

PROPOSED

RESOLUTION NO. 2021-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO PORT EVERGLADES TARIFF NO. 12; AMENDING SECTION 42.25 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AMENDING TARIFF RATES AND REQUIREMENTS FOR VARIOUS ACTIVITIES AT PORT EVERGLADES; PROVIDING FOR GENERAL UPDATES TO TARIFF TEXT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Broward County desires to amend Section 42.25 of the Broward County Administrative Code, Exhibit 42.A, to provide for revisions to Port Everglades Tariff No. 12 items relating to Port Everglades; and

WHEREAS, the Board of County Commissioners finds that the revisions to the Port Everglades Tariff No. 12, as set forth herein, are necessary and in the best interests of Broward County, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Port Everglades Tariff No. 12, codified as Exhibit 42.A and incorporated in Section 42.25 of the Broward County Administrative Code, is hereby amended in relevant part as set forth in Exhibit A attached hereto.

Section 2. Severability.

If any portion of this Administrative Code Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Administrative Code Resolution. If any court determines that this Administrative Code Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the

EXHIBIT 42.A

PORT EVERGLADES

TARIFF NO. 12

Rules, Regulations & Fees

Approved & Issued by:
Broward County Board of County Commissioners

First Issued:
October 1, 2006

Administered & Maintained by
Port Everglades Department
1850 Eller Drive
Fort Lauderdale, Florida 33316

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~~SYMBOLS USED IN TABLE OF CONTENTS TO IDENTIFY TARIFF ACTIONS:~~

(NI)	ADDITION OF NEW ITEM
(TC)	CHANGE IN TEXT WITH NO EFFECT ON CHARGES
(RI)	RATE INCREASE
(RR)	RATE REDUCTION

SECTION ONE - GENERAL INFORMATION

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Item No. 120—Communications (phone and fax).

Issue No. ~~5~~ 6

Effective Date: October 1, ~~2020~~ 2021

Main telephone number and after-hours recorded message: (954) 523-3404.

<i>Office/Division</i>	<i>Phone Number (Area Code 954)</i>	<i>FAX Number (Area Code 954)</i>
Port Everglades Chief Executive	468-3516	523-8713
Deputy Port Director	468-3504	523-8713
Broward Sheriff's Office	765-4511	765-4853
Business Administration	468-3501	525-1910
Business Development	468-0170	468-3529
Seaport Engineering & Facilities Maintenance	468-0148	765-5389
Corporate Communications	468-3527	468-3529
Container Crane	468-3523 0106	765-5061 468-3465
Cruise Marketing	468-0176	765-5345
Finance	468-3511	765-4060
Fire Rescue	468-3533	765-4164
Foreign Trade Zone	468-0214	765-4628
Harbormaster	468-0212	525-9512
Legal/Office of the County Attorney	523-3404	468-3690
Operations	468-0221	522-0873

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SECTION TWO - WATERWAYS AND BERTHS - RULES & REGULATIONS

Item No. 200—Vessel representation.

Issue No. ~~1~~ 2

Effective Date: October 1, ~~2006~~ 2021

1. Broward County requires that each vessel using its facilities be represented by a ~~f~~Franchised ~~s~~Steamship ~~a~~Agent unless the vessel has established its credit to the satisfaction of Port Everglades. Such ~~f~~Franchised ~~s~~Steamship ~~a~~Agent or ~~v~~Vessel ~~r~~Representative shall be responsible for all charges assessed under this Tariff in connection with the use of Port Everglades facilities by the vessel or its cargo or its passengers.

2. In instances where a vessel already in Port Everglades desires to change representation from one franchised agent to another, said change can be effectuated ~~with~~ to the satisfaction ~~to~~ of Port Everglades ~~as~~ to ~~of~~ each of the following items:

- (a) Receipt, prior to the date of change, of written notification to the Operations Division/Chief Harbormaster from the principal acknowledging its intended termination of the appointed franchised agent and its redesignation of the replacement franchised agent, and the date and time on which such representation is intended to commence;
- (b) Receipt, prior to the date of change, of written notification to the Operations Division/Chief Harbormaster from the replacement franchised agent acknowledging acceptance of appointment as vessel franchised agent as of a the stated date and time;
- (c) Receipt, prior to the date of change, of a completed Berth Application from the replacement franchised agent;
- (d) Payment of all Port Everglades charges incurred by the vessel up to the date of change; and
- (e) That the account of the replacement franchised agent is found to be in current status as determined by the Finance Division.

Item No. 205—Access to Port Everglades.

Issue No. ~~3~~ 4

Effective Date: October 1, ~~2020~~ 2021

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

The ~~f~~Franchised ~~s~~Steamship ~~a~~Agent or ~~v~~Vessel ~~r~~Representative desiring a berth at Port Everglades shall, as far in advance as possible, but not less than 72 hours prior to the estimated time of arrival, file a ~~written~~ Berth Application with the Harbormaster through the Port Everglades Port Control System. The Berth Application shall specify the below information. 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 to

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

Name of Stevedore, if any

Name of preferred tugboat service provider

Services required such as:

- Passenger Loading Bridge
- Cruise Terminal
- Portable Brows
- Potable Water
- Wastewater Removal
- Oily Waste Removal
- Container Cranes
- Electricity for refrigerated containers
- Notification of Hot Work

All Berth Applications are to be ~~in writing and transmitted to the Harbormaster via Fax at (954) 525-9512~~ submitted through Port Everglades Port Control System.

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

Daily cruise operations are exempt from the 72 and 24 hours notification provisions.

Unless specifically exempted as provided herein, any vessel ~~which that~~ which that does not conform with 72-hour Berth Application or 24-hour firm estimated time of arrival 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 ~~f~~Franchised ~~s~~Steamship ~~a~~Agent's or ~~v~~Vessel ~~r~~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 requires same. Such designation shall be final and non-appealable.

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, Parts 171-180 (as amended), or a vessel ~~which that~~ which that is determined by the Port Everglades Department to be in an unseaworthy condition. All vessels, while in Port Everglades, shall 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 be unseaworthy.

All vessels entering Port Everglades shall 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 a vessel to provide a copy of the Maritime Declaration of Health (MDOH) 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 to be filed together with the vessel's Berth Application to the ~~Port Everglades Department's~~ 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 shall be 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 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 time of the year.

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

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SECTION THREE - DOCKAGE - RULES & RATES

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Item No. 310—Dockage grace period.

Issue No. ~~1~~ 2

Effective Date: October 1, ~~2006~~ 2021

In cases where a vessel is not able to vacate its berth within a twenty-four (24) hour period owing to extenuating circumstances, the Port Everglades Department may grant a grace period of up to one (1) hour without assessments of an additional day's dockage charges. Only in instances where it is clearly demonstrated that there were extenuating circumstances will consideration be given. In order to be considered, the ~~Franchised Steamship Agent or Vessel Representative~~ must apply, in writing, to the Director of Operations or designee stating the reason(s) ~~which that~~ prohibited the vessel from vacating the berth. In no instance will more than a one (1) hour grace period be considered.

Item No. 315—Notice of sailing time.

Issue No. ~~4~~ 2

Effective Date: October 1, ~~2006~~ 2021

All vessels shall be required to notify the Harbormaster of ~~its~~ their sailing time at least ~~one~~ two hours in advance of said sailing time. The Harbormaster on duty will notify the pilots, tugs, and linehandlers.

Item No. 320—Dockage rates—Cargo vessels.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

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	\$.2906 <u>\$.2993</u>
Cargo Vessels (Petroleum) - Vessel calling for the purpose of loading or discharging cargo: Per gross registered ton	\$.3004 <u>\$.3094</u>
Pure Car Carriers - Vessel calling for the purpose of loading or discharging wheeled, motorized vehicles: Per gross registered ton	\$.2186 <u>\$.2251</u>

The Harbormaster may, at ~~his or her~~ 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 #330.

The minimum dockage charge for each twenty-four (24) hour period is ~~two hundred eighty three dollars and twenty five cents (\$283.25)~~ two hundred ninety-one dollars and seventy-four cents (\$291.74).

Item No. 325—Dockage rates—Cruise ships.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

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	\$.3078 <u>\$.3185</u>
(B) Ships offering daily cruises, minimum twenty-five (25) sailings per month: Per gross registered ton	\$.1439 <u>\$.1489</u>

Review of sailing activity will be conducted at the conclusion of each calendar month. In order 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, a waiver of minimum sailing requirements may be granted for purposes of 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 purposes of qualifying as a Part (B) vessel.

The minimum dockage charge for each twenty-four (24) hour period for all cruise ships is ~~two hundred eighty three dollars and twenty five cents (\$283.25)~~ two hundred ninety-three dollars and sixteen cents (\$293.16).

Item No. 330—Dockage rates—Lay-in vessels.

Issue No. ~~44~~ 15

Effective Date: October 1, ~~2020~~ 2021

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 \$ ~~.2906~~ .2993

Per lineal foot..... \$~~5.1802~~ 5.3356

- 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 \$ ~~.2335~~ .2405

Per lineal foot..... \$~~4.2016~~ 4.3276

The minimum dockage charge for each twenty-four (24) hour period is ~~two hundred eighty three dollars and twenty five cents (\$283.25)~~ two hundred ninety-one dollars and seventy-four cents (\$291.74).

Item No. 335—Dockage rates—Yachts.

Issue No. ~~44~~ 15

Effective Date: October 1, ~~2020~~ 2021

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

A. Yachts up to one hundred (100) lineal feet	\$157.38	<u>\$162.10</u>
B. Yachts one hundred one (101) to two hundred (200) lineal feet	\$306.81	<u>\$316.01</u>
C. Yachts two hundred one (201) to three hundred (300) lineal feet	\$463.98	<u>\$477.89</u>
D. Yachts three hundred one (301) to four hundred (400) lineal feet	\$621.16	<u>\$639.79</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 shall be assessed as of the time of first docking at the rates above.

- II. Yachts exceeding six (6) hours on berth shall be 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. ~~44~~ 15

Effective Date: October 1, ~~2020~~ 2021

A vessel using the anchorage area at Port Everglades and providing tender service for passengers, crew, or other personnel between the vessel in the anchorage area and a berth within Port Everglades will be charged ~~six hundred seven dollars and seventy cents (\$607.70)~~ six hundred twenty-five dollars and ninety-three cents (\$625.93) for each twenty-four (24) hour period or any portion thereof.

SECTION FOUR - FACILITIES RULES & REGULATIONS

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Item No. 450—Container, cargo, and equipment staging.

Issue No. ~~40~~ 11

Effective Date: October 1, ~~2020~~ 2021

Containers, cargo, chassis, and equipment, including cargo handling equipment, can ~~only~~ be staged on dock aprons and common use, nonleased, nonassigned areas only with the prior approval of the Port Everglades Department, Operations Division. All requests must be made ~~in a timely manner, but not less than~~ at least twenty-four (24) hours prior to the time the staging area is needed by the Port user. If a request is approved, it will be for a period not to exceed seven (7) calendar days. Use of a staging area without prior permission, or beyond the approved period, will result in the imposition of a use penalty in the amount of ~~seventy two dollars and ten cents (\$72.10)~~ seventy-four dollars and twenty-six cents (\$74.26) for each calendar day or any portion thereof for each container, chassis, and piece of cargo or equipment located on a staging area.

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SECTION FIVE -WHARFAGE - RULES & RATES

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Item No. 520—Nonwaterborne liquid bulk transfer.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2019~~ 2021

All liquid bulk brought into the Port Everglades jurisdictional area by railroad and discharged from rail tank cars into tanks, whether fixed or portable, or trucks, ~~including~~, but not limited to, all petroleum products, including fuels, lubricants (conventional or synthetic), liquefied petroleum gas (LPG), and asphalt; fuel or lubricant additives of any type; alternative fuels; renewable fuels; fuel blending components, including alcohols and bio diesel; chemicals; petrochemicals; solvents; alcohols; and manufacturing or process feed stocks ~~will be charged \$~~.00783~~~~ \$.00806 per gallon, in lieu of Port Tariff charges for dockage, wharfage, fire service protection fee, and marine services. Terminal operators receiving liquid bulk by rail during any given month will provide a written report summarizing that month’s activity to the Port Everglades Department, Petroleum Section, within five (5) business days after the end of said month. The report will include the date of receipt, description of the commodity, and quantity in gallons received.

All liquid bulk alternative fuels, renewable fuels, including ethanol, other alcohols, and bio diesel brought into the Port Everglades jurisdictional area by truck and discharged into tanks, whether fixed or portable, and on which no wharfage or other Port Tariff charges have previously been paid, will be charged ~~\$~~.00783~~~~ \$.00806 per gallon, in lieu of Port Tariff charges for dockage, wharfage, fire service protection fee, and marine services. Terminal operators receiving bulk alternative or renewable fuels by truck during any given month will provide a written report summarizing that month’s activity to the Port Everglades Department, Petroleum Section, within five (5) business days after the end of said month. The report will include the date of receipt, description of the commodity, and quantity in gallons received.

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Item No. 530—Coastwise container trade.

Issue No. ~~14~~ 15

Effective Date: October 1, ~~2020~~ 2021

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	\$40.94 <u>\$42.16</u> per container unit discharged or loaded
Empty containers.....	\$27.75 <u>\$28.58</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. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

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	\$3.9189 <u>\$4.0364</u>
AGGREGATES, TALLOW, OR GYPSUM, in bulk	\$1.351 <u>\$1.391</u>
CEMENT, PORTLAND, AND MASONRY, in bulk, including super sacks or palletized	\$1.165 <u>\$1.199</u>
CONTAINER CARGO - per two thousand (2,000) pounds	\$3.497 <u>\$3.601</u>
CONTAINER CARGO - “SMALL BOAT” per two thousand (2,000) pounds	\$2.730 <u>\$2.811</u>
LUMBER, per two thousand (2,000) pounds	\$3.660 <u>\$3.769</u>
PETROLEUM, ALTERNATIVE FUELS, FUEL BLENDING COMPONENTS (INCLUDES ALCOHOL BIO-DIESEL & BIO-DIESEL FEED STOCKS) per barrel	\$0.1924 <u>\$0.1981</u>
STEEL PRODUCTS, INCLUDING REINFORCING BARS, COILS, PLATES, & STRUCTURAL	\$3.852 <u>\$3.967</u>
VEHICLES, lift on/lift off, including, but not limited to, automobiles, SUVs, trucks, vans, tractors, buses, trailers, and chassis per ton	\$6.944 <u>\$7.152</u>
VEHICLES, roll on/roll off, including, but not limited to, automobiles, SUVs, trucks, vans, tractors, buses, trailers, and chassis to/from pure vehicle carrier per unit (based on tons to unit conversion schedule)	\$7.835 <u>\$8.070</u>

Tons to Units eConversion Schedule

<i>Tons</i>	<i>Units</i>
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	\$6.332 <u>\$6.521</u>
YACHTS AND BOATS (lift on/lift off, roll on/roll off), per ton.....	\$9.564 <u>\$9.850</u>

Coding: Words in ~~struck through~~ type are deletions from existing text. Words in underscored type are additions.

Item No. 537—Container unit charges.

Issue No. ~~10~~ 11

Effective Date: October 1, ~~2020~~ 2021

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

CONTAINERS & TRAILERS:

FULL, each	\$5.56 <u>\$5.72</u>
EMPTY, each	\$2.62 <u>\$2.69</u>
CHASSIS, each	\$2.62 <u>\$2.69</u>

CONTAINERS & TRAILERS “SMALL BOAT”:

FULL, each	\$3.03 <u>\$3.12</u>
EMPTY, each	\$2.62 <u>\$2.69</u>
CHASSIS, each	\$2.62 <u>\$2.69</u>

Item No. 540—Wharfage rates—Cruise passengers.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

- A. Vessels offering multiday cruises, embark, disembark, in transit, per passenger ~~\$12.188~~ \$12.614
- B. Vessels offering daily cruises, embark, disembark, in transit, per passenger ~~\$ 2.794~~ \$2.891

Review of sailing activity will be conducted at the conclusion of each calendar month. In order to continue qualifying for the rate of ~~category “B,” Part B.~~ 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 cruise passenger wharfage being charged at the higher ~~category “A”~~ Part A. rate in the following month(s) until such time as the vessel requalifies.

Once requalified, the ~~category “B,”~~ Part B. rate will apply in the month following requalification. During the initial month of operations, vessels providing services in ~~category “B,”~~ Part B. will have their activities prorated from the date of start-up for purposes of determining minimum sailing requirements. The ~~category “B,”~~ Part B. rate will apply from the first sailing.

Upon written application to the Port Everglades Chief Executive, a waiver of minimum sailing requirements may be granted for purposes of 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 purposes of qualifying as a ~~category “B,”~~ Part B. vessel.

Passenger wharfage will be charged against manifested revenue passengers only.

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

...

Item No. 625—Inside transit shed storage rates.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

Cargo accepted for inside storage by the Port Everglades Department, Operations Division, will be assessed inside transit shed storage charges. All cargo remaining in storage beyond its authorized storage period(s) will be assessed wharf demurrage charges as contained in this Tariff. Inside transit shed storage charges are for each thirty (30) calendar-day period or any portion thereof. Inside transit shed storage rates are as follows:

1. All articles not otherwise specified (NOS), per ton	\$9.52 <u>\$ 9.80</u>
2. Cement, in bags, per ton	\$4.37 <u>\$ 4.50</u>
3. Lumber, per ton	\$7.46 <u>\$ 7.68</u>
4. Steel products, per ton	\$6.64 <u>\$ 6.83</u>
MINIMUM Storage Invoice	\$51.50 <u>\$53.04</u>

Item No. 630—Open ground storage rates.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

Cargo accepted for open ground storage by the Port Everglades Department, 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.....	\$1.18 <u>\$ 1.21</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.....	\$5.09 <u>\$ 5.24</u>
3. Each boat and yacht on cradles or trailers, for each calendar day or any portion thereof	\$35.22 <u>\$36.27</u>

4. Lumber, per ton

First 2 × 6-calendar-day periods (total 12 calendar days) ~~\$0.65~~ \$0.67/ton
ea. 6 calendar-day period or any portion thereof

Second 2 × 6-calendar-day periods (total 12 calendar days) ~~\$0.81~~ \$0.83/ton
ea. 6 calendar-day period or any portion thereof

Third 2 × 6-calendar-day periods (total 12 calendar days) ~~\$1.02~~ \$1.05/ton
ea. 6 calendar-day period or any portion thereof

After 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 ~~\$5.04~~ \$5.19

6. Steel products, per ton

First 2 × 6-calendar-day periods (total 12 calendar days) ~~\$1.17~~ \$1.20/ton
ea. 6 calendar-day period or any portion thereof

Second 2 × 6-calendar-day periods (total 12 calendar days) ~~\$1.46~~ \$1.50/ton
ea. 6 calendar-day period or any portion thereof

Third 2 × 6-calendar-day periods (total 12 calendar days) ~~\$1.83~~ \$1.88/ton
ea. 6 calendar-day period or any portion thereof

After 6 approved storage periods, charges revert to wharf demurrage rates.

MINIMUM Storage Invoice ~~\$51.50~~ \$53.04

Item No. 635—Wharf demurrage rates.

Issue No. ~~45~~ 16

Effective Date: October 1, ~~2020~~ 2021

All cargo remaining in storage after free time has expired, or remaining in Port Everglades after expiration of an authorized storage period, shall thereafter be assessed wharf demurrage charges. A vessel's ~~Franchised~~ ~~Steamship~~ ~~Agent~~, vessel owner, or vessel operator is responsible for the payment of all wharf demurrage charges. Wharfage demurrage rates are as follows:

Note:

I. Located inside transit shed

II. Located outside on open ground

I.

II.

1. All articles not otherwise specified, for each calendar day or any portion thereof, per ton	\$1.18 <u>\$1.21</u>	\$0.87 <u>\$ 0.89</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	N.A.	\$7.21 <u>\$ 7.42</u>
3. Each boat and yacht on cradles or trailers, for each calendar day or any portion thereof	N.A.	\$65.04 <u>\$66.99</u>
4. Lumber, per ton for each calendar day or any portion thereof	\$1.18 <u>\$1.21</u>	\$0.87 <u>\$ 0.89</u>
5. Each container (full or empty), or each on or off chassis for each calendar day or any portion thereof	N.A.	\$9.83 <u>\$10.12</u>
6. Steel products, per ton, for each calendar day or any portion thereof	\$1.18 <u>\$1.21</u>	\$0.87 <u>\$ 0.89</u>

Every two (2) calendar days after the initial commencement of wharf demurrage charges, the designated ~~F~~Franchised ~~s~~Steamship ~~a~~Agent, vessel owner, or vessel operator shall complete and submit a Port Everglades Storage Inventory Count Form to the Port Everglades Department, Finance Division, and include copies of all delivery receipts supporting the reported information. All weekend activity required to be reported shall be deemed submitted in a timely manner if a Port Everglades Storage Inventory Count Form is received by the Port Everglades Department, Finance Division, on the next succeeding business day.

Failure to submit an Inventory Count Form in a timely manner or failure to provide all information requested (including all relevant delivery receipts) will result in a late charge of twenty-five dollars (\$25) 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. 700—Container gantry and mobile harbor cranes—Specifications.

Issue No. 4 5

Effective Date: October 1, ~~2020~~ 2021

Port Everglades Department maintains and makes available for rental a total of ~~eight (8)~~ eleven (11) rail-mounted container gantry cranes. ~~Seven (7)~~ Ten (10) cranes are located in Southport and one (1) is located in Midport. ~~Three (3) additional rail mounted container gantry cranes manufactured by ZPMC will be commissioned and made available for rental in the first quarter of calendar year 2021.~~ In addition, the Port Everglades Department maintains and makes available for rental one (1) mobile harbor crane. Crane specifications are as follows:

TYPE: Container Gantry Crane “P2” - Midport
MANUFACTURER: PACECO

LIFT CAPACITY: •50 long tons under spreader;
•58 long tons under heavy lift beam

OUTREACH: (From face of pier)—113 feet
LIFT: (Pier to bottom of spreader)—100 feet

TYPE: Container Gantry Cranes “SP1, SP2, SP3, SP4, SP5, SP6, SP7”
MANUFACTURER: SAMSUNG HEAVY INDUSTRIES

LIFT CAPACITY: •46.5 long tons under spreader;
•57 long tons under heavy lift beam

OUTREACH: (From face of pier) 136.5 feet
LIFT: (Pier to bottom of spreader) 106 feet

TYPE: Mobile Harbor Crane “MHC1”
MANUFACTURER: GOTTWALD

LIFT CAPACITY: •40.4 long tons under spreader in single lift mode to maximum radius of
135 feet
•49.2 long tons under spreader in twin lift mode to maximum radius of
118 feet
•100 long tons under hook to maximum radius of 75 feet

OUTREACH: •167 feet from center of tower
LIFT: •154 feet from pier to bottom of hook

TYPE: Container Gantry Crane “SP8, SP9, SP10”
MANUFACTURER: Shanghai Zhenhua Heavy Industries Co., Ltd. (ZPMC)

LIFT CAPACITY: •50 long tons under single lift under spreader;
•65 long tons twin lift under spreader;
•100 long tons under heavy lift beam

OUTREACH: (From face of pier)—186 feet
LIFT: (Pier to bottom of spreader)—133 feet

Additional details are available from the Operations Division, Container Crane Section.

Item No. 705—Container gantry and mobile harbor cranes—Rules & regulations.

Issue No. ~~3~~ 4

Effective Date: October 1, ~~2010~~ 2021

1. Crane rental time will be computed from the time a crane(s) ~~is~~ are ordered to be available for work until the crane(s) ~~is~~ are dismissed; subject to listed minimum charge.

Coding: Words in ~~struck through~~ type are deletions from existing text. Words in underscored type are additions.

2. The charges detailed in this Tariff do not include the crane operator who is supervised and employed by the ~~fFranchised sSteamship aAgent/~~ or franchised stevedore renting the crane(s).

3. The ~~fFranchised sSteamship aAgent/~~franchised stevedore renting the crane(s) agrees to be bound by all terms and conditions contained in this Tariff.

4. Broward County shall require of the crane user, certification of insurance with a minimum general liability and personal injury of at least five million dollars (\$5,000,000.00), and ~~the Broward County Board of County Commissioners shall be~~ named as an additional insured. This insurance shall cover the user, and its officers, agents, ~~servants~~ and employees in the use of the crane(s) and equipment. In addition, Broward County reserves the right to require, in its sole discretion, such additional types and amounts of insurance, as it shall determine to be in its best interest, based upon the operations of the crane(s).

5. The crane user shall conform with all applicable laws, ordinances, rules, and regulations of O.S.H.A., United States Coast Guard, and other federal, state, and municipal authorities having jurisdiction over the user or its activities.

6. Vessels, their owners, agents, and all other users of the cranes and equipment shall indemnify, save harmless, and defend Broward County, its officers, agents, ~~servants~~, and employees from and against any claim, demand, cause of action, or proceeding of whatsoever kind or nature arising out of, incident to, or resulting from the use of the cranes or equipment, by the vessels, ~~its~~ their owners, officers, agents, ~~servants~~ or employees and all other users of the cranes and equipment, together with all costs, expenses, and liabilities incurred in connection with each such claim ~~or~~ demand ~~or~~ action ~~or~~ proceeding including, but not limited to, all reasonable attorney's fees to and through the conclusion of appellate, supplemental, and bankruptcy proceedings.

7. The ~~fFranchised sSteamship aAgent/~~ or franchised stevedore renting the crane agrees to operate the equipment within its rated capacity, as published in this Tariff, any amendment hereto, or reissues hereof.

8. All rigging will be at the expense of the ~~fFranchised sSteamship aAgent/~~ or franchised stevedore.

9. The charge for the crane rental includes crane maintenance.

10. The ~~fFranchised sSteamship aAgent/~~ or franchised stevedore shall make application for crane rental use by phone or e-mail no later than twelve (12) hours prior to startup time. ~~The~~ Application is to be made to the Harbormaster. ~~The~~ Application Form will include date, time, type, and quantity of cargo to be handled and estimated length of use.

After an order for a crane(s) is properly placed as described above and confirmed by the Harbormaster, the startup time can be set back once without penalty, provided the request to set back the startup time is made no later than four (4) hours prior to the originally ordered startup time. If the request is made less than four (4) hours prior to the originally ordered startup time, charges will be imposed at the Item # No. 710 Standby rates calculated from the originally ordered startup time until cargo operations commence or after a four (4) hour minimum period, whichever is less. If, after an original startup time is properly set back as described above to a revised startup time, and cargo operations are not ready to commence at the revised startup time, charges will be imposed at the Item # No. 710 Standby rates from the revised startup time until cargo operations commence or after a four (4) hour minimum period, whichever is less.

11. The Port Everglades Department will perform a pre-operation inspection, ~~and~~ start cranes prior to vessel operations, ~~and will~~ shut down cranes upon completion of vessel operations, and perform a post-operation inspection.

12. The Port Everglades Department will be responsible for initial container gantry crane boom-down, ~~and~~ each succeeding boom-up/boom-down cycle, ~~and~~ final booming up to clear vessel, and pinning down of the crane(s). The Port Everglades Department will be responsible for initial spotting of the mobile harbor crane and each movement of the crane along the dock apron.

13. The Port Everglades Department reserves the absolute and exclusive right to ~~the assignment and scheduling of~~ schedule the cranes.

14. Any damages to the cranes ~~and or~~ equipment during use ~~are to~~ must be immediately reported by the user to a representative of the Container Crane Section or, when not available, to a representative of the crane maintenance contractor and acknowledged by signature of an authorized representative of the user on the crane rental report at the time of completion of crane operations.

15. Only qualified personnel will be permitted to operate the Port Everglades Department container gantry cranes and mobile harbor crane. The franchised agent and/or stevedore renting a crane will be the responsible party for violations of this item. An operator of a container gantry crane will be presumed qualified if ~~he/she~~ they demonstrates satisfactory completion of training and testing on a recognized container gantry crane simulator within the previous twelve (12) months combined with forty (40) hours of actual recorded operator training time in operating on the Port Everglades Department's rail-mounted container gantry cranes. The operator trainee's hours shall be recorded via the Crane Section Crane Rental Form. Upon completion of the required training hours, the franchised agent and/or stevedore shall provide to the Port Everglades Department a copy of a valid recognized container gantry crane simulator certification and Crane Rental Forms documenting at least forty (40) hours of training on the Port Everglades Department's rail-mounted container gantry cranes for authorization and record keeping.

In order to be determined qualified to operate the mobile harbor crane, an operator must provide evidence of having previous experience in loading/discharging containers to/from ships with a mobile harbor crane, truck crane, ship crane, and/or rail-mounted container gantry crane. Port Everglades reserves the right to establish an on-site mandatory training program.

Upon request, and on an as-available basis, the Port Everglades Department may make available to a ~~f~~Franchised ~~s~~Steamship ~~a~~Agent and/or franchised stevedore a container gantry crane or mobile harbor crane in order for an operator employed by the ~~f~~Franchised ~~s~~Steamship ~~a~~Agent and/or franchised stevedore to demonstrate ~~his/her~~ their ability. Based upon a demonstrated need and for a reasonable number of hours as determined by the Port Everglades Department, a crane so provided will be without charge. Evidence of operator qualification shall be made available to the Port Everglades Department upon request. The operator will be required to demonstrate ~~his/her~~ their ability to the satisfaction of the ~~f~~Franchised ~~s~~Steamship ~~a~~Agent or franchised stevedore renting the crane. The Port Everglades Department reserves the right to order removed from a crane any operator not qualified or otherwise observed operating a crane in other than a safe manner, which determination shall be ~~within~~ the Port Everglades Department's sole discretion. The operator shall be prohibited from any operation of a crane until such time as ~~he/she~~ they can demonstrate ~~his/her~~ the ability to safely operate a crane to the satisfaction of the ~~f~~Franchised ~~s~~Steamship ~~a~~Agent/ or franchised stevedore renting the crane, unless the Port Everglades Department has otherwise determined that it is not in the Port Everglades Department's best interest to allow the operator to operate the crane, which determination shall be ~~within~~ the sole discretion of the Port Everglades Department.

Item No. 710—Container gantry (CG) and mobile harbor (MH) cranes—Rental rates.

Issue No. ~~45~~ 16

Effective Date: October 1, ~~2020~~ 2021

I. Container Operations - “Small Boat”:

A. Straight Time Hours - Midport (CG)	\$784.85 <u>\$808.40</u> Per Hour
Straight Time Hours - Midport (MH)	\$706.40 <u>\$727.60</u> Per Hour
Straight Time Hours - Southport (CG)	\$837.30 <u>\$862.40</u> Per Hour
B. Overtime Hours - Midport (CG)	\$904.35 <u>\$931.50</u> Per Hour
Overtime Hours - Midport (MH)	\$813.90 <u>\$838.30</u> Per Hour
Overtime Hours - Southport (CG)	\$937.60 <u>\$965.70</u> Per Hour
C. Standby: Straight Time Hours	\$168.65 <u>\$173.70</u> Per Hour
D. Standby: Overtime Hours	\$225.05 <u>\$231.80</u> Per Hour
E. Minimum Invoice	2 Hours Per Crane Ordered
F. Initial Start-up Per Crane	\$225.05 <u>\$231.80</u> Flat Charge
G. Final Shut Down Per Crane	\$225.05 <u>\$231.80</u> Flat Charge

II. All Other Container Operations:

A. Straight Time Hours - Midport (CG)	\$992.75 <u>\$1,022.50</u> Per Hour
Straight Time Hours - Midport (MH)	\$893.50 <u>\$920.30</u> Per Hour
Straight Time Hours - Southport (CG)	\$1,049.80 <u>\$1,081.30</u> Per Hour
B. Overtime Hours - Midport (CG).....	\$1,118.45 <u>\$1,152.00</u> Per Hour
Overtime Hours - Midport (MH)	\$1,006.60 <u>\$1,036.80</u> Per Hour
Overtime Hours - Southport (CG)	\$1,167.60 <u>\$1,202.60</u> Per Hour
C. Standby: Straight Time Hours.....	\$168.65 <u>\$173.70</u> Per Hour
D. Standby: Overtime Hours.....	\$225.05 <u>\$231.80</u> Per Hour
E. Minimum Invoice.....	4 Hours Per Crane Ordered

- F. Initial Start-up Per Crane.....~~\$225.05~~ \$231.80 Flat Charge
- G. Final Shut Down Per Crane.....~~\$225.05~~ \$231.80 Flat Charge

III. General Cargo, Yachts, Heavy Lifts:

- A. Straight Time Hours - Midport (CG & MH)~~\$551.15~~ \$567.70 Per Hour
 Straight Time Hours - Southport (CG)~~\$595.35~~ \$613.20 Per Hour
- B. Overtime Hours - Midport (CG & MH)~~\$651.60~~ \$671.15 Per Hour
 Overtime Hours - Southport (CG).....~~\$713.20~~ \$734.60 Per Hour
- C. Standby: Straight Time Hours.....~~\$168.65~~ \$173.70 Per Hour
- D. Standby: Overtime Hours.....~~\$225.05~~ \$231.80 Per Hour
- E. Minimum Invoice.....2 Hours Per Crane Ordered
- F. Initial Start-up Per Crane.....~~\$225.05~~ \$231.80 Flat Charge
- G. Final Shut Down Per Crane.....~~\$225.05~~ \$231.80 Flat Charge

IV. Coastwise Container Trade:

- A. Straight Time & Overtime Hours, Midport & Southport;
 Containers Discharged/Loaded/Shifted, per unit~~\$21.70~~ \$22.35
- B. Standby: Straight Time Hours~~\$168.65~~ \$173.70 Per Hour
- C. Standby: Overtime Hours~~\$225.05~~ \$231.80 Per Hour
- D. Minimum Invoice2 Hours Per Crane Ordered
- E. Initial Start-up Per Crane~~\$225.05~~ \$231.80 Flat Charge
- F. Final Shut Down Per Crane~~\$225.05~~ \$231.80 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- shall be 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, deductions of a quarter-hour or more and on a quarter-hour basis thereafter shall be subtracted from the overall charges due.

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. ~~3~~ 4

Effective Date: ~~June 10, 2008~~ October 1, 2021

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

The following fees have been established for conducting business at Port Everglades. Initial processing fees are non-refundable. 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.....	\$11,000.00	<u>\$11,550.00</u>
Annual Fee.....	4,000.00	<u>\$4,200.00</u>

Cargo Handler -

Initial processing fee, assignment fee, or reinstatement fee when franchise revoked	\$11,000.00	<u>\$11,550.00</u>
Annual Fee.....	\$4,000.00	<u>\$4,200.00</u>

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

Initial processing fee, assignment fee, or reinstatement fee when franchise revoked	\$4,000.00	<u>\$4,200.00</u>
Annual Fee	2,250.00	<u>\$2,360.00</u>

Tugboat or Towing -

Initial processing fee, assignment fee, or reinstatement fee when franchise revoked	\$26,000.00	<u>\$27,300.00</u>
Annual Fee		By Contract

Annual franchise fees for stevedore, cargo handler, steamship agent, vessel oily waste removal service, vessel bunkering service, vessel sanitary waste-water removal service, tugboat or towing, and marine terminal security service franchises are due and payable on the franchisee’s anniversary date, which is defined as the effective date the franchise was most recently granted or renewed.

Business Permits

	<i>Initial Processing or Assignment Fee</i>	<i>Monthly Fee</i>	<i>Annual Fee</i>
Crane Service	\$200		\$250
Motor Vehicle Rental Service	\$200(A)	(B)	N/A
Mobile Motorized Food/Drink	\$200		\$250

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 used on their vehicles and by their personnel. Issue and use of these items will be regulated by Broward County.

Applications to Broward County to carry on business will must include a check payment for the required fee. Broward County, at its sole discretion, may refuse anyone a permit or franchise or cancel any permit or franchise theretofore issued. Applicants are referred to the Broward County Administrative Code. ~~Companies conducting or engaging in motor vehicle rental business or services at Port Everglades shall make its books and financial records available for audit by the Finance Division of the Port Everglades Department upon reasonable notice and at reasonable times. If such books and financial records are kept at a location or at locations other than in Broward County, Florida, they shall be brought to a location convenient to the auditors for Broward County in order for the County to conduct an audit. To facilitate such audit, companies conducting or engaging in motor vehicle rental business or services at Port Everglades shall keep accurate records of their operation at the Port and shall show receipts from all business done in Broward County, Florida. Such companies shall issue an invoice and receipt, serially numbered, with each transaction at Port Everglades. All books and records customarily used in this type of operation, and may from time to time be required by Broward County, shall also be kept and maintained in accordance with generally accepted accounting principles. The books and records referred to in this paragraph shall be preserved for at least three (3) years following the end of each motor vehicle rental company’s fiscal year and shall be subject to audit under this item.~~

~~(A) Motor vehicle rental companies shall remit to the Port Everglades Department along with the initial processing fee, a cash security deposit in the amount of two hundred and fifty dollars (\$250.00). Broward County shall have the right to use the security deposit as a guarantee of the motor vehicle rental company’s obligations at Port Everglades, and all or any part of the deposit applied by the County shall be repaid by the company within fifteen (15) calendar days after written demand, therefore, so that it is maintained at its original agreed amount. Upon non renewal or cessation of a motor vehicle rental company permit, any security deposit held by the Port Everglades Department will be returned to the permit holder to the extent the company has fulfilled its permit obligations at Port Everglades.~~

~~(B) Companies conducting or engaging in motor vehicle rental business or services at Port Everglades shall remit three dollars and ninety-five cents (\$3.95) per contract, payable monthly, for customers picked up at Port Everglades. Such motor vehicle rental companies shall furnish to the Finance Division of the Port~~

Everglades Department, by the fifteenth of each month throughout the permit term, the monthly fees (plus applicable sales tax) for the prior calendar month, along with a statement, in a form and detail satisfactory to Broward County, certified by one of its officers, setting forth the number of motor vehicle rental contracts the company secured through its operations at Port Everglades during the prior month.

~~Companies engaging in motor vehicle rental business or services at Port Everglades shall also provide to the Finance Division of the Port Everglades Department annually a special report on all revenues from operations at Port Everglades. The special report shall be prepared by the Chief Financial Officer when payments made by the permit holder are less than twenty five thousand dollars (\$25,000.00) during the permit term or a special report shall be prepared by a certified public accountant in accordance with the provisions of the Codification of Statements on Auditing Standards when payments by the permit holder are twenty five thousand dollars (\$25,000.00) or more during the permit term. The special report shall be filed with the Finance Division of the Port Everglades Department by March 31 of each calendar year or within ninety (90) days following the non renewal or cessation of a motor vehicle rental service permit and shall include the following:~~

- ~~(a) schedule of all revenues by month;~~
- ~~(b) schedule of revenues upon which the monthly payments to the County are computed and a list of the payments to the County for the permit term;~~
- ~~(c) a calculation to determine annual payment to the County; and~~
- ~~(d) compliance with the procedures for preparation of a special report as set forth in the procedures manual of the Port Everglades Department.~~

Item No. 805—Insurance.

Issue No. 67

Effective Date: October 1, 2012 2021

The rates and charges published in this Tariff do not include any amounts for insurance coverage. Insurance required by the owner and/or consignee of cargo to protect their respective interests shall be carried by the owner and/or consignee.

All persons or firms leasing Broward County property and/or conducting business operations on Broward County owned land, in accordance with a franchise or business permit granted by Broward County, shall be required to provide evidence of insurance coverage. Such insurance must name Broward County as an additional insured on commercial general liability and any excess policies (at no expense to Broward County) ~~with the provision that such coverage will not extend to actions resulting from Broward County's own negligence.~~ A certificate of such insurance must be provided to the Port Everglades Department, Business Administration Division, and kept up-to-date in full force and continuous effect throughout the lease, permit, or franchise period.

All evidence of insurance shall be executed and filed with the Business Administration Division by the ~~insurance carrier~~ franchise or permit holder in a form or forms acceptable to the Port Everglades Department. The insurance carrier or company shall qualify and be authorized to transact insurance in the

State of Florida pursuant to Chapter 624, Part III, Section 624.401, et seq., Florida Statutes, and be a participant in the Florida Insurance Guaranty Association. Any exceptions must be approved by Broward County.

For All Franchises:

- Commercial General Liability - ~~Single Limit~~ Bodily Injury, Property Damage, Premises, Products/Completed Operations, Contractual Insurance, Broad Form Property Damage, Personal Injury, and Independent Contractors \$1,000,000 per occurrence and ~~\$1,000,000~~ \$2,000,000 per aggregate.
- Workers' Compensation per Florida Statutes with Employers' Liability of ~~\$500,000~~ \$1,000,000 minimum each accident. ~~For All Business Permits:~~

For All Business Permits:

- Commercial General Liability - ~~Single Limit~~ Bodily Injury, ~~and~~ Property Damage, Premises, Products/Completed Operations, Contractual Insurance, Broad Form Property Damage, and Independent Contractors. \$500,000 per occurrence and \$500,000 per aggregate.
- Workers' Compensation per Florida Statutes with Employers' Liability of ~~\$100,000~~ \$500,000 minimum each accident.

For All Franchises and Business Permits except Marine Terminal Security Service:

- Automobile - Combined Single Limit Bodily Injury and Property Damage Coverage in an amount not less than ~~\$300,000~~ \$500,000 per occurrence. ~~For Marine Terminal Security Service:~~

For Marine Terminal Security Service:

- Automobile - Combined Single Limit Bodily Injury and Property Damage Coverage in an amount not less than ~~\$500,000~~ \$500,000 per occurrence.

Evidence of such insurance is to be provided for each motor vehicle to be operated at Port Everglades under said franchise or permit. ~~Such insurance shall not include a deductible.~~ A certificate of self-insurance issued by the Florida Department of Highway Safety and Motor Vehicles pursuant to Chapter 324, Florida Statutes, is not acceptable evidence of insurance.

For Stevedore, Cargo Handler, Vessel Oily Waste Removal Service, Vessel Sanitary Waste-~~W~~water Removal Service, and Vessel Bunkering Service Franchises:

- U.S. Longshore and Harbor Workers' Compensation Act Coverage ~~For Tugboat or Towing Franchises~~

For Tugboat or Towing Franchises:

- Jones Act Coverage as required by Federal Law

For All Franchises (except Steamship Agent and Marine Terminal Security Service):

- Pollution Control/Clean-up Insurance – in the amount of \$1,000,000 per occurrence and ~~\$1,000,000~~ \$2,000,000 per aggregate.

For Marine Terminal Security Service Franchises:

- Professional Liability - Errors & Omission (E&O) for companies employing ~~firearms-carrying~~ armed security personnel (Class G security guards), including intentional assault and battery; false arrest, personal injury, invasion of privacy, wrongful detention or imprisonment; or unreasonable use of force (authorized or unauthorized), in the amount of \$2,000,000 per occurrence and \$2,000,000 per aggregate-, ~~with a M~~maximum deductible is of \$150,000.
- Professional Liability - Errors & Omission (E&O) for companies employing ~~non-firearms-carrying~~ unarmed security personnel (Class D security guards), including intentional assault and battery; false arrest, personal injury, invasion of privacy, wrongful detention or imprisonment; or unreasonable use of force (authorized or unauthorized), in the amount of \$1,000,000 per occurrence and \$1,000,000 per aggregate-, ~~with a M~~maximum deductible is of \$150,000.

Insurance requirements for tenants operating pursuant to a valid written lease with Broward County are set forth in the respective lease agreements.

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

...

Item No. 1030—Vehicle parking.

Issue No. ~~1~~ 2

Effective Date: October 1, ~~2006~~ 2021

Parking of all vehicles within Port Everglades is done in accordance with the provisions of the approved Port Security Plan, amendments thereto and reissues thereof, all local, state, and federal law, and the rules and regulations of the Maritime Transportation Security Act of 2002 (MTSA), and is subject to ticketing and towing enforcement by the Broward Sheriff's Office and/or Broward County Port Everglades Department.

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Item No. 1036—Sanitary wastewater removal and disposal from vessels.

Issue No. ~~46~~ 17

Effective Date: October 1, 2020 2021

Vessel sanitary wastewater removal services is defined as the pumping of wastewater from the sanitary holding tanks of vessels to shoreside trucks and portable tanks and subsequent transport from the Port or to a designated on-Port location at which the wastewater is pumped into the Port Everglades sanitary sewer system.

All vessel sanitary wastewater removal services must be performed by entities with a valid vessel sanitary wastewater removal services franchise issued by Broward County.

Entities with a valid vessel sanitary wastewater removal services franchise will be assessed a wharfage charge of ~~\$-0.0387~~ \$0.0398 per gallon. With the prior written authorization of the Port Everglades Department, a vessel sanitary wastewater removal services franchisee may discharge vessel sanitary wastewater from vessels calling Port Everglades into the sanitary sewer system of Port Everglades for an additional fee of ~~\$-0.0690~~ \$0.0710 per gallon. The franchisee must, prior to commencing its discharge of vessel sanitary wastewater into the Port Everglades sanitary sewer system: (1) certify in writing to the Port Everglades Department that the vessel sanitary wastewater to be discharged is in compliance with Sections 28-204 and 28-207 of the City of Fort Lauderdale, Florida, Code of Ordinances, and Port Everglades Department procedures for the discharge of vessel sanitary wastewater into the Port Everglades sanitary sewer system; and (2) under the observation of an assigned Port Everglades Department employee, collect a sufficient representative test sample of the vessel sanitary wastewater actually discharged, and promptly provide the test sample to the observing Port Everglades Department employee to immediately send for analysis to a Florida Department of Environmental Protection (FDEP) licensed environmental testing lab, at franchisee's sole cost, with a certified copy of the test result required to be sent by the testing lab to the Port Everglades Department, Director of Seaport Engineering and Facilities Maintenance Division. Such sample shall be analyzed to verify compliance with the standards provided in Sections 28-204 and 28-207 of the City of Fort Lauderdale, Florida, Code of Ordinances.

During all vessel sanitary wastewater discharge activities, a Port Everglades Department employee will be assigned to monitor the discharge activities and verify the quantity of vessel sanitary wastewater being discharged into the Port Everglades sanitary sewer system; franchisee shall ensure that no discharge commences outside of the presence of the assigned Port Everglades Department employee. Port Everglades Department labor costs will be charged in accordance with Tariff Item No. 1110. Labor costs are payable by franchisee to the Port Everglades Department in addition to franchisee's required payment of the per-gallon fee.

If the certified copy of the test result determines that the test sample was noncompliant with the standards provided in Section 28-204 or 28-207 of the City of Fort Lauderdale, Florida, Code of Ordinances, the Port Everglades Department shall, within twenty-four (24) hours after learning of the noncompliant test result, notify the Director of the City of Fort Lauderdale's wastewater treatment facilities as provided in Section 28-228 of the City of Fort Lauderdale, Florida, Code of Ordinances. The franchisee shall pay any fine(s) imposed by the City of Fort Lauderdale and shall also be fined by Broward County in an amount of ~~\$-0.138~~ \$0.142 per gallon of vessel sanitary wastewater, comprising the total volume of vessel sanitary wastewater from which the noncompliant test sample was taken and discharged into the Port Everglades sanitary sewer system. A franchisee that fails more than two (2) vessel sanitary wastewater sampling tests within any calendar year will be permanently banned from discharging vessel sanitary wastewater into the

Port Everglades sanitary sewer system. For purposes of the preceding sentence, “fails” means that the test result determined that the test sample was noncompliant with the standards provided in Section 28-204 or 28-207 of the City of Fort Lauderdale, Florida, Code of Ordinances.

Monthly written reports of activity and payment of related wharfage and labor charges for the removal of vessel sanitary wastewater shall be submitted by the franchisee to the Port Everglades Finance Division within five (5) business days after the end of the month and shall include the dates of services performed, the name of the vessel(s), and the number of gallons of vessel sanitary wastewater discharged. Failure to furnish the required monthly reports within the stipulated time will result in a late charge of twenty-five dollars (\$25) per business day or any portion thereof, for which the reports have not been submitted or remain incomplete.

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Item No. 1054—Fire fighting agents.

Issue No. 4 2

Effective Date: October 1, ~~2006~~ 2021

~~Each petroleum company, with storage capacity in excess of 100,000 barrels of petroleum products, is to provide 800 gallons of fire fighting foam to the Port Everglades Department inventory for use as needed in Port Everglades. 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 Ffoam 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, not to exceed within fifteen (15) working days, unless written permission for an extension of time from the Fire Chief or ~~his~~ the ~~D~~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 agents such as dry chemical powder and liquid foam may, upon request made in writing to the Fire Chief or ~~his~~ the ~~D~~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 shall replace all fire fighting agents with an amount equal to that used and in type, as specified by ~~the Broward Sheriff's Office Department of BSO Fire Rescue and Emergency Services~~, to insure compatibility with the other supplies of fire fighting agents on hand. The Port Everglades Department will not provide, without the prior approval of ~~the Broward Sheriff's Office Department of BSO Fire Rescue and Emergency Services at Port Everglades~~, 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, ~~the Broward Sheriff's Office Department of BSO Fire Rescue and Emergency Services at Port Everglades~~ may refuse any such request(s) when such refusal shall be deemed to be in the best interests of the Port Everglades Department. The Port Everglades Department, neither expressly nor impliedly, warrants ~~nor~~ otherwise guarantees any product furnished.

Item No. 1057—Fire protection service fee.

Issue No. ~~13~~ 14

Effective Date: October 1, ~~2020~~ 2021

All liquid petroleum products, alternative fuels, and fuel blending components, including, but not limited to, liquefied petroleum gas, distillate from any natural or synthetic source, alcohols, biodiesel, and biodiesel feedstocks entering storage tanks or vessels located at Port Everglades, regardless of the transportation method (maritime shipping, pipeline, railroad, or trucking), will be assessed a Fire Protection Service Fee of ~~\$.0296~~ \$.0325 per barrel.

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~~Item No. 1063—Standby fire watch service fees.~~

Issue No. 15

Effective Date: October 1, 2020

~~Port users whose activities in the Port Jurisdictional Area require standby Fire Watch Services performed by the Broward Sheriff's Office Department of Fire Rescue are subject to the following Fire Watch Service fees:~~

Recognized working hours	\$121.65 per hour
Outside of recognized working hours	\$152.20 per hour

~~(Rates are subject to a four (4) hour minimum billing.)~~

Item No. 1066—Security fees.

Issue No. 4 5

Effective Date: October 1, ~~2011~~ 2021

In order 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 Part 105, United States Coast Guard Regulation 33 CFR Part 165.760, Florida Department of Law Enforcement, and Florida Statutes, ~~Section 311.12~~, Broward County will assess against and collect from all port users of port premises, services, and facilities a port security fee as set forth herein. Security fees shall be in addition to all other charges and fees due under this Tariff.

Vessels (per 24-hour period of r fraction thereof)

- Cargo Vessels (other than pure car carriers) \$.0158 per GRT
- Pure Car Carrier \$.0118 per GRT

- Lay-In Vessels (other than Navy, Coast Guard, and U.S. Research Vessels) \$.0158 per GRT or \$.283 per lineal foot (whichever is greater)
- Lay-In Vessels - Navy, Coast Guard, and U.S. Research Vessels \$.0127 per GRT or \$.0230 per lineal foot
- Yachts (less than 6 hours on berth)
 - Up to 100 lineal feet \$8.65
 - 101 to 200 lineal feet \$16.85
 - 200 to 300 lineal feet \$25.50
 - 301 to 400 lineal feet \$31.15

Cargo

- Break Bulk Cargo \$.173 per ton
- Dry Bulk Cargo \$.035 per ton
- Liquid Bulk Cargo \$.0051 per barrel
- Containers/Trailers, per full or empty container/trailer \$3.50
- Vehicles \$1.73 per unit

Broward County shall have 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: (I) require from said user a deposit estimated to cover such fees in advance of using Port premises, services, or facilities; and/or (II) 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~~ 2

Effective Date: October 1, ~~2006~~ 2021

Cruise lines will reimburse the Port Everglades Department for the cost of providing up to a maximum of two (2) sworn Broward Sheriff’s Office Deputies inside cruise terminals in compliance with the requirements of the Port Everglades Security Plan, ~~Florida Statute 311.12, the regulations and standards of the United States Coast Guard, as well as~~ or as required and identified by the United States Coast Guard or any other relevant local, state, or federal law.

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SECTION ELEVEN - MISCELLANEOUS RATES AND FEES

Item No. 1100—Harbormaster fees.

Coding: Words in ~~struck through~~ type are deletions from existing text. Words in underscored type are additions.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

Harbormaster fees are charged against each vessel as follows:

0—10,000 Gross Registered Tons (GRT)	\$379.45 <u>\$390.85</u> per call
10,001 GRT and over	\$480.35 <u>\$494.75</u> per call
Cruise ship making daily cruises	\$133.20 <u>\$137.20</u> per day

Item No. 1105—Linehandler fees.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

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)	\$436.40 <u>\$449.50</u>
9,001—25,000 GRT	\$656.10 <u>\$675.70</u>
25,001 GRT and over	\$861.95 <u>\$887.80</u>
Cruise ship making daily cruises	\$400.80 <u>\$412.80</u>

Item No. 1110—Labor and equipment fees.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

Labor, equipment, and supplies are furnished by the Port Everglades Department only upon request made to the Port Everglades Department, Operations 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	\$98.75 <u>\$101.70</u>	\$148.20 <u>\$152.65</u>
• All other classifications	\$86.40 <u>\$ 88.90</u>	\$129.70 <u>\$133.55</u>

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

Equipment—Per Hour:

• Backhoe	\$137.40 <u>\$141.50</u>	\$180.55 <u>\$185.95</u>
• Forklift (diesel)	134.30 <u>\$138.30</u>	177.65 <u>\$182.95</u>
• Forklift (electric)	38.70 <u>\$ 39.85</u>	38.70 <u>\$ 39.85</u>
• Street Sweeper	254.35 <u>\$261.95</u>	297.75 <u>\$306.65</u>
• Light Plant	126.55 <u>\$130.30</u>	169.75 <u>\$174.80</u>
• Portable Generator	126.55 <u>\$130.30</u>	169.75 <u>\$174.80</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 ~~cruise terminal~~ electric forklifts, is furnished with an operator. Rental rates, with the exception of ~~cruise terminal~~ electric forklifts, are inclusive of a fifteen percent (15%) administrative charge.

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

Item No. 1115—Potable water, hose rental, and hook-up fees.

Issue No. ~~15~~ 16

Effective Date: October 1, ~~2020~~ 2021

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

Potable Water ~~\$3.20~~ \$3.30 per ton

Hook-up Fees:

Monday—Sunday; 6:00 a.m.—5:00 p.m. ~~\$77.15~~ \$ 79.45 per vessel per hour

Monday—Sunday; 5:00 p.m.—6:00 a.m. ~~\$118.60~~ \$122.15 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. Port Everglades Department furnished hoses are billed at the rate of thirteen dollars and ~~forty cents~~ (~~\$13.40~~) eighty cents (\$13.80) per fifty (50) foot length of hose.

Item No. 1120—Surcharges for use of facilities.

Issue No. ~~15~~ 16

Effective Date: October 1, 2020 2021

Use of transit sheds and cruise terminals during hours other than recognized working hours will be charged at a surcharge rate of ~~one hundred one dollars and thirty cents (\$101.30)~~ one hundred four dollars and thirty cents (\$104.30) per hour, or any portion thereof. Charges are for the account of the ~~franchised steamship agent or vessel representative, stevedore, or cargo handler~~ requesting the service. The charge applicable to cruise vessels providing daily cruise service is ~~twenty-nine dollars (\$29.00)~~ twenty-nine dollars and ninety cents (\$29.90) per hour. All such use is subject to a four (4) hour billing minimum.

Requests to have transit sheds or cruise terminals available during times other than recognized working hours must be made not less than four (4) hours prior to the time needed.

Each Port user will be charged for electricity service for its use of a transit shed and/or cruise terminal in the amount of ~~twenty-seven dollars and thirty cents (\$27.30)~~ twenty-eight dollars and ten cents (\$28.10) per hour, or any portion thereof, between the hours of 5:00 p.m. and 8:00 a.m. During daylight savings time, the surcharge rate will apply between the hours of 6:00 p.m. and 7:00 a.m.

The Port Everglades Administration Building Auditorium and Conference Room 301 may be reserved by Port tenants free of charge for use during recognized working hours. Non-Port tenants or Port tenants using either room outside of recognized working hours will be charged a rate of seventy-five dollars (\$75.00) per hour, or fraction thereof. Users of the room are responsible for cleaning after each use and no later than by 7:00 a.m. the next morning, provided for use by Port users during hours other than recognized working hours, will be charged at a rate of twenty-five dollars (\$25.00) per hour, or fraction thereof. There is no minimum use period, and billing will be based upon the actual time used. 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. Room reservations shall be made through the Business Administration Division by calling (954) 468-3518.

Item No. 1125—Electric service fee.

Issue No. ~~14~~ 15

Effective Date: October 1, 2020 2021

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-six dollars and forty-seven cents (\$26.47)~~ twenty-seven dollars and twenty-six cents (\$27.26) per hour.

Item No. 1130—Electricity for refrigerated containers.

Issue No. ~~14~~ 15

Effective Date: October 1, 2020 2021

Refrigerated containers placed in the Port’s common use reefer yard will be charged for electricity use. Electricity rates are as follows:

Per 20 ft. unit	\$59.65 <u>\$61.45</u> per 24-hour period or any portion thereof
Per 40 ft. unit	\$70.85 <u>\$72.95</u> per 24-hour period or any portion thereof

The Port Everglades Department does not provide service, maintenance, or monitoring of refrigerated containers. Broward County does not supply or furnish and assumes no responsibility or liability for lost, stolen, or damaged refrigerated containers. No vehicle parking or storage of nonrefrigerated containers is allowed in a designated reefer yard.

Outside of recognized working hours, Port Everglades labor costs to open and close the Port’s common use reefer yard gates for purposes of a Port user placing, removing, monitoring, or servicing refrigerated containers will be charged at the labor rates contained in Tariff Item No. 1110.

A Port user’s request to access the common use reefer yard must be made to the Port Everglades Department, Operations Division, not less than four (4) hours prior to the time access is needed.

Item No. 1135—Parking fees.

Issue No. 4 5

Effective Date: October 1, ~~2016~~ 2021

The Port Everglades Department has designated areas and facilities for parking vehicles of passengers embarking and debarking on cruise ships at Port Everglades, for patrons of the Convention Center, and for the general public. Parking fees per vehicle are detailed below.

Within the parking garages and surface parking lots, the charges are as follows:

<i>Length of Stay</i>	<i>Parking Charge</i>
Up to 1 hour or portion thereof	\$3.00
Up to 5 hours or portion thereof	\$6.00
Up to 6 hours or portion thereof	\$7.00
Up to 7 hours or portion thereof	\$8.00
Up to 9 hours or portion thereof	\$10.00
Up to 11 hours or portion thereof	\$12.00
Up to 12 hours or portion thereof	\$13.00
Over 12 hours & up to 24 hours <u>Maximum Daily Rate</u>	\$15.00
Maximum Daily Rate	\$15.00

For special events, such as heavily attended graduations and large conferences, where the majority of vehicles will be arriving or departing the parking facility at approximately the same time, daily flat fee parking rates, in lieu of the hourly parking rates above, will be charged. The Port Everglades Chief Executive will determine in consultation with the Convention Center staff what events and locations the flat fee parking rates will apply to.

Rates as Follows:

- For events expected to take up to five (5) hours \$ 5.00
- For events expected to take more than five (5) hours \$10.00

The above rates will apply to those vehicles that can be accommodated within a standard-sized width, length, and height parking space.

Within the parking garages and surface parking lots, the charge for oversized vehicles that exceed the standard-sized width or height of a parking space will be eight dollars (\$8) for the first five (5) hours, or portion thereof, and nineteen dollars (\$19) for up to twenty-four (24) hours, per entry.

Vehicles in excess of twenty (20) feet in length cannot be accommodated within the parking garages or in surface parking lots.

Persons operating vehicles that display a “DV” license plate issued under Section 320.084, Florida Statutes, or a Florida Toll Exemption permit, or vehicles that are equipped with specialized equipment, such as foot or hand controls, lifts, or ramps, for utilization by a person who has a disability, will be provided with free parking.

All parking fees include sales taxes.

Item No. 1140—Grid yard areas.

Issue No. ~~16~~ 17

Effective Date: October 1, ~~2020~~ 2021

Upon written application made to the Port Everglades Department, Operations Division, and subject to availability, a Grid yard area (Grid) may be assigned to a franchised stevedore, franchised cargo handler, or Port tenant for the purpose of marshaling, storing, and processing 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 use determined by the Port Everglades Department, Operations Division. Grids are assigned for a minimum period of ten (10) calendar days or on a monthly basis for a maximum period of one (1) calendar year, subject to early termination as set forth in this Tariff. Grid use charges will be billed by the Port Everglades Department to the Grid user at the end of each applicable calendar month.

Although Grids vary in size, Grid users will be charged at the rate of ~~one thousand six hundred forty-four dollars and sixty five cents (\$1,644.65)~~ one thousand eight hundred nine dollars and twelve cents (\$1,809.12) per acre assigned for each ten (10) day period or any portion thereof, or ~~four thousand nine hundred thirty three dollars and ninety five cents (\$4,933.95)~~ five thousand four hundred twenty-seven dollars and thirty-five cents (\$5,427.35) per acre for each monthly assignment period or any portion thereof. For Grids served by yard lighting, an additional charge of ~~eighty dollars and seventy five cents (\$80.75)~~ eighty-three dollars and seventeen cents (\$83.17) per acre, for each ten (10) day assignment period or ~~two hundred forty two dollars and twenty five cents (\$242.25)~~ two hundred forty-nine dollars and fifty-two cents (\$249.52) per acre, for each monthly assignment period will be assessed. All other electric service

consumed by the Grid user will be charged based on applicable electric meter readings or, in the absence of a dedicated electrical meter, by daily proration of the closest master electrical meter to the assigned Grid.

Renewal of a Grid assignment must be initiated by written application to the Port Everglades Department, Operations 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 on the first day of each calendar month for a monthly Grid assignment period.

The Port Everglades Department, Operations Division, reserves the right to cancel a Grid assignment for its convenience upon forty-eight (48) hours' prior written notice to the Grid user. A Grid assignment may be immediately terminated by the Port Everglades Department if the Port Everglades Department Chief Executive/Port Director determines that the Grid user's occupancy or use of a Grid is in violation of any provision of this Tariff. Grid users in holdover status will be charged a holdover fee in an amount 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, Operations Division. To request approval for improvements or alterations, the Grid user must submit its proposed plans and specifications to the Port Everglades Department, Seaport Engineering and Facilities Maintenance Division. Once reviewed and approved by the Port Everglades Department, Seaport Engineering and Facilities Maintenance 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, Seaport Engineering and Facilities Maintenance Division, prior to the commencement of any alterations or improvements. All Grid alterations and improvements made by a Grid user must be removed by the Grid user and the Grid restored to the condition it was in prior to the alteration or improvement, at the Grid user's sole expense, within seven (7) calendar days after the termination or expiration of the Grid assignment.

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

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