

PORT REGULATIONS APPLICABLE
TO THE COMMERCY RIVER PORT

CHAPTER I

RULES APPLICABLE TO ALL USERS OF THE COMMERCY RIVER TERMINAL

DEFINITIONS :

- Concession Holder: City of Commercy - Château Stanislas - 55200 COMMERCY
- Agent of the Concession Holder: means any person appointed or employed by the City of Commercy to manage the port. This will be the Town's Municipal Technical Services.
- Agent responsible for policing the port: refers to any person authorised to enforce the administrative police (Mayor, agents of the State, VNF, police, gendarmerie, etc.). This will be the Town's Municipal Police.

PRELIMINARY ARTICLE - DEFINITION AND ALLOCATION OF THE CONCESSION ZONE

The concession area comprises :

- 1,122 m² of land
- 930 m² of water surface
- 60 metres of floating pontoons, 2 gangways
- 2 water and electricity supply points

ARTICLE 1 - ACCESS TO THE PORT - MANOEUVRING IN THE PORT

1.1 - Access to the boat harbour site is only authorised to boats in a navigable condition, i.e. in a condition to carry out navigation corresponding to the category, type and nature of the craft, except in cases of force majeure established by the City of COMMERCY through its agents, provided that this does not pose any danger to the concession area.

1.2- Boats that are seaworthy are liable to be inspected by sworn officials. The boat's driver must therefore be able to provide the proof required under article 10 of these regulations.

1.3 - Upon arrival, the boat's driver must make himself/herself known to the agents of the Town of COMMERCY and comply with the usual formalities (cf. article 10).

1.4 - Boats other than pleasure craft may only be admitted on an exceptional basis (refuelling or in cases of force majeure accepted by the agents of the City of COMMERCY) or must be the subject of an agreement between the City of COMMERCY and the person responsible for the boat concerned.

1.5 - Boats may not be launched or pulled ashore.

1.6 - The maximum speed of boats on the whole of the boat stop is set at 3 km/h (approximately 2 knots).

1.7 - Except in cases of immediate danger, no anchor may be dropped in the canal or in the harbour.

1.8 - Manoeuvres on the site are limited to mooring and/or leaving the quay.

ARTICLE 2 - MOORING AND WINTER STORAGE

2.1 - Mooring is only possible on the conceded quay.

2.2 - Boats may only be moored, under the responsibility of their owners or representatives, to the bollards or other mooring structures provided for this purpose on the site. Tied-up mooring is not permitted.

2.3 - The duration of a stopover for so-called "passing boats" is limited to 5 days and is subject to compliance with the provisions of Chapter III of these regulations.

After this period, the City of Commercy or its agents will notify boaters of a deadline for vacating the River Stop site.

If the boat is still on site after the deadline, fines will be imposed on the boat owner.

2.4 - During the winter period (1 November to 30 April), it will be possible to overwinter on the River Stop site. This will be subject to payment of a fee in accordance with article 12-2 of these regulations.

If the winter storage period is exceeded, a fine will be imposed on the boat owner in accordance with article 15 of these regulations.

2.5 - Users are admitted in the order of their prior registration or, failing that, in the order of their arrival.

2.6 - If absolutely necessary, for technical or safety reasons :

- the agents of the City of COMMERCY or those responsible for policing must be able, at any time, to call upon the crew or the person mandatorily designated by the owner of the boat, who must be capable of carrying out all the manoeuvres ordered.

- in the event of the owner's absence, the agents of the Ville de COMMERCY or those responsible for police powers are qualified to carry out or have carried out any manoeuvres deemed necessary, without in any way releasing the owner from responsibility.

2.6 - The owner, crew or keeper of a boat may not refuse to receive a hawser or to cast off mooring lines to facilitate the movements of other boats.

ARTICLE 3 - PREVENTION AND MEASURES IN THE EVENT OF FIRE

3.1 - It is forbidden to light fires on the quays, port structures and to have open flames on them (except in places equipped for this purpose).

3.2 - Lighting and heating equipment on boats and their evacuation systems, as well as their electrical installations, must comply with current regulations, failing which they will be banned from use.

3.3 - Mooring boats must not have on board any dangerous or explosive materials other than fireworks or regulation devices and the fuel or combustibles required for their use. It is forbidden to smoke in parts of the boat containing flammable products. The installations or equipment specific to these fuels or combustibles must comply with the regulations in force for vessels according to their category and type.

3.4 - Boat owners must carry fire extinguishers that comply with current legislation.

3.5 - In the event of fire on the concession area, boat owners or their representatives are required to use their own fire extinguishers and, if necessary, to contact the relevant emergency services.

ARTICLE 4 - WORK ON BOATS

4.1 - No boats may be built or demolished on the river rest area site.

Any work involving the spraying of dangerous products and/or materials is absolutely forbidden.

4.2 - Minor repairs and/or maintenance work on the exterior and interior of boats must be carried out within the following time slots:

Monday to Friday, from 8H00 to 12H00 and from 14H00 to 19H00
Saturdays, Sundays and public holidays, from 10:00 to 12:00

ARTICLE 5 - BOAT MAINTENANCE

5.1 - All boats in the port must be maintained in a good state of repair, buoyancy, safety and appearance.

If the City of COMMERCY or its agents notice that a boat is in a state of abandonment, or in such a state that it risks sinking, causing damage to boats, surrounding structures or the environment, they will give formal notice to the owner, and simultaneously, in the event of an emergency, to the person designated by the owner, to restore the boat or take it out of the water.

If the necessary action is not taken within the allotted time, the boat may be taken out of the water, at the owner's expense and risk and without the City of COMMERCY or its agents being held liable.

5.2 - When a boat has sunk low on the site, the owner or the person designated by the owner is obliged to have it removed or moved, without delay, after having taken advice from the agents of

the City of COMMERCY on how to carry out the manoeuvre. The concessionaire will use the services of VNF.

If the owner fails to do so, the staff will take all necessary measures to hasten the execution of the operations, at the owner's expense and risk.

ARTICLE 6 - LIFE ON BOARD

6.1 - Opening of the boat stop :

The boat stop is open all year round, except during certain periods (frost, flooding, unemployment, etc.) when users of the boat stop must scrupulously comply with any instructions that may be given by the Town of COMMERCY or by VNF.

6.2 - It is forbidden :

- to throw earth, rubble, rubbish or unhealthy liquids onto the structures or into the waters of the port.
- to make deposits.

Household waste must be deposited in the containers provided for this purpose in the concession area.

ARTICLE 7 - VEHICLE TRAFFIC

7.1 - Vehicles may only be parked in the car parks reserved for this purpose, outside the concession area.

Security vehicles (ambulances, fire brigade, police) do not require authorisation.

7.2 - It is forbidden to wash and/or repair a motor vehicle in the whole of the riverside rest area.

ARTICLE 8 - MODIFICATION OF FACILITIES - CIVIL LIABILITY

8.1 - Users of the yachting site may not under any circumstances modify the port facilities made available to them.

They are responsible for any damage they cause to these facilities.

Damage will be repaired at the expense of the person who caused it, without prejudice to any legal action that may be taken against that person.

8.2 - Boat owners are responsible, without recourse against the Ville de COMMERCY, for any damage they cause to boats or installations of other users of the boat stop, through negligence, clumsiness or failure to observe the present regulations. Boat owners must have at least taken out a civil liability insurance policy for their boat and be able to prove this on request.

River rest area users who suffer damage to their boats or installations caused by other river rest area users, or by persons from outside the river rest area, are responsible for any legal action they may have to take in order to obtain compensation for the damage caused to them, without the intermediary of the City of COMMERCY.

ARTICLE 9 - SWIMMING

9.1 - Swimming is strictly forbidden in and around the river rest area. Generally speaking, it is forbidden to swim in the Meuse canal.

CHAPTER II

SPECIAL RULES APPLICABLE FOR VESSELS CALLING FOR A MAXIMUM OF 5 DAYS

ARTICLE 10 - FORMALITIES

10.1 - Any boat entering and parking in the site area is required, upon arrival, to make a declaration of entry to the Town of COMMERCY (Municipal Police), indicating :

- the name and address of the owner,
- the name and address of the person responsible for security in the absence of the crew, and the details of the person appointed by the owner to represent him/her,
- the boat's registration certificate,
- the VNF sticker,
- the navigation permit,
- a valid boat insurance certificate (minimum civil liability),
- the planned date of departure from the site.

If the date of departure is changed, an amended declaration must be made without delay.

10.2 - The use of services offered by the City of COMMERCY is subject to payment of the corresponding fees mentioned in article 12 paragraph 1.

If users wish to use the services provided by the Town of Commercy, they must use the payment terminal or go to the Town Hall reception desk.

10.3 - The boat must be declared to the Town of COMMERCY when it leaves the marina.

Declarations of entry and departure are recorded in a register in the order in which they are presented and given a serial number.

ARTICLE 11 - ALLOCATION OF BERTHS

11.1 - Boats in stopover are authorised to stay at the river rest area for a maximum of 5 days.

They are admitted in the order in which they are registered or, failing that, in the order in which they arrive.

Users stopping over are obliged to change berths if, for police or operational reasons, the City of COMMERCY or its agents require them to do so.

They are obliged to leave the berth occupied at the first request of the concessionaire's agents if, due

to a lack of available space, the latter have provided them with an already allocated, but temporarily available berth.

ARTICLE 12 - TARIFFS, USAGE

12.1 - The applicable tariffs are subject to regular review by the City of COMMERCY. These tariffs are those annexed to the operating agreement and are displayed on the boat stop site as soon as they are applied.

The applicable services and tariffs are as follows

- Access to electricity and water: token worth €3 for 8 hours
- Waste water tank: token worth €3

Regarding the management of household waste, it is the yachtsmen's responsibility to contact the Communauté de Communes Commercy-Void-Vaucouleurs, in order to pay the fee for this service.

12.2 - The tariff applicable to winter storage is as follows: period from 1st November to 30th April :

- 200€ for one term

- 350€ for the entire winter period

- In accordance with article L2125-8 of the Code général de la propriété des personnes publiques, compensation for the occupation of the public river domain will be applied in an amount equal to the usual fee plus 100% for any irregular occupation.

12.3 - All occupants must pay for the services provided by the Town of COMMERCY on arrival at the river rest area, either via the payment terminal or by going to the reception desk at the Town Hall.

12.4 - In the event of non-payment, the occupier will not be offered the possibility of using the services provided by the Ville de COMMERCY.

CHAPTER III

SPECIAL RULES FOR THE USE OF THE QUAY AND THE QUAYSIDE

ARTICLE 13 - QUAY AND PLATFORM

13.1 - It is forbidden to privately occupy the quay's open spaces.

Any work involving civil engineering on the concession area is subject to written authorisation from the City of COMMERCY.

13.2 - The quays and roads outside the perimeter of the boat stop must be left free to traffic at all times. They may not, under any circumstances, be cluttered with deposits of equipment or materials of any kind whatsoever.

13.3 - The use of the quay is strictly reserved for agents of the City of COMMERCY, owners and users of parked boats.

The Ville de COMMERCY may not be held responsible for incidents and/or accidents occurring on these installations, other than those which do not fall within the scope of routine maintenance for which it is responsible.

13.4 - The City of COMMERCY cannot be held responsible for the carelessness of any person on the public domain and not authorised to use it.

CHAPTER IV

GENERAL PROVISIONS

ARTICLE 14 - APPLICATION OF THE RULES

Employees of the City of COMMERCY are strictly bound to enforce the directives set out in these regulations. They are also responsible for applying all measures concerning safety in the concession area.

ARTICLE 15 - POLICE AND OFFENCES

Contraventions of the present regulations, refusal to comply or any other offence concerning the police and safety of the boat stop and its outbuildings will be recorded in a report drawn up by the officers responsible for policing the site, who are empowered to take all necessary measures to put an end to the offence.

ARTICLE 16 - LIABILITY

16.1 - Boat owners remain civilly liable in all circumstances for any infringements to which their boats may be subject, regardless of who uses these boats.

16.2 - The Town of COMMERCY cannot be held responsible for :

- inconveniences or delays due to impediments or difficulties of navigation on the canal,
- Inconvenience or delays due to the canal being out of action,
- theft or damage to boats,
- damage or inconvenience caused by navigation, maintenance or, in general, the operation of the waterway by its manager,
- a power cut due to non-compliance with these port regulations,
- fraudulent use of a socket by another user outside the normal supervision of the concessionaire's agents.
- accidents and/or incidents as provided for in article 13 paragraphs 3 and 4.

These malfunctions may not give rise to the payment of compensation or a reduction in the invoice.

ARTICLE 17 - DISPUTES

In the event of a dispute, and after an attempt at amicable conciliation on the part of the City of COMMERCY, only the locally competent courts will be empowered to judge the dispute.

ARTICLE 18 - SPECIAL PROVISIONS

VNF agents must be able to move freely on the sites occupied.

Signed in COMMERCY, on 01/09/2024

For execution

The Mayor
City of Commercy

The delegating authority

Jérôme LEFÈVRE

