

PORT EVERGLADES TARIFF NO. 12

SECTION ONE – GENERAL INFORMATION

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Item No. 135—Tug and Towing Services.

Issue No. ~~2~~ 3

Effective Date: October 1, ~~2022~~ 2025

Port Everglades performs no tug assistance in docking and undocking vessels at Berths and slips. Such service is performed under nonexclusive franchises issued to:

- ~~Seabulk International~~
~~d/b/a Port Everglades Towing, Inc.~~
E.N. Bisso and Son Towing Inc.
P.O. Box 13038
Fort Lauderdale, Florida 33316

Telephone: ~~(954) 523-2200~~ (954) 232-5646
Fax: ~~(954) 828-1703~~
Website: ~~www.seacorholdings.com~~ www.enbisso.com
- Tugz Company L.L.C.
d/b/a McAllister Towing of Port Everglades
P.O. Box 21623
Fort Lauderdale, Florida 33335-1623

Telephone: (954) 527-2500
Fax: (954) 527-5271
E-mail: opstugz@aol.com

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SECTION TWO – WATERWAYS AND BERTHS – RULES & REGULATIONS

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Item No. 205—Access to Port Everglades.

Issue No. ~~6~~ 7

Effective Date: October 1, ~~2024~~ 2025

No vessel is permitted to enter or leave Port Everglades harbor without the authorization of the Port Everglades Department, acting through its Harbormaster, nor is any vessel allowed to shift Berths or otherwise move within the harbor without such authorization.

The Franchised Steamship Agent or Vessel Representative desiring a Berth at Port Everglades must, as far in advance as possible, but not less than 72 hours prior to the estimated time of arrival, file a Berth Application with the Harbormaster through the Port Everglades Port Control System. The Berth Application must specify the information listed below. The Port Everglades Department reserves the right to modify the Berth Application Form from time to time, including to require the furnishing of additional information.

Vessel Name

Estimated times of arrival and sailing

Name of Franchised Agent

Name of Ship Line

Vessel Registry

Vessel length overall and beam

Vessel Gross Tonnage

Arrival and estimated sailing deep drafts

Preferred Berth

Docking side

Nature and quantity of cargo, if any, to be handled

Name of Stevedore, if any

Name of preferred tugboat service provider

Information regarding discharge of ballast water and exhaust cleaning system

Services required such as:

- Passenger Loading Bridge
- Cruise Terminal
- Portable Brooms

- Potable Water
- Wastewater Removal
- Oily Waste Removal
- Container Cranes
- Electricity for refrigerated containers
- Notification of Hot Work
- Vessel Bunkering

All Berth Applications are to be submitted through Port Everglades Port Control System.

In addition to the filing of a Berth Application, all vessels, through their Franchised Steamship Agent or Vessel Representative, must provide the Harbormaster with at least twenty-four (24) hours' advance notice of estimated time of arrival and provide prompt notice of any and all changes thereafter.

Daily cruise operations are exempt from the seventy-two (72) and twenty-four (24) hour notification provisions.

Unless specifically exempted as provided herein, any vessel that does not timely comply with the requirements for a Berth Application or the time of arrival notice provisions and whose estimated time of arrival conflicts with those of vessels that have properly complied with the Berth Application and notice provisions, may be assigned an alternate Berth if available or await the vacancy of the Berth requested on the Berth Application.

Notwithstanding a Franchised Steamship Agent's or Vessel Representative's designation of a preferred tugboat or towing service provider on a vessel's Berth Application, the Port Everglades Department, through its Harbormaster, reserves the right to designate the tugboat and towing service provider to a vessel in instances where the Harbormaster determines that safety, efficient Berth utilization, and/or special circumstances within the Port Everglades harbor require same. Such designation is final and nonappealable.

The Port Everglades Department reserves the right to refuse entry to any vessel carrying refrigerated liquefied petroleum gas, explosives, or hazardous cargo as provided in 49 CFR Subchapter C, §§ 171-180 (as amended), or to any vessel that is determined by the Port Everglades Department to not be in a Seaworthy condition. All vessels, while in Port Everglades, must remain at all times in a Seaworthy condition. This includes, but is not limited to, the vessel having its main propulsion machinery in full working order so as to permit shifting from the assigned Berth or sailing from the Port if so ordered by the Harbormaster, United States Coast Guard, or other entity having jurisdiction to order such movement. The Port Everglades Department reserves the right to order or prohibit departure from Port Everglades of any vessel deemed to not be Seaworthy.

All vessels entering Port Everglades must comply with Florida's coastal protection laws, rules, and regulations, as amended, which include, but are not limited to, addressing financial responsibility and liability requirements, booming of vessels, anchorage areas, pilotage, ship-specific spill contingency plans, and approved vessel security plans.

During the period of a declared emergency in Broward County, the Port Everglades Department may require that a copy of the Maritime Declaration of Health or Maritime Conveyance Illness or Death Investigation Form submitted by the master of the vessel or designee to the U.S. Centers for Disease Control and Prevention be filed with the vessel's Berth Application to the Harbormaster.

Further, notwithstanding any other provision of this Tariff, the Port Everglades Department may refuse entry of any vessel to Port Everglades when, in its discretion, such refusal is in the best interest of Broward County.

Any vessel wishing to undertake repairs to its main propulsion machinery to the extent that would result in the vessel not being able to shift or sail as described above must, as far in advance as possible, make request to the Harbormaster and the United States Coast Guard and receive permission from both before undertaking the repairs. Consideration will be given to, among other factors, the extent of repairs, the time the repairs are to take, Berth availability, weather conditions, and the time of the year.

The Port Everglades Department reserves the right to require the vessel to have tugs standing by while the vessel's main propulsion is out of service.

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Item No. 220—Turning Basins.

Issue No. ~~2~~ 3

Effective Date: October 1, ~~2022~~ 2025

The main turning basin is 1,200 feet east and west and 2,450 feet north and south, with a depth of ~~43~~ 42 feet. The north extension of the turning basin is 620 feet wide east and west on the north limits, 900 feet wide east and west on the south limits, and 1,150 feet north and south, with a depth of 31 feet. The south extension of the turning basin is 1,300 feet wide east and west by 1,300 feet north and south, with a depth of 37 feet. The Southport turning ~~basin~~ notch is ~~900~~ 2,400 feet east and west by 800 feet north and south, with a depth of ~~44~~ 42 feet. All depths are at mean low water.

Item No. 225—Dock Facilities.

Issue No. 4 5

Effective Date: October 1, ~~2022~~ 2025

Port Everglades has ~~24,522~~ 24,122 linear feet of dock facilities, with fender systems and bollards as follows:

Berth	Length in Feet
1A	180'
1B	220'
1-2-3	1,601'
4	1,125'
4A-5A	290'
5	1,125'
6	380'
7-8	1,200'
8A-9A	300'
9-10	1,200'
11	500'
12-13	1,226'
12A-13A	300'
14-15	1,226'
16-17-18	1,648'
19-20	1,300'
21-22	1,475'
23	240'
24-25	1,369'
26-27	1,337'
28A	480'
28B	275'
28E	275'
28F	400'
29	800'
30A	800'
30B	800'
30C	800'
30D	720'
30E	830'
30F	930'
30G	610'
31-32	2,000'
33A	800'
33B	400'

33C 400'

Water depths vary from Berth to Berth. Consult the Harbormaster for current water depths and vessel draft operating criteria.

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Item No. 240—Mooring.

Issue No. ~~2~~ 3

Effective Date: October 1, ~~2022~~ 2025

Vessels must, at all times, be secured to the dock in a manner satisfactory to the Harbormaster and in keeping with the practices of good seamanship. Vessel mooring lines are to be tended by the vessel's crew to compensate for tidal changes, weather conditions, cargo operations, and passing vessels. Lines in sufficient numbers, placement, and strength are to be used to account for all contingencies.

All vessels, while at Port Everglades, must display proper lights from sunset to sunrise while lying at any dock.

All vessels, while at Port Everglades, must provide at least one (1) fire warp at the bow and one (1) at the stern rigged on the offshore side of wire rope or other fireproof material and of sufficient strength to tow the vessel from the dock. The fire warps are to be rigged at a distance of not more than six feet from the waterline.

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SECTION THREE – DOCKAGE – RULES & RATES

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Item No. 320—Dockage Rates—Cargo Vessels.

Issue No. ~~49~~ 20

Effective Date: October 1, ~~2024~~ 2025

Rates listed below apply for each twenty-four (24) hour period or any portion thereof:

Cargo Vessels (Container, Dry Bulk, Neo Bulk) - Vessel calling for the purpose of loading or discharging cargo:	
Per gross registered ton.....	\$.3269 <u>\$.3367</u>

Cargo Vessels (Petroleum) - Vessel calling for the purpose of loading or

discharging cargo:

Per gross registered ton..... ~~\$.3379~~ \$.3480

Pure Car Carriers - Vessel calling for the purpose of loading or
discharging wheeled, motorized vehicles:

Per gross registered ton..... ~~\$.2458~~ \$.2532

The Harbormaster may, at their discretion, upon written application, grant additional days at rates specified in this Item immediately prior to or following cargo operations. In no instance will the Harbormaster grant more than two (2) days prior to and two (2) days following cargo operations at rates specified in this Item. Vessels in port outside of these parameters will be charged Dockage as prescribed in Item No. 330.

The minimum Dockage charge for each twenty-four (24) hour period is ~~three hundred eighteen dollars and eighty cents (\$318.80)~~ three hundred twenty-eight dollars and forty cents (\$328.40).

Item No. 325—Dockage Rates—Cruise Ships.

Issue No. ~~19~~ 20

Effective Date: October 1, ~~2024~~ 2025

Rates listed below apply for each twenty-four (24) hour period or any portion thereof:

- A. Ships offering multiday cruises, no minimum number of sailings:
Per gross registered ton..... ~~\$.3530~~ \$.3655
- B. Ships offering daily cruises, minimum twenty-five (25) sailings per month:
Per gross registered ton..... ~~\$.1649~~ \$.1710

Review of sailing activity will be conducted at the conclusion of each calendar month. To continue qualifying for the rate in Part B, a vessel must have made a minimum of twenty-five (25) sailings in the prior month. Failure of a vessel to maintain the aforementioned minimum sailing requirement will result in subsequent Dockage being charged at the higher Part A rate until such time as the vessel requalifies. During the initial month of operations, vessels providing services in Part B will have their activities prorated from date of start-up for purposes of determining minimum sailing requirements. Upon written application to the Port Everglades Chief Executive, or their representative, a waiver of minimum sailing requirements may be granted for purposes of vessel repairs, adverse weather conditions, or extenuating circumstances as determined qualifying by the Port Everglades Chief Executive. A replacement vessel is acceptable for purposes of qualifying as a Part B vessel.

The minimum Dockage charge for each twenty-four (24) hour period for all cruise ships is ~~three hundred twenty-five dollars and two cents (\$325.02)~~ three hundred thirty-six dollars and forty cents (\$336.40).

Item No. 330—Dockage Rates—Lay-in Vessels.

Issue No. 48 19

Effective Date: October 1, 2024 2025

Rates listed below apply for each twenty-four (24) hour period or any portion thereof:

- A. Lay-in Vessels - All cargo and noncruise vessels in Lay-in status, except Navy, Coast Guard, U.S. Government Research, and Training Vessels, will be charged at the measure of Gross Registered Ton (GRT) or per lineal foot, whichever yields the highest revenue to the Port Everglades Department:

Per GRT ~~\$.3269~~ \$.3370

Per lineal foot ~~\$5.8302~~ \$6.0051

- B. Lay-in Vessels - Navy, Coast Guard, U.S. Government Research, and Training Vessels will be charged at the measure of GRT or per lineal foot, whichever yields the highest revenue to the Port Everglades Department:

Per GRT ~~\$.2627~~ \$.2705

Per lineal foot ~~\$4.7288~~ \$4.8706

The minimum Dockage charge for each twenty-four (24) hour period is ~~three hundred eighteen dollars and eighty cents (\$318.80)~~ three hundred twenty-eight dollars and forty cents (\$328.40).

Item No. 335—Dockage Rates—Yachts.

Issue No. 48 19

Effective Date: October 1, 2024 2025

- I. Yachts calling for stores or bunkers with less than six (6) hours on Berth:

A. Yachts up to one hundred (100) lineal feet ~~\$177.11~~ \$182.42

B. Yachts one hundred one (101) to two hundred (200) lineal feet ~~\$345.30~~ \$355.65

C.	Yachts two hundred one (201) to three hundred (300) lineal feet	\$522.16 <u>\$537.82</u>
D.	Yachts three hundred one (301) to four hundred (400) lineal feet	\$699.10 <u>\$720.07</u>

Upon docking, an initial Free Time period of two (2) hours will be granted. If, after the expiration of Free Time, a yacht has not vacated its assigned Berth, Dockage is assessed as of the time of first docking at the rates above.

- II. Yachts exceeding six (6) hours on Berth are charged for Dockage at the Dockage rates for Lay-in vessels from the time of first docking.
- III. Yachts in excess of four hundred (400) lineal feet will be charged for Dockage at the Dockage rates for Lay-in vessels. There is no Free Time allowance for yachts in excess of four hundred (400) lineal feet.

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Item No. 350—Berth Usage for Tendering/Fleet Landing.

Issue No. ~~48~~ 19

Effective Date: October 1, ~~2024~~ 2025

A vessel using the anchorage area and providing tender service for passengers, crew, or other personnel between the vessel in the anchorage area and a Port Everglades Berth will be charged ~~six hundred eighty three dollars and ninety six cents (\$683.96)~~ seven hundred four dollars and forty-seven cents (\$704.47) for each twenty-four (24) hour period or any portion thereof.

SECTION FOUR - FACILITIES RULES & REGULATIONS

Item No. 400—Disclaimers of All Implied Warranties and Exclusions of Liability.

Issue No. ~~2~~ 3

Effective Date: October 1, ~~2022~~ 2025

DISCLAIMERS OF ALL IMPLIED WARRANTIES

Broward County, which controls the operations and facilities of Port Everglades, hereby disclaims, to the full extent permitted by applicable law, all implied warranties arising from, related to, or in connection with:

1. Any use, pursuant to this Tariff, of Port Everglades facilities or property; and

2. Any and all work performed or services provided by Broward County in connection with such use.

The implied warranties hereby disclaimed include, but are not limited to, the implied ~~warranty warranties of workerlike workmanlike performance recognized in *Ryan Stevedoring Co. v. Pan-Atlantic Steamship Corp.*, 350 U.S. 124 (1996) and *Vierling v. Celebrity Cruises, Inc.*, 339 f.3d 1309 (11th Cir. 2003), merchantability, or fitness for a particular purpose.~~

Use of Port Everglades property or facilities pursuant to this Tariff constitutes acknowledgment and acceptance of this disclaimer.

This disclaimer is a material inducement to Broward County allowing use of the Port Everglades facilities or property pursuant to the terms of this Tariff.

~~**Note:** The term “workerlike” is used in this Tariff item as a gender neutral term and has the same meaning as that ascribed to the legal term “workmanlike” as used by the court in *Ryan Stevedoring Co.*~~

EXCLUSION OF LIABILITY FOR LOSS AND/OR DAMAGE TO VEHICLES AT PORT EVERGLADES' FACILITIES

Broward County is not responsible for any loss and/or damage to a vehicle, its accessories, or contents, located at Port Everglades' facilities, resulting from theft, vandalism, fire, or other cause, except in instances where loss and/or damage results from negligence of Broward County (in such instances, subject to the limits set forth in Section 768.28, Florida Statutes).

EXCLUSION OF LIABILITY FOR LOSS AND/OR DAMAGE TO CARGO, VESSELS, OR OTHER PROPERTY

Broward County is not responsible for any loss and/or damage sustained to cargo, vessel(s), or other property owned or used by Port Users as a result of Broward County billing a vessel or Port User applicable Tariff charges.

Further, Broward County assumes no responsibility for any loss, damage, or repair to goods, furniture, fixtures, equipment, or other merchandise or property stored and/or handled in or through any Port Everglades' facilities that are owned, controlled, and/or operated by Broward County, except in instances where loss and/or damage results from negligence of Broward County (in such instances, subject to the limits set forth in Section 768.28, Florida Statutes).

Broward County is not responsible or liable for any loss or damage to any vessel, cargo, or other property stored, handled, used, kept, or placed upon any Wharf or other structure or property owned or controlled by Broward County occasioned by or on account of pilferage, rodents, insects, natural shrinkage, wastage, decay, seepage, leakage, heating, evaporation, fire, earthquakes, rain, floods, or the elements, war, riots, strikes, or other acts or actions beyond the control of Broward County, or from discharge from sprinkler systems or collapse of a Wharf or other structure unless

the loss or damage is occasioned by the negligence of Broward County (in such instances, subject to the limits set forth in Section 768.28, Florida Statutes).

Broward County is not liable for demurrage claimed by vessels.

EXCLUSION OF LIABILITY FOR INJURY TO PERSONS

Broward County does not provide services for handling cargo or processing cruise vessel passengers and is not responsible for any injury to persons arising from services provided by Broward County Port Users or other independent third-party service providers at Port Everglades except in instances where the injury results from negligence of Broward County (in such instances, subject to the limits set forth in Section 768.28, Florida Statutes).

GENERAL LIMITATION DISCLAIMER, LIMITATION OF LIABILITY AND SOVEREIGN IMMUNITY

In addition to the foregoing disclaimers and limitations of liability, Broward County makes no representations or warranties of any kind, express or implied, as to the operation of the facilities, the information, content, materials, or services included on or otherwise made available to Port Users. Furthermore, Broward County shall not be liable for damages of any kind arising from the use of the facilities or services, including, but not limited to, direct, indirect, incidental, punitive, and consequential damages. This limitation of liability applies to all damages or injury, including those caused by any failure of performance, error, omission, interruption, deletion, defect, delay in operation or transmission, computer virus, communication line failure, theft or destruction of or unauthorized access to, alteration of, or use of record, whether for breach of contract, tortious behavior, negligence, or under any other cause of action, except as required by applicable law. Nothing herein is intended to serve as a waiver of sovereign immunity by Broward County nor shall anything included herein be construed as consent by Broward County to be sued by third parties in any matter arising out of this Tariff.

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Item No. 445—Bunkering.

Issue No. 9 10

Effective Date: October 1, ~~2022~~ 2025

Vessel bunkering includes, but is not limited to, the transfer of liquid petroleum products, alternative fuels (including, but not limited to, liquified natural gas, methanol, biodiesel, and hydrogen), and derivatives for fueling, lubricating, or other associated uses to a vessel as distinguished from loading such products as cargo.

All vessel bunkering must be performed by a Broward County franchised entity authorized to perform such services at Port Everglades and in accordance with all applicable regulatory requirements.

All vessel Berths numbered 2 through 27 are accessible to pipeline hose connections for bunker fuels. These Berths, as well as Berths 28 through 33, are accessible by tank truck and barge.

Written reports of activity must be submitted monthly, within five (5) Business Days ~~from~~ after the end of the month, to the Port Everglades Department Petroleum Section and must include the dates of services performed, the name of the vessel(s), and the source and number of gallons of product transferred by type. Late submission of the monthly report is penalized at the rate of twenty-five dollars (\$25.00) per ~~b~~Business ~~d~~Day, or portion thereof, for every day the report is submitted late or remains incomplete.

No Wharfage will be charged on bunkers delivered across Port Everglades' docks by pipeline or truck.

No Wharfage will be charged on bunkers delivered to vessels within Port Everglades by barge on which Wharfage has previously been paid on the inbound movement of the bunker components.

Bunkers delivered directly to vessels within Port Everglades by barge on which Wharfage has not previously been paid and tankage for the product exists, whether currently available or not, will be subject to the same rate specified under Item No. 520.

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SECTION FIVE – WHARFAGE – RULES & RATES

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Item No. 530—Coastwise Container Trade.

Issue No. ~~48~~ 19

Effective Date: October 1, ~~2024~~ 2025

U.S. flagged container vessels engaged in coastwise container trade loading or discharging containers at Port Everglades for carriage between Port Everglades and other continental United States ports are subject to a composite cargo Wharfage and Dockage rate as follows:

Full containers.....	\$46.06 <u>\$47.44</u> per container unit discharged or loaded
Empty containers	\$31.21 <u>\$32.15</u> per container unit discharged or loaded

These rates are in lieu of Dockage charges, cargo Wharfage charges, and incentive discount provisions contained in Item No. 515. All other port services including, but not limited to, container crane rental, will be charged in accordance with the provisions and at rates stipulated in this Tariff.

Item No. 535—Wharfage Rates—Cargo.

Issue No. ~~49~~ 20

Effective Date: October 1, ~~2024~~ 2025

Except as otherwise noted, cargo Wharfage is charged by the measure per ton of two thousand (2,000) pounds or forty (40) cubic feet, whichever yields the highest revenue to the Port Everglades Department:

ALL ARTICLES, not otherwise specified	\$4.4105 <u>\$4.5428</u>
AGGREGATES, TALLOW, OR GYPSUM, in bulk	\$1.518 <u>\$1.563</u>
CEMENT, PORTLAND, AND MASONRY, in bulk, including super sacks or palletized	\$1.309 <u>\$1.348</u>
CONTAINER CARGO - per two thousand (2,000) pounds	\$3.934 <u>\$4.052</u>
CONTAINER CARGO - “SMALL BOAT” per two thousand (2,000) pounds	\$3.070 <u>\$3.162</u>
LUMBER, per two thousand (2,000) pounds	\$4.117 <u>\$4.240</u>
PETROLEUM, ALTERNATIVE FUELS, FUEL BLENDING COMPONENTS (INCLUDES ALCOHOL BIO-DIESEL & BIO-DIESEL FEED STOCKS), per Barrel.....	\$2.2164 <u>\$2.2228</u>
STEEL PRODUCTS, INCLUDING REINFORCING BARS, COILS, PLATES, AND STRUCTURAL	\$4.334 <u>\$4.767</u>
<u>VEHICLES (no cargo is permitted inside vehicles):</u>	
VEHICLES, lift on/lift off, including, but not limited to, automobiles, SUVs, trucks, vans, tractors, buses, trailers, and chassis, per ton	\$7.813 <u>\$8.59</u>
VEHICLES, roll on/roll off, including, but not limited to, automobiles, SUVs, trucks, vans, tractors, buses, trailers, and chassis to/from pure vehicle carriers, per unit (based on tons-to-unit conversion schedule)	\$8.817 <u>\$9.698</u>

Tons-to-Units Conversion Schedule

Tons *Units*

0.00—2.00	1
2.01—4.00	2
4.01—6.00	3
6.01—8.00	4
8.01—10.00	5
10.01—12.00	6
12.01—14.00	7
14.01—16.00	8
16.01—18.00	9
18.01—20.00	10
20.01—22.00	11
22.01—24.00	12
24.01—26.00	13
26.01—28.00	14
28.01—30.00	15
30.01—32.00	16
32.01—34.00	17
34.01—36.00	18
36.01—38.00	19
38.01—40.00	20
40.01—42.00	21
42.01—44.00	22
44.01—46.00	23
46.01—48.00	24
48.01—50.00	25

YACHTS AND BOATS (float on/float off), per ton ~~\$7.124~~ \$7.337

YACHTS AND BOATS (lift on/lift off, roll on/roll off),
per ton ~~\$10.762~~ \$11.084

Item No. 537—Container Unit Charges.

Issue No. ~~44~~ 15

Effective Date: October 1, ~~2024~~ 2025

Containers, full and empty, discharged and loaded to ships, per unit.

CONTAINERS & TRAILERS:

FULL, each	\$6.24 <u>\$6.42</u>
EMPTY, each	\$2.93 <u>\$3.01</u>

CHASSIS, each	\$2.93 <u>\$3.01</u>
CONTAINERS & TRAILERS "SMALL BOAT":	
FULL, each	\$3.39 <u>\$3.49</u>
EMPTY, each	\$2.93 <u>\$3.01</u>
CHASSIS, each	\$2.93 <u>\$3.01</u>

Item No. 540—Wharfage Rates—Cruise Passengers.

Issue No. ~~19~~ 20

Effective Date: October 1, ~~2024~~ 2025

- | | | |
|----|--|-------------------------------------|
| A. | Vessels offering multiday cruises, embark, disembark, in transit,
per passenger | \$13.983 <u>\$14.472</u> |
| B. | Vessels offering daily cruises, embark, disembark, in transit,
per passenger | \$3.204 <u>\$3.300</u> |

The Port Everglades Department will review sailing activity after each calendar month. A vessel must have made a minimum of twenty-five (25) sailings in the prior month to continue qualifying for the rate of Part B. Failure of a vessel to maintain the aforementioned minimum sailing requirement will result in subsequent cruise passenger Wharfage being charged at the higher Part A. rate in the following month(s) until the vessel requalifies.

Once requalified, the Part B. rate will apply in the month following requalification. During the initial month of operations, vessels providing services in Part B. will have their activities prorated from the date of start-up to determine minimum sailing requirements. The Part B. rate will apply from the first sailing.

Upon written application to the Port Everglades Chief Executive or their written designee, a waiver of minimum sailing requirements may be granted for vessel dry-docking, repairs, adverse weather conditions, or extenuating circumstances as determined qualifying by the Port Everglades Chief Executive. A replacement vessel is acceptable for qualifying as a Part B. vessel.

Passenger Wharfage will be charged against manifested revenue passengers only.

Item No. 545—Container Carrier Service Incentive.

Issue No. 4 5

Effective Date: October 1, 2023 2025

~~The provisions of this Item apply to container cargo ocean carriers that establish a new regularly scheduled ocean container cargo service calling at Port Everglades but do not have in effect a marine terminal lease and operating agreement. For purposes of this Item, new service is a newly entered service or one that has not called at Port Everglades within the prior twelve (12) months. Such container cargo ocean carrier must apply to the Port Everglades Chief Executive, in writing, for approval of the application of the provisions in this Item, which approval entitles such container cargo ocean carrier to receive the Tariff incentives stated in this Item from the date of the first vessel call in the new service following Port Everglades Chief Executive approval. The first year will commence with the arrival of the first approved ship and will end twelve (12) months later. The second year will commence on the day following the completion of the first year. The third year will commence on the day following the completion of the second year. This Tariff incentive is provided to offset a portion of the carrier's start-up costs associated with its new Port Everglades' service. Such container cargo ocean carrier must provide evidence of its ability to load/discharge a minimum of 5,000 cContainer sShipmoves (see note) annually at Port Everglades and provide service route documentation from the container cargo ocean carrier's website or other source approved by Port Everglades Department to receive Port Everglades Chief Executive approval.~~

~~New Container Cargo Ocean Carrier Service Incentive:~~

~~1st Year = \$3.00 per container shipmove
2nd Year = \$2.00 per container shipmove
3rd Year = \$1.00 per container shipmove~~

~~The \$3.00 per container shipmoves incentive will be accumulated for the approved container cargo ocean carrier during the first year of qualification until it has reached the 5,000 container shipmoves level. Thereafter, the accumulated incentive and future incentives earned will be applied against open Port Everglades Department invoices or future Port Everglades Department charges until fully exhausted. Such earned credits must be applied directly against invoiced Port Everglades Department fees and are not transferrable.~~

~~To remain eligible for the incentives enumerated herein, such container cargo ocean carrier's account with Broward County must be and remain current with no delinquent balances, and such ocean carrier must continue to demonstrate its ability to load/discharge a minimum of 5,000 container shipmoves annually at Port Everglades. Under the Port Everglades Chief Executive's guidelines and Port Everglades Department's Accounts Receivable Policy and Procedures, all accounts will be monitored and appropriate action will be taken on delinquent accounts. An approved carrier whose account becomes delinquent will not receive these incentives for its container shipmoves during the period(s) of delinquency. Once a qualified ocean carrier's account returns to current status, the approved ocean carrier will again be entitled to receive the~~

~~container shipmoves credit appropriate for the year of operation at Port Everglades. Irrespective of an ocean carrier's account status, all container shipmoves will be counted towards demonstrating the ocean carrier's ability to load/discharge 5,000 containers annually at Port Everglades.~~

~~*Note:* Container Shipmoves as used herein means a truck trailer body (whether fully enclosed, open-top, flat rack, vehicle rack, or bulk liquid) loaded or discharged from a ship or barge at Berth in Port Everglades.~~

The Port Everglades Department shall grant an incentive credit ("Incentive Credit") in the amount set forth below to each container cargo ocean carrier, including each container cargo ocean carrier with an existing marine terminal lease and operating agreement, that establishes a New Service (hereinafter defined) at Port Everglades that results in the container cargo ocean carrier handling a minimum of five thousand (5,000) Container Shipmoves (all associated with the New Service) at Port Everglades during the 12-month period commencing on the day of the arrival of the first vessel associated with the New Service (such 12-month period being the "Incentive Period"). For purposes of this Item, "New Service" means a newly published route of vessel calls conducted by a container cargo ocean carrier that has not included a call at Port Everglades within the prior twelve (12) months and does not include merely rebranding, renaming, or reclassifying existing routes. The Port Everglades Chief Executive shall have sole discretion in determining whether a proposed New Service satisfies the preceding definition. For purposes of this Item, "Container Shipmove(s)" means a truck trailer body (whether fully enclosed, open-top, flat rack, vehicle rack, or bulk liquid) loaded or discharged from a vessel or barge at Berth in Port Everglades.

The Incentive Credit shall be in the amount of five dollars and fifty cents (\$5.50) per Container Shipmove associated with the New Service and handled by the container cargo ocean carrier at Port Everglades during the Incentive Period.

To be eligible for an Incentive Credit, the container cargo ocean carrier must provide written notice to the Port Everglades Chief Executive before the commencement of the New Service of its intent to seek the Incentive Credit; this advance written notice allows the Port Everglades Department to track all Container Shipmoves associated with the New Service.

If the New Service results in the container cargo ocean carrier handling a minimum of five thousand (5,000) Container Shipmoves (all associated with the New Service) at Port Everglades during the Incentive Period, then the Incentive Credit will be applied against open Port Everglades Department invoices or future Port Everglades Department charges, at the Port Everglades Department's option, until the Incentive Credit is fully exhausted. Such Incentive Credit must be applied directly against invoiced Port Everglades Department fees and is not transferable. No Incentive Credit will be granted if the container cargo ocean carrier fails to reach a minimum of five thousand (5,000) Container Shipmoves during the Incentive Period.

Each container cargo ocean carrier's account with Broward County must be and remain current (with no delinquent balances) to be eligible to receive an Incentive Credit. Under the Port Everglades Chief Executive's guidelines and Port Everglades Department's Accounts Receivable

Policy and Procedures, all accounts will be monitored, and appropriate action will be taken on delinquent accounts. A container cargo ocean carrier whose account becomes delinquent will not receive the Incentive Credit during the period(s) of delinquency. Once a container cargo ocean carrier's account returns to current status, the container cargo ocean carrier will be eligible to receive any Incentive Credit. All Container Shipmoves associated with a New Service during the Incentive Period will be counted toward the Incentive Credit, irrespective of a container cargo ocean carrier's account status, provided that the Port Everglades Department was timely notified of the New Service.

SECTION SIX - FREE TIME, STORAGE, AND DEMURRAGE (RULES & RATES)

...

Item No. 630—Open Ground Storage Rates.

Issue No. 49 20

Effective Date: October 1, ~~2024~~ 2025

Cargo accepted for open ground storage by the Port Everglades Department's Operations Division will be assessed storage charges. All cargo remaining in storage beyond its authorized storage period(s) will be assessed Wharf Demurrage charges as contained in this Tariff. Open ground storage rates are as follows:

- | | | |
|----|--|---|
| 1. | All articles not otherwise specified, each six (6) calendar days or any portion thereof, per ton | \$1.30 <u>\$1.33</u> |
| 2. | Each vehicle, including, but not limited to, automobiles, SUVs, trucks, vans, tractors, buses, trailers, and chassis, for each calendar day or any portion thereof | \$5.67 <u>\$5.84</u> |
| 3. | Each boat and yacht on cradles or trailers, for each calendar day, or any portion thereof | \$39.62 <u>\$40.80</u> |
| 4. | Lumber, per ton | |
| | First and second 6-calendar-day periods (total 12 calendar days) | \$.73 <u>\$.75/ton ea.</u>
6-calendar-day
period or any
portion thereof |

Third and fourth 6-calendar-day periods (total 12 calendar days)	\$1.14 <u>\$1.17</u> /ton ea. 6-calendar-day period or any portion thereof
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Fifth and sixth 6-calendar-day periods (total 12 calendar days)	\$1.14 <u>\$1.17</u> /ton ea. 6-calendar-day period or any portion thereof
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After six (6) approved storage periods, charges revert to Wharf Demurrage rates.

5. Each container (full or empty), or each on or off chassis, for each calendar day or any portion thereof	\$5.67 <u>\$5.84</u>
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6. Steel products, per ton First and second 6-calendar-day periods (total 12 calendar days)	\$1.30 <u>\$1.33</u> /ton ea. 6-calendar-day period or any portion thereof
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Third and fourth 6-calendar-day periods (total 12 calendar days)	\$1.63 <u>\$1.67</u> /ton ea. 6-calendar-day period or any portion thereof
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Fifth and sixth 6-calendar-day periods (total 12 calendar days)	\$2.04 <u>\$2.10</u> /ton ea. 6-calendar-day period or any portion thereof
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After six (6) approved storage periods, charges revert to Wharf Demurrage rates.

MINIMUM Storage Invoice	\$57.94 <u>\$59.67</u>
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Item No. 635—Wharf Demurrage Rates.

Issue No. 49 2025

Effective Date: October 1, ~~2024~~ 2025

All cargo remaining in storage after Free Time has expired, or remaining in Port Everglades after the expiration of the authorized storage period, will be assessed Wharf Demurrage charges. A vessel's Franchised Steamship Agent, vessel owner, or vessel operator is responsible for paying all Wharf Demurrage charges. Wharfage Demurrage rates are as follows, with the term "ton" meaning two thousand (2,000) pounds or forty (40) cubic feet, whichever yields the highest revenue to the Port Everglades Department:

Note:

Located outside on open ground

- | | | |
|----|---|------------------------|
| 1. | All articles not otherwise specified, for each calendar day or any portion thereof, per ton | \$0.95 <u>\$0.97</u> |
| 2. | Each vehicle, including, but not limited to, automobiles, SUVs, trucks, vans, tractors, buses, tankers, and chassis, for each calendar day or any portion thereof | \$8.09 <u>\$8.33</u> |
| 3. | Each boat and yacht on cradles or trailers, for each calendar day or any portion thereof | \$73.18 <u>\$75.37</u> |
| 4. | Lumber, per ton, for each calendar day or any portion thereof | \$0.95 <u>\$0.97</u> |
| 5. | Each container (full or empty), or each on or off chassis for each calendar day or any portion thereof | \$11.05 <u>\$11.38</u> |
| 6. | Steel products, per ton, for each calendar day or any portion thereof | \$0.95 <u>\$0.97</u> |

Every two (2) calendar days after the initial commencement of Wharf Demurrage charges, the designated Franchised Steamship Agent, vessel owner, or vessel operator must complete and submit a Port Everglades Storage Inventory Count Form to the Port Everglades Department's Finance Division and include copies of all delivery receipts supporting the reported information. All weekend activity required to be reported is deemed submitted on time if a Port Everglades Storage Inventory Count Form is received by the Port Everglades Department's Finance Division on the next succeeding ~~b~~Business ~~d~~Day.

Failure to submit an Inventory Count Form on time or failure to provide all information requested (including all relevant delivery receipts) will result in a late charge of twenty-five dollars

(\$25.00) per ~~Business~~ ~~Day~~ or any portion thereof for which the Inventory Count Form has not been submitted or remains incomplete.

SECTION SEVEN - CONTAINER GANTRY AND MOBILE HARBOR CRANES

...

Item No. 710—Container Gantry (CG) and Mobile Harbor (MH) Cranes—Rental Rates.

Issue No. ~~19~~ 20

Effective Date: October 1, ~~2024~~ 2025

I. Container Operations - “Small Boat”:

A.	Straight Time Hours - Midport (CG)	\$882.30 <u>\$908.80</u> Per Hour
	Straight Time Hours - Midport (MH)	\$795.05 <u>\$818.90</u> Per Hour
	Straight Time Hours - Southport (CG)	\$942.40 <u>\$970.70</u> Per Hour
B.	Overtime Hours - Midport (CG)	\$1,017.85 <u>\$1,048.40</u> Per Hour
	Overtime Hours - Midport (MH)	\$916.00 <u>\$943.50</u> Per Hour
	Overtime Hours - Southport (CG)	\$1,055.25 <u>\$1,086.90</u> Per Hour
C.	Standby: Straight Time Hours	\$189.80 <u>\$195.50</u> Per Hour
D.	Standby: Overtime Hours	\$253.30 <u>\$260.90</u> Per Hour
E.	Minimum Invoice.....	2 Hours Per Crane Ordered
F.	Initial Start-up Per Crane	\$253.30 <u>\$260.90</u> Flat Charge
G.	Final Shut-down Per Crane	\$253.30 <u>\$260.90</u> Flat Charge

II. All Other Container Operations:

A.	Straight Time Hours - Midport (CG)	\$1,117.45 <u>\$1,150.95</u> Per Hour
	Straight Time Hours - Midport (MH)	\$1,005.60 <u>\$1,035.80</u> Per Hour
	Straight Time Hours - Southport (CG)	\$1,181.50 <u>\$1,216.95</u> Per Hour
B.	Overtime Hours - Midport (CG)	\$1,258.90 <u>\$1,296.95</u> Per Hour

Overtime Hours - Midport (MH) ~~\$1,132.90~~ \$1,166.90 Per Hour

Overtime Hours - Southport (CG) ~~\$1,314.15~~ \$1,353.60 Per Hour

C. Standby: Straight Time Hours ~~\$189.80~~ \$195.50 Per Hour

D. Standby: Overtime Hours ~~\$253.30~~ \$260.90 Per Hour

E. Minimum Invoice 4 Hours Per Crane Ordered

F. Initial Start-up Per Crane ~~\$253.30~~ \$260.90 Flat Charge

G. Final Shut-down Per Crane ~~\$253.30~~ \$260.90 Flat Charge

III. General Cargo, Yachts, Heavy Lifts:

A. Straight Time Hours - Midport (CG & MH) ~~\$620.30~~ \$638.90 Per Hour

Straight Time Hours - Southport (CG) ~~\$670.10~~ \$690.20 Per Hour

B. Overtime Hours - Midport (CG & MH) ~~\$733.40~~ \$755.40 Per Hour

Overtime Hours - Southport (CG) ~~\$802.70~~ \$826.80 Per Hour

C. Standby: Straight Time Hours ~~\$189.80~~ \$195.50 Per Hour

D. Standby: Overtime Hours ~~\$253.30~~ \$260.90 Per Hour

E. Minimum Invoice 2 Hours Per Crane Ordered

F. Initial Start-up Per Crane ~~\$253.30~~ \$260.90 Flat Charge

G. Final Shut-down Per Crane ~~\$253.30~~ \$260.90 Flat Charge

IV. Coastwise Container Trade:

A. Straight Time & Overtime Hours, Midport
& Southport; Containers Discharged/
Loaded/Shifted, per unit..... ~~\$24.40~~ \$25.10

B. Standby: Straight Time Hours ~~\$189.80~~ \$195.50 Per Hour

C. Standby: Overtime Hours ~~\$253.30~~ \$260.90 Per Hour

D. Minimum Invoice..... 2 Hours Per Crane Ordered

- E. Initial Start-up Per Crane ~~\$253.30~~ \$260.90 Flat Charge
- F. Final Shut-down Per Crane ~~\$253.30~~ \$260.90 Flat Charge

The Port Everglades Department will be the sole judge as to whether it is appropriate to utilize a container gantry crane or mobile harbor crane to lift a particular classification of cargo. Rental rates, as stipulated in Part III, are applicable only in operations that are exclusively noncontainer. When general cargo, yachts, or Heavy Lifts are loaded or discharged in conjunction with containers, rates specified in Parts I and II will apply for all hours of container gantry crane rental.

Charges for Parts I, II, and III to Port Users under this Item are computed on a quarter-hour basis with any fraction of a quarter-hour to count as a full quarter-hour. In the event of a mechanical malfunction resulting in downtime (i.e., inoperability during the Port User's crane rental time), deductions of a quarter-hour or more and on a quarter-hour basis thereafter (rounding down to the nearest quarter-hour) are subtracted from the overall charges due. Downtime is deemed to cease when the subject crane is restored to an operable state, as determined by the Crane Section, or a replacement crane is provided. For crane use charged as part of a bundled rate under a written agreement, unless otherwise stated in the written agreement, the deduction for a mechanical malfunction resulting in downtime (as stated above) will only apply for downtime exceeding one hour on a quarter-hour basis (rounding down to the nearest quarter-hour) and at the rates in this Item. For purposes of the preceding sentence, multiple instances of downtime will be aggregated to meet the one-hour threshold if the aggregated instances all arise from the same mechanical malfunction.

To be eligible for any deduction under this Item, the Port User seeking the deduction must review and sign a Crane Rental Form documenting the downtime. If the Port User disagrees with the downtime calculation indicated on the Crane Rental Form, the Port User may indicate such disagreement when signing. For crane use charged as part of a bundled rate under a written agreement, upon a request for a deduction consistent with this Item by the Port User to the Crane Section and concurrence therefrom, the deduction will be applied to the next payment due to Broward County under the written agreement.

Any deduction under this Item is limited to the duration of downtime and shall not exceed the Port User's payment due to Broward County for the use of the cranes for the period of downtime. For crane use charged as part of a bundled rate under a written agreement, the deduction is limited to the Port User's payment due to Broward County for the particular ship affected by the downtime. As consideration for accepting any deduction under this Item, Port Users are agreeing to release, acquit, and forever discharge Broward County, including all its departments and divisions, from any and all causes of action relating to the crane downtime for which the deduction is granted.

The Port Everglades Department, in its sole discretion, determines the availability or unavailability of its cranes. In no event shall unavailability of cranes, including due to mechanical

malfunction, preventive maintenance, or use by other Port Users, be construed to constitute downtime under this provision.

Preference will be given to container operations in the assignment of container gantry cranes and mobile harbor cranes over all other classifications of cargo.

SECTION EIGHT - FRANCHISES, BUSINESS PERMITS, AND INSURANCE - RULES & FEES

Item No. 800—Franchises and Business Permits.

Issue No. 6 7

Effective Date: October 1, ~~2023~~ 2025

No one may engage in the businesses or provide services at Port Everglades within any of the listed categories herein without obtaining a franchise or business permit and otherwise complying with all applicable Tariff requirements and applicable county, state, and federal regulations.

The following fees have been established for conducting business at Port Everglades. Initial processing fees are nonrefundable. A separate franchise or business permit is required for each category of business.

FRANCHISES

Stevedore -

Initial processing fee, assignment fee, or reinstatement fee when franchise revoked	\$11,550.00
Annual Fee	\$4,200.00

Cargo Handler (Marine Terminals, Grid Space, and Cargo Yards) -

Initial processing fee, assignment fee, or reinstatement fee when franchise revoked	\$11,550.00
Annual Fee	\$4,200.00

Steamship Agent, Vessel Oily Waste Removal Service, Vessel Bunkering Service, Vessel Sanitary Wastewater Removal Service, and Marine Terminal Security Service -

Initial processing fee, assignment fee, or reinstatement fee when franchise revoked	\$4,200.00
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Annual Fee \$2,360.00

Tugboat or Towing -

Initial processing fee, assignment fee, or reinstatement fee when
franchise revoked \$27,300.00

Annual Fee By Contract

Annual franchise fees are due and payable on the franchisee's anniversary date, defined as the effective date the franchise was most recently granted or renewed.

Business Permits

	<i>Initial Processing or Assignment Fee</i>	<i>Annual Fee</i>
Crane Service	\$300.00	\$350.00
Mobile Motorized	\$300.00	\$350.00
Food/Drink		

Business permit fees will be charged on an annual calendar-year basis and are not prorated.

Firms authorized to do business in Port Everglades pursuant to a business permit or franchise will be required to purchase identifying emblems at a cost of \$15.00 each to be displayed on their vehicles and by their personnel. Broward County will regulate the issuance and use of these items.

Applications to Broward County to conduct business must include payment for the required fee. At its sole discretion, and in accordance with applicable law, Broward County may refuse anyone a permit or franchise, Revocation or cancellation of any permit or franchise previously issued is addressed in the Broward County Administrative Code. More information is available in the Broward County Administrative Code.

Companies conducting or engaging in motor vehicle rental business or services at Port Everglades must remit five dollars and fifty cents (\$5.50) per contract, payable monthly, for customers picked up at Port Everglades. Such motor vehicle rental companies must furnish to the Port Everglades Department's Finance Division, by the fifteenth of each month throughout the permit term, the monthly fees (plus applicable sales tax) due for the prior calendar month, along with a statement, in a form and detail satisfactory to Broward County, certified by one of ~~its~~ the company's officers, setting forth the number of motor vehicle rental contracts the company secured through its operations at Port Everglades during the prior month.

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SECTION NINE - FINANCE, BILLING, AND WAIVER OF CHARGES – RULES & REGULATIONS

...

Item No. 910—Collection and Enforcement.

Issue No. ~~5~~ 6

Effective Date: October 1, ~~2022~~ 2025

Port Users whose accounts have been placed in delinquent status pursuant to this Tariff will be subject to any or all of the following remedies as required:

Port Users with accounts in delinquent status will be handled in accordance with the Port Everglades² Department's Accounts Receivable Collections Procedures, a copy of which is available from the Port Everglades Department's Finance Division. Port Users with delinquent accounts will be notified of same via a courtesy telephone call and/or in writing. If payment is not received in a timely manner, then the account will be referred to the Broward County Attorney's Office who will send a Notice of Delinquent Account Status. The Notice will demand payment of all delinquent invoices, including finance charges, within five (5) Business Days after its posting (5-Day Notice), and will inform Port Users that if payment is not received within this time frame, then the account ~~will~~ may be put on pay-in-advance status without further notice and an enforcement hearing will be scheduled.

Port Users who have not complied with the demand of the 5-Day Notice will receive written notice of the scheduled date and time for the enforcement hearing, at which time Port Users will come before the Port Everglades Chief Executive or written designee. The enforcement hearing will provide Port Users an opportunity to present information supporting their position in an informal setting. Pursuant to recommendations stemming from the enforcement hearing process, the Port Everglades Chief Executive or designee will issue a written decision where any number of actions may be pursued to enforce payment, including the cashing of indemnity and payment bonds and/or drawing on the security deposit or irrevocable letter of credit, replenishing the security in an increased amount, and/or denying use of facilities at Port Everglades. The Port Everglades Department ~~will~~ may recommend that the Broward County Attorney's Office pursue collection efforts against Port Users who fail to attend a scheduled enforcement hearing or fail to perform in accordance with the terms and conditions resulting from the enforcement hearing.

~~Port Users in default will be dealt with in accordance with the default provisions in their respective agreements. However, said entities with delinquent accounts will be notified of same either via a courtesy call or in writing. If payment is not received in a timely manner, the nonperforming entities will receive a letter from Port Everglades Department demanding immediate payment of all delinquent amounts, including late fees and finance charges. A recommendation will be made to hand the matter over to the Broward County Attorney's Office for pursuance of legal action as may be required.~~

The Port Everglades Department reserves the right to require advance payment on any delinquent account to cover all current and possible projected charges. In addition, the Port Everglades Department reserves the right to apply any payment received to the oldest outstanding invoice(s) on that account, draw down on security, and require replenishment of security in an increased amount within a specified time frame.

Once an account has been turned over to the Broward County Attorney's Office for collection, it may be pursued via the filing of suit against the delinquent Port User for monies owed (such as accelerated amounts, late fees, and finance charges) and all expenses, including reasonable attorney's fees, incurred by Broward County in collecting the account or in enforcing any provision of this Tariff.

...

Item No. 940—Waiver/Reduction of Dockage Charges.

Issue No. ~~5~~ 6

Effective Date: October 1, ~~2023~~ 2025

Any Franchised Steamship Agents or Vessel Representatives requesting a waiver of Dockage charges must submit a written application for a waiver to the Port Everglades Chief Executive or written designee before the vessel arrives at Port Everglades. For military vessels participating in the annual scheduled Fleet Week celebration and related events at Port Everglades, or for military vessels being commissioned at Port Everglades, the Chief Executive may, subject to Berth availability, intended use, length of stay, absence of interference with other Port Everglades users and activities, and other criteria as may from time to time be established by the Port Everglades Department, approve a total or partial waiver of all Dockage charges; the Board of County Commissioners may also approve such total or partial waiver. For all other vessels and events, such as vessels calling at Port Everglades for a christening, dedication, maiden voyage promotion, preparation for use as an artificial reef, military calls (non-Fleet Week participants), maritime training activities, participation in a Port Everglades sponsored special event, or vessels calling for a purpose that provides an expressed benefit to Broward County, the Chief Executive may approve a waiver or reduction of Dockage charges up to an amount not to exceed fifteen thousand dollars (\$15,000.00) per vessel. Except for waiver of Dockage charges for military vessels participating in the annual scheduled Fleet Week celebration and related events, or for military vessels being commissioned at Port Everglades, all other Dockage charge waivers that exceed fifteen thousand dollars (\$15,000.00) per vessel require the prior approval by the Board of County Commissioners.

All waivers granted under this authority will be included in the quarterly report required by Tariff Item No. 180.

Item No. 945—Waiver/Reduction of Parking Charges.

Issue No. 4 5

Effective Date: October 1, ~~2023~~ 2025

The Port Everglades Chief Executive may waive the parking fees set forth in Item 1135 when the Port Everglades Chief Executive determines that such waiver is in the best interest of Broward County, except the following additional requirements and limitations shall apply in the specific situations identified below:

Cruise Events: Parking fees for guests attending inaugural promotional activities (christening, naming, commissioning, dedication, or maiden voyage) of a new cruise ship being homeported at Port Everglades (“Cruise Event”) may be reduced by the Port Everglades Chief Executive ~~Director~~ by up to fifty percent (50%) per vehicle, provided the total reduction for the ~~event is estimated not to~~ Cruise Event must not exceed ten thousand dollars (\$10,000.00) ~~without approval by the Board of County Commissioners.~~ The cruise line may opt to ~~incur~~ directly pay the reduced charge (e.g., the remaining 50%) or provide a voucher for their guests to pay the reduced rate. To apply for the reduction, the cruise line must send a written request to the Port Everglades Chief Executive in a timely manner ~~prior to the vessel’s arrival to allow the Port Everglades Chief Executive sufficient time to review the request before the Cruise Event.~~ Conditions for approving the reduction include When determining whether to reduce the parking fees for the Cruise Event, the Port Everglades Chief Executive may consider factors including, but not limited to, parking availability, length of stay, and the absence of operational interference with other Port Users and activities. Approval by the Board of County Commissioners is required for reduction of parking fees of more than fifty percent (50%) for a Cruise Event, if the total reduction of parking charges for the event is estimated to exceeds ten thousand dollars (\$10,000.00) for that Cruise Event, or for waiver of parking fees for a Cruise Event.

Other Promotional Activities: Requests for parking fee waivers or reductions for other vessel inaugurals and port-related promotional events may be considered on a case-by-case basis upon written application, subject to the above-referenced monetary limitations for approvals.

All waivers granted under this authority will be included in the quarterly report required by Tariff Item No. 180.

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SECTION TEN - SECURITY, SAFETY, DAMAGE, AND ENVIRONMENTAL (RULES, REGULATIONS & FEES)

...

Item No. 1006—Reporting of Hazardous Materials and Hazardous Waste Shipments.

Issue No. 8 9

Effective Date: October 1, ~~2024~~ 2025

Hazardous Materials and Hazardous Waste (as defined in Item No. 1200) may be handled over or received on the docks or other facilities of Port Everglades without prior approval, provided that the receipt, handling, and storage of such materials comply with all applicable federal, state, and local laws, ordinances, and port policies. To facilitate emergency planning, not less than ~~twenty-four (24)~~ forty-eight (48) hours in advance of the intended movement of containerized, breakbulk, or dry bulk Hazardous Materials through Port Everglades, including in-transit cargo that remains on the vessel, the Franchised Steamship Agent or Vessel Representative is required to provide to the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office at Port Everglades, via ~~facsimile or~~ e-mail (fmo_pev@sheriff.org), a Hazardous Materials Transit Notice following procedures provided by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office at Port Everglades. Such notifications are to be made by the Franchised Steamship Agent or Vessel Representative during Recognized Working Hours. After review of the information, the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office at Port Everglades may request additional information from the Franchised Agent or Vessel Representative if required to assess the risk posed by the material transiting the port. Failure on the part of the Franchised Agent or Vessel Representative to file a Hazardous Materials Transit Notice will result in a charge of one thousand two hundred forty-five dollars (\$1,245.00) per occurrence. The transportation of manifest cargo classified as a firearm or ammunition is governed by federal laws, rules, and regulations, including the Gun Control Act (18 U.S.C. Chapter 44), the National Firearms Act (26 U.S.C. ~~Chapter~~ Section 2778), and applicable Florida law.

...

Item No. 1015—Discharge of Pollutants and Nuisances.

Issue No. 4 5

Effective Date: October 1, ~~2022~~ 2025

The vessel owner, its operator, and Franchised Steamship Agent must comply with all applicable federal, state, and local environmental laws, rules, and regulations. Port Users must not deposit, place, or discharge into the Port Everglades harbor any sanitary sewage, butcher's offal, garbage, dead animals, gaseous liquid or solid matter, oil, gasoline, residuum of gas, calcium carbide, trade waste, tar or refuse, cargo, or any other matter that is capable of producing floating

matter or scum on the surface of the water, sediment in the bottom of the waterways, or the odors and gases of putrefaction.

Vessel operations must be conducted in compliance with all applicable federal, state, and local air and water pollution laws, rules, and regulations. Vessel operations must not create or permit excessive blowing of whistles, horns, or other loud sounds, smoke clearing of boilers, blowing tubes, or creating similar conditions while a vessel is in Port Everglades. All noncompliant activities will be reported by the Port Everglades Department to the U.S. Coast Guard and other appropriate authorities, and the Harbormaster may order a noncompliant vessel out of its Berth.

Vessel discharge of hazardous substances, oil, cleaning products, and/or sewage into U.S. navigable waters is strictly prohibited. The owner, operator, and Franchised Steamship Agent in charge of a vessel at the time of discharge may be subject to federal, state, and local government fines and penalties, and charged by the Port Everglades Department for all related environmental remediation and cleanup costs. The responsible party must report, remediate, and clean up the discharge in accordance with all applicable federal, state, and local laws, rules, and regulations. All garbage, trash, oil, cleaning products, fuel, debris, or other waste material, either in liquid or solid form, must be deposited or discharged into legally authorized receptacles.

All shipboard incineration activities and the cleaning of shipboard cargo tanks while a vessel is in the Port Everglades harbor are strictly prohibited. The purging or release of gas or vapors of shipboard cargo tanks while a vessel is in the Port Everglades harbor is strictly prohibited. Chipping or scaling of paint from a vessel hull into the waterways of the Port Everglades harbor is strictly prohibited.

The discharge of ballast water and ship engine exhaust scrubber washwater effluent from a vessel in the Port Everglades harbor is prohibited unless performed in conformance with Chapter 27, Pollution Control, Article V, ~~Section 27-193(b)(3)a.~~, of the Broward County Code of Ordinances and applicable regulations of the United States Coast Guard and Environmental Protection Agency. Broward County Resilient Environment Department (“RED”) retains jurisdiction over all ballast water and ship engine exhaust scrubber washwater effluent discharge activities at Port Everglades, including, but not limited to, enforcement actions.

...

Item No. 1054—~~Fire Fighting~~ Firefighting Agents.

Issue No. ~~3~~ 4

Effective Date: October 1, ~~2022~~ 2025

~~Fire fighting~~ Firefighting liquid foam, nitrogen, and dry chemical powder used from inventory by any one company is to be replaced in inventory on a gallon-for-gallon basis by that company in a timely manner, within fifteen (15) working days, unless written permission for an extension of time, from the Fire Chief or the designee of the Broward Sheriff’s Office, Department of Fire Rescue and Emergency Services is granted. Foam is to be to the specifications of and stored

in a location at Port Everglades as designated by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services at Port Everglades.

~~Fire-fighting~~ Firefighting agents such as dry chemical powder and liquid foam may, upon request made in writing to the Fire Chief or the designee of the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services at Port Everglades ("BSO Fire Rescue"), be furnished to the requesting party. Said party must replace all ~~fire-fighting~~ firefighting agents with an amount equal to that used and in type, as specified by BSO Fire Rescue to ensure compatibility with the other supplies of ~~fire-fighting~~ firefighting agents on hand. The Port Everglades Department will not provide, without the prior approval of BSO Fire Rescue, any transportation nor furnish related labor or equipment to relocate fire extinguishing agents from their storage facility to the borrower's location. Further, notwithstanding any other provision of this Tariff, BSO Fire Rescue may refuse any such request(s) when such refusal is deemed to be in the best interests of the Port Everglades Department. The Port Everglades Department does not, either expressly or impliedly, warrant or otherwise guarantee any product furnished, and expressly disclaims all such warranties and guarantees.

...

Item No. 1060—Hot Work Permits.

Issue No. & 2

Effective Date: October 1, ~~2024~~ 2025

General: Chapter 32, Part IV of the Broward County Administrative Code authorizes the Port Everglades Department to designate areas within Port Everglades wherein Port Users are required to obtain Hot Work Permits from the Port Everglades Department before conducting Hot Work, as well as the terms and conditions under which such Permits are issued. Hot Work Permits and Notifications required by the Port Everglades Department are administered through the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office at Port Everglades, acting on the Port Everglades Department's behalf. Hot Work Permits are generally issued only to individuals or entities having an established relationship with Port Everglades, but can be issued to any Port User at the Port Everglades Department's discretion. To obtain a Hot Work Permit or to make a required Notification regarding planned Hot Work, the following information is required: applicant's name and address; relationship with the Port Everglades Department; location, nature, and timing of the proposed work; designated contractor; and contact information for both the applicant and contractor. Applications are available from the Fire Marshal's Office at Port Everglades.

All Hot Work performed within Port Everglades will be conducted in accordance with the currently adopted edition of NFPA 51B, Standards for Fire Prevention During Welding, Cutting, and Other Hot Work, other applicable NFPA Codes, and applicable federal, state, and local regulations. Port Everglades Hot Work Permit and Notification terms and conditions will be consistent with said codes.

Hot Work is defined in NFPA 51B as work involving burning, welding, or a similar operation that is capable of initiating fires or explosions. NFPA 51B provides a more detailed list of Hot Work processes covered by the Standard.

Hot Work that takes place within the Landside Facilities listed in Section [I], below, requires a Port Everglades Department-issued Hot Work Permit. Hot Work being performed on a vessel located within Port Everglades requires Notification to the Port Everglades Department in accordance with Section [II], below.

There is normally no charge associated with the issuance of a Hot Work Permit or processing a Hot Work Notification Form; however, if an inspector assigned to review the work plan or to inspect the work site is required to return for unscheduled duty, an after-hours inspection fee will be charged by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services.

Failure to obtain a required Hot Work Permit or to provide required Notification under this Tariff Item will be dealt with as follows:

First offense - written warning

Second offense - a \$500.00 penalty will be assessed

Subsequent offenses - a \$1,000.00 penalty will be assessed

Failure to follow Hot Work permit guidelines is cause for a safety review, which may result in permit revocation.

Information about Port Everglades Hot Work Permit requirements, Hot Work Permit Applications, and Hot Work Notification Forms is available from the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office at Port Everglades.

[I] Landslide Facilities Landside Facilities Requiring Permits Prior to Engaging in Hot Work:

1. Petroleum Operations Areas, defined as petroleum terminals, petroleum transfer areas, and petroleum or natural gas pipeline rights of ways located within Port Everglades.
2. Marine Terminal Facilities, defined as piers, docks, and container yards owned by Broward County, including Designated Waterfront Facilities under 33 CFR § 126.13.

Regular Hot Work Permits: Regular, project-based Hot Work Permits from the Port Everglades Department are required for Hot Work taking place anywhere within Petroleum Operations Areas or Marine Terminal Facilities unless the work is performed under the terms and conditions of a valid Annual Hot Work Permit issued by the Port Everglades Department as

outlined below. Port Users, or their designees acceptable to the Port, are required to submit a completed Hot Work Permit Application not less than twenty-four (24) hours in advance of the planned start of Hot Work. Forms are available from the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office at Port Everglades.

Annual Hot Work Permits: Annual Hot Work Permits are required in Petroleum Operations areas and Marine Terminal Facilities if a Designated Area, as defined in NFPA 51B, is needed by the Facility Operator or if an operator located on private property seeks the Port Everglades Department's acceptance of a corporate Hot Work permit program in accordance with the procedure outlined below.

Owners of Petroleum Operations Areas or Marine Terminal Facilities located on private property within Port Everglades with an established, formal, ~~corporate-wide~~ corporatewide Hot Work permit program may request a review of their internal Hot Work permit procedure as part of the Annual Hot Work Permit application review process. If the established, ~~corporate-wide~~ corporatewide Hot Work permit procedures are found to be in accordance with all applicable codes and regulations and deemed acceptable by the Fire Marshal's Office, the internal Hot Work permit procedure will be recognized by the Port Everglades Department and incorporated by reference in an Annual Hot Work Permit.

Facilities with Port Everglades Department-issued Annual Hot Work Permits recognizing a ~~corporate-wide~~ corporatewide internal Hot Work permit process will be permitted to conduct Hot Work within the privately owned facility in Permit-Required Areas, as defined in NFPA 51B under an internal permit, ~~providing~~ ing a completed Hot Work Notification Form is submitted to the Fire Marshal's Office not less than twenty-four (24) hours prior to the planned start of work followed by a copy of the internal permit prior to initiating work, or with lesser notice if approved by the Fire Marshal's Bureau. Based upon a review of the completed Notification Form and the internal permit, the Fire Marshal's Office may require an inspection of the work site and review of the proposed work plan and, if deemed necessary, impose additional requirements before work may proceed.

Facilities holding a current, valid Annual Hot Work Permit with Designated Area(s) to conduct Hot Work are not required to provide Notification to the Port through the Fire Marshal's Office when conducting Hot Work in the Designated Area(s).

{II} Vessels at Port Everglades Required to Provide Notification Prior to Engaging in Hot Work:

Vessels located within Port Everglades planning to engage in Hot Work are required to submit a completed Vessel Hot Work Notification Form not less than twenty-four (24) hours in advance of starting work. Forms are available from the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office at Port Everglades. Notification is to be submitted by one of the following: Franchised Steamship Agent, Vessel Representative, or vessel Hot Work contractor. Information is to include: name of vessel; Berth; nature and timing of the proposed work; designated contractor; and contact information for both the applicant and contractor. Based upon a review of the completed Notification Form including the nature and

location of the specified Hot Work, the Fire Marshal's Office may require an inspection of the work site and review of the proposed work plan and, if deemed necessary, impose additional requirements up to and including requiring application for and issuance of a formal Hot Work Permit prior to allowing work to proceed.

Item No. 1066—Security Fees.

Issue No. 7 8

Effective Date: October 1, ~~2023~~ 2025

To fulfill its responsibilities for security, including, but not limited to, those mandated by the Maritime Transportation Security Act of 2002, United States Coast Guard Regulation 33 CFR § 105, United States Coast Guard Regulation 33 CFR § 165.760, Florida Department of Law Enforcement, and Florida Statutes, Broward County will assess against and collect from all Port Users a port security fee as set forth herein. Security fees are in addition to all other charges and fees due under this Tariff.

Vessels (per 24-hour period or portion thereof)

- Cargo Vessels (other than pure car carriers) ~~\$.0158~~ \$.0162 per GRT
- Pure Car Carriers ~~\$.0118~~ \$.0121 per GRT
- Lay-In Vessels (other than Navy, Coast Guard, and U.S. Research Vessels) ~~\$.0158~~ \$.0162 per GRT or or ~~\$.283~~ \$.291 per lineal foot (whichever is greater)
- Lay-In Vessels - Navy, Coast Guard, and U.S. Research Vessels ~~\$.0127~~ \$.0130 per GRT or or ~~\$.230~~ \$.236 per lineal foot
- Yachts (less than 6 hours on Berth)
 - Up to 100 lineal feet ~~\$8.65~~ \$8.90
 - 101 to 200 lineal feet ~~\$16.85~~ \$17.35
 - 201 to 300 lineal feet ~~\$25.50~~ \$26.26
 - 301 to 400 lineal feet ~~\$31.15~~ \$32.08

Cargo

- Break Bulk Cargo ~~\$.173~~ \$.178 per ton
- Dry Bulk Cargo ~~\$.035~~ \$.036 per ton

- Liquid Bulk Cargo ~~\$.0051~~ \$.0052 per barrel
- Containers/Trailers, per full or empty container/trailer ~~\$2.25~~ \$2.31
- Vehicles ~~\$1.73~~ \$1.78 per unit

Additional Security Services

If the Port User fails to implement proper security protocols as required by an approved facility security plan (33 CFR § 105.105), vessel/vessel security plan (33 CFR § 104.105), and/or the current MARSEC Level (33 CFR § 101.405), Port Everglades Department has the right to provide security staffing at a level deemed necessary to secure the Berth terminal or facility.

Service rates are inclusive of a fifteen percent (15%) administrative fee charge. Rates are subject to a four (4) hour billing minimum.

- Port Contract Security Officer, ~~per hour~~ ~~\$42.22~~ \$46.44 per hour
- Sworn Law Enforcement, ~~per hour~~ ~~\$80.50~~ \$119.60 per hour

Broward County has all the rights and remedies provided in this Tariff for failure to pay amounts due Broward County in the event any user fails to timely pay the Security Fee set forth herein and, in addition, Broward County may: (H1) require from said user a deposit estimated to cover such fees in advance of using Port Everglades premises, services, or facilities; and/or (H2) deny service to said user until such deposit is made and/or all prior amounts due are paid.

Item No. 1069—Cruise Terminal Security.

Issue No. 4 5

Effective Date: October 1, ~~2023~~ 2025

Cruise lines shall reimburse the Port Everglades Department for the cost of providing ~~up to two (2)~~ sworn Broward Sheriff's Office Deputies inside cruise terminals ~~in compliance with the requirements of the Port Everglades Security Plan, or~~ as required and identified by the United States Coast Guard, as well as by any other relevant local, state, or federal law. Additionally, cruise lines shall reimburse the Port Everglades Department the cost of additional sworn law enforcement personnel assigned to meet specific security plan requirements at MARSEC 1 or higher.

~~Cruise lines~~ Port Users requesting the use of a terminal without a ship at Berth are responsible for providing security for the terminal at their sole cost, and must coordinate in advance with the Port Everglades Department concerning the appropriate security staffing levels.

Prior to staffing the terminal, regardless of whether there is a ship at Berth, Port Users and a Broward County employee will inspect the terminal for any issues or deficiencies and note same on the Broward County “Terminal Checklist.” After use of the terminal, Port Users and a Broward County employee shall perform closing inspection, noting any deficiencies on the Broward County “Terminal Checklist” and shall ensure that the building is secured.

Failure by a Port User to secure the building upon completion of work will result in the imposition of a use penalty to the Port User in the amount of two thousand five hundred dollars (\$2,500.00) for each occurrence.

Item No. 1072—Petroleum & Liquefied Petroleum Gas Terminal Facilities.

Issue No. 4 5

Effective Date: October 1, ~~2024~~ 2025

~~[I]~~ *Design, Installation, Operation, Testing, and Maintenance.*

Facility Operators will design, install, operate, test, and maintain Petroleum Terminal Facilities located within Port Everglades in accordance with Chapter 62-762, F.A.C., and other county, state, and federal regulations as applicable.

The most current editions of the Florida Fire Prevention Code (FFPC) and its applicable adopted National Fire Protection Association Standards, including, but not limited to, NFPA 30 “Flammable and Combustible Liquids Code,” NFPA 58 “Liquefied Petroleum Gas Code,” NFPA 72 “National Fire Alarm Code,” and the additional requirements as set forth in sSection [II] below, will apply to the design, installation, operation, testing, and maintenance of Petroleum, Liquefied Petroleum Gas (LPG), Liquefied Natural Gas (LNG), and Compressed Natural Gas (CNG) Terminal Facilities located within Port Everglades.

~~[II]~~ *Additional Fire Prevention and Response-Related Requirements for Port Everglades Petroleum, LPG, LNG, and CNG Terminal Facilities.*

Semifixed Foam Extinguishing Systems:

Semifixed foam extinguishing systems are required for all Terminal Storage tanks in which Class I or Class II liquids are stored at atmospheric pressure (excluding tanks containing cryogenic liquids and tanks covered by NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages). The requirement for a semifixed foam extinguishing system does not apply to storage tanks with a working capacity of less than 5,000 barrels (210,000 gallons), unless required by local, state, or federal law or regulations.

- a. ~~Fire-fighting~~ Firefighting foam systems must be designed to operate with one percent (1%) or three percent (3%) alcohol-resistant ~~fire-fighting~~ firefighting foam or an alternative foam type approved by the Broward

Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office.

- b. ~~Fire-fighting~~ Firefighting foam system designs must not exceed the capabilities of the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services fire apparatus, hose lines equipment, appliances, or the water supply capabilities within Port Everglades.
- c. The maximum allowable pressure demand for all water-based fire suppression systems must not exceed 150psi at the fire truck through the fire department connection. The design pressure at the fire department connection should stay between 80-120psi.
- d. Fire department connection locations will be determined by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office.

Fire Department Connections (FDC):

- a. Fire department connections must be UL Listed.
- b. Fire department connections for semifixed foam suppression systems must be 5" storz-type connections with a check valve and drain to facilitate drain down after operations are complete.
- c. Fire department connections for foam deluge systems must be standard fire department Siamese-type connections consisting of two (2) 2½" diameter female hose connections (N.S.T.) mounted to a disconnectable 5" storz connection. This connection arrangement allows for connection using 2½" standard couplings or 5" storz couplings.
- d. The maximum allowable pressure demand for all water-based fire suppression systems must not exceed 150psi at the fire truck through the fire department connection. The design pressure at the fire department connection should stay between 80-120psi.
- e. Fire department connection locations will be determined by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office.
- f. Fire department connection signage must be provided at every fire department connection.
- g. Fire department connections for foam deluge systems must include signage identifying which load rack or structure they protect. The letters must be a minimum of 2" in height. The sign must have a red background with white

lettering. The sign must be mounted directly above or adjacent to the fire department connection.

- h. Fire department connection signage for semifixed foam suppression systems on petroleum storage tanks must meet the following requirements:
 - i. Tank Number in letters a minimum of 1" in height. The remainder of lines must be a minimum of ¾" in height. The sign must have a red background with white lettering. The sign must be mounted directly above or adjacent to the connection point.
 - ii. Under the tank number, the following information must be provided in this order: System Demand, Foam Required, Design Density, Minimum Discharge Time, Type of Protection (full surface or rim), Product, Tank Diameter, Tank Height, and Roof Type. (See design example provided below.)

TANK 115
SYSTEM DEMAND = 791 GPM @ 77 PSI
FOAM REQUIRED = 1306 GALLONS
DESIGN DENSITY = 0.1 GPM/SQ.FT.
MINIMUM DISCHARGE TIME = 55 MIN
FULL SURFACE PROTECTION
PRODUCT = ETHANOL
TANK DIAMETER = 100 FT
TANK HEIGHT = 40 FT
GEO-DOME ROOF W/PONTOON FLOATER

- iii. In addition to the required signage, the tank number must be painted directly on the fire department connection piping adjacent to the connection point in minimum 2" letters in a contrasting color easily visible when standing at the fire department connection.

Truck Loading Rack Fire Protection:

Truck loading rack fire suppression is required where Class I , Class II, or Class III liquids are handled. The fire suppression system extinguishing solution and/or method must be approved by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office.

Fire Protection for Exposure Control and Cooling:

- a. Bulk petroleum terminal facilities handling liquefied petroleum gas, liquefied natural gas, or compressed natural gas in bulk must provide a water deluge or monitor fire protection system capable of reaching every storage tank with a volume of water sufficient to affect the required cooling

of the tanks exposed to fire. The system must be capable of operating at its design capacity using a municipal water supply or supplemental water source without the intervention of the responding fire department.

- b. Bulk liquid petroleum terminals handling flammable or combustible liquid products at atmospheric pressure in bulk must provide a water deluge or monitor fire protection system capable of reaching every storage tank with a volume of water sufficient to affect the required cooling of tanks or related gas handling apparatus on fire or exposed to fire. This required system may be a dry pipe system that is supplied by responding fire department apparatus. The design of this system must be approved by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office.

Bulk Liquid or Gaseous Petroleum Terminal Requirement:

Bulk petroleum terminal facilities handling liquefied petroleum gas, liquefied natural gas, or compressed natural gas must have ~~facility-wide~~ facilitywide leak detection. The leak detection system must automatically alert onsite personnel, notify the fire department, and ~~must~~ immediately stop all product transfers. The design of this system must be approved by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office.

General Petroleum Terminal Containment Design Requirement:

Structures providing containment of bulk petroleum products must be concrete. Earthen dikes are not allowed for new facilities or for existing dikes requiring substantial improvements.

Crude Oil Storage Containment Design Requirement:

Structures providing containment for crude oil storage tanks must be provided with a flareback section at the top of the structures to turn back a boil-over wave.

Fire Suppression Systems Emergency Notification:

All fire alarms, fire suppression and extinguishing systems, and leak detection systems must be monitored by an approved fire alarm monitoring company and provide immediate notification of fire alarm/detection/fire suppression system activation to emergency forces. Such monitoring arrangements must be in compliance with the Florida Fire Prevention Code, including NFPA 72, and meet the approval of the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office.

Retroactivity:

The Port Everglades Department will permit the continued use of petroleum and liquefied petroleum gas terminal facilities or equipment erected or installed in accordance with the regulations and codes in force at the time of construction or installation. Any substantial changes, alterations, additions, or modifications to facilities must be in accordance with the requirements of this Tariff Item.

Modification:

The Port Everglades Department, in consultation with the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office, and applicable municipality, has the power to grant an exemption to this Item. Such exemption may only be granted upon written request and if such request demonstrates that: (1) enforcement of the requirements of this Item will cause unnecessary hardship to the petitioner; (2) such exemption is not contrary to local, state, or federal laws or regulations; and (3) such exemption will not create a material hazard to life, property, or the environment.

Equivalency:

Nothing in this Tariff Item is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety over those prescribed by the requirements of this Item. Any equivalency must be approved by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office.

{III} *Permits for Construction and Repairs.*

~~Consistent with Section 3.7 (iii) of the Interlocal Agreement between the City of Hollywood, the City of Fort Lauderdale, the City of Dania Beach, and Broward County, dated May 6, 1994,~~ issuance of building permits for new construction, repairs, or alterations to petroleum terminal facilities occurring within Port Everglades or within overlapping municipal boundaries are subject to the requirements of the applicable municipality.

{IV} *Annual Inspections of Petroleum Terminal Facilities.*

The Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office, representing the Port Everglades Department, will conduct annual inspections of petroleum terminal facilities including buildings and structures therein and any other facility that has the potential for creating a severe petroleum-based fire within Port Everglades.

{V} *Return to Service.*

Any petroleum load rack, storage tank, piping system, or other similar equipment that has been out of service for a period of ~~more than~~ five (5) or more years must be approved by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Office, prior to returning to service.

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SECTION ELEVEN - MISCELLANEOUS RATES AND FEES

Item No. 1100—Harbormaster Fees.

Issue No. ~~49~~ 20

Effective Date: October 1, ~~2024~~ 2025

Harbormaster fees are charged against each vessel as follows:

0-10,000 Gross Registered Tons (GRT)	\$427.10 <u>\$439.90</u> per call
10,001 GRT and over.....	\$540.70 <u>\$556.90</u> per call
Cruise ship making daily cruises	\$150.00 <u>\$154.50</u> per day

Item No. 1105—Linehandler Fees.

Issue No. ~~49~~ 20

Effective Date: October 1, ~~2024~~ 2025

Linehandlers will be furnished for the services of handling lines for docking, undocking, and shifting vessels at the following rates. Rates are for each vessel movement, and vessel shifts will be counted as two (2) vessel movements.

0-9,000 Gross Registered Tons (GRT)	\$491.20 <u>\$505.95</u>
9,001-25,000 GRT	\$738.40 <u>\$760.55</u>
25,001 GRT and over.....	\$970.20 <u>\$999.30</u>
Cruise ship making daily cruises	\$451.10 <u>\$464.60</u>

Item No. 1110—Labor and Equipment Fees.

Issue No. 49 20

Effective Date: October 1, 2024 2025

Labor, equipment, and supplies are furnished by the Port Everglades Department only upon request made to the Port Everglades Department’s Facilities Maintenance Division. Upon approval of such request, rates for labor, equipment, and supplies are as follows:

	<i>During Recognized Working Hours</i>	<i>Outside of Recognized Working Hours</i>
<i>Labor—Per Hour:</i>		
• Supervisors	\$111.15 <u>\$114.50</u>	\$166.75 <u>\$171.75</u>
• All other classifications	\$97.15 <u>\$100.05</u>	\$145.95 <u>\$150.30</u>

Labor rates are inclusive of a fifteen percent (15%) administrative charge. Rates are subject to a four (4) hour billing minimum.

	<i>During Recognized Working Hours</i>	<i>Outside of Recognized Working Hours</i>
<i>Equipment—Per Hour:</i>		
• Backhoe	\$154.60 <u>\$159.25</u>	\$203.20 <u>\$209.30</u>
• Forklift (diesel)	\$151.10 <u>\$155.60</u>	\$199.90 <u>\$205.90</u>
• Forklift (electric)	\$43.60 <u>\$44.90</u>	\$43.60 <u>\$44.90</u>
• Street Sweeper	\$286.25 <u>\$294.85</u>	\$335.05 <u>\$345.50</u>
• Light Plant	\$142.35 <u>\$146.60</u>	\$191.00 <u>\$196.70</u>
• Portable Generator	\$142.35 <u>\$146.60</u>	\$191.00 <u>\$196.70</u>

Equipment is provided subject to availability and must be requested not less than twenty-four (24) hours in advance.

Electric forklifts are provided for use within the interior spaces of cruise passenger terminals only. They are not to be driven outside of the cruise terminal buildings. Electric forklifts are furnished without operators.

All equipment, with the exception of electric forklifts, is furnished with an operator. Rental rates, with the exception of electric forklifts, are inclusive of a fifteen percent (15%) administrative charge.

All equipment is subject to a four (4) hour billing minimum.

Item No. 1115—Potable Water, Hose Rental, and Hook-up Fees.

Issue No. 49 20

Effective Date: October 1, 2024 2025

Rates for potable water delivered to vessels via underground pipelines available at Berths 1-33 are as follows:

Potable Water ~~\$3.60~~ \$3.70 per ton

Hook-up Fees:

Monday—Sunday; 6:00 a.m.—5:00 p.m. ~~\$86.80~~ \$89.40 per vessel per hour

Monday—Sunday; 5:00 p.m.—6:00 a.m.~~\$133.50~~ \$137.50 per vessel per hour

The start time of the hook-up operation will determine the fee category that applies. Hook-ups from 5:00 p.m.—6:00 a.m. are subject to a four (4) hour billing minimum at the hourly rate listed.

If a vessel elects to use its own hoses to load potable water, the hoses must be clean and free of defects and leaks. Vessels loading potable water from Port Everglades must comply with the Port Everglades Department's procedures, available by contacting the Harbormaster's Office. Port Everglades Department-furnished hose are billed at the rate of fifteen dollars and ~~five~~ fifty cents (~~\$15.05~~) (\$15.50) per fifty (50) foot length of hose.

Item No. 1120—Surcharges for Use of Facilities.

Issue No. 49 20

Effective Date: October 1, 2024 2025

Cruise Terminals

Use of cruise terminals by Port Users during hours other than Recognized Working Hours will be charged at a surcharge rate of one hundred ten dollars and seventy cents (\$110.70) per hour, or any portion thereof. The Port Everglades Department will invoice the ~~Franchised Steamship Agent or Vessel Representative, stevedore, or cargo handler~~ Port User requesting the service. The charge applicable to cruise vessels providing daily cruise service is thirty-one dollars and seventy cents (\$31.70) per hour. All such use is subject to a four (4) hour billing minimum and approved by the Port Everglades Chief Executive's Office.

Requests to have cruise terminals available during times other than Recognized Working Hours must be made at least four (4) hours before the time needed.

Each Port User will be charged twenty-nine dollars and eighty cents (\$29.80) per hour, or any portion thereof, for electricity service for using a transit shed or cruise terminal between 5:00 p.m. and 8:00 a.m. During daylight savings time, the surcharge rate applies between 6:00 p.m. and 7:00 a.m.

Port Users may request to access and use portions of cruise terminals while ships are berthed or not berthed at Port Everglades for uses not addressed in the applicable Berth Agreement. In addition to the charges per Tariff Item Nos. 1110, 1120, and 1125, Port Users will be charged a prorated amount for the area reserved in the cruise terminal. The daily rate is based on an annual rate of sixteen dollars and fifty cents (\$16.50) per square foot.

Administration Building Auditorium and Conference Room 301

The Port Everglades Administration Building Auditorium and Conference Room 301 may be reserved by Port tenants free of charge during Recognized Working Hours. Port tenants using either room outside of Recognized Working Hours will be charged a rate of eighty-two dollars and fifty cents (\$82.50) per hour, or portion thereof. Other Port Users may reserve either room at a rate of eighty-two dollars and fifty cents (\$82.50) per hour, or portion thereof. There is no minimum use period, and billing will be based upon the actual time used. Users of the room are responsible for cleaning the room after each use by 7:00 a.m. the following day.

If special requirements for audiovisual or other specialty items are requested, those will be charged over and above these rates as determined by Port staff. Should the services of a Port staff person be needed during the use of the facility, charges will be in accordance with Tariff Item No. 1110. Port Users or tenants must make room reservations through the Business Development Division by calling (954) 468-3518 0170.

Item No. 1125—Electric Service Fee.

Issue No. ~~48~~ 19

Effective Date: October 1, ~~2024~~ 2025

Electricity furnished by the Port Everglades Department to a Port User for the operation of its conveyors or other equipment will be charged at the rate of ~~twenty-nine dollars and eighty cents (\$29.80)~~ thirty dollars and seventy cents (\$30.70) per hour.

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Item No. 1140—Grid Yard Areas.

Issue No. ~~20~~ 21

Effective Date: October 1, ~~2024~~ 2025

Upon written application made to the Port Everglades Department's Business Development Division, and subject to availability, a Grid yard area (Grid) may be assigned, at the Port Department's sole discretion, to a franchised stevedore, franchised cargo handler, or Port tenant to marshal and process containers, trailers, chassis, and related container equipment, as well as boats, Heavy Lifts, and rolling stock, including, but not limited to, bulldozers, graders, trucks, buses, tractors, and automobiles, ~~in connection with the loading or unloading of ocean going vessels or such other uses determined acceptable by the Port Everglades Department's Operations and Business Development Divisions.~~ The Port Everglades Department reserves the right to limit or restrict the available uses of a Grid as determined, in its sole discretion, to be in the best interest of Broward County. Grids are assigned for ~~a minimum period of ten (10) calendar days or monthly~~ either consecutive ten (10) day periods or on a month-to-month basis, as determined by the Port Everglades Department in its sole discretion, for a maximum ~~period of term~~ not to exceed one (1) calendar year, subject to early termination as outlined in this Tariff. ~~The Port Everglades Department will bill Grid use charges to the Grid user at the end of each applicable calendar month.~~

The Port Everglades Department will bill Grid use charges to the Grid user on the first day of the Grid period and on the first day of each applicable billing period thereafter. Although Grids vary in size, Grid users will be charged at the rate of ~~two thousand one hundred eleven dollars and twenty two cents (\$2,111.22)~~ two thousand one hundred seventy-four dollars and fifty-seven cents (\$2,174.57) per acre assigned for each ten (10) day assignment period or any portion thereof, or ~~two thousand three hundred thirty-three dollars and sixty-six cents (\$2,333.66)~~ six thousand five hundred twenty-three dollars and sixty-seven cents (\$6,523.67) per acre for each monthly assignment period or any portion thereof. For Grids served by yard lighting, an additional charge of ~~ninety-seven dollars and five cents (\$97.05)~~ ninety-nine dollars and ninety-six cents (\$99.96) per acre; for each ten (10) day assignment period or any portion thereof, or ~~two hundred ninety-one dollars and eighteen cents (\$291.18)~~ two hundred ninety-nine dollars and ninety-one cents (\$299.91) per acre; for each monthly assignment period or any portion thereof, will be assessed. All other electric services consumed by the Grid user will be charged based on applicable electric meter readings or, in the absence of a dedicated electric meter, by daily proration of the closest master electric meter to the assigned Grid.

Renewal of a Grid assignment must be initiated by written application to the Port Everglades Department's Business Development Division not less than two (2) calendar days before the expiration date of the current Grid assignment period. Ten (10) day Grid assignments commence on the 1st, 11th, and 21st day of each month, and monthly Grid assignment periods commence on the first day of each calendar month. The Port Everglades Department retains the discretion to grant or deny any such renewals.

The Port Everglades Department's Business Development Division reserves the right to cancel a Grid assignment for its convenience and without cause upon forty-eight (48) hours' prior

written notice to the Grid user. The Port Everglades Department may immediately terminate a Grid assignment if the Port Everglades Department's Chief Executive determines that the Grid user's occupancy or use of a Grid violates any Tariff provision or applicable law. Grid users in holdover status will be charged a holdover fee equal to twice the billed Grid rate.

No improvements or alterations are to be made to a Grid without the prior written approval of the Port Everglades Department's Business Development Division, which approval may be granted or withheld at the Port Everglades Department's Business Development Division's sole discretion. To request approval for improvements or alterations, the Grid user must submit its proposed plans and specifications to the Port Everglades Department's Business Development Division for review. Once reviewed and if approved by the Port Everglades Department's Business Development Division, it is the responsibility of the Grid user to obtain all required permits from all applicable permitting agencies and all other required governmental approvals and submit copies of the issued permits and approvals to the Port Everglades Department's Business Development Division before the commencement of any alterations or improvements. Unless otherwise agreed by the Port Everglades Department, the Grid user must remove all Grid alterations and improvements made by the Grid user and restore the Grid to the condition it was in before the alteration or improvement, at the Grid user's sole expense, within seven (7) calendar days after before the termination or expiration date of the Grid assignment, or the user will be deemed to be in holdover.

Applications, renewals, and a listing of all Grids showing location, size, and cost are available from the Business Development Division.