

Policy rules for the application of the Huizen Port Decree 2010

Policy rules for the application of Article 11, paragraph two, of the Huizen Port Decree

The Municipal Executive of Huizen:

Whereas:

- Pursuant to Article 11 of the Huizen Port Decree it is forbidden to use a vessel in the port for commercial purposes, as a business space, to run a business or for the operation of a business;
- Article 11 of the Port Decree grants our Municipal Executive the power to be able to grant an exemption from the prohibitions set out therein;
- The objectives of the municipal policy with regard to the port and the Nautical Quarter;
- The importance of proper coordination between the port policy and the events policy;
- The available public parking space of the large parking area near the service port is relatively limited and must therefore be optimally deployed for the visitors of the Nautical Quarter.

Considering Section 4:81 of the Dutch General Administrative Law Act (*Algemene Wet Bestuursrecht*), Article 11 of the Huizen Port Decree and Article 2.10 of the General Municipal Bye-law ('APV') of Huizen;

decrees the determination of the following policy rule in implementation of Article 11 of the Port Decree and Article 2.10 of the APV.

Article 1 **Definitions**

In this Policy Rule the terms below shall mean the following:

- a. The municipal port: the port as described in Article 2 of the Port Decree of Huizen Municipality;
- b. The service port: includes the area, including public waterways to the south of the western port piers as further detailed on the drawing relating to these Terms and Conditions;
- c. The marina: the part of the public waterways situated between Bestevaer and the north side of the port office, as further detailed on the drawing relating to these Terms and Conditions;
- d. the Nautical Quarter Huizen: includes the area to the east of the central parking area including the *botter* yard, and bordered by the public waterways as further indicated on the drawing relating to these Terms and Conditions;
- e. Party ships: vessels with a maximum length of 50 metres exploited as sailing party and catering businesses or day trip or cruise ships and which want to visit the port for that purpose;
Vessels not considered as party ships are those which aim at providing services to special target groups such as patients, the elderly and disabled people (requiring special care) (such as the Henri Dunant and de Zonnebloem);
- f. Classic ships: vessels of the so-called 'brown fleet' constructed before 1955, provided with one mast and which have also been fishing on a commercial basis in the Zuiderzee or IJsselmeer;

- g. Parking area: the public central parking area situated to the south of the service port and to the west of the Nautical Quarter, as further indicated on the drawing relating to this Policy Rule;
- h. Cruises: sailings with vessels giving the opportunity to passengers to sail along for a fee, not being vessels which in connection with the nature of the activities and lay-out must be considered as party ships as described under e

Article 2 Exemptions to party ships

- 1. An exemption can only be granted for a party ship to use the municipal port as described under Article 1 paragraph e, if the following conditions have been met:
 - a. there are no impediments to public order and safety, at the discretion of the Mayor according to the usual assessment for events;
 - b. with regards to its dimensions, draught etc. the ship fits into the municipal port, at the discretion of the harbour master;
 - c. an exemption is possible for no more than two party ships in half a day;
 - d. mooring in the Huizen port is only meant for passengers embarking or disembarking to which a mooring period of not more than 2 hours applies.
 - e. it is not allowed for these ships to organise festivities and parties and/or provide refreshments while they are moored. This is only allowed on the open water outside the ports of Huizen;
 - f. Special conditions, included in the exemption:
 - 1. The respective shipowner applying for an exemption for a party ship as described in Article 1 paragraph e, is obliged for parking to refer to the public parking areas on the headland/pier (west side) or if necessary to refer to the additional parking facility on the 'events site' (*evenemententerrein*) at IJsselmeerstraat, which site is indicated by "P- Partyschepen".
 - 2. If the site is occupied by an event, visitors can park in the other public parking areas such as Havenstraat and IJsselmeerstraat (P / sportcomplex).
 - 3. This obligation under 1 and 2 will be complied with by adding an attachment to the confirmation of the order of the shipowner with an explanation of parking, consisting of a route description/aerial picture of the P locations (explanation will be provided by the municipality).
 - 4. The shipowner requests his client to refer the guests to the available parking facilities.

2. With regard to the duties and rates the General Conditions for Port and Mooring Dues (*Algemene Voorwaarden Haven- en Liggelden*) of Huizen Municipality will be applicable.

Article 3 Special vessels

1. If vessels are used for charity such as the transport and stay of special target groups (requiring special care) such as patients, the elderly and disabled people without any commercial purposes or with a non-profit goal, the Municipal Executive can also grant an exemption for that purpose.
2. The provisions in Article 2, paragraph one under a, b and e and Article 7 apply accordingly.
3. With regard to the duties and rates the General Conditions for Port and Mooring Dues (*Algemene Voorwaarden Haven- en Liggelden*) of Huizen Municipality will be applicable.
4. No exemption will be granted for the use of the port by commercial salvage companies.

Article 4 Cruises and classic ships

1. The permit holder of a fixed mooring in the municipal marina is also entitled to use the respective ship for cruises for payment if and insofar as the following conditions are met:
 - a. the permit holder informs the harbour master of the cruise;
 - b. every year an exemption is granted to not more than five berth holders; in the event of more prospective berth holders a system of taking turns and a waiting list will be applied aimed at a justified allocation of the 5 annual exemptions.
2. A generic exemption applies in connection with its objective to *botters* and classic ships as meant in Article 1 under e, sailing under the management of Stichting Huizer Bidders and/or Stichting Botterwerf Huizen in Huizen. This exemption does not form part of the number of exemptions to be granted as meant in paragraph 1 under b.
3. An exemption can be granted to vessels providing tourist trips and/or sailing departures or arrivals for cyclists and hikers (such as Fietboot Eemlijn) and tourist/recreational shuttle/ferry services (such as between Huizen – Almere). This exemption does not form part of the number of exemptions to be granted as meant in paragraph 1 under b.

Article 5 Public hiking/cycling and/or tourist transport facility

An exemption can be granted for offering transport services by waterways in connection with public cycling/hiking transport or tourist facilities.

Article 6 Use of parking area

The parking area as meant in Article 1 under g. shall not be used for other purposes than as a public parking facility, particularly meant for visitors of the Nautical Quarter Huizen.

Incidental use of (a part of) the parking area for events as provided for in the events policy will only take place in exceptional cases after consultation with the interested catering entrepreneurs in the Nautical Quarter.

Article 7 General usage rule of generators

The use of (power) generators is only allowed up until 22.00 hours provided the generators do not generate more noise than 44 dB, measured at a five metre distance from the nearest external wall of the Nautical Quarter Huizen (corresponds with approx. 95 dB at source). After 22.00 hours the use of power generators is only allowed for offering a short opportunity for passengers to disembark and in this connection the said dB condition applies as well, namely that the generators do not produce more noise than 44 dB measured at five metres from the nearest external wall of the Nautical Quarter Huizen (corresponds with approx. 95 dB at source).

Article 8 Title and coming into force

This Policy Rule is referred to as the Policy Rule for the application of the Huizen Port Decree (*Beleidsregel toepassing havenverordening Huizen*) and comes into force on the 3rd day after publication.

The Municipal Executive of Huizen,

The Secretary

The Mayor

Explanatory note:

Decreed/Determined on 7 February 2014.

Published on 13 February 2014.