

RESOLUTION NO. 2017-

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 PERTAINING TO PORT EVERGLADES TARIFF NO. 12;
5 AMENDING SECTION 42.25 OF THE BROWARD COUNTY
6 ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE");
7 AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE
8 ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

9 WHEREAS, the Board of County Commissioners of Broward County desires to
10 amend Section 42.25 of the Broward County Administrative Code to provide for revisions
11 to Port Everglades Tariff No. 12 items for dock facilities; dockage rates for cargo vessels,
12 cruise ships, lay-in vessels, and yachts; berth usage for tendering/fleet landing;
13 nonwaterborne liquid bulk transfer; intercoastal container ocean carriers; wharfage rates
14 for cargo and cruise passengers; container unit charges; free time allowances; free time
15 and storage during longshore strikes; inside transit shed storage rates; open ground
16 storage rates; wharf demurrage rates; container gantry and mobile harbor cranes-rental
17 rates; treatment of accounts in delinquent status; sanitary waste water removal from
18 vessels; fire protection service fee; standby fire watch service fee; harbormaster fees;
19 linehandler fees; labor and equipment fees; potable water, hose rental, and hook-up fees;
20 overtime charges for use of facilities; electric service fee; electricity for refrigerated
21 containers; and grid yard areas; and

22 WHEREAS, the Board of County Commissioners finds that the revisions to Port
23 Everglades Tariff No. 12, as set forth herein, are necessary and in the best interests of
24 Broward County, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
BROWARD COUNTY, FLORIDA:

1 Section 1. Section 42.25 of the Broward County Administrative Code is hereby
2 amended to read as follows:

3 **42.25. Tariff No. 12, Port Everglades.**

4 See EXHIBIT 42.A.

5 . . .

6 **Item No. 225–Dock facilities.**

7 *Issue No. 2 3*

8 *Effective Date: October 1, ~~2014~~ 2017*

9 Port Everglades has 24,522 linear feet of dock facilities, with fender systems and
10 bollards as follows:

11	<i>Berth</i>	<i>Length in Feet</i>
12	1A	180'
13	1B	220'
14	1-2-3	1,601'
15	4	900' <u>1,125'</u>
16	4A-5A	290'
17	5	900' <u>1,125'</u>
18	6	380'
19	7-8	1,200'
20	8A-9A	300'
21	9-10	1,200'
22	11	500'
23	12-13	1,226'
24	12A-13A	300'

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

1	14-15	1,226'
2	16-17-18	1,648'
3	19-20	1,300'
4	21-22	1,475'
5	23	240'
6	24-25	1,369'
7	26-27	1,337'
8	28A	480'
9	28B	275'
10	28E	275'
11	28F	400'
12	29	800'
13	30	900'
14	31-32	2,000'
15	33A	800'
16	33B	400'
17	33C	400'
18	Water depths vary from berth to berth. Consult the Harbormaster for current water	
19	depths and vessel draft operating criteria.	
20	...	
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1 **Item No. 320–Dockage rates–Cargo vessels.**

2 *Issue No. ~~41~~ 12*

3 *Effective Date: October 1, ~~2016~~ 2017*

4 Rates listed below apply per twenty-four (24) hour period or fraction thereof.

5 Cargo Vessels ~~–(Container, Dry Bulk, Neo Bulk)~~ (Container, Dry Bulk, Neo
6 Bulk) - When calling for the purpose of loading or discharging cargo:

7 Per gross registered ton \$~~.2570~~ .2660

8 Cargo Vessels (Petroleum) - When calling for the purpose of loading or
9 discharging cargo:

10 Per gross registered ton \$~~.2656~~ .2749

11 Pure Car Carriers - When calling for the purpose of loading or discharging
12 wheeled, motorized vehicles:

13 Per gross registered ton..... \$~~.1933~~ .2001

14 The Harbormaster may, at his or her discretion, upon written application, grant
15 additional days at rates specified in this item immediately prior to or following cargo
16 operations. In no instance will the Harbormaster grant more than two (2) days prior to
17 and two (2) days following cargo operations at rates specified in this item. Vessels in port
18 outside of these parameters will be charged dockage as prescribed in Item #330.

19 The minimum dockage charge per twenty-four (24) hour period is two hundred
20 seventy-five dollars (\$275).

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1 **Item No. 325–Dockage rates–Cruise ships.**

2 *Issue No. ~~41~~ 12*

3 *Effective Date: October 1, ~~2016~~ 2017*

4 Rates listed below apply per twenty-four (24) hour period or fraction thereof.

5 (A) Ships offering multiday cruises, no minimum number of sailings:

6 Per gross registered ton \$~~2682~~ .2776

7 (B) Ships offering daily cruises, minimum twenty-five (25) sailings per month:

8 Per gross registered ton \$~~1255~~ .1299

9 Review of sailing activity will be conducted at the conclusion of each calendar
10 month. In order to continue qualifying for the rate in Part (B), a vessel must have
11 made a minimum of twenty-five (25) sailings in the prior month. Failure of a vessel
12 to maintain the aforementioned minimum sailing requirement will result in
13 subsequent dockage being charged at the higher Part (A) rate until such time as
14 the vessel requalifies. During the initial month of operations, vessels providing
15 services in Part (B) will have their activities prorated from date of start up for
16 purposes of determining minimum sailing requirements. Upon written application
17 to the Port Everglades Chief Executive, a waiver of minimum sailing requirements
18 may be granted for purposes of vessel dry docking, repairs, adverse weather
19 conditions, or extenuating circumstances as determined qualifying by the Port
20 Everglades Chief Executive. A replacement vessel is acceptable for purposes of
21 qualifying as a Part (B) vessel.

22 The minimum dockage charge per twenty-four (24) hour period for all cruise ships
23 is two hundred seventy-five dollars (\$275).

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1 **Item No. 330–Dockage rates–Lay-in vessels.**

2 *Issue No. 40 11*

3 *Effective Date: October 1, 2016 2017*

4 Rates listed below apply per twenty-four (24) hour period or fraction thereof.

5 A. Lay-in Vessels - All cargo and noncruise vessels in lay-in status, except
6 Navy, Coast Guard, U.S. Government Research, and Training Vessels:

7 Per gross registered ton..... \$~~2570~~ .2660

8 Per lineal foot \$~~4.5804~~ 4.7407

9 (Whichever provides the greater revenue)

10 B. Lay-in Vessels - Navy, Coast Guard, U.S. Government Research, and
11 Training Vessels:

12 Per gross registered ton..... \$~~2065~~ .2137

13 Per lineal foot..... \$~~3.715~~ 3.8451

14 (Whichever provides the greater revenue)

15 The minimum dockage charge per twenty-four (24) hour period is two hundred
16 seventy-five dollars (\$275).

17 **Item No. 335–Dockage rate–Yachts.**

18 *Issue No. 40 11*

19 *Effective Date: October 1, 2016 2017*

20 I. Yachts calling for stores or bunkers with less than six (6) hours on berth:

21 A. Yachts up to one hundred (100)

22 lineal feet \$~~139.10~~ 144.00

23 B. Yachts one hundred one (101) to

24 two hundred (200) lineal feet \$~~271.25~~ 280.75

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1 C. Yachts two hundred one (201) to
2 three hundred (300) lineal feet \$410.20 424.60

3 D. Yachts three hundred one (301) to
4 four hundred (400) lineal feet ~~\$549.20~~ 568.45

5 Upon docking, an initial free time period of two (2) hours will be granted. If,
6 after the expiration of free time, a yacht has not vacated its assigned berth,
7 dockage shall be assessed as of the time of first docking at the rates above.

8 II. Yachts exceeding six (6) hours on berth shall be charged for dockage at the
9 dockage rates for lay-in vessels from the time of first docking.

10 III. Yachts in excess of four hundred (400) lineal feet will be charged for dockage at
11 the dockage rates for lay-in vessels. There is no free time allowance for
12 yachts in excess of four hundred (400) lineal feet.

13 . . .

14 **Item No. 350–Berth usage for tendering/fleet landing.**

15 *Issue No. ~~40~~ 11*

16 *Effective Date: October 1, ~~2016~~ 2017*

17 Those vessels using the anchorage and providing tender service for passengers,
18 crew, or other personnel between the ship at anchor and a berth within Port Everglades
19 will be charged ~~five hundred thirty dollars (\$530)~~ five hundred fifty dollars (\$550) per each
20 twenty-four (24) hour period or fraction thereof.

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1 **Item No. 520–Nonwaterborne liquid bulk transfer.**

2 *Issue No. ~~42~~ 13*

3 *Effective Date: October 1, ~~2016~~ 2017*

4 All liquid bulk brought into the Port Everglades jurisdictional area by railroad and
5 discharged from rail tank cars into tanks, whether fixed or portable, or trucks including,
6 but not limited to, all petroleum products including fuels, lubricants (conventional or
7 synthetic), LPG, and asphalt; fuel or lubricant additives of any type; alternative fuels;
8 renewable fuels; fuel blending components, including alcohols and bio diesel; chemicals;
9 petrochemicals; solvents; alcohols; manufacturing or process feed stocks will be charged
10 ~~\$.0074~~ \$.0074 per gallon, in lieu of what otherwise would be charged for dockage,
11 wharfage, fire service protection fee, and marine services. Operators, terminals, or
12 facilities receiving liquid bulk by rail during any given month will provide a written report
13 summarizing that month's activity to the Port Everglades Department, Petroleum Section
14 within five (5) business days after the end of that month. The report will include the date
15 of receipt, description of the commodity, and quantity in gallons received.

16 All liquid bulk alternative fuels, renewable fuels, including ethanol, other alcohols,
17 and bio diesel brought into the Port Everglades jurisdictional area by truck and discharged
18 into tanks, whether fixed or portable, and on which no wharfage or other Port Everglades
19 charges have previously been paid, will be charged ~~\$.0074~~ \$.0074 per gallon, in lieu of
20 what otherwise would be charged for dockage, wharfage, fire service protection fee, and
21 marine services. Operators, terminals, or facilities receiving bulk alternative or renewable
22 fuels by truck during any given month will provide a written report summarizing that
23 month's activity to the Port Everglades Department, Petroleum Section within five (5)

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underscored type are additions.

1 business days after the end of the month. The report will include the date of receipt,
2 description of the commodity, and quantity in gallons received.

3 . . .

4 **Item No. 530—Intercoastal container ocean carriers.**

5 *Issue No. ~~40~~ 11*

6 *Effective Date: October 1, ~~2016~~ 2017*

7 U.S. Flagged container ocean carriers engaged in intercoastal trade loading or
8 discharging containers at Port Everglades for carriage between Port Everglades and
9 other continental United States ports will be charged a composite cargo wharfage and
10 dockage rate as follows:

11	Full containers	\$36.10	<u>37.40</u>	per container unit discharged or loaded
12	Empty containers	\$24.50	<u>25.35</u>	per container unit discharged or loaded

13 These rates are in lieu of dockage charges, cargo wharfage charges, and incentive
14 discount provisions contained in Item No. 515. All other port services including, but not
15 limited to, container crane rental will be charged in accordance with the provisions and at
16 rates stipulated in this Tariff.

17 **Item No. 535—Wharfage rates—Cargo.**

18 *Issue No. ~~44~~ 12*

19 *Effective Date: October 1, ~~2016~~ 2017*

20 Rates per ton of two thousand (2,000) pounds or forty (40) cubic feet, whichever
21 is greater, except as otherwise noted:

22	ALL ARTICLES, not otherwise specified	\$3.4650	<u>3.5863</u>
23	AUTOMOBILES, SUVs, pickup trucks, vans; roll on/roll off;		
24	to/from a Pure Vehicle Carrier; charge per unit ...	\$6.928	<u>7.170</u>

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1	AGGREGATES, TALLOW, OR GYPSUM, in bulk.....	\$ 1.495	<u>1.237</u>
2	CEMENT, PORTLAND, AND MASONRY, in bulk including		
3	super sacks or palletized	\$ 1.031	<u>1.067</u>
4	CONTAINER CARGO - per two thousand (2,000) pounds		
5	\$ 3.093	<u>3.201</u>
6	CONTAINER CARGO - "SMALL BOAT" per two thousand		
7	(2,000) pounds ..	\$ 2.413	<u>2.498</u>
8	LUMBER, per one thousand (1,000) feet B.M. (Net)		
9	<u>two thousand (2,000) pounds</u>	\$ 3.236	<u>3.349</u>
10	PETROLEUM, ALTERNATIVE FUELS, FUEL BLENDING		
11	COMPONENTS (INCLUDES ALCOHOL BIO-DIESEL & BIO-DIESEL		
12	FEED STOCKS) per barrel	\$ 1.700	<u>.1760</u>
13	STEEL PRODUCTS INCLUDING REINFORCING BARS,		
14	COILS, PLATE, & STRUCTURAL	\$ 3.406	<u>3.525</u>
15	VEHICLES, unboxed to include, but not be limited to,		
16	automobiles, trucks, tractors, trailers, buses, rolling		
17	stock per two thousand (2,000) pounds	\$ 6.139	<u>6.354</u>
18	YACHTS AND BOATS (float on/float off), per two thousand		
19	(2,000) pounds.....	\$ 5.589	<u>5.785</u>
20	YACHTS AND BOATS (lift on/lift off, roll on/roll off) per two		
21	thousand (2,000) pounds	\$ 8.456	<u>8.752</u>
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1 **Item No. 537-Container unit charges.**

2 *Issue No. ~~6~~ 7*

3 *Effective Date: October 1, ~~2016~~ 2017*

4 Containers, full and empty, discharged and loaded to ships; per unit.

5 CONTAINERS & TRAILERS:

6	FULL, each	\$4.85	<u>5.05</u>
7	EMPTY, each	\$2.25	<u>2.35</u>
8	CHASSIS, each.....	\$2.25	<u>2.35</u>

9 CONTAINERS & TRAILERS "SMALL BOAT":

10	FULL, each	\$2.65	<u>2.75</u>
11	EMPTY, each	\$2.25	<u>2.35</u>
12	CHASSIS, each	\$2.25	<u>2.35</u>

13 **Item No. 540-Wharfage rates-Cruise passengers.**

14 *Issue No. ~~11~~ 12*

15 *Effective Date: October 1, ~~2016~~ 2017*

16 A. Vessels offering multiday cruises, no minimum
 17 number of sailings, embark, disembark, in transit,
 18 per passenger ~~\$10.620~~ 10.992

19 B. Vessels offering daily cruises, minimum twenty-five
 20 (25) sailings per month, embark, disembark,
 21 in transit, per passenger ~~2.435~~ 2.520

22 Review of sailing activity will be conducted at the conclusion of each calendar
 23 month. In order to continue qualifying for the rate of category "B," a vessel must have
 24 made a minimum of twenty-five (25) sailings in the prior month. Failure of a vessel to

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1 maintain the aforementioned minimum sailing requirement will result in subsequent cruise
2 passenger wharfage being charged at the higher category "A" rate in the following
3 month(s) until such time as the vessel requalifies.

4 Once requalified, the category "B" rate will apply in the month following
5 requalification. During the initial month of operations, vessels providing services in
6 category "B" will have their activities prorated from the date of start-up for purposes of
7 determining minimum sailing requirements. The category "B" rate will apply from the first
8 sailing.

9 Upon written application to the Port Everglades Chief Executive, a waiver of
10 minimum sailing requirements may be granted for purposes of vessel dry docking,
11 repairs, adverse weather conditions, or extenuating circumstances as determined
12 qualifying by the Port Everglades Chief Executive. A replacement vessel is acceptable
13 for purposes of qualifying as a category "B" vessel.

14 Passenger wharfage will be charged against manifested revenue passengers only.

15 ~~Review of sailing activity will be conducted at the conclusion of each calendar~~
16 ~~month. In order to continue qualifying for the rate of category "B," a vessel must have~~
17 ~~made a minimum of 25 sailings in the prior month. Failure of a vessel to maintain the~~
18 ~~aforementioned minimum sailing requirement will result in subsequent cruise passenger~~
19 ~~wharfage being charged at the higher category "A" rate in the following month(s) until~~
20 ~~such time as the vessel requalifies.~~

21 ~~Once requalified, the category "B" rate will apply in the month following~~
22 ~~requalification. During the initial month of operations, vessels providing services in~~
23 ~~category "B" will have their activities prorated from date of start-up for purposes of~~

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1 determining minimum sailing requirements. The category "B" rate will apply from the first
2 sailing.

3 Upon written application to the Port Everglades Chief Executive, a waiver of
4 minimum sailing requirements may be granted for purposes of vessel dry docking,
5 repairs, adverse weather conditions, or extenuating circumstances as determined
6 qualifying by the Port Everglades Chief Executive. A replacement vessel is acceptable
7 for purposes of qualifying as a category "B" vessel.

8 Passenger wharfage will be charged against manifested revenue passengers only.

9 . . .

10 **Item No. 600-Free time allowances.**

11 *Issue No. 4 2*

12 *Effective Date: October 1, ~~2006~~ 2017*

13 Unless otherwise provided, the free time allowed for assembling outbound cargo
14 on or removing inbound cargo from ~~non-lease, non-grid~~ nonlease, nongrid yard areas
15 shall be as detailed below. Free time is inclusive of Saturdays, Sundays, and legal
16 holidays.

17 Inbound Cargo:

18	All containers, trailers, empty or loaded, and chassis.....	12 days
19	Steel products in shipments of up to 2,500 T tons.....	14 days
20	2,501 T tons to 5,000 T tons	26 <u>20</u> days
21	5,001 T tons to 7,500 T tons.....	40 <u>27</u> days
22	Over 7,501 T tons.....	48 <u>34</u> days
23	Particle board, plywood, hardboard, <u>L</u> umber in bundles, in shipments	
24	of:	

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1	<u>Up to 1,200 tons</u>	<u>12 days</u>
2	1,200 <u>1,201</u> tons and over	22 <u>16</u> days
3	<u>Dry bulk</u>	12 days
4	All other cargo	12 days
5	<u>Outbound Cargo:</u>	
6	All containers, trailers, empty or loaded, and chassis.....	15 days
7	All other cargo	12 days
8	...	

9 **Item No. 615–Free time and storage during longshore strikes.**

10 *Issue No. 4* 2

11 *Effective Date: October 1, 2006* 2017

12 Cargo on free time at the commencement of a longshore strike will be afforded
13 additional free time for the duration of the strike. Upon termination of the strike, free time
14 will continue to run for the unexpired number of days allowed on cargo.

15 ~~Cargo which is on first period inside storage (30 days) or open ground storage at~~
16 ~~the commencement of the strike will continue on first period inside storage or open ground~~
17 ~~storage for the duration of the strike. At the conclusion of the strike, the remaining days~~
18 ~~of the first period of inside storage will be allowed.~~

19 ~~Cargo in second period inside storage (60 days) at the commencement of the~~
20 ~~strike will be assessed charges at the first period inside storage rates (30 days) for the~~
21 ~~duration of the strike. At the conclusion of the strike, cargoes in this category will revert~~
22 ~~immediately to the period of storage applicable at the commencement of the strike.~~

23 ~~Cargo in the third period inside storage (90 days) at the commencement of the~~
24 ~~strike will be assessed charges based on second period inside storage (60 days) for the~~

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1 duration of the strike. At the conclusion of the strike, cargoes in this category will revert
2 immediately to full 90-day storage charges applicable at the commencement of the strike
3 period.

4 . . .

5 **Item No. 625–Inside transit shed storage rates.**

6 *Issue No. ~~11~~ 12*

7 *Effective Date: October 1, ~~2016~~ 2017*

8 Cargo accepted for inside storage by the Port Everglades Department will be
9 assessed storage charges as detailed below. Cargo remaining beyond authorized
10 storage period(s) will be assessed wharf demurrage charges as contained in this Tariff.

11 Charges are for each thirty (30) day period or fraction thereof.

12	1.	All articles not otherwise provided for, per ton	\$ 8.35	<u>8.65</u>
13	2.	Hardboard, particle board, plywood in bundles,		
14		per ton.....	\$ 4.90	
15	3. <u>2.</u>	Cement, in bags, per ton	\$ 3.80	<u>3.95</u>
16	4. <u>3.</u>	Lumber, per one thousand (1,000) B.M. (Net) <u>ton</u>		
17		\$ 6.55	<u>6.80</u>
18	5. <u>4.</u>	Steel products, per ton.....	\$ 5.85	<u>6.05</u>
19		MINIMUM Storage Invoice.....	\$50.00	

20 **Item No. 630–Open ground storage rates.**

21 *Issue No. ~~11~~ 12*

22 *Effective Date: ~~October 1, 2016~~ Effective Date: October 1, 2017*

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1 Cargo accepted for open ground storage by the Port Everglades Department will
2 be assessed storage charges as detailed below. Cargo remaining beyond an authorized
3 storage period(s) will be assessed wharf demurrage charges as contained in this Tariff.

4	1.	All articles not otherwise provided for, each six (6)		
5		days or fraction thereof, per ton	\$ 4.03	<u>1.07</u>
6	2.	Automobiles, trailers, trucks, container chassis,		
7		tractors, or other vehicles, per day, each	\$ 4.45	<u>4.65</u>
8	3.	Boats and yachts on cradles or trailers,		
9		per day, each	\$ 31.10	<u>32.20</u>
10	4.	Lumber, per ton <u>thirty 30 days or fraction thereof,</u>		
11		per thousand (1,000) B.M. (Net)	\$ 2.83	
12		<u>First 2 x 6 day periods (total 12 days).....</u>	<u>\$ 0.59/ton ea. 6 days</u>	
13		<u>Second 2 x 6 day periods (total 12 days).....</u>	<u>\$ 0.74/ton ea. 6 days</u>	
14		<u>Third 2 x 6 day periods (total 12 days).....</u>	<u>\$ 0.93/ton ea. 6 days</u>	
15		<u>After 6 storage periods, reverts to demurrage</u>		
16	5.	Containers, on or off chassis, containing cargo or		
17		empty, per day, each	\$ 4.45	<u>4.60</u>
18	6.	<u>Steel products, per ton</u>		
19		<u>First 2 x 6 day periods (total 12 days).....</u>	<u>\$ 1.07/ton ea. 6 days</u>	
20		<u>Second 2 x 6 day periods (total 12 days).....</u>	<u>\$ 1.34/ton ea. 6 days</u>	
21		<u>Third 2 x 6 day periods (total 12 days).....</u>	<u>\$ 1.67/ton ea. 6 days</u>	
22		<u>After 6 storage periods, reverts to demurrage</u>		
23		MINIMUM Storage Invoice	\$50.00	

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1 **Item No. 635-Wharf demurrage rates.**

2 *Issue No. 44 12*

3 ~~Effective Date: October 1, 2016~~ Effective Date: October 1, 2017

4 All cargo remaining in Port Everglades after free time has expired and not accepted
5 for storage or remaining in Port Everglades after expiration of an authorized storage
6 periods, shall thereafter be assessed a wharf demurrage charge as detailed below. The
7 vessel's franchised steamship agent or vessel representative is responsible for the
8 payment of wharf demurrage charges.

9 *Note:*

10 I. Located inside transit shed

11 II. Located outside on open ground

	<i>I.</i>	<i>II.</i>
13 1. All articles not otherwise provided for; per		
14 day or fraction, per ton	\$4.03 <u>1.07</u>	\$.77 <u>.80</u>
15 2. Automobiles, trucks, tractors, trailers, or		
16 other vehicles; per day, each	N.A.	\$ 6.35 <u>6.60</u>
17 3. Boats and yachts on cradles or trailers,		
18 per day, each	N.A.	\$ 57.45 <u>59.50</u>
19 4. Lumber, per one thousand (1,000) <u>B.M.</u>		
20 (Net) <u>ton</u> per day, or fraction	\$4.03 <u>1.07</u>	\$.77 <u>.80</u>
21 5. Containers, on or off chassis, containing		
22 cargo or empty; per day, each	N.A.	\$ 8.65 <u>8.95</u>
23 <u>6. Steel products; per ton, per day or</u>		
24 <u>fraction</u>	<u>\$1.07</u>	<u>\$.80</u>

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1 Every two (2) calendar days after the initial commencement of demurrage, the
2 franchised steamship agent or vessel representative shall complete and submit a Port
3 Everglades Storage Inventory Count Form to the Finance Division, Port Everglades
4 Department, and shall submit copies of all delivery receipts supporting the data thereon.
5 Inventory Count Forms required by this Item to be submitted on a weekend shall be
6 deemed submitted in a timely manner if said forms are received on the immediately
7 succeeding business day.

8 Failure to submit an Inventory Count Form in a timely manner or failure to provide
9 all information requested (including all relevant delivery receipts) will result in a late
10 charge of twenty-five dollars (\$25) per business day or any portion thereof for which the
11 Inventory Count Form has not been submitted or remains incomplete.

12 . . .

13 **Item No. 710–Container gantry (CG) and mobile harbor (MH) cranes–Rental rates.**

14 *Issue No. 44 12*

15 *Effective Date: October 1, ~~2016~~ 2017*

16 I. Container Operations - "Small Boat":

17	A. Straight Time Hours - Midport (CG)	\$693.95	<u>718.25</u> Per Hour
18	Straight Time Hours - Midport (MH)	\$624.55	<u>646.45</u> Per Hour
19	Straight Time Hours - Southport (CG)...	\$740.25	<u>766.20</u> Per Hour
20	B. Overtime Hours - Midport (CG)	\$799.55	<u>827.55</u> Per Hour
21	Overtime Hours - Midport (MH)	\$719.60	<u>744.80</u> Per Hour
22	Overtime Hours - Southport (CG).....	\$829.00	<u>858.05</u> Per Hour
23	C. Standby: Straight Time Hours	\$149.05	<u>154.30</u> Per Hour
24	D. Standby: Overtime Hours	\$198.95	<u>205.95</u> Per Hour

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

1	E. Minimum Invoice	2 Hours Per Crane Ordered	
2	F. Initial Start-up Per Crane	\$198.95	<u>205.95</u>
3	G. Final Shut Down Per Crane	\$198.95	<u>205.95</u>
4	II. <u>All Other Container Operations:</u>		
5	A. Straight Time Hours - Midport (CG).....	\$877.75	<u>908.50</u> Per Hour
6	Straight Time Hours - Midport (MH)	\$790.00	<u>817.65</u> Per Hour
7	Straight Time Hours - Southport (CG)....	\$928.20	<u>960.70</u> Per Hour
8	B. Overtime Hours - Midport (CG).....	\$988.90	<u>1,023.55</u> Per Hour
9	Overtime Hours - Midport (MH)	\$890.00	<u>921.15</u> Per Hour
10	Overtime Hours - Southport (CG).....	\$1,032.35	<u>1,068.50</u> Per Hour
11	C. Standby: Straight Time Hours	\$149.05	<u>154.30</u> Per Hour
12	D. Standby: Overtime Hours	\$198.95	<u>205.95</u> Per Hour
13	E. Minimum Invoice	4 Hours Per Crane Ordered	
14	F. Initial Start-up Per Crane	\$198.95	<u>205.95</u>
15	G. Final Shut Down Per Crane	\$198.95	<u>205.95</u>
16	III. <u>General Cargo, Yachts, Heavy Lifts:</u>		
17	A. Straight Time Hours - Midport (CG&MH)	\$487.30	<u>504.35</u> Per Hour
18	Straight Time Hours - Southport (CG)....	\$526.35	<u>544.80</u> Per Hour
19	B. Overtime Hours - Midport (CG&MH)	\$585.50	<u>606.00</u> Per Hour
20	Overtime Hours - Southport (CG).....	\$630.50	<u>652.60</u> Per Hour
21	C. Standby: Straight Time Hours	\$149.05	<u>154.30</u> Per Hour
22	D. Standby: Overtime Hours	\$198.95	<u>205.95</u> Per Hour
23	E. Minimum Invoice	2 Hours Per Crane Ordered	
24	F. Initial Start-up Per Crane	\$198.95	<u>205.95</u>

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscoring type are additions.

1	G. Final Shut Down Per Crane	\$198.95	<u>205.95</u>
2	IV. <u>Intercoastal Container Ocean Carriers:</u>		
3	A. Straight Time & Overtime Hours, Midport & Southport; Containers Discharged/		
4	Loaded/Shifted; per unit	\$ 19.10	<u>19.80</u>
5	B. Standby: Straight Time Hours	\$149.05	<u>154.30</u> Per Hour
6	C. Standby: Overtime Hours	\$198.95	<u>205.95</u> Per Hour
7	D. Minimum Invoice	2 Hours Per Crane Ordered	
8	E. Initial Start-up Per Crane	\$198.95	<u>205.95</u>
9	F. Final Shut Down Per Crane	\$198.95	<u>205.95</u>

10 The Port Everglades Department will be the sole judge as to whether it is
 11 appropriate to utilize a container gantry crane or mobile harbor crane to lift a particular
 12 classification of cargo. Rental rates, as stipulated in Part III., are applicable only in
 13 operations ~~which~~ that are exclusively noncontainer. When general cargo, yachts, or
 14 heavy lifts are loaded or discharged in conjunction with containers, rates specified in Parts
 15 I. and II. will apply for all hours of container gantry crane rental.

16 Charges for Parts I., II., and III. shall be computed on a quarter-hour basis with any
 17 fraction of a quarter-hour to count as a full quarter-hour. In the event of a mechanical
 18 malfunction, deductions of a quarter-hour or more and on a quarter-hour basis thereafter
 19 shall be subtracted from the overall charges due.

20 Preference will be given to container operations in the assignment of container
 21 gantry cranes and mobile harbor cranes over all other classifications of cargo.

22 ...

23

24

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

1 **Item No. 905–Treatment of accounts in delinquent status.**

2 *Issue No. ~~2~~ 3*

3 *Effective Date: October 1, ~~2012~~ 2017*

4 All accounts placed in delinquent status shall be subject to a finance charge of one
5 and one-half percent (1.5%) for each month or portion of a month that any invoice remains
6 delinquent. Regardless of whether an account has been delinquent for less than a full
7 month, the entire one and one-half percent (1.5%) late charge will be assessed. Further,
8 any user placed in delinquent status, may, at the discretion of Port Everglades, be denied
9 use of the facilities of Port Everglades or the right to remove cargo from storage until all
10 such charges, and any other outstanding charges, are paid in full.

11 Payment terms on leases at Port Everglades are normally provided for in each
12 lease agreement. Unless stated to the contrary in such lease agreement, a late rent fee
13 of ten percent (10%) will be applied to accounts with lease payments remaining unpaid
14 fifteen (15) calendar days beyond their due date, and charges which remain unpaid for
15 more than thirty (30) calendar days will be subject to a finance charge of one and one-half
16 percent (1.5%) for each month or portion of a month that said lease payments remain
17 unpaid. Regardless of whether such amounts remain unpaid for less than a full month,
18 the entire one and one-half percent (1.5%) finance charge will be assessed.

19 For Port users that are in good standing, the Port Everglades Chief Executive or
20 designee shall have the authority to grant a waiver of late fees and finance charges for
21 extenuating circumstances up to five thousand dollars (\$5,000).

22 . . .

23

24

1 **Item No. 1036—Sanitary ~~waste water~~ wastewater removal from vessels.**

2 *Issue No. ~~41~~ 12*

3 *Effective Date: October 1, ~~2016~~ 2017*

4 Vessel sanitary ~~waste water~~ wastewater removal shall include the pumping of
5 ~~waste water~~ wastewater from the sanitary holding tanks of vessels to shoreside trucks
6 and portable tanks and subsequent transport from the Port or to a designated on-Port
7 location at which the ~~waste water~~ wastewater is pumped into the Port's sanitary sewer
8 system.

9 All vessel sanitary ~~waste water~~ wastewater removal must be performed only by
10 companies with valid franchises issued by Broward County for this service at Port
11 Everglades.

12 Companies with a valid franchise issued by Broward County removing sanitary
13 ~~waste water~~ wastewater from vessels will be assessed a wharfage charge of ~~\$.0342~~
14 .0354 per gallon. With the authorization of Port Everglades, said company may discharge
15 sanitary ~~waste water~~ wastewater into the sewer system of Port Everglades for an
16 additional fee of ~~\$.0608~~ .0630 per gallon. When discharging into the Port Everglades
17 sewer system, a Port employee will be assigned to monitor the operation, verify the
18 quantity being discharged, and observe that only sanitary ~~waste water~~ wastewater is
19 being discharged into the sewer system. Labor costs will be charged in accordance with
20 Tariff Section Eleven. Labor costs will be in addition to the per-gallon fees.

21 Monthly written reports of activity and payment of related wharfage and labor
22 charges for the removal of ~~waste water~~ wastewater shall be submitted to the Port
23 Everglades Finance Division within five (5) business days after the end of the month and
24 shall include the dates of services performed, the name of the vessel(s), and the number

1 of gallons of product transferred. Failure to furnish the required monthly reports within
2 the stipulated time will result in a late charge of twenty-five dollars (\$25) per business day
3 or any portion thereof, for which the reports have not been submitted or remain
4 incomplete.

5 . . .

6 **Item No. 1057—Fire protection service fee.**

7 *Issue No. ~~40~~ 11*

8 Effective Date: October 1, ~~2016~~ 2017

9 All liquid petroleum products, alternative fuels, and fuel blending components,
10 including, but not limited to, liquefied petroleum gas, distillate from any natural or synthetic
11 source, alcohols, bio diesel, and bio diesel feedstocks entering storage tanks or vessels
12 located at Port Everglades, regardless of the transportation method (maritime shipping,
13 pipeline, railroad, or trucking), will be assessed a Fire Protection Service Fee of ~~\$.0269~~
14 .0279 per barrel.

15 . . .

16 **Item No. 1063—Standby fire watch service fee.**

17 *Issue No. ~~11~~ 12*

18 ~~Effective Date: October 1, 2016~~ Effective Date: October 1, 2017

19 In accordance with Section 633.025, Florida Statutes (Florida Fire Prevention and
20 Control Code), and the Broward County Local Fire Code Amendments for standby Fire
21 Watch, requiring the attention of Broward Sheriff's Office Department of Fire Rescue and
22 Emergency Services, Fire Marshal's Bureau, the following service fees will apply:

23	Recognized working hours	\$107.50	<u>111.30</u> per hour
24	Other than recognized working hours	\$134.50	<u>139.25</u> per hour

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(Subject to a four (4) hour minimum billing)

...

Item No. 1100—Harbormaster fees.

Issue No. ~~11~~ 12

Effective Date: October 1, ~~2016~~ 2017

The following Harbormaster fees shall be charged against each vessel:

Up to ten thousand (10,000) Gross Registered

Tons (<u>GRT</u>).....	\$335.45	<u>347.20</u> per call
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Ten thousand (10,000) GRT and over	\$424.65	<u>439.55</u> per call
--	---------------------	------------------------

Passenger vessels making daily cruises	\$117.70	<u>121.85</u> per day
--	---------------------	-----------------------

Item No. 1105—Linehandler fees.

Issue No. ~~11~~ 12

Effective Date: October 1, ~~2016~~ 2017

Linehandlers will be furnished for the services of handling lines for docking, undocking, and shifting vessels at the following rates. Rates are per movement and shifts shall be counted as two (2) movements.

0-9,000 Gross Registered Tons	\$385.85	<u>399.35</u>
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9,001-25,000 GRT	\$580.10	<u>600.40</u>
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25,001 GRT and over	\$762.05	<u>788.75</u>
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Cruise ships making daily sailings	\$354.40	<u>366.80</u>
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Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscoring type are additions.

1 **Item No. 1110–Labor and equipment fees.**

2 *Issue No. ~~41~~ 12*

3 *Effective Date: October 1, ~~2016~~ 2017*

4 Labor, equipment, and supplies are furnished by the Port Everglades Department
5 only upon request made to the Operations Division. Upon approval of such request,
6 charges are as detailed below:

	<i>During Recognized</i>	<i>Outside of Recognized</i>
	<i>Working Hours</i>	<i>Working Hours</i>

9 *Labor-Per Hour.*

- | | | |
|--------------------------------|---------------------------------|---------------------------------|
| 10 • Supervisors | \$87.30 <u>90.35</u> | 131.00 <u>135.60</u> |
| 11 • All other classifications | \$76.35 <u>79.05</u> | 114.60 <u>118.65</u> |

12 Labor rates are inclusive of a fifteen percent (15%) administrative charge. Rates
13 are subject to a four (4) hour minimum billing.

14 *Equipment-Per Hour.*

- | | | |
|--------------------------|-----------------------------------|---------------------------------|
| 15 • Backhoe | \$421.45 <u>125.70</u> | 159.75 <u>165.35</u> |
| 16 • Forklift (diesel) | 118.75 <u>122.90</u> | 157.05 <u>162.55</u> |
| 17 • Forklift (electric) | 34.20 <u>35.40</u> | 34.20 <u>35.40</u> |
| 18 • Street Sweeper | 224.85 <u>232.75</u> | 263.20 <u>272.45</u> |
| 19 • Light Plant | 411.80 <u>115.75</u> | 150.10 <u>155.35</u> |
| 20 • Portable Generator | 411.80 <u>115.75</u> | 150.10 <u>155.35</u> |

21 Equipment is provided subject to availability and must be requested not less than
22 twenty-four (24) hours in advance.

23

24

1 Electric forklifts are provided for use within the interior spaces of cruise passenger
2 terminals only. They are not to be driven outside of the cruise terminal buildings. Electric
3 forklifts are furnished without operators.

4 All equipment, with the exception of cruise terminal electric forklifts, ~~are~~ is furnished
5 with an operator. Rental rates, with the exception of cruise terminal electric forklifts, are
6 inclusive of a fifteen percent (15%) administrative charge.

7 All equipment is subject to a four (4) hour minimum billing.

8 **Item No. 1115–Potable water, hose rental, and hook-up fees.**

9 *Issue No. ~~11~~ 12*

10 *Effective Date: October 1, ~~2016~~ 2017*

11 Rates for potable water delivered to vessels via underground pipelines available
12 at berths 1-33 shall be as follows:

13 Potable Water \$ ~~2.80~~ 2.90 per ton

14 Hook-Up Fees:

15 Monday-Sunday; 6:00 a.m.-5:00 p.m. \$ ~~68.15~~ 70.55 per vessel

16 Monday-Sunday; 5:00 p.m.-6:00 a.m. \$~~101.20~~ 104.75 per vessel per
17 hour

18 The start time of the hook-up operation will determine the fee category that applies.
19 Hook-ups from 5:00 p.m.-6:00 a.m. are subject to a four (4) hour minimum at the hourly
20 rate listed.

21 If a vessel elects to use its own hoses to load potable water, said hoses must be
22 clean and free of defects and leaks. If not, or if the vessel requests the Port Everglades
23 Department to furnish hoses, a use fee of ~~twelve dollars and twenty cents (\$12.20)~~ twelve
24 dollars and sixty-five cents (\$12.65) per fifty (50) foot length of hose will be charged.

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
underscored type are additions.

1 **Item No. 1120—Overtime charges for use of facilities.**

2 *Issue No. ~~41~~ 12*

3 *Effective Date: October 1, ~~2016~~ 2017*

4 Transit sheds and cruise terminals, provided during hours other than recognized
5 working hours, will be charged at a rate of ~~eighty-nine dollars and fifty-five cents (\$89.55)~~
6 ninety-two dollars and seventy cents (\$92.70) per hour, or fraction thereof. Charges are
7 for the account of the franchised steamship agent or vessel representative, stevedore, or
8 cargo handler requesting the service. The charge applicable to cruise vessels providing
9 daily cruise service is ~~twenty-five dollars and sixty cents (\$25.60)~~ twenty-six dollars and
10 fifty cents (\$26.50) per hour. All such use is subject to a four (4) hour billing minimum.

11 Requests to have transit sheds and or cruise terminals available during other than
12 recognized working hours must be made not less than four (4) hours prior to the time ~~the~~
13 ~~facility is~~ needed.

14 There will be a charge for electricity within each transit shed and cruise terminal of
15 ~~twenty-four dollars and ten cents (\$24.10)~~ twenty-four dollars and ninety-five cents
16 (\$24.95) per hour, or fraction thereof, between the hours of 5:00 p.m. and 8:00 a.m. during
17 Eastern Standard Time. During Daylight Savings Time, the surcharge will apply between
18 the hours of 6:00 p.m. and 7:00 a.m.

19 The Port Everglades Administration Building Auditorium and Conference Room
20 301, provided for use by Port users during hours other than recognized working hours,
21 will be charged at a rate of twenty-five dollars (\$25.00) per hour, or fraction thereof. There
22 is no minimum use period, and billing will be based upon the actual time used. If special
23 requirements for audiovisual or other specialty items are requested, those will be charged
24 over and above these rates as determined by Port staff. Should the services of a Port

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1 staff person be needed during the use of the facility, charges will be in accordance with
2 Tariff Item No. 1110.

3 **Item No. 1125–Electric service fee.**

4 *Issue No. ~~11~~ 12*

5 *Effective Date: October 1, ~~2016~~ 2017*

6 When electricity is furnished by the Port Everglades Department for the operation
7 of conveyors or other equipment, there will be a charge of ~~twenty-four dollars and ten~~
8 ~~cents (\$24.10)~~ twenty-four dollars and ninety-five cents (\$24.95) per hour.

9 **Item No. 1130–Electricity for refrigerated containers.**

10 *Issue No. ~~11~~ 12*

11 *Effective Date: October 1, ~~2016~~ 2017*

12 Refrigerated containers placed in the Port's common use reefer yard will be
13 charged for electricity and use of reefer plug-in receptacles. Rates listed below apply per
14 twenty-four (24) hour period, or fraction thereof, for use of electricity and space utilization:

15	Per 20 ft. unit	\$54.30	<u>56.20</u>
16	Per 40 ft. unit	\$64.55	<u>66.80</u>

17 The Port Everglades Department does not provide service, maintenance, nor
18 monitoring of refrigerated containers while on electrical hook-up. Broward County
19 assumes no responsibility or liability for reefer containers including that of an equipment
20 malfunction. No other parking is allowed in the Reefer Yard, except for those units
21 plugged into the electrical receptacles.

22 Outside of recognized working hours, labor costs to open and close the common
23 use Reefer Yard for purposes of placing, removing, monitoring, or servicing containers
24 will be in accordance with labor rates contained in Section Eleven of this Tariff.

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1 Access to the common use Reefer Yard must be made by the requesting user not
2 less than four (4) hours prior to the time access is needed.

3 . . .

4 **Item No. 1140—Grid yard areas.**

5 *Issue No. ~~12~~ 13*

6 *Effective Date: October 1, ~~2016~~ 2017*

7 Upon written application made to the Operations Division and on a space available
8 basis, yard areas will be provided to franchised stevedores, franchised cargo handlers,
9 and tenants on an assignment basis for the purpose of marshaling and processing
10 containers, trailers, chassis, and related container equipment as well as boats, heavy lifts,
11 rolling stock to include, but not be limited to, bulldozers, graders, trucks, buses, tractors,
12 and automobiles in connection with the loading or unloading of ocean going vessels or
13 such other use determined by the Port Everglades Chief Executive to be consistent with
14 the mission of Port Everglades. Said areas, designated as grids, will each be assigned
15 for a minimum period of ten (10) days or one (1) calendar month at the election of the
16 applicant, subject to early termination as set forth in this Tariff. Grids may be assigned
17 by the Port Everglades Department for consecutive calendar monthly periods for up to a
18 maximum of twelve (12) consecutive months. Submission of a single Grid Application for
19 the requested number of calendar months is required. Grid use will be invoiced at the
20 end of each calendar month utilizing the monthly billing rates for grid land use and yard
21 lighting.

22 Although grids vary in size, assignees will be charged at the rate of ~~one thousand~~
23 ~~three hundred sixty one dollars and sixty cents (\$1,361.60)~~ one thousand four hundred
24 nine dollars and twenty-five cents (\$1,409.25) per acre assigned for each ten (10) day

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1 period or portion thereof, or ~~four thousand eighty-four dollars and eighty cents (\$4,084.80)~~
2 four thousand two hundred twenty-seven dollars and seventy-five cents (\$4,227.75) per
3 acre per calendar month or portion thereof. For grids served by yard lighting, an additional
4 charge of ~~seventy one dollars and thirty five cents (\$71.35)~~ seventy-three dollars and
5 eighty-five cents (\$73.85) per acre per ten (10) day assignment period or ~~two hundred~~
6 ~~fourteen dollars (\$214.00)~~ two hundred twenty-one dollars and fifty-five cents (\$221.55)
7 per acre per calendar month will be assessed. Any other electric service consumed by
8 the assignee will be charged based upon electric meter readings or by proration in the
9 absence of a meter.

10 Renewal of an assignment shall be initiated by written application to the Operations
11 Division not less than two (2) days before the expiration date of the current assignment
12 period. Subject to early termination as set forth in this Tariff, assignment periods
13 commence on the 1st, 11th, and 21st of each month for ten (10) day assignments, and on
14 the first of a calendar month for monthly assignments. No subassignments by the
15 assignee are permitted during any assignment period or renewal.

16 Notwithstanding an assignment of a one (1) or more grid(s), the Port Everglades
17 Department reserves the right to cancel such assignment upon forty-eight (48) hours'
18 written notice to the assignee for any reason whatsoever. An assignment may be
19 immediately terminated if the Port Everglades Chief Executive or designee, in his or her
20 sole discretion, determines that the assignee's occupancy or use of a grid is in violation
21 of any provision of this Tariff. Assignees will be responsible for paying double all amounts
22 charged in connection with yard assignments hereunder if there is a failure to vacate in
23 accordance with any termination notice issued under this Item.

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1 No improvements or alterations are to be made to a grid without the prior written
2 approval of the Port. To obtain approval, proposed plans and specifications are to be
3 submitted to the Seaport Engineering and Construction Division. Once reviewed and
4 approved, it is the responsibility of the grid user to obtain all required permits from the
5 applicable permitting agencies and all other required approvals and submit copies of the
6 issued permits and approvals to the Seaport Engineering and Construction Division prior
7 to the commencement of any alterations or improvements.

8 Applications, renewals, and a listing of all grids showing location, size, and cost
9 are available from the Operations Division.

10 . . .

11 Section 2. SEVERABILITY.

12 If any portion of this Resolution is determined by any Court to be invalid, the invalid
13 portion shall be stricken, and such striking shall not affect the validity of the remainder of
14 this Resolution. If any Court determines that this Resolution, or any portion hereof, cannot
15 be legally applied to any individual(s), group(s), entity(ies), property(ies), or
16 circumstance(s), such determination shall not affect the applicability hereof to any other
17 individual, group, entity, property, or circumstance.

18 Section 3. INCLUSION IN THE ADMINISTRATIVE CODE.

19 It is the intention of the Board of County Commissioners that the provisions of this
20 Resolution shall become and be made a part of the Broward County Administrative Code;
21 and that the sections of this Resolution be renumbered or relettered and the word
22 "resolution" may be changed to "section," "article," or such other appropriate word or
23 phrase in order to accomplish such intentions.

24
Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
underscored type are additions.

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Section 4. EFFECTIVE DATE.

This Resolution shall become effective upon adoption.

ADOPTED this ____ day of _____, 2017.

Approved as to form and legal sufficiency:
Joni Armstrong Coffey, County Attorney

By: /s/ Russell J. Morrison 08/30/17
Russell J. Morrison (Date)
Senior Assistant County Attorney

RJM/cr
08/30/17
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