

# Varadero Aruba Marina and Boatyard

## Rules & Regulations

### Purpose and Scope

The purpose of these Rules & Regulations is to ensure the safe, orderly, and environmentally responsible operation of **Varadero Aruba**. They are designed to protect the property of all users, the facility itself, and the surrounding marine environment. All vessel owners, their guests, contractors, and visitors must adhere to these rules. By using the facilities of **Varadero Aruba**, you agree to abide by these regulations.

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### I. General Rules & Safety

1. **Compliance with Laws:** All users must follow all local laws, ordinances, and regulations, including those related to boating, safety, and environmental protection.
2. **Right of Refusal:** **Varadero Aruba** reserves the right to refuse service, dockage, or storage to any vessel or individual, or to require the removal of any vessel, for any reason considered in the best interest of the Marina/Boatyard and its users.
3. **Conduct:** All people must conduct themselves in a considerate manner, ensuring they do not disturb other users or create a nuisance. Disorderly conduct, excessive noise, or any activity that may endanger others or property is strictly prohibited.
4. **Children:** Children must be always supervised by an adult, especially on docks, piers, and in the boatyard. Life jackets are strongly recommended for children on docks.
5. **Swimming:** Swimming in the Marina waters is strictly prohibited.
6. **Fishing:** Fishing from the docks must be pre-approved by Marina Office. Fishermen must clean the docks behind themselves.
7. **Noise:** Noise shall be kept at a minimum at all times. Patrons shall use discretion when operating engines, generators, radios and television sets so as not to create a nuisance or disturbance to others. Socializing aboard the vessels or in the community area of the Marina must not cause a disturbance to other dock customers at any time.  
  
Loud music is strictly prohibited from 10 pm to 6 am and failure to comply may result in the police being called.
8. **Pets:** Pets must be always kept on a leash while on Marina/Boatyard property and are not permitted in designated restricted areas. Owners are responsible for immediately cleaning up after their pets. Owners are responsible for the safety of their pets.
9. **Parking:** Owners are allowed to use a parking space for access to the vessel. Long-term parking must be cleared with the Marina office prior to leaving for any period past overnight. Trailers with/without boats may not be parked on Marina grounds. Varadero reserves the full right to remove any vehicle or trailer not cleared for parking at the owner's

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expense. Varadero will not be held responsible for any damage done to vehicles while in the parking lot.

Parking is strictly prohibited in front of the slipway adjacent to the restaurant.

10. **Live-aboard:** No owner shall, nor permit any other to, live aboard their vessel while docked or on the boatyard without the written consent of Varadero.

11. **Charters or Commercial activities:** No charter or commercial activities are allowed without prior, written, authorization from the Marina Office.

Charter companies must provide Marina Office with a copy of their proper license(s) (Article 18) issued by the Government of Aruba.

The Marina reserves the right to prevent charters' clients from boarding the boat(s) in case of non-respect of the above.

The Marina reserves the right to apply a different type of fees for charter and commercial activities.

12. **Personal Property: Varadero Aruba** is not responsible for any loss, damage, or theft of personal property or vessels. Users are encouraged to secure their belongings and carry proper insurance.

13. **Smoking:** Smoking is prohibited in fuel dock areas, enclosed buildings, and within 50 feet of fuel storage or transfer operations. Disposal of cigarette butts must be in designated receptacles only.

14. **Firearms & Weapons:** The open display or discharge of firearms or dangerous weapons is strictly prohibited on Marina/Boatyard property.

15. **Photography/Videography:** Commercial photography or videography on Marina/Boatyard property requires prior written permission from management.

16. **Checking out:** Guests checking out of the Marina shall report to the Marina office and settle their account prior to departure. Owners shall notify the Marina office and pay all invoices owed prior to removing their boat permanently from Varadero.

17. **Subleasing:** Tenant shall not allow any vessel other than his own to occupy the slip/space granted him under the terms of this agreement, nor shall tenant occupy any other slip/space without the express consent of The Marina office. Dinghies and Tenders will not occupy an additional slip without express written consent from the Marina office.

18. **Extended cruises:** Owners of vessels leaving for an extended period are required to notify in writing the Marina office. The slip may be held until return by paying monthly rental. Varadero Management reserves the right to use/rent all slips/spaces when vacant. Transient vessels occupying an absent Owner's slip/space are required to move said transient vessel to another open slip/space immediately upon notice by Varadero.

19. **Delinquent accounts:** In the event the slip/space fees or other Varadero charges have not been paid within thirty (30) days after the same shall become due, Varadero shall, at its

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sole option, have the right to change the rate from monthly to daily rate and all storage charges thereafter shall bear interest at the highest legal rate. Varadero shall, at its sole option, have the right to suspend and disconnect customer from the usage of water and electricity, without prejudice to any other rights and remedies. Varadero Also reserves the right to haul out the vessel and place it in storage for quarantine purposes. After ninety (90) days of non-payment of amounts due, Varadero will take necessary steps to collect said amounts due plus reasonable collection expenses and fifteen percent (%15) extra- judicial charge shall also be applicable.

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## II. Vessel Operations

1. **Speed Limit:** A strict **no-wake speed limit** (5 knots or lower speed) is enforced within the Marina basin and approach channels.
2. **Right of Way:** Vessels entering or exiting the Marina basin must observe proper navigation rules and show courtesy to other vessels.
3. **Docking & Mooring:**
  - Vessels must be properly secured with adequate lines and fenders. Owners are fully responsible in case their boat breaks their lines and damage another boat or the docks.
  - The use of chains tied to the cleats is strictly prohibited. Chains damage Marina's docks. Only ropes may be used to go from the boat to the dock.
  - No lines or equipment shall obstruct walkways or adjacent slips.
  - Vessel names and registration numbers must be clearly visible.
  - Vessels must not extend beyond the length of their assigned slip.
  - Vessel's topsides must be kept in a ship-shape condition at all times and no laundry, towels, bathing suits or other such items shall be hung on boats, piers or docks at any time.
  - No "For Sale" signs or other signs shall be placed on the vessel or vessel slip/space without written authorization from the Marina office. Varadero reserves the right to remove any non-approved sign from the vessel or slip/space without notice to the Owner. Similarly, the Owner shall not affix or attach by screw, nails, bolts, or any other object, any article, fixture, camera or equipment to the piers, docks, seawall or structures without prior written permission from the Marina office. Advertising of, or soliciting for, the sale or lease of the vessel, appurtenances, or property of whatever type shall not be permitted on any vessel nor shall the Varadero address be used for personal or business purposes without the written authorization from the Marina office.

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#### 4. **Fueling:**

- Fueling is strictly forbidden on the docks, owners or their boats operators must use the Marina's Fuel Dock.
- No smoking or open flames are allowed during fueling operations.

#### 5. **Dinghy/Tender Storage:** Dinghy/tenders must be stored either aboard the primary vessel or in designated dinghy areas. They may not obstruct walkways or other vessels.

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### III. Marina & Boatyard Usage (Maintenance, Repairs, Storage)

#### 1. **Authorized Work:**

- Minor repairs and maintenance that do not generate significant noise, dust, or pollution are generally permitted to vessel owners.
- Major repairs, fiberglass work, painting, sanding, welding, or engine overhauls are strictly forbidden at the Marina's docks. All such work must be carried out on our boatyard, requiring prior approval from Marina/Boatyard management.

#### 2. **Outside Contractors:** No outside labor or independent contractor's work is allowed unless permission is obtained from the Marina office. All outside labor must sign in at the Marina office. Prior to commencement of work all outside labor or independent contractors shall provide proof of general liability insurance and proof of workers compensation insurance. Varadero reserves the right to stop any contractor or "do it yourselfer" from working within the Marina and Boatyard. As customary, Boatowner will be charged a **3rd party contractor's commission**, based on the 3rd party final invoice. The commission will support local taxes.

#### 3. **Boatyard Usage:**

- Follow all instructions from boatyard staff on vessel movement, blocking, and shoring.
- No unauthorized lifting or moving of vessels.
- All work areas must be kept clean and free of debris.

#### 4. **Power & Water:**

- Hoses and power cords must be in good condition and not create trip hazards.
- Do not leave water hoses running unattended. Conserve water. When not in use, water hoses must be neatly folded to the pedestal, not left on the dock.

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- Do not overload electrical circuits. Use only marine-grade cords.
- The Marina/Boatyard provides pedestals with receptacles, usually at the US standard (110v or 220v – 60Hz). 30-50-100 Amp Owners must provide the matching adapter to plug their boats.
- No tampering with the Marina's electrical pedestals.
- In case of power loss, please advise Marina's office immediately. Do not try to fix the issue yourself. Do not move your electrical connection to another outlet without Marina's prior approval or face penalties.
- Varadero Marina shall not be held responsible for electric interruption or outages or the results or damage there from.

#### **5. Storage:**

- Storage of equipment, gear, or personal items on docks, piers, or walkways is prohibited.
- Only one white storage box is allowed per boat. Please contact the Marina Office to get a list of acceptable boxes. The installation of your box must be pre-approved and supervised by the Marina Office.
- Any other items left on the docks will be removed by Marina/Boatyard staff at the owner's expense.

#### **6. Marina and Boatyard work hours:**

- Marina Office and Boatyard hours:
  1. Monday – Friday: 8 am – 5 pm
  2. Saturday: 8 am – 1 pm
  3. Sunday: closed
  4. Emergency number:
    1. Marina: +297 594 5686
    2. Boatyard: +297 594 5683

#### **7. Who Does What, call the right person:**

- **Judith**, takes care of all administrative tasks, you go to her to get travel documents, organize the shipping of parts, book a car rental, service your laundry. Email: [admin@varaderoaruba.com](mailto:admin@varaderoaruba.com)
- **Regina**, takes care of all financial tasks, she will create your invoices and you will go to her to pay them. Email: [regina@varaderoaruba.com](mailto:regina@varaderoaruba.com)

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- **Rishi**, is our BoatYard Manager. He is the only one qualified to discuss technical repairs or work on your boat. All quotes MUST be requested in writing, by email. Please do not call or text.  
Email: [rishi@varaderoaruba.com](mailto:rishi@varaderoaruba.com)
  - **Alfred**, is our acting Boat Store Manager.  
Our shop sits across the road from the Marina: DeepWater Marine.  
You may contact him in advance for parts you need.  
Email: [alfred@varaderoaruba.com](mailto:alfred@varaderoaruba.com)
  - **Capt. Paul**, is our Reservations Manager. He is the one to contact to plan your boat's arrival to Aruba, your Haul-out and launch. If you made a wet berth reservation, Capt. Paul will guide you. Do not call him for anything technical, that's not his field. Capt. Paul is also in charge of our Brokerage department. So, if you are considering selling your awesome boat in a safe environment, contact him.  
Email: [Capt. Paul](mailto:Capt.Paul)
  - **Niels**, is our Operations Manager. Should you notice or need anything related to our Marina or Boatyard operations, please let him know of your request.  
Email: [niels@varaderoaruba.com](mailto:niels@varaderoaruba.com)
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## IV. Environmental Protection & Waste Management

### 1. Pollution Prevention:

- **No discharge** of sewage, oil, fuel, antifreeze, or any other pollutants into the water.
- Spills of any kind, on land or water, must be reported at once to Marina/Boatyard management for proper containment and cleanup.
- Prevent all drips or leaks from your vessel. Place absorbent pads under engines or wherever spills may occur.

### 2. Waste Disposal:

- Dispose of all trash, recycling, and hazardous waste in designated receptacles.

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- **Hazardous Waste:** Oils, fuels, paints, solvents, batteries, and antifreeze must be disposed of at designated hazardous waste collection points or removed from the premises by the owner. Do not place hazardous waste in general trash bins.
- **Fish Cleaning:** Cleaning of fish must be done at the fish cleaning station(s) provided by the Marina. Clean after yourself. Do not leave trash behind.
- 3. **Washing:** Use biodegradable, phosphate-free cleaning products. Avoid excessive runoff into the water.

### V. Security & Access

1. **Access Control:** Access to docks and certain boatyard areas may be restricted by gates or key codes. Do not prop open gates or share access codes with unauthorized persons.
2. **Reporting Suspicious Activity:** Report any suspicious persons or activities to Marina/Boatyard management or security personnel immediately.
3. **Vessel Security:** Ensure your vessel is locked and secure when unattended. Do not leave valuables visible.
4. **Emergencies:** In case of fire, medical emergency, or other urgent situations, immediately call emergency services (e.g., 911) and then notify Marina/Boatyard management.

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### VI. Yearly Marina Fishing Tournament:

To ensure the safety, fairness, and smooth operation of our annual fishing tournament, the following rules and regulations regarding the relocation of non-participating vessels will be strictly enforced.

**1. Purpose of Relocation:** The primary purpose of relocating non-participating boats is to:

- a. Facilitate safe passage for tournament participants.
- b. Designate specific areas for tournament activities (e.g., weigh-in stations, launching/retrieval zones).
- c. Ensure clear access for emergency services if needed during the tournament.
- d. Minimize congestion and enhance the overall experience for all marina users.

#### **2. Notification of Tournament and Relocation Policy:**

- a. **Advance Notice:** All marina members and slip holders will be provided with ample advance notice (30 days) of the upcoming fishing tournament dates. This notification will clearly state the possibility of boat relocation.

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b. Specific Relocation Notice: At least 15 days prior to the tournament, a second, more specific notice will be distributed to all slip owners whose boats may be impacted by relocation. This notice will include:

- i. The specific dates and times when relocation may occur.
- ii. The designated alternative locations for relocated vessels.
- iii. Contact information for marina staff responsible for relocation.
- iv. A clear statement of the marina's authority to relocate vessels as per these rules.

c. Methods of Notification: Notices will be distributed via multiple channels, including:

- i. Email to all registered slip holders.
- ii. Posting on the official marina bulletin boards and website.
- iii. Direct mail to physical addresses on file (if applicable and desired).
- iv. Social media announcements (if the marina utilizes these platforms).

### **3. Identification of Non-Participating Boats for Relocation:**

a. Marina management will identify all slips and dock areas that are required to be clear for tournament operations.

b. Owners of boats in these identified areas who have not officially registered for the tournament will be considered "non-participating" for the purpose of these regulations.

### **4. Owner Responsibility and Cooperation:**

a. Voluntary Relocation Encouraged: Owners of non-participating boats are strongly encouraged to voluntarily relocate their vessels to designated temporary areas prior to the specified tournament start time.

b. Contact Information: It is the responsibility of every slip holder to ensure the marina has up-to-date contact information (phone number, email address) on file.

c. Cooperation with Marina Staff: All boat owners are expected to cooperate fully with Marina staff regarding relocation requests.

### **5. Marina Authority to Relocate:**

a. Authorization: By maintaining a slip agreement with Varadero Aruba Marina, all slip holders acknowledge and agree that the marina reserves the right to temporarily relocate any non-participating vessel from its assigned slip or mooring during the designated tournament period.

b. Method of Relocation: Relocation will be performed either by the owner or by qualified marina staff using appropriate and safe methods (e.g., moving by hand, using a tender, or utilizing a hydraulic trailer for dry-docked vessels). Every reasonable precaution will be taken to prevent damage during relocation.



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c. Designated Relocation Areas: Relocated boats will be moved to pre-determined, safe, and secure temporary locations within the marina property. These areas will be clearly communicated in the relocation notices. The marina will endeavor to provide comparable mooring/docking conditions where possible.

d. No Liability for Minor Inconvenience: While the marina will make every effort to minimize inconvenience, slip holders acknowledge that temporary relocation may result in minor adjustments to their usual access or amenities.

#### **6. Damage and Liability:**

a. Marina Responsibility: The marina will be responsible for any direct damage to a vessel proven to be caused by the gross negligence or willful misconduct of marina staff during the relocation process.

b. Owner Responsibility: The boat owner remains responsible for securing their vessel appropriately (e.g., proper lines, fenders) both before and after relocation. The marina is not responsible for damage resulting from:

i. Pre-existing conditions of the vessel.

ii. Inadequate securing by the owner.

iii. Acts of God or severe weather conditions during the relocation period.

iv. Theft or vandalism at the temporary location, unless directly attributable to marina negligence.

c. Insurance: Boat owners are advised to ensure their vessel's insurance policy covers relocation by a third party and any potential damage that may occur during such an event.

d. Reporting Damage: Any suspected damage incurred during relocation must be reported to marina management immediately, and in writing, within 48 hours of the vessel's relocation or discovery of the damage, whichever comes first. Photographic evidence should be provided if possible.

#### **7. Post-Tournament Return:**

a. Timeline for Return: Once the tournament concludes and the designated areas are clear, non-participating vessels will be returned to their original slips as soon as practically possible. The marina will communicate the expected timeline for return.

b. Owner Option to Return: Owners may request them to return their own vessel to its original slip once the tournament is over, and the area is deemed safe by marina staff. Such requests must be coordinated with marina management.

**8. Non-Compliance:** a. Failure to cooperate with marina staff regarding relocation requests, or any attempt to obstruct the relocation process, may result in penalties, including but not limited to: i. Temporary suspension of marina privileges. ii. Fines as outlined in the marina's general rules and

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regulations. iii. The owner being responsible for any additional costs incurred by the marina due to their non-compliance.

**9. Grievance Procedure:** a. Any concerns or disputes regarding boat relocation should be directed in writing to marina management within 7 days of the incident. Management will review the complaint and respond in a timely manner.

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### VII. Emergency Procedures

1. **Fire:** In case of fire, evacuate the area, activate the nearest fire alarm (if available), and call emergency services. Notify Marina/Boatyard management immediately (emergency numbers in section III – 5).
  2. **Medical Emergency:** Call emergency services immediately. Provide first aid if trained and safe to do so. Notify Marina/Boatyard management.
  3. **Spills:** Contain the spill if safe to do so, prevent further discharge, and immediately notify Marina/Boatyard management. Do not attempt to clean up large or hazardous spills without proper training and equipment.
  4. **Severe Weather:** During severe weather warnings (e.g., hurricane, tropical storm), all vessel owners are responsible for securing their vessels and making preparations as directed by Marina/Boatyard management. Failure to adequately secure a vessel may result in the Marina/Boatyard taking necessary action at the owner's expense and risk.
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### VIII. Financial & Insurance Requirements

1. **Fees & Payments:** All dockage, storage, and service fees are due as per the terms of your agreement with **Varadero Aruba**. Late fees may apply.
  2. **Insurance:** All vessel owners must carry adequate liability and hull insurance for their vessel while it is on Marina/Boatyard property and provide proof of insurance upon request.
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#### IX. Enforcement & Violations

1. **Compliance:** All users are expected to comply with these Rules & Regulations.
2. **Violations:** Failure to comply with these Rules & Regulations may result in:
  - Verbal warning
  - Written warning
  - Fines
  - Suspension or termination of services
  - Requirement to remove the vessel from the Marina/Boatyard
  - Legal action
3. **Interpretation:** Marina/Boatyard management reserves the right to interpret and enforce these rules, and to make amendments or additions as necessary.
4. **Applicable law:** This agreement is governed by the laws of Aruba and therefore the jurisdiction of the Court in Aruba is applicable.

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#### X. Disclaimer

**Varadero Aruba** is not responsible for damage, loss, or theft of vessels, equipment, or personal property from any cause whatsoever, including but not limited to, fire, theft, vandalism, collision, wind, rain, acts of God, or negligence of third parties. Use of the Marina and Boatyard facilities is at the sole risk of the vessel owner.

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#### XI. Change of Rules & Regulations

**Varadero Aruba** reserves the right to amend or make additions to, or deletions from, the Rules and Regulations, as it deems necessary. A 30 day notice of said changes shall be constituted by e-mailing of one copy to the Owner at the e-mail address registered with the Marina office.