

SECTION NINETEEN COMMERCIAL FISHING VESSEL	Item No.
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<p style="text-align: center;">COMMERCIAL FISHING VESSEL defined:</p> <p>For the purpose of this Section, "commercial fishing vessel" shall mean a vessel that (a) is less than 500 gross tons; (b) is self-propelled; (c) was designed and is primarily used for catching fish or which has been converted into a vessel which is primarily used for catching fish, and subsequently selling or delivering said fish to a cannery, processing plant, or wholesale fish market; and (d) during the 12-month period preceding the making of an application for a permit provided for in this section, complied with one of the following:</p> <ol style="list-style-type: none"> (1) Said vessel was used to catch at least 18 KT of fish; or (2) Said vessel was used to catch fish with a commercial value of at least \$15,000.00; or (3) Said vessel was actively engaged at least 120 days in preparing to go fishing (not to exceed a total of thirty days), going to and returning from fishing grounds and fishing for the purposes of sale or delivery to a cannery, processing plant or wholesale fish market; or (4) Said vessel, for at least eighty (80) days, was rigged for albacore fishing or lobster fishing and was actively engaged in going to and returning from fishing grounds and fishing for the purposes of sale or delivery to a cannery, processing plant or wholesale fish market. <p>If a vessel has a permit issued pursuant to this Section Nineteen at the time work begins to refit said vessel from one type of fishing vessel to another type of fishing vessel, said permit shall remain valid during the period of refitting and shall be extended by the period of refitting or thirty days, whichever period is shorter.</p> <p>The Executive Director may issue a temporary Los Angeles Harbor Department Fishing Vessel Dockage Permit to a licensed fishing vessel qualifying it and its owner and/or operator for all privileges accorded a "commercial fishing vessel", although the vessel does not meet the requirements of Item No. 1900, if in the judgement of the Executive Director unusual occurrences such as the medical incapacity of the operator, major physical, but repairable damage to the vessel, extensive mechanical repairs to the vessel, inclement weather, unavailability of fish, or any other condition beyond the control of the owner and/or operator which is considered to be an overriding consideration which prevents fulfillment of the requirements of Item No. 1900. This temporary permit may be issued on a month to month basis, not to exceed 12 months in any three year period.</p>	1900
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See Item 10 for explanation of abbreviations and symbols.

Order No. 5837	Adopted July 12, 1989	EFFECTIVE: July 1, 1990
Ordinance No. 165789	Adopted April 10, 1990	

SECTION NINETEEN – Continued COMMERCIAL FISHING VESSEL – Continued	Item No.
<p style="text-align: center;">FREE DOCKAGE TO COMMERCIAL FISHING VESSELS</p> <p>(a) For the purpose of providing for the accommodation and promotion of the fishing industry no dockage shall be assessed against any commercial fishing vessel during the time such vessel is actually discharging fish or taking on stores or supplies at any wharf designated by the Executive Director as a fish wharf to be used for such purposes.</p> <p>(b) Commercial fishing vessels ready to be unloaded shall have preference over commercial fishing vessels ready to be loaded, and whenever a commercial fishing vessel has been docked for taking on supplies, or has been unloaded and is ready to be loaded, such vessel must forthwith haul away and vacate the berth in favor of a commercial fishing vessel having a cargo of fish ready to be unloaded.</p> <p>(c) Berth 72 is hereby set aside for the exclusive joint use of the tenants of the Harbor Department occupying stalls in the Municipal Fish Market located on or contiguous to said Berth 72, and it shall be unlawful to make any vessel fast to or to unload any vessel at said Berth 72 except such commercial fishing vessels as actually unload fish for delivery to said Harbor Department tenants.</p>	1905
<p style="text-align: center;">UNLAWFUL FOR COMMERCIAL FISHING VESSELS TO REMAIN AT WHARVES EXCEPT WHILE UNLOADING OR LOADING</p> <p>Any vessel docked to be unloaded at Berth 72 or to be unloaded or loaded at any wharf designated by the Executive Director pursuant to Item 1905 (a), must be unloaded or loaded with due dispatch and without necessary delay.</p> <p>Any vessel, availing itself of the privileges of Item 1905, which shall refuse or fail to haul away from the wharf and vacate such berth after having finished discharging or loading, or both, as the case may be, shall thereupon be subject to and shall be assessed dockage at quadruple the rates elsewhere provided in this Tariff, and in addition thereto \$55.65 for each and every day, or fraction thereof, such vessel may remain at such wharf in violation of this Item.</p> <p>Any such vessel shall also be subject to removal and impound by or at the order of the Executive Director and at the expense and at the sole risk of such vessel and of its agents and owner, to such other place as the Executive Director may direct.</p> <p>All charges made in connection with moving and impounding vessels, as provided for herein, shall become due and payable within thirty (30) days after billing therefore.</p>	[A] 1910

See Item 10 for explanation of abbreviations and symbols.

Correction No. 361	Order No. 6822 Ordinance No. 176951	Adopted May 25, 2005 Adopted September 6, 2005	EFFECTIVE: October 29, 2005
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SECTION NINETEEN – Continued COMMERCIAL FISHING VESSEL – Continued	Item No.
<p style="text-align: center;">VESSELS LIABLE IF IDLE AT FISH WHARVES</p> <p>The fact alone that a vessel is found fast to a designated fish wharf and not being unloaded or loaded shall ipso facto subject such vessel and persons in charge thereof to the charges and penalties provided for herein, without further evidence or proof.</p>	1915
<p style="text-align: center;">ACCESS TO FISH WHARVES NOT TO BE OBSTRUCTED</p> <p>It shall be unlawful for any person or vessel to obstruct or cause an obstruction of the free and easy access to or departure from any designated fish wharf at any time.</p>	1920

See Item 10 for explanation of abbreviations and symbols.

Order No. 5837

Adopted July 12, 1989

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SECTION NINETEEN – Continued COMMERCIAL FISHING VESSEL – Continued	Item No.
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<p style="text-align: center;">COMMERCIAL FISH VESSEL PERMITS</p> <p>For the purpose of providing for the accommodation and promotion of the fishing industry, commercial fishing vessels which hold and display a valid Commercial Fish Vessel Permit shall be charged dockage at the rates provided in Item 1930.</p> <p>The owner or operator of any commercial fishing vessel not holding and displaying a valid Commercial Fish Vessel Permit, provided for hereunder, may apply for and obtain an annual or a temporary Commercial Fish Vessel Permit from the Executive Director. As a prerequisite to the issuance of any such permit, the permittee may be required by the Executive Director to furnish proof to his satisfaction that the vessel for which such permittee is seeking to obtain the permit is a commercial fishing vessel within the definition contained in this Section. Such permit shall designate the general area in which the vessel for which it is issued shall berth. Each permit shall be displayed in a conspicuous place on the vessel for which it is issued, and said permit shall be so placed that it may be visible from the dock.</p> <p>Every Commercial Fish Vessel Permit issued pursuant to this Section shall be valid only during the time that it is displayed on the vessel for which it was issued and during such time as all dockage assessed under Item 1930 has been paid in advance. Where dockage is paid on a quarterly or semi-annual basis, nonpayment of such dockage when due and payable shall ipso facto revoke said permit unless such revocation is waived in writing by the Executive Director upon a showing of good cause therefore by the permittee.</p> <p>Every permit issued pursuant to this Section displayed upon a vessel other than the vessel for which such permit was issued shall be revoked ipso facto and all advance fees paid in connection with such permit shall be forfeited.</p>	1925
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See Item 10 for explanation of abbreviations and symbols.

Order No. 5837	Adopted July 12, 1989	EFFECTIVE: July 1, 1990
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SECTION NINETEEN – Continued
 COMMERCIAL FISHING VESSEL – Continued

Item No.

COMMERCIAL FISH VESSEL PERMITS -- Continued

An annual Commercial Fish Vessel Permit may be issued for a term ending twelve (12) months from and after the first day of the next succeeding month after application is made therefor. Dockage, at the rate provided in Item 1930, shall be due and payable in advance either quarterly, semi-annually or annually, as may be provided in such permit. Holders of annual permits shall be entitled to a preference of an allotment of a space for dockage prior to those vessels whose owners or operators are issued temporary permits.

[+]
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 (Cont.)

A temporary Commercial Fish Vessel Permit may be issued for a term of less than twelve (12) months, provided that the specific period of time for which each such temporary permit is issued shall be determined in advance. Dockage shall be due and payable in advance as specified and at rates as provided in Item 1930.

The commercial fish vessel permit shall be valid only at wharves designated by the Executive Director. The docking of vessels at Berths 267A and 268 shall be limited to vessels not more than 23 meters in length. When all space at these wharves has been allotted, no additional permits will be issued. Renewal of permits shall be entitled to a preference over the issuance of new permits.

[+] Fishboat Dockage Permits may be suspended, revoked, or canceled by the Executive Director of the Port of Los Angeles for California Department of Fish and Game Code or Title 14, California Code of Regulations, violations, and such violations within the year preceding an application shall be sufficient grounds for refusing to issue a Commercial Fish Vessel Permit.

See Item 10 for explanation of abbreviations and symbols.

Correction No. 290	Order No. 6787 Ordinance No. 175979	Adopted August 27, 2003 Adopted May 11, 2004	EFFECTIVE: June 26, 2004
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SECTION NINETEEN – Continued
 COMMERCIAL FISHING VESSEL – Continued

Item No.

DOCKAGE RATES AND CHARGES FOR COMMERCIAL
 FISHING VESSELS HOLDING A VALID PERMIT

Dockage shall be assessed against all commercial fishing vessels which hold and display a valid annual or temporary Commercial Fishing Vessel Permit issued by the Executive Director at the following rates:

[A]
 1930

Annual Permit

Length of vessel per meter or fraction thereof, per month or fraction thereof..... \$4.24

Temporary Permit (See Notes 1 and 2)

Length of vessel per meter or fraction thereof, per day or fraction thereof \$.43

Length of vessel per meter or fraction thereof, per month or fraction thereof..... \$4.24

Note 1: Length of vessel to be determined from documents issued by the United States Coast Guard or the State of California.

Note 2: Charges will be assessed at the daily dockage rate for the first ten (10) days of dockage under each permit. Effective on the commencement of the eleventh (11) day, the owner or operator holding a permit will have the option to continue the payment of dockage at the daily rate or to elect assessment at the rate per month or fraction thereof for the duration of the permit. Dockage at the daily rate shall be due and payable totally in advance. Dockage at the monthly rate shall be due and payable in advance monthly.

See Item 10 for explanation of abbreviations and symbols.

Correction No. 362	Order No. 6822 Ordinance No. 176951	Adopted May 25, 2005 Adopted September 6, 2005	EFFECTIVE: October 29, 2005
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SECTION NINETEEN – Continued COMMERCIAL FISHING VESSEL -- Continued	Item No.
<p style="text-align: center;">PENALTY FOR VIOLATION</p> <p>Any person or vessel violating any of the provisions, or interfering with the operation of any of the rules of this Section, or who shall refuse or fail to pay any charge or penalty accruing or imposed hereunder, shall thereupon and thereafter, until all such charges and penalties shall have been paid and satisfied, be denied all the privileges and facilities under the control of the Board, and, in addition thereto, be subject to the other penalties prescribed in Section Four of this Tariff and to the general penalties prescribed in Section Four of this Tariff.</p>	1935
<p style="text-align: center;">APPLICABILITY OF RATES, RULES AND REGULATIONS</p> <p>Except as otherwise specifically provided in this Section, the charges and rates, and rules and regulations, provided in this Tariff, including those provided in Section Four of this Tariff, shall apply to commercial fishing vessels.</p>	1940

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