

ORDINANCE NO. _____

An Ordinance approving Order No. _____ of the Board of Harbor Commissioners of the City of Los Angeles, amending Port of Los Angeles Tariff No. 4.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Sec. 1. That Order No. _____ passed and adopted by the Board of Harbor Commissioners of the City of Los Angeles on the ___ day of _____, 2016, amending Port of Los Angeles Tariff No. 4, be, and the same is hereby ratified, confirmed and approved, which Order is in words and figures as follows:

"ORDER NO. _____

An Order of the Board of Harbor Commissioners of the City of Los Angeles amending Port of Los Angeles Tariff No. 4.

**THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF
LOS ANGELES DOES HEREBY ORDER AS FOLLOWS:**

Section 1. Port of Los Angeles Tariff No. 4, adopted July 12, 1989, by Order No. 5837, and Ordinance No. 165,789, adopted April 10, 1990, as amended, is further amended as set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 2. The Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.

Section 3. The Board Secretary shall certify to the adoption of this Order by the Board of Harbor Commissioners and shall cause the same to be published once in a daily newspaper printed and published in the City of Los Angeles as well as posted electronically on the Port of Los Angeles website.

Section 4. The Board Secretary shall transmit to the City Council for approval the Order and Ordinance approving the amendment to Tariff No. 4 pursuant to City Charter Section 653(a).

I hereby certify that this Ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk


By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
JOHN T. DRISCOLL
Deputy City Attorney

Date SEPT 9, 2016

File No. _____

PORT OF LOS ANGELES – TARIFF NO. 4		Revised Page.....42 cancels Original Page42 (Corrected)
SECTION FOUR – Continued DOCKAGE -- Continued		Item No.
FREE DOCKAGE -- Continued		
<p>(e) Under 20 tons gross register, except commercial fishing vessels when the rates provided in Section Nineteen shall apply;</p> <p>(f) While actively engaged as a tugboat when made fast to another vessel which is being charged dockage;</p> <p>(g) Using a wharf or landing at a small boat marine oil service station while taking on petroleum or products or compounds thereof;</p> <p>(h) Occupying water area under a space assignment in accordance with Item 800, or pursuant to a revocable permit or term permit requiring the payment of compensation at least equal to that specified in Item 810, provided, however, that any such vessel is not a common carrier by water, or designed for or engaged in the loading or discharging of passengers or merchandise. Barges, lighters, tugs, dredges, oil drilling platforms, oil and service craft, salvage vessels, fishing vessels, and derrick barges shall be included within the class of vessels considered to be "not designed for" the loading or discharging of passengers or merchandise. Full dockage charges shall be assessed against any vessel while engaged in loading or discharging of passengers or merchandise during the time such vessel is so engaged, in addition to the charges assessed under Item 810, the permit or revocable permit, and all other charges applicable under this Tariff;</p> <p>(i) (Water barges), when used in occasional service, so long as the owner maintains and offers the service of supply of fresh and potable water to vessels in Los Angeles Harbor;</p> <p>(j) Engaged exclusively in the exhibition of goods for the sole purpose of the promotion of international trade;</p> <p>(k) Owned or operated by the State of California.</p> <p>+ (l) For the first twenty-four hours only when bundled passenger fees are paid in accordance with Item 600.</p>		+ 410 (Cont.)
See Item 10 for explanation of abbreviations and symbols.		
Correction No.	Order No. Ordinance No.	Adopted Adopted EFFECTIVE:

SECTION SIX PASSENGER FEES	Item No.
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PASSENGER FEES																			
<p>Every vessel carrying passengers for compensation shall be liable for and pay, in addition to the other charges provided in this Tariff, the following passenger fees for each passenger embarking from or debarking at a municipal wharf:</p> <p style="text-align: center;"><u>Bundled Passenger Fee Rate Schedule</u></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;"><u>Effective Date</u></th> <th style="text-align: center;"><u>Per Passenger Fee</u></th> </tr> </thead> <tbody> <tr><td style="text-align: center;">9/20/2016</td><td style="text-align: center;">\$13.50</td></tr> <tr><td style="text-align: center;">9/1/2017</td><td style="text-align: center;">\$13.91</td></tr> <tr><td style="text-align: center;">9/1/2018</td><td style="text-align: center;">\$14.32</td></tr> <tr><td style="text-align: center;">9/1/2019</td><td style="text-align: center;">\$14.75</td></tr> <tr><td style="text-align: center;">9/1/2020</td><td style="text-align: center;">\$15.19</td></tr> <tr><td style="text-align: center;">9/1/2021</td><td style="text-align: center;">\$15.65</td></tr> <tr><td style="text-align: center;">9/1/2022</td><td style="text-align: center;">\$16.12</td></tr> <tr><td style="text-align: center;">9/1/2023</td><td style="text-align: center;">\$16.60</td></tr> </tbody> </table> <p>a) Effective September 20, 2016, bundled Passenger fees are inclusive of (subject to Note 1 and Note 2):</p> <ol style="list-style-type: none"> (1) Passenger fees (2) Dockage for the first twenty-four hours only (3) Wharfage for vessel stores and supplies (4) Lay Day Fee for the first twenty-four hours only <p>NOTE 1: Effective September 20, 2016, vessels which are subject to the payment of passenger fees and that berth more than twenty-four hours in port must pay the applicable dockage rates named in Tariff Item 480 for each additional twenty-four hour day or fraction thereof plus the applicable Lay Day Fee.</p> <p>NOTE 2: Effective September 20, 2016, vessels which are subject to the payment of passenger fees and are in port for lay berthing or vessel repairs must pay the applicable dockage rates named in Tariff Item 480 plus the applicable Lay Day Fee.</p> <p>b) Effective September 20, 2016, the minimum charge for passenger fees shall be \$15,000 per call.</p>	<u>Effective Date</u>	<u>Per Passenger Fee</u>	9/20/2016	\$13.50	9/1/2017	\$13.91	9/1/2018	\$14.32	9/1/2019	\$14.75	9/1/2020	\$15.19	9/1/2021	\$15.65	9/1/2022	\$16.12	9/1/2023	\$16.60	+ [A][C] 600
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See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE
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SECTION TWENTY-THREE INCENTIVES – GENERAL RULES AND REGULATIONS		Item No.		
<p>DEFINITIONS CRUISE VESSEL INCENTIVE PROGRAM</p> <p>For purposes of Item 2330, Item 2335, and Item 2340 the following definitions shall apply:</p> <p>“Cruise Year” is defined as the twelve month period beginning September 1st through August 31st of the following calendar year.</p> <p>“Cruise Vessel Operator” shall be determined by the Port in reference to the operator listed in the Lloyds Register of Ships or the parent of a wholly owned subsidiary which is listed as the operator in the Lloyds Register of Ships. Any Cruise Vessel Operator disagreeing with this determination shall have 30 days from notice of this determination to submit documents that a vessel is in fact operated by an operator other than the one listed in Lloyd’s Register of Ships. Upon review of this information, the Port may amend its initial determination at the exclusive discretion of the Executive Director.</p> <p>“Summer Season” is defined as the four month period beginning May 15th through September 15th during the same calendar year.</p>		<p>+</p> <p>2330</p>		
See Item 10 for explanation of abbreviations and symbols.				
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