

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 III, Class 1(31) of the Los Angeles City CEQA Guidelines.

Section 3. 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).

Section 4. The Board Secretary shall execute the proposed Board Order and Ordinance amending Tariff No. 4 and, upon its publication, transmit the Order and Ordinance to the Chief Wharfinger for implementation of the tariff change and posting of the amended Tariff No. 4 to the Port's website.

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

April 13, 2022
MICHAEL N. FEUER, City Attorney
STEVEN Y. OTERA, Acting General Counsel

By JM Crose
JOY M. CROSE, Assistant City Attorney

JMC
Attachment - Exhibit A

PORT OF LOS ANGELES – TARIFF NO. 4		Third Revised Page..... 44 Cancels Second Revised Page..... 44
SECTION FOUR – Continued DOCKAGE -- Continued		Item No.
PAYMENTS MADE WHEN DUE Except as provided in Item 420, all charges for dockage are due and payable when incurred and must be paid, whether approved by the Master or not, before any vessel leaves the berth, unless forced to do so by stress of weather or fire, or unless such vessel is on the Credit List. (See Item No. 260, Credit List.) Errors, if any, will be rectified.		440
PENALTY FOR FAILURE TO PAY WHEN DUE Refusal or failure to pay dockage in accordance with Item 420 or Item 440, or otherwise upon presentation of bill therefore, shall subject the vessel to be placed on the Delinquent List and to the penalties provided by law and this Tariff. No vessel which has been placed on the Delinquent List shall be permitted to use any municipal berth without first paying double the dockage incurred and not paid, and \$11.81 in addition thereto. (See Item No. 260, Credit List.)		[A] 450
TRANSFER FROM ONE MUNICIPAL BERTH TO ANOTHER Dockage shall be assessed against a vessel shifting directly from one municipal berth to another municipal berth based upon the total time at such berths considered together.		460
See Item 10 for explanation of abbreviations and symbols.		
Correction No.	Order No. Ordinance No.	Adopted Adopted EFFECTIVE:

Exhibit A

SECTION FOUR – Continued
DOCKAGE -- Continued

Item No.

FULL DOCKAGE

Dockage charges shall be assessed against all vessels at the full dockage rates provided in this Item, except as otherwise provided in this Tariff. (See Note.)

Full dockage rates shall be as follows:

<u>OVERALL LENGTH OF VESSEL IN METERS</u>		<u>CHARGE PER 24-HOUR DAY OR FRACTION THEREOF</u>
<u>Over</u>	<u>But Not Over</u>	
0	30	\$86
30	45	125
45	60	172
60	75	241
75	90	358
90	105	562
105	120	805
120	135	1089
135	150	1416
150	165	1783
165	180	2191
180	195	2640
195	210	3131
210	225	3662
225	240	4233
240	255	4845
255	270	5502
270	285	6195
285	300	6932
300	315	7709
315	330	8527
330	345	9385
345	360	10286
360	375	11225
375	390	12209
390	Over	12209
		Plus \$ 34
		per lineal meter or fraction thereof

[A]
480

NOTE: Vessels leaving and returning to Los Angeles Harbor on regular daily schedules shall not be assessed more than one day's full dockage in any 24-hour period.

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION FIVE – Continued WHARFAGE – Continued		Item No.																																				
<p align="center">WHARFAGE RATES</p> <p align="center">Rates apply on all trades (See Item 100 [o], [p], and [q]; except Hawaii or in individual items.</p>		<p align="center">Rates in Cents Per KT or M-3 Unless Otherwise Indicated Below (See Item 510)</p> <p align="center">550-</p>																																				
<p>Merchandise NOS (See Item 030).....</p> <p>+Note: Any change in the Merchandise NOS rate shall be off-set by any Scheduled Increase In Compensation of a container terminal tenant’s permit with the Harbor Department. This offset shall only be applicable to the container terminal tenant’s compensation year in which the Merchandise NOS rate is changed.</p> <p>Merchandise carried in cargo containers originating at United States Pacific Coast ports or British Columbia ports transported by a coastwise feeder service for transshipment, as defined in Item 515, to vessels for continuous movement in foreign or offshore trades, per container</p> <table border="0"> <tr> <td align="center" colspan="2">Overall Length in Meters</td> <td align="center">Charge</td> </tr> <tr> <td align="center">Over</td> <td align="center">But Not Over</td> <td></td> </tr> <tr> <td align="center">0</td> <td align="center">9</td> <td align="center">\$64.95</td> </tr> <tr> <td align="center">9</td> <td align="center">Over</td> <td align="center">\$116.90</td> </tr> </table> <p>Note: Does not apply to cargo originating in foreign countries other than British Columbia and other that United States or Canadian Foreign Trade Zones.</p> <p>Merchandise carried in cargo containers destined to United States Pacific Coast ports or British Columbia ports as a continuous movement in foreign or offshore trades and transshipped, as defined in Item 515, for transport by a coastwise feeder service, per container.</p> <table border="0"> <tr> <td align="center" colspan="2">Overall Length in Meters</td> <td align="center">Charge</td> </tr> <tr> <td align="center">Over</td> <td align="center">But No Over</td> <td></td> </tr> <tr> <td align="center">0</td> <td align="center">9</td> <td align="center">\$64.95</td> </tr> <tr> <td align="center">9</td> <td align="center">Over</td> <td align="center">\$116.90</td> </tr> </table> <p>Merchandise carried in cargo containers transported in coastwise trade as defined in Item 100[o], per container.</p> <table border="0"> <tr> <td align="center" colspan="2">Overall Length in Meters</td> <td align="center">Charge</td> </tr> <tr> <td align="center">Over</td> <td align="center">But Not Over</td> <td></td> </tr> <tr> <td align="center">0</td> <td align="center">9</td> <td align="center">\$64.95</td> </tr> <tr> <td align="center">9</td> <td align="center">Over</td> <td align="center">\$116.90</td> </tr> </table>		Overall Length in Meters		Charge	Over	But Not Over		0	9	\$64.95	9	Over	\$116.90	Overall Length in Meters		Charge	Over	But No Over		0	9	\$64.95	9	Over	\$116.90	Overall Length in Meters		Charge	Over	But Not Over		0	9	\$64.95	9	Over	\$116.90	<p align="center">669</p> <p align="center">[A]+ 001</p> <p align="center">[A] 003</p> <p align="center">[A] 004</p> <p align="center">[A] 005</p>
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SECTION FIVE – Continued WHARFAGE – Continued		Item No.																
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<p>Rates in Cents Per KT or M-3 Unless Otherwise Indicated Below (See Item 510)</p>																		
Bananas.....	<u>Per KT</u> 519	[A] 020																
Beverages, alcoholic, NOS, in bottles	669	[A] 023																
Buildings, modules, including mobile.....	<u>Per M-3</u> 468	[A] 024																
Cans, aluminum, empty, set up	<u>Per M-3</u> 423	[A] 026																
<p>Merchandise, NOS, carried in cargo containers or trailers, manifested and assessed freight charges by the vessel on a per container or per trailer basis will be assessed wharfage on the basis of weight or measurement, whichever will yield the greater revenue, at rates applicable in Item 550-001. If measurement of the cargo is not available, the charge will be based on the overall length of the container as follows (Subject to Note):</p> <p>Overall Length in Meters</p> <table border="0"> <tr> <td>Over</td> <td>But Not Over</td> <td>Charge</td> </tr> <tr> <td>0</td> <td>7</td> <td>\$206.92</td> </tr> <tr> <td>7</td> <td>9</td> <td>\$254.15</td> </tr> <tr> <td>9</td> <td>13</td> <td>\$416.08</td> </tr> <tr> <td>13</td> <td>over</td> <td>\$535.29</td> </tr> </table> <p>Note: Over flow cargo in multiple containers shall be excluded from charges based on the overall length of the containers.</p> <p>Cargo vans or containers, empty as described in Item 100(t), paragraphs 3 and 4.</p>		Over	But Not Over	Charge	0	7	\$206.92	7	9	\$254.15	9	13	\$416.08	13	over	\$535.29	[A] 030	
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Over	But Not Over																	
0	7																	
7	9																	
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See Item 10 for explanation of abbreviations and symbols.																		
Correction No.	Order No. Adopted Ordinance No. Adopted	EFFECTIVE:																

SECTION FIVE – Continued WHARFAGE – Continued		Item No.
WHARFAGE RATES – Continued	Rates in Cents Per KT or M-3 Unless Otherwise Indicated Below (See Item 510)	550-
<p>Rates apply on all trades (See Item 100 [o], [p], and [q]; except Hawaii or as noted in individual items.</p> <p>* Transferred Merchandise (Subject to Notes 1 through 5)</p> <p>Note 1: Subject to provisions of Tariff No. 4, Item 520.</p> <p>Note 2: Wharfage assessed under this item may be reported as wharfage charges at \$72.83 per container, at the discretion of terminal operator.</p> <p>Note 3: Terminal operator must provide a written request to use this item and the Executive Director may grant written approval.</p> <p>Note 4: The Executive Director may revoke permission for the terminal operator to handle transferred merchandise on 72 hours’ written notice to the terminal operator.</p> <p>Note 5: Container movements from the Port of Long Beach are restricted to alliance partners’ merchandise only, covering a volume not to exceed 500 containers per week, per terminal.</p> <p>The factors the Executive Director may consider in deciding whether to grant a flat fee under Item 520, Exception 2, include, but are not limited to:</p> <ol style="list-style-type: none"> (1) Whether the transferred merchandise has been generated from a carrier which is an alliance member of the terminal operator’s customers; (2) Whether and how the handling of the transferred merchandise in the Port of Los Angeles will impact other terminals in the Port; (3) Whether allowing such handling will assist rail carriers in minimizing traffic along intermodal routes; (4) Whether the terminal operator making the request is current in all its obligations to the Port; and (5) Such other factors as may be presented to the Executive Director based on the unique facts of each case. The Executive Director may further restrict the hours of operation noted above upon first providing the terminal operator with 24 hours’ written notice. 		<p style="text-align: center;">Per Container *\$72.83</p> <p style="text-align: center;">[A] 033</p>
See Item 10 for explanation of abbreviations and symbols.		
Correction No.	Order No. Ordinance No.	Adopted Adopted
EFFECTIVE:		

SECTION FIVE – Continued WHARFAGE – Continued		Item No.
WHARFAGE RATES – Continued	Rates in Cents Per KT or M-3 Unless Otherwise Indicated Below (See Item 510)	550-
<p>Rates apply on all trades (See Item 100 [o], [p], and [q]; except Hawaii or as noted in individual items.)</p>		
<p>(Transferred from Fifth Revised Page 52)</p>		
Coffee, green in bags	<u>Per KT</u> 669	[A] 035
Food Products, canned or bottled, including Beer and other Malt Liquors	<u>Per KT</u> 773	[A] 037
Fresh fruit and fresh vegetables, N.O.S.	<u>Per KT</u> 669	[A] 045
Metals, loose, in bundles, coils or packages, viz.: (See Note)	<u>Per KT</u> 669	[A] 047
<p>Angles, bars, beams, channels, pipe and plate</p> <p>Note: Wharfage assessed under this item is subject to a minimum charge of \$133.43 per bill of lading.</p>		
See Item 10 for explanation of abbreviations and symbols.		
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SECTION FIVE – Continued WHARFAGE – Continued		Item No.
WHARFAGE RATES – Continued	Rates in Cents Per KT or M-3 Unless Otherwise Indicated Below (See Item 510)	550-
Rates apply on all trades (See Item 100 [o], [p], and [q]; except Hawaii or as noted in individual items.)		
Metals, loose, in bundles, coils or packages, viz.: Billets, ingots, piling, rails, rod, sheet, slabs, iron or steel tubing, non-insulated wire, non-insulated cable and wire rope	<u>Per KT</u> 669	[A] 048
Slabs, steel: Minimum Annual Volume 500,000 Metric Tons (Subject to Notes 1 and 2)	<u>Per KT</u> 598	[A] 049
Note 1: Applicable after submission and approval of written application for volume rate by the Executive Director.		
Note 2: Applicant must be a terminal operator with an agreement with the City of Los Angeles.		
Liquids, including petro-chemical and aqua-ammonia, but excluding petroleum, other petroleum products and water, in bulk, from or to vessels through private line	<u>Per KT</u> 188	[A] 050
Livestock, or other animals.....	<u>Per Head</u> 636	[A] 055
Lumber and lumber products, viz.: (See Note) Lumber, logs and timber Foreign, intercoastal and offshore..... Coastwise	Per 1,000 <u>Ft. B.M.</u> 1143 494	[A] 060
Note: If freighted by vessel on other than a B.M. basis or the equivalent of B.M. stated in cubic meters, the Merchandise, N.O.S. rate shall apply.		
Newsprint.....	<u>Per KT</u> 650	[A] 070
Commercial or freight vehicles, including chassis, freight trailers, freight semi-trailers, agricultural equipment, earth-moving equipment, and road- making equipment	<u>Per KT</u> 1786	[A] 072
See Item 10 for explanation of abbreviations and symbols.		
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SECTION FIVE – Continued WHARFAGE – Continued		Item No.
<p>WHARFAGE RATES – Continued</p> <p>Rates apply on all trades (See Item 100 [o], [p], and [q]; except Hawaii or as noted in individual items.</p>	<p>Rates in Cents Per KT or M-3 Unless Otherwise Indicated Below (See Item 510)</p>	<p>550-</p>
Farm and garden tractors	669	[A] 076
United States Mail.....	<u>Per KT</u> 1202	[A] 090
Yachts, sailing boats and pleasure craft	<u>Per M-3</u> 435	[A] 092

See Item 10 for explanation of abbreviations and symbols.

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SECTION FIVE – Continued WHARFAGE – Continued		Item No.
WHARFAGE RATES – Continued	Rates in Cents Per KT or M-3 Unless Otherwise Indicated Below (See Item 510)	550-
Rates apply on all trades (See Item 100 [o], [p], and [q]; except Hawaii or as noted in individual items.		
Vehicles, motor, self-propelling, setup on own wheels, viz.: Automobiles, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks or pick-up truck chassis.	<u>Per Vehicle</u> 2834	[A] 095
Automobiles, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks or pick-up truck chassis, originating at or destined to points in O.C.P. Territory as described in Item 100(w)	<u>Per Vehicle</u> 2362	[A] 096
The term “Battery Electric Vehicle (EV)” when used in item 097 and 098 below, is a vehicle which uses one or more electric motors for propulsion and is “fueled” by a battery charger that transfers electricity by electric utilities into the vehicle battery to “recharge” it. EV has zero tailpipe emissions.		
Battery Electric Vehicle (EV), self-propelling, setup on own wheels, viz.: Automobiles, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks	<u>Per Vehicle</u> 2409	[A] 097
Automobiles, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks, originating at or destined to points in O.C.P. Territory as described in Item 100(w)	<u>Per Vehicle</u> 2007	[A] 098
TO APPLY FOR ITEMS 097 AND 098, SHIPMENTS MUST COMPLY WITH THE FOLLOWING:		
A) Bills of Lading provided to the Port shall be claused as follows: “The vehicles included on this Bill of Lading are Battery Electric Vehicles (EV)”		
Vessel's stores and supplies (other than as provided in Item 525)	<u>Per KT</u> 669	[A] 100
MERCHANDISE AS LISTED		
Automobile, bus and truck parts, N.O.S.....	<u>W/M</u> 669	[A] 306
Bicycle, Parts and Accessories.....		320
Clothing and Footwear, New, N.O.S.....		322
Chemicals, N.O.S.....		325
Food or Food Preparations, N.O.S.....		331

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No.	Adopted	EFFECTIVE:
	Ordinance No.	Adopted	

SECTION FIVE – Continued WHARFAGE – Continued		Item No.
<p>WHARFAGE RATES – Continued</p> <p>Rates apply on all trades (See Item 100 [o], [p], and [q]; except Hawaii or as noted in individual items.</p>	<p>Rates in Cents Per KT or M-3 Unless Otherwise Indicated Below (See Item 510)</p>	<p>550-</p>
<p>MERCHANDISE AS LISTED</p>	<p><u>W/M</u></p>	<p>[A]</p>
Furniture and Household Goods, including Household Appliances	669	340
Machinery, N.O.S.....		343
Luggage		344
Motorcycles, Parts, and Accessories		345
Resins		350
Sporting Goods and Toys, N.O.S.....		353
Tires and Tubes		355
Wood Products, N.O.S.		375
Electrical and Electronic Equipment, Accessories, and Parts.....		380

See Item 10 for explanation of abbreviations and symbols.

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SECTION FIVE – Continued WHARFAGE – Continued		Item No.
<p align="center">WHARFAGE RATES – Continued</p> <p align="center">Rates apply on all trades (See Item 100 [o], [p], and [q]; except Hawaii or as noted in individual items.</p>		550-
<p align="center">MERCHANDISE (OTHER THAN BULK) AS LISTED Subject to Note When Carried in Containers</p>		
Animal Feed.....	<u>Per KT</u> 669	[A] 501
Batteries, Scrap		505
Borax, borates, boric acid		510
Cereal grains, dried beans and dried peas, in bags weighing not less than 22 kg.....		515
Cotton, cotton linters, in bales.....		520
Diatomaceous earth		525
Empty Pallets or dunnage, returning		530
Hides or skins.....		535
Fresh or fresh frozen meat and poultry.....		540
 	<u>Per KT</u>	[A]
Fresh or frozen meat, non-containerized, from Australia and New Zealand	552	541
 	<u>Per KT</u>	[A]
Fresh or fresh frozen fish and shellfish.....	669	545
Scrap metals, in containers		550
Waste Paper		555
<p>Note: Wharfage assessed under these items is subject to a minimum charge per container or trailer of \$115.83 for containers or trailers not exceeding 7.5 meters in length and \$150.69 for containers or trailers exceeding 7.5 meters in length</p>		
 	<u>Per KT</u>	[A]
Stone, cast or natural: viz: Granite or Marble.....	669	570
 	<u>Per KT</u>	[A]
Tile, viz: Clay, Concrete, Earthenware, Quarries, or Terrazzo	669	580

See Item 10 for explanation of abbreviations and symbols.

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SECTION FIVE – Continued WHARFAGE – Continued		Item No.
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<p style="text-align: center;">PETROLEUM AND PETROLEUM PRODUCTS OTHER THAN PETROCHEMICALS AND AQUA-AMMONIA</p>		
Oil, crude, in bulk.....	\$0.102	600 [A]
Bunkers, loaded to vessel.....	\$0.102	605 [A]
Refined petroleum products, including non-petroleum Based motorgrade fuel additives, in bulk.....	\$0.112	610 [A]
Fuel oils, N.O.S.....	\$0.112	615 [A]
Gasoline.....	\$0.112	620 [A]
Jet fuel	\$0.112	625 [A]
Item 650-Liquid Petroleum Gas, In Bulk Canceled Effective January 1, 2022	Per Cubic Meter \$0.64	650 [D]
See Item 10 for explanation of abbreviations and symbols.		
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SECTION FIVE – Continued WHARFAGE – Continued		Item No.
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<p align="center"><u>MERCHANDISE IN BULK</u></p>		
Merchandise, dry, in bulk, not carried in cargo containers or trailers	<u>Per KT</u>	[A]
Merchandise, N.O.S	246	710
Coal	<u>Per KT</u>	[A]
	137	712
Cement, cement clinkers, cement components and additives	<u>Per KT</u>	[A]
	169	715
Coke	<u>Per KT</u>	[A]
	152	716
Scrap Metal	<u>Per KT</u>	[A]
	228	719
Chemicals, N.O.S	<u>Per KT</u>	[A]
	246	725
Fertilizers, N.O.S.....	<u>Per KT</u>	[A]
	246	730
Ammonium Sulfate	<u>Per KT</u>	[A]
	169	732
Ores and ore concentrates, N.O.S.....	<u>Per KT</u>	[A]
	169	740
Copper concentrate.....	<u>Per KT</u>	[A]
	169	742
Bauxite.....	<u>Per KT</u>	[A]
	169	744
Sulphur	<u>Per KT</u>	[A]
	169	750
Sand.....	<u>Per KT</u>	[A]
	169	755

See Item 10 for explanation of abbreviations and symbols.

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<u>MERCHANDISE IN BULK, CONTAINERIZED</u>		
Merchandise, N.O.S., in bulk, carried in cargo containers or trailers.....	<u>Per KT</u> 669	[A] 775
Ore and ore concentrates, N.O.S.....	<u>Per KT</u> 669	[A] 780
Fertilizers, N.O.S.....	<u>Per KT</u> 669	[A] 785
Chemicals, N.O.S.....	<u>Per KT</u> 669	[A] 790

See Item 10 for explanation of abbreviations and symbols.

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SECTION FIVE – Continued WHARFAGE – Continued		Item No.
WHARFAGE RATES – Continued Rates apply on all trades or as noted in individual items.	Rates in Cents Per KT or M-3 Unless Otherwise Indicated Below (See Item 510)	550-
<p><u>PROJECT RATES</u></p> <p>PROJECT RATES...applicable to shipments in connection with removal, construction, reconstruction of major capital projects or facilities:</p> <p>TO APPLY THESE RATES, SHIPMENTS MUST COMPLY WITH THE FOLLOWING:</p> <p>A) The commodities to be transported or received shall be of a wholly proprietary nature, not for resale, and are for use in the construction, erection, and/or installation of(Project Name).....</p> <p>B) Bills of Lading shall be claused as follows: “All materials included on this Bill of Lading are of a proprietary nature, not for resale, and are for use in construction, erection, and/or installation of(Project Name).....</p> <p>C) Receive approval of the Terminal Operator and the Executive Director of the Port of Los Angeles.</p> <p>The following are excluded from application of these special rates, unless otherwise provided:</p> <p>a. Automobiles b. Motor trucks (other than dump trucks) c. Tractors d. Explosives e. Dangerous or hazardous cargo, restricted to on-deck stowage f. Refrigerator or cool room cargo g. Household goods and personal effects h. All cargo taking rates lower than Project Rates.</p>		
Per KT 519		
[A] 801		

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION SEVEN – Continued
 FREE TIME, WHARF DEMURRAGE, AND, WHARF STORAGE -- Continued

Item No.

RATES FOR WHARF DEMURRAGE AFTER EXPIRATION OF FREE TIME

Wharf demurrage shall be assessed against all merchandise remaining on the wharf or wharf premises after the expiration of the free time allowed (See Item 720) at wharf demurrage rates named in this Item (subject to Notes 1,2,3,4 and 5).

Note 1. See Item 790 for wharf storage rates.

Note 2. When requested in writing by the steamship company and when verification can be made from steamship company's records, the Executive Director may waive wharf demurrage against small portions of shipments of merchandise requiring recooling, against small portions of shipments of merchandise discharged from a vessel which have not been located at the time of delivery of the major portion of such merchandise, against merchandise discharged from a vessel which is deadover without billing and which may not be delivered by a steamship company until ownership thereof is established, and against portions of shipments of merchandise in bond held by Customs for the appraiser's store.

[A]
780

Note 3. Rates provided in this Rule will not apply on merchandise, in bulk, handled mechanically through the bulk loading or unloading facilities at Berths 48 through 53.

Note 4. The minimum wharf demurrage charge shall be \$22.73 per lot excepting automobiles and pick-up trucks.

Note 5. In those cases in which merchandise remains on wharf demurrage for extended periods of time, accrual reports shall be made by the terminal operator and invoices shall be issued by the Harbor Department for the amount of demurrage charges accrued on a particular lot of cargo for an initial 45-day period and each subsequent 30-day period. Neglect or refusal to deliver the accrual reports to the Executive Director within 15 days following the completion of the initial 45-day period and subsequent 30-day periods of demurrage will result in the assessment of a penalty charge of two percent (2%) of total demurrage charges incurred.

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No.	Adopted	EFFECTIVE:
	Ordinance No.	Adopted	

SECTION SEVEN – Continued
 FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE – Continued

Item No.

RATES FOR WHARF DEMURRAGE AFTER EXPIRATION OF FREE TIME -- Continued

RATES

In cents per day or fraction thereof, Saturdays, Sunday and holidays included, per KT or cubic meter or fraction thereof or other unit, on the same basis as wharfage is assessed, except as noted.

<u>Commodity</u>	<u>Charge per day for first 5 days</u>	<u>Charge per day for each Additional day over 5 days</u>
Merchandise, N.O.S, not carried in cargo containers or trailers. Note: If measurement of the cargo is required but not available, the measurement shall be constructed on the basis of one (1) cubic meter for each 125 kilograms of cargo.	76	154

[A]
780
(Cont.)

Merchandise, N.O.S., carried in cargo containers or trailers. Note: If the Measurement of the cargo is required but not available, the charge per day will be based on the overall length of the container or trailer as follows:	76	154
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OVERALL LENGTH IN METERS

Over	But Not Over		
0	7	2338	4670
7	9	2857	5715
9	13	4676	9352
13	over	6105	12209

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION SEVEN – Continued
 FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued

Item No.

WHARFAGE DEMURRAGE – Continued

<u>Commodity</u>	<u>Charge per day for first 5 days</u>	<u>Charge per day for each additional day over 5 days</u>
Vehicles, motor, self-propelling, set up on own wheels, viz.:		
Automobiles, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks or pick-up truck chassis.		
Shipped outbound by water carrier in domestic trade or shipped by manufacturers for distribution to auto- mobile dealers, per vehicle.	228	454
Privately owned vehicles or used cars shipped inbound to the Port of Los Angeles, per vehicle.	760	1520
Commercial or freight vehicles, including chassis, freight trailers or freight semi-trailers, per KT.	228	454
Agricultural, earth-moving equipment, or road-making equipment, N.O.S., per KT.	228	454

[A]
 780
 (Cont.)

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION SEVEN – Continued
 FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued

Item No.

[C] WHARF STORAGE

Merchandise may be stored on wharves and wharf premises for limited periods of time after prior arrangements have been made by the shipper or consignee thereof, if:

- (a) Space is available; and
- (b) The prompt loading or discharging of vessels will in no manner be interfered with;
and
- (c) Approved by the Terminal Operator and the Executive Director.

Wharf storage shall be assessed against all merchandise permitted to be stored on wharves at wharf storage rates named in this Item (subject to Notes 1, 2, and 3).

Note 1. Subject to the provisions of paragraph (2), Item 710.

Note 2. Rates provided in this Item will not apply on merchandise, in bulk, handled mechanically through the bulk loading or unloading facilities at Berths 48 through 53.

Note 3. Merchandise permitted to be stored on wharves will be assessed a minimum charge of five (5) days storage at rates named in this Item, but not less than \$22.73 per lot.

[A]
790

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No.	Adopted	EFFECTIVE:
	Ordinance No.	Adopted	

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued	Item No.															
<p style="text-align: center;">WHARF STORAGE – Continued</p> <p style="text-align: center;">RATES</p> <p>In cents per day, or fraction thereof, Saturdays, Sundays and holidays included, per KT or cubic meter or fraction thereof, whichever shall yield the greater revenue, except as noted in individual items.</p> <p>Merchandise, N.O.S., not stored in cargo containers or trailers.</p> <p style="padding-left: 40px;">Note: If measurement of the cargo is not available, the measurement shall be constructed on the basis of one (1) cubic meter for each 125 kilograms of cargo.</p> <p>Stored on covered areas 75</p> <p>Stored on uncovered areas, when requested by shipper or consignee thereof 39</p> <p>Merchandise, N.O.S., stored in cargo containers or trailers 39</p> <p style="padding-left: 40px;">Note: If the measurement of the cargo is not available, the charge per day will be based on the overall length of the container or trailer as follows:</p> <p style="padding-left: 40px;">OVERALL LENGTH IN METERS</p> <table style="margin-left: 40px;"> <thead> <tr> <th>Over</th> <th>But Not Over</th> <th></th> </tr> </thead> <tbody> <tr> <td>0</td> <td>7.....</td> <td>1182</td> </tr> <tr> <td>7</td> <td>9.....</td> <td>1442</td> </tr> <tr> <td>9</td> <td>13.....</td> <td>2364</td> </tr> <tr> <td>13</td> <td>over.....</td> <td>3052</td> </tr> </tbody> </table> <p>Cotton, cotton linters, compressed in bales, per KT or fraction thereof 32</p>	Over	But Not Over		0	7.....	1182	7	9.....	1442	9	13.....	2364	13	over.....	3052	<p>[A] 790 (Cont.)</p>
Over	But Not Over															
0	7.....	1182														
7	9.....	1442														
9	13.....	2364														
13	over.....	3052														
See Item 10 for explanation of abbreviations and symbols.																

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION SEVEN – Continued
 FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued

Item No.

WHARF STORAGE – Continued

RATE

Vehicles, motor, self-propelling, set up on own wheels
 Viz.: Commercial or freight vehicles, including chassis,
 freight trailers or freight semi-trailers, per KT 169

Vehicles parked on any municipal wharf by consent of and where
 designated by the Executive Director, per vehicle 169
 (not subject to Note 3)

[A]
 790

Automobile, passenger, seating capacity not exceeding 10 passengers per vehicle,
 including pick-up trucks or pick-up truck chassis, per vehicle.

<u>Charge per day for first 21 days</u>	<u>Charge per day for each additional day over 21 to 45 days</u>	<u>Charge per day for each additional day over 45 days</u>
72	142	428

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION NINE – Continued
 CONTAINER CRANES – Continued

Item No.

RULES AND REGULATIONS GOVERNING THE USE OF
 HARBOR DEPARTMENT CONTAINER CRANES -- Continued

(j) All persons desiring to use a crane, as far in advance of the date of requested use as possible, shall make application to the Executive Director specifying the date and time of proposed use, nature and quantity of cargo to be handled, the estimated length of use and nature of use. Users shall be assigned use of a crane in order of their applications. Such assignments shall be subject to modification as required to accommodate preferential and secondary crane assignees. Such assignments may also be modified if a vessel is not actually available at the berth or if cargo is not actually available on the wharf premises. User shall conduct its operations expeditiously and shall cease use and return the crane to the control of the Harbor Department without delay upon conclusion of authorized use thereof or sooner when the crane is required by a preferential or secondary crane assignee. The Executive Director shall have the right to order the user to cease operation of a crane immediately whenever, in his opinion, the user is not using said crane in accordance with the terms of the assignment, or whenever such cessation is necessary for the best interest of the Port.

(k) The Executive Director may refuse to assign a crane for purposes of handling any merchandise which in his opinion cannot be handled by the crane without substantial risk to any person or property, including the crane.

(l) The charge for the use of container cranes shall be \$722.00 per hour. After the first hour, the charge shall be calculated in 15 minute increments or fraction thereof. The charge shall include the cost of fuel or power and normal repair and maintenance only. The charge shall apply from the time specified in the assignment or when operations begin, whichever occurs first, and shall continue until the crane is released to the Harbor Department. If the crane is unavailable for use at the time specified in the assignment for reasons beyond the control of the user, charges will be computed from the time actual use begins.

(m) The use of a crane shall constitute acceptance and acknowledgement by the user of all the conditions and restrictions contained in this Item No. 900.

[A]
 900
 (Cont.)

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No.	Adopted	EFFECTIVE:
	Ordinance No.	Adopted	

SECTION ELEVEN
 CHARGES FOR OCCUPANCY OF OFFICE SPACE, ETC.
 IN TRANSIT SHEDS AND ON WHARVES AND WHARF PREMISES

Item No.

MONTHLY CHARGES FOR OCCUPANCY OF OFFICE SPACE, ETC.

Monthly charges for the occupancy of all office space (excluding passenger waiting rooms), private rest rooms (excluding public passenger rest rooms), gear corrals, lockers and portable office structures in transit sheds and on wharves and wharf premises shall be at a rate as follows: (See Exception)

(1) Class A office space and private rest rooms shall be charged for at the rate of 118 cents per square foot per month, subject to a minimum charge of \$142.87 per month (subject to Notes 1 and 2).

(2) Class B office space and private rest rooms shall be charged for at the rate of 91 cents per square foot per month, subject to a minimum charge of \$110.41 per month (subject to Notes 1 and 2).

(3) Class C office space and private rest rooms shall be charged for at the rate of 77 cents per square foot per month, subject to a minimum charge of \$110.41 per month (subject to Notes 1 and 2).

(4) Gear corrals shall be charged for at the rate of 24 cents per square foot per month, subject to a minimum charge of \$77.94 per month.

(5) Lockers and portable office structures shall be charged for at the rate of 24 cents per square foot per month, subject to a minimum charge of \$77.94 per month.

Note 1. Offices which have been air-conditioned by the Los Angeles Harbor Department at its expense shall be charged an additional 20 cents per square foot per month.

[A]
1100

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION TWELVE WATER AND ELECTRICITY		Item No.
<p>FRESH WATER RATES</p> <p>Fresh water 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 delivered to vessels at wharves and for services supplied in connection therewith through pipelines of the Harbor Department, a service charge of fifteen per cent (15%) of the cost of such water will be added for the use of such facilities including wharfage. (See Note)</p> <p>NOTE: A maximum charge of \$33.77 for each normal billing period (monthly) or fraction thereof will apply.</p> <p>In addition, the following charges will be made:</p> <p>(1) Service charge for portable meter, when furnished\$8.45 (2) Rental charge for each 50-foot section of water hose, when furnished\$8.45</p>		<p>[A] 1200</p>
<p>PENALTY FOR ATTACHING HOSE OR TAKING WATER WITHOUT PERMISSION AND WITHOUT THE USE OF PORTABLE BACK FLOW PREVENTION APPLIANCE</p> <p>For the purpose of preventing contamination of fresh water supply on wharves, the Harbor Department has furnished at each terminal portable back flow prevention appliances for use at all vessel service water outlets and hydrants. It shall be unlawful for any person to attach a hose to a vessel service water outlet or hydrant for the purpose of taking water on board any vessel without first attaching a portable back flow prevention appliance between said hose and said water supply outlet. It shall be unlawful to attach a hose to any other water outlet or hydrant upon any wharf or wharf premises, or to use any water hose or meter, or to take any water or attempt to take any water therefrom, except from regularly installed drinking stands, without permission first having been obtained from the Executive Director, and without having paid or agreed and arranged to pay therefor; provided, however, that any person may attach a hose, or otherwise use the water from any such outlet, for fire fighting purposes during the actual occurrence of a fire.</p> <p>Any violation of this Item shall subject such persons to the general penalties provided in this Tariff.</p>		<p>1205</p>
<p>See Item 10 for explanation of abbreviations and symbols.</p>		
Correction No.	Order No. Ordinance No.	Adopted Adopted EFFECTIVE:

SECTION FOURTEEN – Continued CARGO HANDLING -- Continued		Item No.	
<p style="text-align: center;">HANDLING PERMIT FEES</p> <p>The handling permit fees shall be five hundred fifty one dollars (\$590.00) per annum, or fraction thereof, payable in advance.</p>		[A] 1415	
<p style="text-align: center;">FILING OF TARIFFS</p> <p>No cargo handling permit shall be issued except upon written application therefore, in which application the handler shall specifically agree at all times to keep on file with the Board a tariff and supplements thereto showing the rates for charges of such handler itemized as to operations and as to commodities; provided, that, in case any such handler shall be required by law to publish and file a tariff with any duly constituted regulatory body, a copy of such tariff shall be filed with the Board. Upon complaint of any interested party that any rate charged by a handler, or any rule, regulation or practice of a handler, who is not subject to the jurisdiction of any other duly constituted regulatory body, is discriminatory or unreasonable, the handler shall be required to show cause why an order should not be issued by the Board requiring said handler to modify, change or revise said rate, rule, regulation, or practice. Such complaint shall be filed in writing with the Board and the handler shall be granted a reasonable time to file his written reply thereto.</p> <p>Any charge based upon a rate in excess of or less than the rates set forth in such current tariff, or any refusal to abide by any lawful Order of the Board requiring a change, revision, or modification of any charge, rate, rule, regulation or practice, shall be sufficient cause for revocation or suspension of a cargo handling permit.</p>		1420	
<p style="text-align: center;">REVOCAION AND PENALTIES</p> <p>Cargo handling permits shall be revocable by the Board at any time for such cause as the Board may deem just and sufficient.</p>		1425	
See Item 10 for explanation of abbreviations and symbols.			
Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:

SECTION FIFTEEN – Continued PUBLIC LANDINGS -- Continued		Item No.				
<p>UNLAWFUL FOR VESSELS TO REMAIN AT PUBLIC LANDINGS EXCEPT WHILE LOADING OR DISCHARGING</p> <p>Any vessel availing itself of the privileges in Item 1520, which shall refuse or fail to haul away from such public landing after having finished loading or discharging, or both, as the case may be, which loading or discharging having been begun must be completed without unwarranted delay, shall thereupon be assessed dockage at quadruple the rates elsewhere provided in this Tariff, and in addition thereto \$59.60 for each and every day, or fraction thereof, such vessel may remain at such landing in violation of this Item.</p>		<p>[A] 1525</p>				
<p>VESSELS OVER 80 GROSS TONS NOT TO DOCK AT PUBLIC LANDINGS WITHOUT PERMIT; PENALTY FOR VIOLATIONS</p> <p>It shall be unlawful for any vessel of over 80 gross register or 50 tons underdeck measurement to dock at or make fast to any public landing without first having obtained a permit so to do from the Executive Director.</p> <p>In the case of any violation of this rule by any vessel, such vessel, in addition to the other penalties provided in this Tariff or by law, shall thereupon be subject to and shall be assessed dockage at quadruple the rates elsewhere provided in this Tariff, and in addition thereto \$118.08 for each and every day, or fraction thereof, it may remain at such landing in violation of this Item.</p>		<p>[A] 1530</p>				
<p>PASSENGER CARRYING VESSELS FOR HIRE NOT TO DOCK AT PUBLIC LANDINGS WITHOUT PERMIT</p> <p>It shall be unlawful for any person operating any passenger carrying vessel for hire to dock at any public landing and take on or discharge passengers thereat without first having obtained a permit so to do from the Executive Director.</p>		<p>1535</p>				
<p>See Item 10 for explanation of abbreviations and symbols.</p>						
Correction No.	Order No. Ordinance No.	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Adopted</td> <td style="width: 50%;"></td> </tr> <tr> <td style="text-align: center;">Adopted</td> <td style="text-align: center;">EFFECTIVE:</td> </tr> </table>	Adopted		Adopted	EFFECTIVE:
Adopted						
Adopted	EFFECTIVE:					

SECTION EIGHTEEN – Continued
 GENERAL RULES AND REGULATIONS – MISCELLANEOUS – Continued

Item No.

DIVING AND RELATED ACTIVITIES

(a) It shall be unlawful for any person to underwater dive, or to engage or participate in underwater diving or in any other underwater activity in Los Angeles Harbor, except in designated recreational areas, without having in his possession a written permit from the Executive Director authorizing such diving or underwater activity.

(b) It shall be unlawful for any person to underwater dive, or to participate or engage in underwater diving or in any other underwater activity in Los Angeles Harbor unless there is an assistant present who shall be on the surface of the water close over the person engaging in diving or in any other underwater activity and able to make a conspicuous display of the prescribed signals for diving.

(c) It shall be unlawful for any person, while underwater diving or participating or engaging in underwater diving or in any other underwater activity, to examine the hull or ground tackle of, or to attach anything to, or molest in any manner whatsoever, any vessel, or to examine or molest any premises or property in Los Angeles Harbor, without first having obtained written permission so to do from the lawful owner or operator of such vessel, premises or property.

[A]
 1802

(d) The fees for the permit required by this Item shall be \$32.61 for the first year, payable in advance, and \$13.49 for each yearly renewal thereafter, payable in advance; provided, that the fee for a permit issued to any person who holds a similar written permit issued by any Port or Harbor in the State of California which is under the jurisdiction and control of the State, a municipality or a port district and which has promulgated rules and regulations regulating diving and authorizing the issuance of permits therefore, shall be \$13.49 for the first year, payable in advance; and provided, further, that no fee shall be collected for a permit issued to any authorized employee of the United States, any state, or a municipality or of any political subdivision, department, or agency thereof.

The permit required by this Item may contain such conditions and restrictions as the Executive Director in his discretion may determine reasonably necessary to preserve or minimize the danger to life, limb or property. Failure to comply with any of the provisions contained herein or in such permit shall ipso facto terminate any of the privileges granted by said permit and said permit shall thereafter be null and void.

See Item 10 for explanation of abbreviations and symbols.

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION NINETEEN – Continued COMMERCIAL FISHING VESSEL – Continued		Item No.
<p>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>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 \$59.60 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.	Order No. Ordinance No.	Adopted Adopted EFFECTIVE:

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 \$4.54

Temporary Permit (See Notes 1 and 2)

Length of vessel per meter or fraction thereof, per day or fraction thereof \$.46

Length of vessel per meter or fraction thereof, per month or fraction thereof \$4.54

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.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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