is on a long-term berth in the MP, the vessel user shall leave a pair of spare keys at the MP reception desk. Only in emergency cases, when the vessel is threatened by an outside danger or by another vessel, shall the MP be permitted to use these keys to enter the vessel for the purpose of reducing the potential damage.
5. In case of departure from the MP by land, all activities concerning the lifting of the vessel and loading it onto a vehicle will be performed by the marina staff or workers hired by the marina for this purpose.
6. If the vessel under contract is leaving the MP permanently, the vessel operator shall report its departure at the reception desk, and terminate the contract on berth use in writing.

### **III RULES FOR ALL SERVICE USERS**

#### **1. HOUSE RULES**

The following is prohibited in Marina Polesana:

1. Weld, light an open fire on the shore or on a vessel and mooring devices.
2. Swimming, diving, speed boating, surfing, windsurfing, towing or learning to water ski and fishing.
3. Letting dogs go without a leash, as well as letting them disturb other customers by constant barking. The owner is obligated to clean any animal waste.
4. Hanging out the laundry in the MP area.
5. Washing the dishes in the sanitary facilities.
6. Keeping dinghies, surf boards etc. fastened to the vessel.
7. Assembly or storage of any things on the pontoons and other MP areas.
8. Make damage on the operational area – piers and land area by placing various objects and equipment (antennas, various boxes and tanks, floor coverings, carpets, etc.), drive wedges into the shore, perform any other action that causes damage to the operational area and endangers security;
9. Putting up signs, advertisements and other messages, that is, using any MP area for commercial purposes.
10. Disturbing the peace of other guests.
11. Shouting and making noise from 10 p.m. until 8 a.m.
12. Entering the service zone.
13. Park the vehicle in the service zone, under someone else's vessel on land and outside the areas marked for parking the vehicle.
14. Obstructing the movement of vehicles and hydraulic trailers in traffic zones.
15. Leaving on gas and electric devices, and water installations while no users are present.
16. Keeping the vessel engines running and generators; except while entering and leaving the port.
17. Moving the vessel to another berth without the approval of the MP manager.
18. Hiring third persons for the supervision, maintenance or servicing of vessels, without prior approval by MP.
19. Performing onboard the vessel any activities which can endanger lives, cause fire, pollute the sea or damage boats, the shore, port devices, equipment and facilities.
20. Using own vessel platforms for dry berth.
21. Parking passenger cars, trailers, motorhomes, buses, caravans, motorcycles, bicycles and other means of transport outside of designated parking spaces.
22. Camping.
23. Lending and borrowing of the parking card.
24. Disable access to the mooring devices;
25. Berthing vessels to the navigation and other markings, devices that are not intended for mooring and move on them;
26. Unauthorized affixing, relocation, alternation, removal or damage to navigation and other markings or mooring devices;
27. Incineration of the waste on the vessel;
28. Endanger the safety of navigation, human lives and the environment in any way;
29. Dispensing or transferring fuel;
30. Have the 220V cable plugged into a power outlet while the crew is not present on board. When leaving the vessel, the cable must be disconnected from the socket.
31. Pollute the air by releasing the dust, smoke and other gases above the permitted quantities determined by special regulations.
32. Store flammable and explosive substances and substances with strong and unpleasant odor in any area of the marina (neither in vessel, next to the vessel, dry berth, etc.)

#### **2. ENVIRONMENTAL PROTECTION**

1. Plan for acceptance and handling of waste from vessels in the port of special purpose – Marina Polesana is an integral part of this ordinance.
2. MP shall, in accordance with art. 77 of the Ordinance on the conditions and manner of maintaining order in ports and other parts of the internal sea waters and territorial sea of the Republic of Croatia (OG 72/2021) to collect indirect fees for the delivery of waste from boats and yachts.
3. The use of vessel toilets and black waters tank discharging is prohibited in MP.

4. Waste oil and filters, petroleum, detergent residue, utility and other waste, have to be disposed according to the type of waste in eco-containers on designated locations in MP.
5. Any discharge and dumping into the sea will incur a very expensive fine.
6. For the purpose of preserving the cleanness of the sea and the environment, and with the intention of avoiding unintentional pollution, it is prohibited to use an automatic bilge emptying pumps.
7. The vessel operator shall place eco-sponges into the bilge.
8. Only biodegradable detergents may be used in the MP.
9. In the event of a major pollution MP will determine the cause, take measures to prevent contamination by the employees responsible for that kind of activity, remove the vessel to protect the environment, people and boats, and notify the Port Authority and other relevant national authorities, and the costs incurred will be charged to the vessel owner.

### **3. PARKING**

1. The loss of the owner's annual parking card will be charged according to the applicable price list.
2. The misuse of the parking card is charged in accordance with the applicable price list.
3. In the case of not having the parking card when exiting MP the price of four (4) weeks parking in MP will be charged.
4. Parking in MP is at the owner's own responsibility and MP takes no responsibility for any damages that may incur.

## **IV OPERATION AND HANDLING OF DEVICES FOR THE LIFTING AND TRANSPORT OF VESSELS**

1. The operation of devices for lifting and transport of vessels is to be performed in a designated zone visibly marked with signs.
2. Devices for lifting and transport of vessels should only be handled by a person professionally trained by MP, or a person professionally trained by another company authorised by the MP Management for this purpose.
3. Movement and work within the operating area requires you to wear protective equipment prescribed by law.
4. Before lifting, the vessel master/operator shall warn the person operating the crane about the equipment on the underwater part of the vessel and give exact data on its position. If it fails to do so, MP will not be responsible for any possible damage.
5. Crane services are to be ordered at the MP reception desk at least a day before.
6. The vessel commander and other personnel not authorized by MP are not allowed on the grounds of the operating area and are strictly prohibited near the operating machines.
7. MP reserves the right to cancel the lifting/lowering of the vessel due to weather conditions, vessel characteristics or other circumstances which may affect the safety of the operation.
8. Prohibition to stay on the vessel during the operations of lowering, lifting and transport of the vessel.

## **V SERVICE**

1. All maintenance, repair or modification works on the vessels in MP should be performed by MP Service Center staff or cooperants engaged or approved by MP.
2. It is not permitted to hire third parties for the supervision, maintenance or servicing of vessels in the marina without the prior approval of the MP Management (including service works).
3. Maintenance and cleaning of vessel and its equipment is only allowed in the designated (marked) area for those purposes in the MP service zone.
4. The owner of the vessel will be charged for any damages on neighbouring vessels, their equipment or equipment belonging to MP, as well as pollution of sea or land while work was being done on their vessel.
5. MP reserves the right to stop any work being done on a vessel if it sees the existence of risk to the MP property, third persons, or pollution of land or sea.
6. It is mandatory to use personal protective equipment and appropriate technical equipment, tools and devices when performing works, in order to protect the environment and human lives.
7. Perform actions on the vessel that may endanger human lives, cause fire, pollute the sea or cause the damage to other vessels, coast, port equipment and other facilities.

## **VI CONTROL METHOD**

1. Order maintenance in port pursuant to this Ordinance is implemented by marina management or operative manager of MP.
2. Due to non-compliance with the provisions of this ordinance, MP is authorised by the competent authority to stop providing services, and any possible damage from the responsible service user charge accordingly.
3. Control over entering, docking, mooring, anchoring and departure of yachts and vessels in MP has to be performed by the crew.
4. Control of the listed in the previous paragraph of this article is performed from 0 to 24 h visually, by VHF and video surveillance.
5. Supervision over the implementation of the Order in the port and over the implementation of this ordinance is carried out by the Port authority of Pula

## **VIII FINAL PROVISIONS**

1. All amendments arising from the changes in legislation will be made known on the MP notice boards and constitute an integral part of this Ordinance.
2. On the day of this Ordinance enters into force, the previous ordinance on the port order in Marina Polesana is not valid.
3. This Ordinance shall enter into force after obtaining the consent of the Port authority of Pula.

In accordance with the regulations of the Republic of Croatia, by adopting this Ordinance Marina Polesana, as a user of the nautical tourism port, as the managing body of the port, to fulfill its obligation to prescribe the order in port.