

**MUNICIPALITY OF LOANO - MARITIME DISTRICT OFFICE OF ALASSIO  
MANAGEMENT RULES AND REGULATIONS FOR MARINA DI LOANO**

**APPENDIX A**

**DEFINITIONS AND PREMISES**

State Authority refers to the public body that, in accordance with the law, has ownership of the maritime state property and is responsible for its management.

Maritime Authority refers to the Authority as identified by Article 17 of the Italian Navigation Code.

By Harbour Area this document refers to the stretch of water within the port of Loano, but outside the harbour basin, identified by letter A in the attached layout; towards the shore, this area stretches across the section between the sub-bottom quay and the outer east quay and, towards the sea, it is delimited by the junction between the green lateral navigation light indicating the entrance to the harbour and the green lateral navigation positioned at the end of the sub-bottom quay.

Port Basin means the area of the port of Loano intended for the mooring of vessels and delimited by the pier below the breakwater and the pier above the breakwater, excluding the extremity that consists of the embankment without no docking area.

Quay or Wharf refers to the non-floating structure inside the port, intended for the mooring and anchoring of boats and as a support structure for the jetty bases.

Access channel means the stretch of water between the outer harbour and the end section of the breakwater, not equipped with a docking area; this stretch of water must be used by all vessels intending to enter or leave the harbour basin; it is also used by small sailing boats that depart from and land on the beach under concession to the Loano Sailing Club, located inside the outer harbour.

Concessionaire refers to the company Marina di Loano S.p.A. with registered office in Milan, via Senigallia, 18/2 and operating office in Loano (SV), on the Porto dock, holder of the Maritime State Concession until 31<sup>st</sup> December 2072.

By Maritime State Concession this document refers to the formal deed relating to the extension and management of the Loano port as issued by the Loano Municipality on 29<sup>th</sup> December 2006 with formal deed n. 3816 and relative supplementary deeds.

Port Management refers to the entity appointed by the Managing Company to plan, coordinate and control the Port's activities.

Finger means the structure perpendicularly attached to a Wharf or Quay used as an alternative to the catenary with bowline for the mooring of vessels.

Manager refers to the entity that provides for the management and organisation of the Port or part of it. The Managing Company coincides with the Concessionaire unless otherwise specifically determined by law.

Harbour Inlet refers to the entrance section to the protected stretch of water located between the end of the breakwater pier and the outer eastern pier. Personnel means all the subjects employed by the Managing Company engaged in operation and/or maintenance activities at the Port.

Jetty refers to the floating structure inside the harbour intended for the mooring and berthing of vessels.

Port refers to the stretch of water indicated by the letter B on the attached layout.

Berth refers to the portion of water, adjacent to a quay or jetty, intended for the mooring of a boat.

Stretch of water refers to the protected basin area, including berths, channels and manoeuvring spaces, evolution circles, specific areas reserved for fuelling and the mooring of rescue and surveillance means.

User means the natural or legal person who makes permanent or temporary use of the berth and/or other goods and/or services within the port, or who is for any reason within the state-owned concession area.

Vehicle means any motor vehicle, motorbike or similar means of any type, size and cylinder capacity, including electrically powered vehicles and any trailer trolleys.

Velocipede shall mean any vehicle with two or more wheels powered exclusively by muscle propulsion, by means of pedals or similar devices, operated by persons on the vehicle.

**GENERAL RULES**

**Art. 1 - Object of the Regulations**

These Regulations, drawn up in compliance with the clauses and prescriptions contained in the Maritime State Concession, establish the rules for the exercise and use of the Port.

**Art. 2 - Application**

The Concessionaire, the Managing Company and the Users are obliged to comply with these Regulations, with the rules of the Italian Navigation Code and the relevant Maritime Navigation Regulations, as well as with the terms and conditions contained in the Maritime State Concession deed.

### Art. 3 - Amendments to the Rules and Regulations

These Rules and Regulations may be amended, supplemented or updated following a proposal on behalf of the Licensee to the State Authority.

### Art. 4 - Management of port activities

The Concessionaire shall manage the Port either directly or by entrusting all or part of said management to another subject (hereinafter referred to as Manager) in accordance with the law, who shall manage the Port not only in compliance with the relevant authorisation pursuant to Art. 45 bis, but also in accordance with the provisions set forth in these same Rules and Regulations, in the Maritime State Concession deed, in the Navigation Code and in other Regulations where pertinent.

### Art. 5 - Contents of the management activity

The Concessionaire, either directly or through the Manager, shall provide the following general services:

- continuous listening and assistance service Channel 9 and 16 VHF;
- assistance during the mooring and unmooring of leisure boats;
- daily broadcasting of weather reports;
- routine and extraordinary maintenance of maritime lights and signals;
- routine and extraordinary maintenance of fire-fighting systems and devices on jetties and quays;
- supply of drinking water and electricity;
- cleaning of the water surfaces, quays, jetties, yards, car parks and other public areas however designated;
- organisation of the collection and disposal, including through third parties, of solid urban waste, used oils and batteries, grey, black and bilge water produced by Users;
- public lighting of the Port;
- regulation of port access, road network and parking in compliance with the provisions of the Maritime and State Authorities for matters under their respective competences;
- acting as fire-fighting and anti-pollution first respondents in partnership with the competent public authorities;
- refuelling at the bunkering quay. The fuels supplied are super, diesel and sif. Refuelling is possible through street pumps and 500 litre/minute pumps.
- ordinary and extraordinary maintenance of all facilities, installations, networks, equipment and greenery throughout the port in order to keep it in a functional, efficient and aesthetically pleasing condition;

All services included in the above list are covered by the exclusivity clause pursuant to art. 1567 of the Civil Code.

### Art. 6 – Management Appointment

The Manager shall appoint the individual responsible for Management.

### Art. 7 - Tasks of Management and Staff

Management provides for the planning, coordination and control of all the services and activities pertaining to the management, as referred to in Art. 5. The Director may be assisted by Staff who carry out their activities according to the directives and orders given by the Port's Management.

To this end, the Director plans and coordinates the use of technical resources and Personnel, who must be recognisable by their identity, functions and clothing.

Without prejudice to the competences of public administrations, compliance with the regulations in force is also ensured and monitored, within the Port, by the Port Management and Staff, who shall report any violations to the competent Authority.

In order to ensure compliance with these Rules and Regulations, the Port Management and Staff may give impart instructions to Users, who must always observe them scrupulously.

#### Art. 8 - Publicity and observance of the Rules and Regulations

The Manager shall make the present Rules and Regulations public, leaving an available copy in the Management offices and by any other means deemed appropriate.

Users are required to comply with the rules of conduct as set forth in these Rules and Regulations, which are considered to be known and accepted.

In the spirit of these Rules and Regulations, and for the continuous improvement of the services provided, the Port Management also publishes any notices, information, and recommendations that may be necessary to better specify the rules of conduct for Users.

#### Art. 9 - User responsibilities

Users must take all appropriate measures in order to protect their property from theft, damage and the like. All units entering the Port must be insured for civil liability for damage to third parties.

The insurance policy shall be shown at the request of the Port Management, who may request an adjustment to the insurance limit if it is deemed inadequate. In case of lack of valid insurance, the Management may, excluding force majeure, deny access to the berths.

#### Art. 10 - Limits of liability

Neither the Concessionaire nor the Managing Company are responsible towards Users:

for damage caused by third parties

for any partial or total theft of goods;

for damage to Users' property caused by adverse weather conditions, particularly by winds in excess of 30 knots. The recordings made by the Port's instruments will always prevail. Damage to removable parts of goods is in any case excluded;

for damage suffered by boats due to the breakage of anything other than catenaries, rings and bollards put in place by MdL;

for damage resulting from natural disasters, riots, vandalism, acts of war.

#### MOORINGS IN PORT AREAS

##### Art. 11 - Berth characteristics

The number and dimensions of the berths provided within the Port are published by the Port Management in compliance with the mooring plan in force from time to time, as communicated and authorised by the State Authority in accordance with the last paragraph below.

At Marina of Loano, moorings are provided for:

Maritime Authority units

36 professional fishing units (Fisherman)

permanent leisure units as allowed by the mooring plan in force from time to time

leisure units in transit equal to 10% of the mooring plan in force from time to time

recreational fishing boats with a maximum size of 7.50 x 3.00 metres owned by users with the following requirements

3 places reserved for Circolo Nautico Loano

A maximum of 262 linear metres of quay identified in the mooring plan are available for the two previous items

Professional fishing units are accommodated free of charge at the mooring areas and are only required to reimburse costs that apply to usage of utilities.

Sport-fishing units are subject to mooring fees as agreed upon by the Port Management with the State Authority from year to year and to the reimbursement of costs that apply to usage of utilities. In addition:

the agreed upon mooring fees must be displayed in the harbour at the Management offices;

the owners of the above-mentioned units must have been resident in the Municipality of Loano for at least 5 years both at the time of the application and at the time of the assignment;

the Port Management will keep a register that can be consulted at the Management offices (as well as at the Loano Municipality offices) showing in chronological order the submission of applications for berth assignment;

when a berth becomes available, the assignment shall be provided to the applicant who meets the above-mentioned requirements and is first in the chronological ranking;

the transfer of berths in the Sport Fishing category is not permitted;

the transfer of ownership shares (in reference to the '*carati*' system used in Italy) of a leisure unit is allowed; the transferee must keep at least 13 of them along with the responsibility towards Marina di Loano and third parties; co-owners must be communicated to the Port Management and satisfy the requirements of point 2)

in the event of the owner's death, the spouse and ascendants or descendants in the direct line who are of age and meet the requirement of point 2) may succeed him/her, either singly or jointly;

the insurance policy for the boat's engine must be in the name of the formal owner, i.e. the individual who holds at least 13 *carati* shares of ownership.

Leisure units in transit are subject to rates as approved by the municipal administration and include the

reimbursement of service charges. The approved mooring fees shall be displayed in the Port at the Management offices.

Any change to the mooring plan shall be communicated to the Maritime and State Property Authorities and shall be deemed approved unless the authorities express an opinion that is to the contrary within 15 days of receipt.

Art. 12 - Rules concerning berths - Identification and use of berths

Berths are marked by letters indicating the mooring quay or jetty and by progressive numbers. The markings are displayed on the mooring front in a clearly visible manner.

Berths are listed in a dedicated register, which is also kept electronically, maintained by the Port Management, indicating

the name of the person entitled

the name of the unit's owner

the name of the person in charge of the unit if different from the owner;

the unit's registration mark, if any;

the name of the unit

the size of the unit

the nationality of the unit

the type of use that applies to the unit (private leisure unit or commercial leisure unit)

Berths are allocated according to the following table:

CLASSE	DIMENSIONI		UNITA'	
	lungh.	largh.	lungh.	largh.
I	6,00	2,00	6,00	1,80
	8,00	3,00	8,00	2,80
II	10,00	3,50	10,00	3,30
III	12,00	4,00	12,00	3,75
IV	14,00	4,50	14,00	4,20
V	16,00	5,00	16,00	4,70
VI	18,00	6,00	18,00	5,60
VII	20,00	6,50	20,00	6,10
VIII	25,00	7,50	25,00	7,00
IX	28,00	7,50	28,00	7,00
	30,00	8,00	30,00	7,30
X	40,00	10,00	40,00	9,00
XI	45,00	11,00	45,00	10,00
XII	52,00	13,00	52,00	12,00
XIII	63,00	14,00	63,00	13,00
XIV	67,00	14,00	67,00	13,00
XV	77,00	13,00	77,00	12,00
	77,00	14,00	77,00	13,00
	77,00	16,00	77,00	15,00

(Classe: Class; Dimensioni: Size; lungh.: length; largh.: width; Unità: Unit)

For the allocation of mooring class, the units shall be classified on the basis of the actual dimensions of length and width using objective measuring systems. Each User must report any changes immediately and may only use the berth reserved for them, with an absolute ban on mooring elsewhere. In the event of non-compliance, after unsuccessfully inviting the User or their employees to rectify such violation, the Management shall remove the boat with its own Personnel at the expense of the defaulter, who shall also be charged with the fees for occupying the berth to which they will be transferred.

Further specific procedures for mooring are indicated in the "Port Rules and Regulations" as issued by the competent Maritime Authority.

#### Art. 13 - Collaboration

The User, his crew or the keeper of a unit must not hinder the manoeuvres of the other units and may not refuse to cooperate, widen or tighten on the mooring or do anything else necessary to facilitate the manoeuvres and movement of other units.

#### Art. 14 - Maintenance of moorings

Whenever the Managing Company orders the maintenance of mooring areas or other underwater works, the Port Management shall place the appropriate signs or flags. Any displacement of the units shall take place outside the above-mentioned signals.

#### Art. 15 – Units sinking

If a unit sinks within the Port or the Harbour, the owner is obliged to remove the wreck after obtaining the approval of the Harbour Office, subject to clearance from the competent Maritime Authority. All costs related to salvage will be borne in full by the vessel owner.

#### Art. 16 - General prohibitions

Within the Port, the following is strictly forbidden:

wasting the water dispensed from the columns;

washing vehicles, bicycles, mopeds, motorbikes and similar;

the use of lights and acoustic signals that are not strictly necessary;

obstructing with on-board equipment (hoods, gangways, lifebuoys, dinghies, etc.) and in any case with objects or materials of any kind the quays, wharves and jetties and all areas not expressly destined for storage or storage;

with the exception of the shipyard area or areas expressly authorised by the Management, to carry out or have work carried out of any nature on board the units that is disturbing to other Users or potentially capable of producing pollution;

the night-time usage of apparatus and systems that produce noise outside the unit;

the use of soaps and detergents that are less than 90% (ninety per cent) biodegradable or do not bear an Ecolabel.

#### Art. 17 - Prohibition of discharges into the sea

It is forbidden to empty bilge water, wastewater, throw rubbish of any kind, objects, debris or anything else in the Port, both in the water and on the quays, jetties, wharves.

For solid and special waste, only the appropriate containers with which the Port is equipped must be used, containers which must, moreover, always be kept tightly closed. Wastewater and bilge water must be kept on board and must be disposed of through the appropriate facilities in the Port.

For personal needs, the appropriate toilet facilities on land must be used, unless the vessel is equipped with specific facilities to collect sewage on board. Offenders will be reported immediately to the competent authorities.

#### Art. 18 - Prohibition of commercial activities

It is forbidden to carry out any commercial, professional or handicraft activity, whether or not subject to registration pursuant to art. 68 of the Italian Navigation Code, within the Port, even on board or by means of boats, unless the Management is informed and it is in any case in compliance with the intended uses as provided for in the implementation rules of the town planning authorities.

#### RULES FOR TRANSIT

##### Art. 19 - Reservation of places for Users in transit

The Licensee shall reserve 10% of permanent berths for users in transit.

The use of transit berths requires the payment to the Concessionaire of the fee deliberated by the Municipality of Loano and duly made public by the Concessionaire itself. If, for organisational or functional needs and except in case of force majeure, the Management should have to occupy a transit berth in a different way, it shall inform the Maritime and State Authorities of the replacement

permanent berth.

#### Art. 20 - Registration of Users in Transit

The Management is required to maintain a register for the daily situation of units in transit showing:

date of arrival and departure

name of the unit's captain

name of the unit's owner

the unit's registration mark, if any,

name of the unit,

nationality

type of use that applies to the unit (private leisure unit or commercial leisure unit)

size of the unit

departure port and destination port.

Users in transit may book their berth in advance by contacting the Management offices.

#### Art. 21 - Transit and services

Transit Users may use all the services available in the Port in accordance with the procedures as established by the Managing Company and at the rates determined by the latter, except for special rates agreed with the State Authority.

#### RULES CONCERNING SERVICES

##### Art. 22 - Services - General rules

The Managing Company shall provide the services set forth in articles 4 and 5 of these Rules and Regulations and, in any case, all the additional services it may deem appropriate and not in contrast with these Regulations.

Users, whether resident or in transit, may make use of the previously mentioned services in accordance with the procedures as established for this purpose, paying the amounts as specified in the rates in force at the time.

##### Art. 23 - Repairs

Inside the port there is a shipyard for the assistance, repairs and refitting of boats.

Outside the shipyard, maintenance operations are allowed under the conditions set out in art. 18 of these Rules and Regulations and any prescriptions established by the "Port Regulations" issued by the competent Maritime Authority.

##### Art. 24 - Haulage operations

The launching and hauling of boats is allowed not only in the shipyard area, but also by using the special slipway, in accordance with the prescriptions established by the "Port Rules and Regulations" as issued by the competent Maritime Authority.

##### Art. 25 - Toilets

The toilet services provided across 8 different areas of the Port include

premises for the exclusive use of berth Users

premises for public use

premises with disability access

#### RULES FOR ACCESSING THE PORT AREAS AND THE INTERNAL ROAD NETWORK

##### Art. 26 - Pedestrian access

All pedestrian paths in the port are freely accessible.

Promenades at a higher level than the quays are intended for public use.

On the other hand, access to the Quays and Wharves is reserved to berth holders and their assignees, in order to reconcile their needs for security, privacy and comfort with the public use of the port areas.

The Mooring Management team may at any time temporarily or permanently inhibit access to the Quays and Wharves by means of physical barriers to those not entitled to do so, at its sole discretion, provided they notifying the Maritime and State Authorities.

In any case, access to the embankments of the upper and lower wharves is forbidden

##### Art. 27 – Vehicle access

Road circulation within the port is regulated by an Ordinance issued by the Alassio Maritime District Office.

Vehicle access and circulation within the Port are regulated by the Port Management, including by means of controlled barriers that entitle the rightful occupants to specific routes. Vehicles belonging to the following individuals have the right to access and circulate within the Port:

to Users in general, in the areas identified for public parking by rotation or for launching and hauling operations through the slipway located near the Professional Fishermen's Quay;  
to Users owning berths and parking spaces reserved for exclusive or rotating use, in accordance with the procedures established by the Port Management in the relevant service contracts  
to the owners and employees of the Concessionaire, the Manager and other productive activities present in the Port  
to companies authorised under article 68 of the Italian Navigation Code;  
to police and rescue forces;  
to all those expressly authorised by the Port Management.

All vehicles authorised to access and circulate within the Port, with the exception of those referred to in point a. of the previous list, must be provided with a special pass issued by the Port Management.

The Port Management shall provide the necessary tools to allow those entitled to access the routes and parking areas under its jurisdiction. Any access of unauthorised vehicles will be punished in accordance with the law and the forcible removal of the vehicle.

#### Art. 28 - Parking and Parking of Vehicles

Various types of parking spaces are provided within the Port:

**Public car parks:** these are intended for the parking of vehicles belonging to users in general. Access and use are not subject to authorisation or the issue of passes. The Port Management determines the rates and conditions of use annually in agreement with the Municipal Administration. The rates and conditions in force must be displayed near the entrance to the car park and at the payment points. The Port Management may prohibit the parking of vehicles in the designated area above the underground car park during events, giving public notice at the entrance at least 48 hours in advance.

**Reserved Parking:** these are the parking spaces reserved for Port Users and are divided into Exclusive Use, i.e. open, covered or closed parking spaces, the use of which is permitted exclusively to the contract holder or their assignees. The authorisation pass will show the identification number of the parking space;

a Rotation, i.e. parking spaces the use of which is permitted to all entitled parties subject to availability and without location constraints. Covered and uncovered parking spaces designated for this function are identified by the appropriate vertical signs.

**Pertinent Parking:** these are the parking spaces assigned to the productive activities present in the Port and are identified by the appropriate vertical signs.

Vehicles entitled to park in the car parks referred to in points b) and c) will be provided with a special identification pass issued by the Port Management, which must be clearly displayed.

Within the various types of parking spaces, the Port Management may equip some of these with recharging equipment for electric vehicles. These parking spaces are identified by special vertical signs. Their use is reserved for electric vehicles only.

All berth-holders are guaranteed the possibility of access and parking near their mooring area for loading and unloading operations. The Management will identify the parking spaces dedicated to this purpose with appropriate vertical signs.

The duration of said parking shall be determined by the Port Management at its discretion and shall be appropriately indicated at the Port offices and at the dedicated parking areas. In this case, at the end of the aforementioned operations, the vehicles shall be parked in the areas permitted to them or will leave the Port.

A special register shall be kept at the Port Management's office, which shall numerically list the parking spaces for exclusive use, indicating the number plate of the authorised vehicle and the reference to the relevant mooring contract.

In the event of force majeure, the Port Management may prevent the use of any parking space at the Port, including without prior notice, having notified the Maritime and State Authorities at the same time and displaying a suitable notice to Users at the entrance to the area affected by said prevention.

#### SAFETY AND SECURITY REGULATIONS

##### Art. 29 - Emergencies

The Management provides a 24-hour control and management service for emergencies, covering the entire port area under State concession, carried out by Staff through terminals and CCTV cameras.

Should an emergency occur, the Personnel shall take direct action as first responders if possible

and in any case shall send the appropriate alerts to the bodies in charge of managing the specific case.

This is without prejudice to compliance with any specific provisions issued in this regard by the competent Maritime Authority.

#### Art. 30 - Fire safety regulations

The Managing Company shall take care of setting up an appropriate organisation, equipped with fixed and mobile systems, in order to be able to intervene, in case of fire or serious pollution, with qualified personnel, in compliance with the clauses accepted in the maritime state concession deed or provided for in the I.P.C.

In such circumstances, without prejudice to the powers vested in the competent Maritime Authority, the Port Management reserves the broadest powers and faculties and its provisions shall be immediately executed and shall be understood to be dictated by force majeure.

#### REGULATIONS ON WASTE COLLECTION

##### Art. 31 - Regulations on waste collection

The Management provides the Harbour with suitable containers for the collection of differentiated solid waste and special waste.

Users are obliged to deliver the waste produced on their units to the appropriate containers, always in compliance with the waste plan, as duly approved by the competent Maritime Authority as well as with the provisions of the Municipal Regulations on waste delivery.

It is forbidden to encumber, even temporarily, the quayside, wharves and land areas with waste materials, bags or processing residues.

It is mandatory for the Manager of the Shipyard, the Bunkers and craftsmen in general to confer or dispose of used oils, used batteries, hazardous, toxic and special waste in the ways provided for by the regulations in force

#### FINAL RULES AND REGULATIONS

##### Art. 32- Infringements to the present rules and regulations

Infringements of these rules and regulations are sanctioned in accordance with Art. 1174 of the Italian Navigation Code or any other specific laws on the subject.

Without prejudice to the measures that may be adopted by the competent Authority with regards to the infringement detected, the Managing Company may adopt extraordinary measures against Users, including the possible removal of both the unit and those responsible, when these are Users in transit and until the resolution of the mooring contract.

The dissemination of this Order shall be ensured through transmission to the competent Maritime Offices

communication to the Licensee

publication on the electronic notice board of the Municipality of Loano

publication on the website of the Municipality of Loano

publication at the Port Management offices

##### Art. 33 - Effectiveness

This Ordinance repeals the previous Ordinances Prot. 20109 Reg. 9 of 19/07/2012 and Reg. 14 of 11/02/2013. The effectiveness of this Ordinance begins at its publication on the computerised notice board of the Municipality of Loano.