

ORDER NO. \_\_\_\_\_

A second temporary 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) in accordance with Article II, Section 2 (o) 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, to take effect prior to adoption by Ordinance for a period not to exceed 90 days pursuant to Charter Section 653(b), commencing effective \_\_\_\_\_, 2020.

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 \_\_\_\_\_.

AMBER M. KLESGES  
Board Secretary

APPROVED AS TO FORM AND LEGALITY

June 24, 2020  
MICHAEL N. FEUER, City Attorney  
JANNA B. SIDLEY, General Counsel

By Janna for  
JOY M. CROSE  
Assistant General Counsel

SECTION FOUR - Continued  
DOCKAGE - Continued

Item No.

PASSENGER VESSEL LAY UP RATES

Effective May 1, 2020, Dockage charges for passenger vessels confirmed to be laid-up\* as a result of Emergency event (as approved by the Executive Director) shall be as follows:

+  
485

1. 50 percent of the currently published dockage rate for every 24 hour day or fraction thereof; or
2. A monthly rate of \$65,000 per berth. A Cruise Vessel Operator operating ships under various brands are permitted to use this monthly berth intermittently, but the berth shall be used at least 25 days during any given month, whether for the same Cruise Vessel Operator, or various brands owned by a Cruise Vessel Operator. Only the monthly rate provides the benefit of having affiliated cruise operators intermittently use the berth.

To qualify for this Lay Up Dockage Rate, the Cruise Vessel Operator must submit a written request to the Executive Director prior to vessel docking, including: (1) evidence of the Emergency event, and (2) specific information detailing the proposed schedule of lay-up dockage time, and proposed activities during lay-up period, which shall not include any passenger operations. The Executive Director shall approve qualifying vessels for the Lay Up Dockage Rate based upon the written request and evidence submitted by the Cruise Vessel Operator and Port operations needs, and the terms of approval may modify the proposed vessel docking schedule and activities qualifying for the special Lay Up Rates. In the event the Emergency event is subsequently declared terminated by the applicable authorities, the Cruise Vessel Operator may send a similar request with supporting evidence to the Executive Director for an extension for a vessel that has been previously approved for the Lay Up Rates.

Definitions Applicable to Item 485

\*"Lay up" or "laid-up" passenger vessel is an idle vessel docked at a berth for more than 48 hours at any Port facility with no passenger operations. Passenger vessel crew changes and vessel stores operations are permitted.

"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 that is listed as the operator in the Lloyds Register of Ships. Cruise Vessel Operator shall provide a list of all cruise brands and cruise lines that are eligible to qualify for the laid-up vessel monthly dockage rate.

"Emergency event" means a national, state, county or city declaration of emergency or other directive affecting passenger vessels published by a governmental agency or official, including without limitation, executive orders by the U.S. President, a state Governor or city Mayor, Los Angeles County proclamation, or declarations by regulatory agencies or legislative bodies under their respective authorities.

See Item 10 for explanation of abbreviations and symbols.

SECTION SIX  
 PASSENGER FEES

Item No.

PASSENGER FEES

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:

Bundled Passenger Fee Rate Schedule

<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) Effective September 20, 2016, bundled Passenger fees are inclusive of (subject to Note 1 and Note 2):

+  
600

- (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

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.

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.

**+ NOTE 3: Effective May 1, 2020, passenger vessels confirmed to be laid-up without passengers as a result of an emergency event may apply for the dockage rates provided in Tariff Item 485.**

b) Effective September 20, 2016, the minimum charge for passenger fees shall be \$15,000 per call.

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE
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SECTION SIX PASSENGER FEES		Item No.
<p>+ c) An in-transit passenger is defined as a passenger who boarded a vessel at a port other than the Port of Los Angeles and is on a voyage on such vessel to a port other than the Port of Los Angeles. Effective September 20, 2016, in-transit passengers will be assessed a fee of \$10.00 per passenger.</p> <p>+ d) Effective September 20, 2016, Passenger Fee rates are not subject to General Rate Increase through August 31, 2024.</p> <p>+ e) Lay Day Fee is defined as a fee charged by the terminal operator to the cruise line per the terminal operating agreement when a cruise vessel is berthed at a cruise berth for general terminal management costs which does not include specific charges and fees for items such as gangways, shore power, ship garbage removal, security, etc.</p> <p>Exception: Passenger fees do not apply to:</p> <p>* (a) Passengers on vessels having accommodations for ninety-nine or less passengers; or                      (b) Passengers sightseeing or travelling between points within a radius of 100 miles of the port; or                      (c) Passengers on sport fishing vessels</p>	<p>+ [A][C] 600 (Cont.)</p>	
<p style="text-align: center;"><b>ALTERNATIVE MARITIME POWER (AMP) SYSTEM COST PASSENGER FEES</b></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 style="padding-left: 40px;">Each passenger embarking from or disembarking at a municipal wharf: \$0.30</p>		605
<p style="text-align: center;"><b>PASSENGER MANIFESTS TO BE SUPPLIED TO EXECUTIVE DIRECTOR</b></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. 699	Order No. 16-7208 Ordinance No. 184562	Adopted September 15, 2016 Adopted November 9, 2016
EFFECTIVE: December 24, 2016		