

Regulations of the port of Görlitz at Berzdorfer See

§ 1 Port operator

The port is operated by KommWohnen Dienste GmbH, Konsulstr. 65, 02826 Görlitz (KWD for short).

KWD appoints its manager/harbour master to carry out its tasks as a port operator.

Working hours and telephone availability of the manager/ harbour master will be announced in the harbour building at Hafenstraße 100, 02827 Görlitz.

Operating the harbour boils down to using it as a port for sports and recreational boats.

§2 Scope

These regulations apply to the Port of Görlitz as well as to its infrastructure and buildings (for example parkings, slip, jetty, etc.) according to the site plan attached to the regulations.

In the port area, all superordinate laws and regulations also apply. This concern in particular the „StVO“ (The Saxon Shipping Regulation) and the environmental regulations.

The harbour area includes the dock, harbour entrance as well as harbour infrastructure.

§3 Berths

The berths will be allocated by the KWD manager/ harbour master. The right to use a berth is acquired by concluding a appropriate berth contract. Berths may not to be transferred to third parties, either for temporary or permanent use (subletting).

The season for permanent berths runs from March 23rd to October 31st each year. Long-term berths are managed and allocated by the KWD. Inquiries related to the berths for the following year, can be directed to KWD. The final assignment of the berth is carried out by the manager/harbour master , after conclusion of the mooring contract.

Also guest berths will be indicated by the manager/harbour master . The berth must be notified to the manager/harbour master at the first possible opportunity after arrival and to agree of the conditions and duration of the berth.

For shore-based berths, appropriate area will be provided as required. The allocation of these places takes place analogously to the § 1 and § 2.

It is forbidden to overwinter the boat in the wet-dock. Exceptions require the separate approval of the KWD manager/ harbour master.

§4 Berth charges/ other charges

The charges for the berth shall be in accordance with the current Tariff of charges. Port charges are covered by the delivery obligation and should be paid to the manager/harbour master at the first possible opportunity, unless the long-berth contract provides otherwise.

The table of fees is available in the harbour's building or is hung out in the showcase.

§5 Electricity supply

Electricity can be taken from the power columns on the main bridge. The allocation and registration of the collection point is carried out by the manager/harbour master .

Power may be only drawn from an approved cable and only if the electrical system installed on board complies with the current DIN regulations (Germany Quality Standard). The operation of electric heaters is not permitted.

§6 Use of sanitary facilities

Owners of permanent berths can use the sanitary facilities in the sanitary wing of the port building. After use, the sanitary facilities must be left in clean and faultless condition. Any damage must be reported immediately to the manager/harbour master .

Access to the sanitary wing takes place through the use of a chip card, which is handed over by KWD after the conclusion of a term agreement. Making the card available to third parties is forbidden. The only exception is to give the card to the guests of the boat owner. Family members are not guests and are therefore entitled to use the sanitary facilities just like the berth owner.

Daily, weekly and monthly berth-holders can also acquire the access via the KWD manager/harbour master .

The use of the sanitary facilities is included in the respective berth fee.

§7 Waste disposal

All types of wastes must be segregated and deposited in marked containers. There are no hazardous waste disposal containers available within the port area. Hazardous waste and pollutants may not be stored or disposed from the port area.

A fecal matter sink is available in the sanitary tract.

§8 Motor vehicle traffic, parking spaces

The StVO in its current version is valid in the port area.

The use of motor vehicles in the traffic infrastructure, parking spaces and harbour building's area is allowed (in walking speed) only for berth holders, boats owners and another authorised persons. Traffic signs need to be observed.

Boat berths and jetty are not accesible to port visitors and may only be entered by authorised persons.

Motor vehicles and trailers may only be parked in the provided and marked for this purpose places. It is not allowed to store other objects in the parking space than those above mentioned.

§9 Water vehicle traffic

The Saxon Shipping Ordinance and other regulations about water vehicle traffic in the current version are in force in the port area.

The speed of the water vehicle to be manoeuvred shall be safe and adapted to the circumstances. Suction and wave impacts are to be avodied.

Priority shall be given to vehicles entering the port. The helmsman of an outgoing vehicle must ensure that his boat does not interfere with the manoeuvres of a boat which is about to run in.

The stay of vehicles in the port entrance is forbidden. Unnecessary cruising in the dock and in front of the port entrance shall be avoided.

It is forbidden to block a slip (in must be free)

§10 Security and public order

Within the scope of these Regulations, everyone shall behave in such a way, that no one is harmed, endangered or harassed more than it is unavoidable under given circumstances. The boat/berth owners are responsible for the behaviour oft hier crew and guests.

The manager/harbour master of the port ist the host of the port in accordance with the §2 of Regulations. His instructions, which are serve the gernal order as well as ease and safety in traffic, are to be carried out immediately. Those, who do not follow the instructions may be prohibited from staying in port with immediate effect.

In case of gross violation of laws and regulations, the boat may be expelled form the port and the berth may be terminated with immediate effect.

Port users shall be obliged to moor their boats in accordance with good sailing practice in such a way that the boat cannot unite and cause damage or obstrucions to traffic. The mooring should be made with strong ropes and bindings. Parts of the boat must not protude over the jetty.

The boats shall be protected against burglary or unauthorised entry.

The electrical power supply lines between boats and jetty distributors must comply with the rules of technology. It is the responsibility of the boats owners to ensure that there is no risk of fire.

The manager/harbour master must be informed directly and immediately of any accident or fire.

The dock, port facilities, jetties, sanitary and other facilities in the area of the port as well as the areas of waste disposal shall be kept clean.

Dogs must be kept on a leash in the port area and kept in such a way that no one is disturbed or obscured.

§11 Prohibitions

It is prohibited:

- making structural changes to the jetty, making any obstacles or affixing a nameplates,
- surfing the dock and staying on board in the dock for longer than necessary to enter or leave the port,
- discharging of any solid or liquid harmful substances and foreign matters into port waters,
- boat washing
- refuelling a boat with auxiliary engines, when the boat is on the water surface,
- fishing, swimming, bathing or diving in the dock and its entry

§12 Damages

Damage to port facilities must be reported immediately by each port user to the manager/harbour master as soon as it becomes known.

§13 Liability and insurance

All water vehicles in the port must have adequate civil liability insurance, including a guarantee that the costs of removal or extraction of the wreck will be covered. By registering by manager/harbour master, boat owner confirms, that he has adequate insurance for the vehicle and that the vehicle is in a fully floatable condition which does not endanger water traffic.

The owner of a sunken vehicle is obligated to extract it immediately at his own expense. The operator reserves the right to take the necessary actions at the expense of the boat owner.

§14 Further regulations

The berth and parking spaces are provided only by port manager/harbour master. The port manager does not keep the boats and their accessories as well as motor

vehicles and trailers parked on the shore. The operator is excluded from liability for damage or loss of boats, vehicles, trailers or accessories, unless such damage is the result of the port operator's intentional misconduct or grossly negligence.

The use of port and its facilities is at your own risk and responsibility. Port area including access roads is not covered with 'winter service' (snow clearance, etc.)

The port operator is not responsible:

- if the driver of the boat or other water or land vehicle, does not act in accordance with the conditions of this Regulations or does not follow the instructions of the manager/ harbour master or other supervisory bodies in good time,
- for damages caused by burglary, theft, water, water level changes, fire, explosion, storm, flood and majeure force, provided that such damage is not result of intentional or gross negligence of port operator in fulfilling its duties,
- for damage to the property of berth owners, provided that the port operator can not be accused of negligent in fulfilling its tasks.
- in case of ordinary negligence is KWD only liable, if there is an injury to life, body or health (personal injuries).

§15 Scope of application

With the allocation of the berth or by mooring and staying in the port, the boat owner accept the provisions of this Regulation with condition, that port operator is liable only, if its ordinary negligence caused personal injuries as injury to life, body or health.

With entering the port area, all third persons are aware of the conditions of these port regulations.

§16 Place of jurisdiction

The place of jurisdiction for all legal disputes with the port operator is the court in Görlitz.

Management of KommWohnen Dienste GmbH

Görlitz, 7.12.2018

Attachment - Site plan with the area of scope of this Regulations. .