

**ORDINANCE NO. \_\_\_\_\_**

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

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

Section 1. That Order No. \_\_\_\_\_, passed and adopted by the Board of Harbor Commissioners of the City of Los Angeles on the \_\_\_ day of \_\_\_\_\_, 2012, 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, to wit:

**ORDER NO.**

A permanent Order of the Board of Harbor Commissioners of the City of Los Angeles amending the 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. The 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 proposed action is an amendment to Tariff No. 4, Items 605, 1210 and 100. As an administrative activity and an activity involving the modification of a fee for the use of existing municipal facilities involving negligible or no expansion of use, the Director of Environmental Management has determined that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2(f) and Article III Class 1(31) 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.

Section 4. Pursuant to Charter Section 653(a), this amendment to the Tariff shall become effective when this Order is approved by the City Council by Ordinance; provided, however, pursuant to Charter Section 653(b), this Order shall be effective prior to approval by Ordinance for a period not to exceed 90 days from the date of its adoption by the Board of Harbor Commissioners.

I HEREBY CERTIFY THAT the foregoing Order was adopted by the Board of Harbor Commissioners of the City of Los Angeles at its meeting held on \_\_\_\_\_.

KORLA G. TONDREAULT  
Commission Secretary

Sec. 2. Any person, firm or corporation who violates or knowingly aids or abets a violation of any of the provisions of said Order respecting rules, regulations, rates or charges shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by a fine in a sum not exceeding One Thousand Dollars (1,000.00), or by imprisonment in the County jail for not more than six (6) months, or by both such fine and imprisonment.

Sec. 3 That, pursuant to the provisions of Section 653 of the City Charter, the Board of Harbor Commissioners shall have the power to suspend, modify, or amend temporarily any of the rules or regulations, or any of the rates, tolls, or charges prescribed by the aforesaid Order of the Board of Harbor Commissioners for periods not exceeding ninety (90) days, and shall have power to place in effect for a like period of time any temporary rule or regulation, or rate, toll or charge for the Harbor District.

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Sec. 4. The City Clerk shall certify to the passage of this Ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

JUNE A. LAGMAY, City Clerk

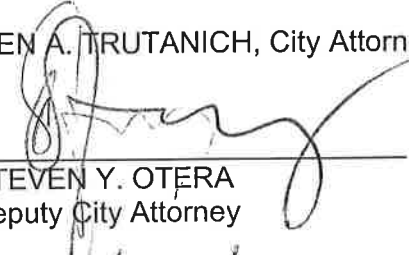
By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By  \_\_\_\_\_  
STEVEN Y. OTERA  
Deputy City Attorney

Date 10/4/12

File No. \_\_\_\_\_

PORT OF LOS ANGELES – TARIFF NO. 4		Fifth Revised Page..... 111 Cancels Fourth Revised Page..... 111
SECTION SIX PASSENGER FEES		Item No.
<p style="text-align: center;">PASSENGER FEES</p> <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:</p> <p>Each passenger embarking from or debarking at a municipal wharf: \$10.31</p> <p>Exception: Passenger fees do not apply to:</p> <ul style="list-style-type: none"> <li>(a) Passengers on vessels having accommodations for twelve or less passengers; or</li> <li>(b) Passengers sightseeing or travelling between points within a radius of 100 miles of the port; or</li> <li>(c) Passengers on sport fishing vessels; or</li> <li>(d) Passengers who boarded a vessel at a port other than the Port of Los Angeles and are on a voyage on such vessel to a port other than the Port of Los Angeles.</li> </ul>		600
<p style="text-align: center;">ALTERNATIVE MARITIME POWER (AMP) SYSTEM COST PASSENGER FEES</p> <p>Effective January 1, 2013, 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 covering shore side electrical power consumption system cost:</p> <p>Each passenger embarking from or disembarking at a municipal wharf: \$0.30</p>		+ 605
<p style="text-align: center;">PASSENGER MANIFESTS TO BE SUPPLIED TO EXECUTIVE DIRECTOR</p> <p>The owner, agent, master, or other person in charge of a vessel carrying passengers subject to passenger fees in Item No. 600 of this Tariff shall furnish to the Executive Director complete copies of the vessel's passenger manifest listing passengers disembarking or embarking at the Port of Los Angeles which shall be placed on record or filed as provided by the Board.</p>		610
See Item 10 for explanation of abbreviations and symbols.		
Correction No.	Order No.                      Adopted Ordinance No.                  Adopted	EFFECTIVE:    —

PORT OF LOS ANGELES – TARIFF NO. 4		Fourth Revised Page .....135 Cancels Third Revised Page .....135
SECTION TWELVE – Continued WATER AND ELECTRICITY – Continued		Item No.
ELECTRICITY FOR POWER AND LIGHTING		
<p>Electric current supplied by the Department of Water and Power of the City of Los Angeles is subject to changes in rates without notification from the Harbor Department. When furnished to vessels at wharves and for services supplied in connection therewith through facilities of the Harbor Department, a service charge of fifteen percent (15%) of the cost of such electric current will be added for the use of such facilities.</p> <p>Charges for connections and extension of light or power circuits to vessels or for wharf lighting, including the installation of sub-meters, shall be at the actual costs of labor supplied and materials used plus a service charge of fifteen percent (15%).</p> <p>On assigned berths a charge will not be made for connections for wharf lighting or power where such service is through permanent connections.</p> <p>Application for temporary connection shall be made to the Executive Director.</p> <p>+ Every passenger vessel carrying passengers for compensation that connects or is caused to connect to shore side electrical power shall, in addition to item 605 in this Tariff, pay for the cost of electrical current supplied and invoiced by the Department of Water and Power of the City of Los Angeles through the Harbor Department using the actual kilowatt hours consumed by said vessel during the Department of Water and Power of the City of Los Angeles billing period(s). In the event Item 605, AMP System Costs Passenger Fees in this Tariff is canceled, the Harbor Department may invoice AMP System Costs as defined to passenger vessels that connect or are caused to connect to shore side electrical on a pro-rata basis.</p>		+ 1210
CHARGE FOR USE OF ELECTRICAL MECHANICAL REFRIGERATOR BOXES		
<p>The rental charge for use of electrical mechanical refrigerator boxes (Subject to Notes 1 and 2) furnished, installed and maintained by the Harbor Department of the City of Los Angeles shall be:</p> <p>\$157.66 each, per month.</p> <p>Note 1. Applies only for boxes of less than 71 cubic meters, overall.</p> <p>Note 2. Does not include furnishing electricity.</p>		1220
See Item 10 for explanation of abbreviations and symbols.		
Correction No.	Order No. Ordinance No.	Adopted Adopted EFFECTIVE:

SECTION ONE DEFINITIONS	Item No.
<p>(aa) The term "MTSA" shall refer to the Federal Maritime Transportation Security Act of 2002, codified at 46 U.S.C. section 2010, et seq., in its present form and as amended. The term "MTSA Regulations" shall refer to and the federal regulations implementing the MTSA, codified at 33 C.F.R. sections 101, et seq., in their present form and as amended.</p> <p>(bb) The term "FACILITY SECURITY PLAN" shall refer to the plan developed to ensure the application of security measures designed to provide protections pursuant to the MTSA and the MTSA Regulations.</p> <p>The term "HOMELAND SECURITY AUTHORITY" shall refer to the appropriate governmental agency designated in the MTSA, MTSA regulations or other law or regulation acting in connection with a particular homeland or maritime security issue.</p> <p>(dd) The term "RECREATIONAL VESSEL" when used in this Tariff, is defined and shall be deemed to mean and include any vessel, except a public vessel, manufactured or operated primarily for pleasure, or leased, rented or chartered to another for the latter's pleasure.</p> <p>+ (ee) The term "ALTERNATIVE MARITIME POWER (AMP)" when used in this Tariff, is defined and shall be deemed to mean an air emission reduction technology that allows ships to be powered by shore supplied electrical power while at berth rather than running their auxiliary diesel engines.</p> <p>+ (ff) The term "ALTERNATIVE MARITIME POWER (AMP) SYSTEM COSTS" when used in this Tariff, is defined and shall be deemed to mean the minimum services charges and/or facilities charges and associated ancillary charges and taxes as billed by the Department of Water and Power of the City of Los Angeles (LADWP) relating to the supply of electrical power to passenger vessels carrying passengers for compensation as invoiced to the Harbor Department by LADWP, and the shore side shore power infrastructure electrical power consumption whether or not said passenger vessels were supplied electrical power from shore.</p>	<p style="text-align: center;">+ 100</p>
<p>See Item 10 for explanation of abbreviations and symbols.</p>	

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