

RULES OF PROCEDURE

ASSIGNEMENTS AND ASSUMPTIONS

The term **“Concessionaire”** refers to the company holding the maritime state concession: Cala del Forte s.r.l.

The term **“Maritime State Concession”** refers to the maritime state concessions which are objects of the deeds of the Secretary-General from Ventimiglia City Council on 12 February 2010 rep. n. 4678 and on the 09th March 2010 rep. 4701 and subsequent supplementary and/or amending acts.

The term **“Port”** refers to the Marina of Ventimiglia, located in “Gli Scoglietti” area and called “Cala del Forte”.

The term **“Manager”** refers to the person in charge of management and organisation of the harbour facilities and its ordinary and extraordinary maintenance.

The term **“User”** refers to the natural or legal person that benefits permanently and/or temporarily of the berth, and/or of the commercial premises, and/or parking stall(s), and/or other property, and/or any other goods and services that are, for any reason, within the maritime state concession area.

The term **“Staff”** refers to all employees in charge of management activities and/or of the Harbour maintenance.

The term **“Marina Management”** refers to the competent authority in charge of planning, coordinating and controlling Marina management activities.

The terms **“Maritime competent authority”** or **“Maritime authority”** refer to Imperia, Sanremo and Ventimiglia’s Harbour Office.

The term **“Mooring plan”** refers to the Marina layout, with the graphic representation of every berth and its dimensions, approved by the Maritime State Concession

The term **“Berth”** refers to the body of water overlooking the landing stage or the quay at the user’s disposal.

The term **“Parking stall”** refers to the area defined by the road markings and dedicated to vehicle parking.

The term **“Landing stage”** refers to the Marina internal structure built on stakes, caissons or floating, intended for the berthing and mooring of boats.

The term **“Quay”** refers to the Marina internal structure delimiting the internal perimeter of the port basin, intended for the berthing and mooring of boats.

The term **“Canal of access”** refers to the channel outside the protected basin leading from the open sea to the Marina entrance.

The term **“Canal of manoeuvring”** refers to every channel inside the Marina that allows the manoeuvring, moving the vessels and berth’s access.

The term **“Manoeuvring Area”** refers to the area inside the harbour basin intended for manoeuvres to reverse or change the course of the vessels.

The term **“Marina entrance”** refers to the entrance area to the protected basin.

GENERAL RULES

Art. 1 – Object of the regulation

This regulation, drawn up in implementation of the clauses and prescriptions contained in the maritime state concession, regulates and coordinates the Marina and related activities carried out within the port.

Art. 2 – Implementation

The Concessionaire and the users are obliged to comply with this regulation, navigation code rules and Maritime Code, Marina safety rules order no. ... on .. of the Sanremo Maritime district office and any other requirement in the deeds of maritime state concession.

Art. 3 – Publishing

This regulation is published on Cala del Forte website “caladelforte-ventimiglia.it”, at the front desk office (located in the main building in the Marina centre) and at the guardianship (located in the Marina main entrance).

Art. 4 – Precedence of the regulation

The safety rules of the Maritime district office always prevail over these rules of procedure.

Art. 5 – Amendments to Regulations

This regulation can be modified, can be integrated and updated by the Concessionaire, in order to better ensure the safety, efficiency and functionalities of the Marina.

RULES RELATING TO PORT ACTIVITY

Art. 6 – Port activities management

The Concessionaire provides for the port's management directly and/or entrust all or part of the services to third party, the Manager, according to the article 45 bis of the Navigation Code, which is also

obliged to comply with this regulation, with the deeds of maritime state concession, with the Navigation Code and its regulation.

All rights, obligations, responsibilities, charges, powers and prerogatives that this regulation require in favour of and at the expenses of the Concessionaire, are equally required in favour of and at the expenses of the Manager, if in charge.

Art. 7 - contents of the management activity

The Concessionaire, takes care of the performance of the following services:

- Cleaning of the internal water surface;
- Cleaning of the Marina's areas and garbage collect, both on board and on land;
- Anti – pollution facilities;
- Shipyard;
- Assistance in emergency conditions as part of the state concession, both on land and at a sea, adopting with the maritime authority, every appropriate action to deal with the situation;
- Monitoring the respect of the mooring plan approved by the Maritime State Concession;
- Assistance with mooring and unmooring the vessels;
- VHF Radio service and assistance at channel n. 73;
- Fire protection services as provided for in the Marina Emergency Plan;
- Water, electrical, hygienic and mooring supplies and their maintenance;
- Supervision of common parts;

- Ordinary and extraordinary maintenance of installations, furnishings, green areas and port works;
- Marina's lighting and maintenance of road and maritime signalling;
- Fuel station;
- Black water discharge service;
- Weather service;
- Control of users' compliance with these regulations and with the rules of the Navigation Code, the relevant Maritime Navigation Regulations, Port Security Regulations with order no. of the Maritime District Office of Sanremo and the conditions written in the Maritime State Concession.

Art. 8 - Management and staff

The "Concessionaire", directly or through the operator, mandate the people in charge of the management. The harbourmaster can be supported by a secretary or a deputy harbourmaster.

The staff carries out its tasks according to the management guidelines.

The staff will wear a uniform, in order to allow for recognition and attributed tasks.

Art. 9 – Management and staff tasks

The management will be in charge of the planning, coordination and control of all activities and services, management related, Art. 5.

For this purpose, the Harbourmaster, plans and coordinates the usage of technical resources and the marina staff, recognizable from the uniform to the management.

Everyone carrying out a professional activity within the marina, while doing this activity, is subject to the supervision of the management.

Considering the skills of the Administration and Government, the application and compliance of the rules is assured and controlled inside the port area, by the staff and management. In order to apply this regulation, the staff will be able to give appropriate rules to the users, whom will need to comply to them.

Art.10 – Disclosing and Regulation compliance

The Concessionaire, directly or through the owner, will ensure and provide a copy of this Regulation, leaving a copy at the Manager Office and via every other appropriate form of advertising.

The Users inside the port are asked to comply with all the rules written in this Regulation, which will be deemed read and approved.

In observance of this Regulation and in order to always give the best services, the Marina Management will ensure the disclosing of communications, information and warnings necessary to better specify the rules of conduct of users within the port.

Art. 11 - Users responsibilities

The Users must comply with the laws, rules of this Regulation, ships' administrative regulations, Customs clearance, Police and Safety rules, and also with the Management instructions.

The Users cannot modify in any way or form the given port facilities.

The Users must implement all appropriate measures to protect their property from theft, damage and the like.

Every unity that will enter the Marina must be correctly insured for third party liability, theft and fire hazards.

The insurance policy must be sent with the reservation and shown upon request at the Management, which may require the integration of value if it is inadequate.

If the insurance policy is missing, or the insured sum insufficient, the Marina Management may deny access to the port.

Art. 12 – Liability limits

The Concessionaire or the Manager, is not liable for the custody of moored boats in their Berth and/or vehicles parked in the parking stall(s) and/or the objects stored in it.

Consequently, they will not be liable for any partial or total theft and/or damages caused to the vessels and/or vehicles or other users' properties, caused by the weather, acts of vandalism, people not belonging to the staff or object and animals not owned by them.

All moored vessels or vehicles parked in the Port's facilities must be correctly insured for third party liability, theft and fire hazards.

Nor the Concessionaire nor the Owner are liable to the users for:

- Damages caused by third party
- Any object partial or total theft
- Damages to user's belongings caused by severe meteorological events, especially with wind over 30 knots. The Marina's recording will be used as visual representation.
- Damages to the vessels caused by a breakage of anything different from catenary, rings and bollards used by Cala del Forte Marina
- Damages caused by natural disasters, riots, vandalism and war incidents.

PORT NAVIGATION – STATIONING

Art.13 – Entering and leaving the Port – harbour navigation

The port's entrance is permitted only to pleasure craft units in seaworthiness conditions, which means that any pleasure craft will be able to navigate in compliance with adequate and correspondent safety conditions.

Inside the Marina or by its entrance, any unit in difficulty or damage must request the port's assistance which will provide with its own facilities any support for entering or mooring the vessel.

Only the Management and the Marine Authority are entitled to authorize the access to the Port's facilities.

During the manoeuvring for entering and leaving the port or any displacement inside the port, all vessels must:

- Follow the canal of access' mezzanine, or anyway, keep a minimum distance (or adequate to the vessel's draught) from the cliff according to the bathymetry of the nautical plan;
- keep your own starboard in case of crossing with other boats;
- keep the safety distance corresponding to 1,5 times your vessel's length in case of same sea route;
- maintain a speed no greater than 3 knots and in any case no greater than the safety speed intended as the speed at which a boat must proceed in order to act adequately and efficiently to avoid collisions and in case, to be arrested within an appropriate distance to the circumstances and conditions of the moment (art. 6 of International Regulation to avoid collisions at sea of the 1972, ratified by Law of 27 December 1977, n. 1085)
- give priority to exiting vessels.

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It is forbidden to all the vessels, watercraft and sailboards to navigate inside the port and in less than 300 meters from the port entry.

The speed tests are forbidden within 300 mt. from the port entry.

Art. 14 – Vessels manoeuvring

All manoeuvres done inside the port must be done in compliance with all the instructions given by the Management Office, which will be in charge for vessels

displacement, mooring movements necessary in case of emergency, for special and justified needs related to the operation of the port or for arrangements made by the Maritime Authority, without prejudice to the user's responsibility for the manoeuvre.

In case of operational or safety necessities, and in case of absence of the owner and his employees, or in case of refusal by the same, the Management can take care of it directly with staff of its own trust.

Art. 15 – Berths features

LOA	TOTAL BERTHS
6,5	34
8,5	7
10	7
12	20
14	43
16	13
16 cat	1
18	5
20	2
22	1
24	5
28	1
33	2
35	8
36	2
40	12
45	8
50	2
60	4
70	1
	178

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Art. 16 – Mooring rules – location and use of the berths

The berths are indicated with the quay or landing stage number. The marks are very visible and located on the landing front.

All berths are listed with the nominative of the owner and the name and dimensions of the vessel in a special register at the Marina Management Office

Every user shall report in the shortest notice every variation and must use only the berth dedicated to him – it is forbidden to moor everywhere else. On the mooring plan you can find the dimensions of the vessel which can be moored in every berth.

Art. 17 – Mooring arrangements

It is forbidden to all unities, except for cases of force majeure, to drop the anchors.

All unities must moor exclusively to the cleats and with the chains provided and the users are responsible for all the damages. In case of necessity auxiliars anchors can be used for mooring, and the users are responsible for every damage which can be caused to the mooring systems.

The Users must weigh the anchor at its own expenses when the manoeuvring is done.

Every Users is responsible for its vessels to be adequately moored.

Efficient fenders (right dimension and right number) must be located on the sides of the vessel in order to avoid damages to other vessels and their own.

It is forbidden to keep protrusions on board.

The Marina Management can have the mooring reinforced where deemed inappropriate, and will charge the users for it, who is still responsible for his vessel and its mooring.

Art. 18 – Cooperation

The Users, the crew, the keeper of a boat or pleasure boat unit must not cause any hindrance to the manoeuvring of other vessels and cannot refuse to collaborate, widen or tighten at berth or do anything else in order to simplify the manoeuvring for other boats or pleasure boat.

Art. 19 – Safe stationing

All unities entering the Port must be in perfect efficiency for a safe stationing and be in compliance with the relevant regulations issued by the competent Maritime Authority.

The Management, if the situation requires it, may require inspections to be carried out on board by the competent Maritime Authority.

Before leaving the Port, especially for long term period, the Users must be sure that all the mooring lines are in great conditions and able to resist for the entire duration of the long-term absence, that the electric connection to the pedestal is disconnected and must leave their telephone numbers or e-mail or inform the Management if there is someone taking care of the boat and leave their number as well.

All boats and vessels must have enough crew members to manoeuvre in safety, to move the vessel and answer to the requests or orders of the Marina staff.

Boats over 24 metres in size, therefore classified as ships, must be manned by a crew that in terms of number and professionalism is adequate to carry out manoeuvres in safety.

If it is noticed that a unit is in a state of abandonment or that it runs the risk of sinking or causing damage to the surrounding units and equipment, the User or the caretaker, if any, will be notified immediately so that the inconvenience can be eliminated.

If the User does not act following the established terms, the unit will be pulled dry, at the owner's expense, without prejudice to any action against it.

It is forbidden to start the propeller whilst moored.

It is forbidden to start the main engine, except for proven and special needs, or the auxiliary ones, for testing them or to recharge the batteries.

The "carenamiento con sbandata" is forbidden.

Art. 20 - Sinking of the unity

If a unit sinks inside the Port, the owner is obliged to remove or dismantle the wreck after obtaining the approval of the Port Management, subject to clearance from the Maritime Authority.

Art. 21 – Prohibitions

It is absolutely forbidden to light free flames and to use the blowtorch.

It is absolutely forbidden to embark, disembark and retain dangerous goods on board.

It is absolutely forbidden to wash boats with biodegradable detergents that are less than 90% biodegradable or do not bear the Ecolabel. In case of use of the rubber hose for washing the boat, the use of the adjustable jet gun and automatic stop is mandatory.

Inside the port the use of projectors and acoustic signal if not strictly necessary is forbidden.

Inside the port every electromagnetic emission is forbidden, especially the one coming from the radar onboard.

Every activities or behaviours that may disturb other users are forbidden.

All work involving inconvenience or harassment to other Users must be carried out in the Shipyard area, unless expressly authorised by the Port Management.

Within the port premises and at the entrance bathing, harvesting seafood and other shellfish, as well as fishing with any gear, including underwater fishing is forbidden.

It is forbidden to dive. All diving activities can only be carried out by specialised personnel, qualified by the Maritime Authority and recognised by the Management Office.

It is forbidden to obstruct with on-board equipment (antennas, satellite antennas, hoods, walkways, lifebuoys, rubber dinghies, bike racks, etc.), in any case with objects or materials of any kind, the docks, piers and wharves and all areas not expressly intended for storage or storage. In case of non-compliance, the Management will remove what has been illegally deposited and clean the area concerned, at the expense of the User responsible.

It is forbidden to use restroom on board if not equipped with containment boxes.

It is forbidden to dirty the pontoons for work or painting.

It is forbidden to take showers on the piers and docks.

It is forbidden to wash dishes or linen and hang clothes on the piers.

It is forbidden to wash cars outside the authorised area.

Moored boats must be kept tidy and clean. In the event of prolonged non-compliance with this rule, and after a specific warning to the User and his/her employees, the Port Management will arrange for external cleaning to be carried out by personnel of its own trust, with the relative cost being charged to the person entitled to the same.

Art. 22 – Prohibitions of discharges into the sea

It is forbidden to empty bilge water, grey and black water, waste of any kind, objects, liquids, debris or anything else within the port, both in water and on the quays, piers, jetties.

For solid waste, only the appropriate bins with which the port is equipped must be used and they must be kept tightly closed at all times.

Liquid waste (grey water, bilge water and exhausted oils) must not be kept on board and must be discharged into the appropriate containers; black water, where available, is discharged through the port plant or in any case according to the procedures established by the Port Management.

For personal needs the Users must use the appropriate restrooms on land, unless the unit is equipped with specific equipment to collect the sewage on board.

Art. 23 – Regulations for pet owners

Inside the Marina pets must be kept on leash and wear the muzzle. All precautions must be taken in order to avoid that the presence of pets inside the Marina may cause any harassment to other Users. The owner will have to remove dirt and excrements produced by their animals.

Art. 24 – Prohibitions of trading activities

Every trading activities, professional or handcrafted inside the Port premises (which do not fall within those pertaining to the operation of the Port itself and are authorised by the Port Management in the areas specifically designated for this purpose), on board or for the vessels, are forbidden.

RULES FOR SERVICES

Art. 25 – Services – General rules

The Concessionaire provides services of articles n. 4 and 5 of this Regulation.

Users, both fixed and in transit, will be able to use the services as any other service provided by the Concessionaire, according to established needs, corresponding the amounts fixed by the Concessionaire.

The Concessionaire, by means of the appropriate systems, will take care of the supply to the User of water, electrical energy, as well as Wi-Fi connection, if required, with a surcharge of the cost of distribution and maintenance of the systems.

These services are covered by the exclusivity clause, related to the article n. 1567 of the Civil Code.

In the event of non-payment by Users of charges regarding the already appointed services, the Concessionaire, and on his behalf the Management of the port, will have the right to suspend the administration until the fulfilment by the Users ; if this is about the User of permanent position, the same must be notified in advance by registered letter with acknowledgement of receipt or PEC.

For the supply of fuels and similar and for comfort services, for technical assistance and supplies on board, users must pay the amounts relating to those services.

Art. 26 – Transit Users

Transit users will be able to use the services described, like any other service provided by the Concessionaire, in accordance with the requirements laid down, by matching the rates amounts. The transit follows the rules of the Navigation Code in force.

Art. 27 – Shipyard and external companies

The Shipyard will provide assistance, repair and maintenance to Users. The User may request the Port Management to authorise other external companies to carry out such services. No external company may operate in the port area without specific authorisation from the Port Management issued upon the User's request.

The access to the Marina is forbidden to every lifting equipment not expressly authorized by the Marina Management.

The Concessionaire shall not be involved in relations between the parties exclusively.

Art. 28 – Activities allowed in the Shipyard

Launching, hauling, repairs, careening, etc. of the units in the port area are authorised only in the shipbuilding area intended for such use.

Art. 30 – Restrooms

Within the Marina premises there are restroom for yatchmen only and for public use.

RULES ON ACCESS TO PORT AREAS AND INTERNAL ROADS

Art. 31 – Pedestrian access

All pedestrian paths within the Marina premises are for access and of public use.

The access to the fixed and floating pier B and on the breakwater quay is forbidden for safety reasons and in order to grant privacy and comfort for the berth owners.

For safety reasons, the access to the crowning of the over- and under-billow dams as well as to the cliffs that make up the cape is prohibited.

Art. 32 – Access and vehicle parking

The maximum speed of vehicles, motorbikes and bicycles may not exceed 15 km/h, and in any case the rules of priority and attention must be respected when driving the vehicle, as well as the indications of horizontal and vertical road signs.

The access point for vehicles is located by the Marina main entrance, where the Security Staff exercise access control.

The vehicular access is allowed to:

- Berths owners;
- Concessionaire employees and Owner;
- Public Authorities;
- All those who are expressly authorized by the Management, due to the availability of parking spaces;
- Customers of the productive activities within the Marina premises, due to the availability of parking spaces;
- All those to whom, for loading or unloading needs, vehicles or goods, specific permission has been granted by the Management.

All those who are expressly authorized, will be given a Pass Auto which must be appropriately shown on the windscreen of the vehicle.

All vehicular traffic within the Marina must take place exclusively on the routes and areas marked with indications of horizontal and vertical road signs.

In the Management Office it is possible to find the registry with the list of the parking stalls numbers along with the name of the Users they are reserved to.

Each vehicle must be parked exclusively in its reserved parking stall. Same rules apply for motorbikes.

In addition to the car parks mentioned above, the Concessionaire also sets up timed car parks, the areas of which are indicated by special vertical signs (public parking spaces also subject to payment).

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The parking stalls for public use, intended for temporary stopovers by external visitors and suppliers on a rotating basis, are delimited by horizontal signs.

The Management Office can provide also parking stall with charging equipment for electric vehicles. These car parks are identified by special vertical signs. Their use is reserved, among those entitled, only for vehicles with electric charging.

SAFETY AND SECURITY REGULATIONS

Art. 33 – Surveillance

The Marina Management provides a Surveillance service 24/7.

The Security Staff exercise access control for every vehicle near the main entrance.

Art. 34 – Adverse weather conditions

In compliance with the provisions of the Supervisory Commission, which is located at the Harbour Master's Office, the Management, in order to guarantee the safety of users and visitors, reserves the right to close access to the quays of the piers and the docks when special weather conditions occur.

Art. 35 – Fire and anti-pollution safety regulations

The Concessionaire is responsible for preparing an appropriate organisation, equipped with fixed and mobile systems, to be able to intervene, in the event of fire, with personnel trained at the first intervention, in compliance with the clauses accepted with the deed of the Maritime State Concession.

In such conditions the Management has the widest powers and faculties and its dispositions must be immediately executed until the arrival of the Fire Fighters who will take full control of the operations.

In any case, moored boats must comply with the following provisions of a preventive and general nature,

with the Management having the right at any time to request inspections on board from the competent Authority and to take action if they are found not to be in compliance:

- before starting the petrol engine, the user must ventilate the engine compartment;
- every vessel must control, before mooring, that there is no oil spillage in the bilge, and that there is no oil spillage in the water;
- all electric installations on board must be in perfect conditions and maintenance;
- the refuelling must be done exclusively by the fuel station inside the port premises;
- for units that exceed the possibility of mooring at the dock of the petrol station, refuelling may be authorised, each and every time by the Management, with mobile vehicles directly on the dock in compliance with the safety regulations in force;
- In case of absolute necessity - complete lack of fuel, plants under repair etc. - the person concerned must request express authorisation from the Management, for specific quantities or particular performances;
- The compartments on board containing liquid gas must be properly ventilated;
- the fire extinguishers on board must comply with the regulations in force, in sufficient number and in perfect efficiency;
- In the event of a fire starting on board, the indications on the Port Safety Plan must be followed;

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REGULATIONS ON GARBAGE DISPOSAL

Art. 36 – Waste collection regulation

The Users must collect the garbage produced on their vessels in the dedicated bins and in compliance with the Garbage disposal Plan approved by the Maritime Authority.

The Management provides within the Marina premises dedicated areas and bins for differentiated municipal solid waste and special waste.

It is mandatory for Users to dispose of expired rockets at the appropriate authorised facilities.

The Management promotes recycling by arranging bins for the collection of glass, plastic, cans, paper, as well as wet and dry waste.

It is forbidden to occupy even temporarily the quays, the piers and on land areas with waste materials, bags, processing residues.

It is mandatory for the owner of the shipyard area, the owner of the fuel station and all artisans, to deliver waste oils and anything else required by sector regulations, and to dispose of special waste in the manner required by law.

ENVIRONMENTAL QUALITY MANAGEMENT SYSTEM

Art. 37 – Management goals

The Concessionaire promotes and implements all procedural measures to ensure compliance with the requirements of the environmental management system (according to the international standard UNI EN ISO 14001) and quality management system (according to the international standard UNI EN ISO 9001) aimed at the definition, control and improvement of service and environmental performance, as well as those relating to the European Certification "Port Propre".

FINAL RULES

Art. 38 - Violations of the Regulations

The violations of the Regulations detected and contested by the Staff will be immediately reported to the Management, which, in the event of violation of legal and administrative regulations, will give appropriate notice to the competent Authority.

Without prejudice to the measures that may be taken by the competent authority with regard to the violations detected, the Air-Concession may adopt special measures against Users and any expulsion of both the boat and those responsible, when these are Users in transit.

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