

PORT EVERGLADES TARIFF NO. 12

Item No. 205–Access to Port Everglades.

Issue No. 2

Effective Date: October 1, 2007

No vessel shall be permitted to enter or leave Port Everglades harbor without the authorization of the Port Everglades Department, acting through its Harbormaster, nor shall any vessel be allowed to shift berths or otherwise move within the harbor without such authorization.

The franchised steamship agent or vessel representative desiring a berth at Port Everglades shall, as far in advance as possible, but not less than 72 hours prior to the estimated time of arrival, file a written Berth Application with the Harbormaster. The Berth Application shall specify the below information. The Port Everglades Department reserves the right to modify the Berth Application Form from time to time to require the furnishing of additional information.

- Vessel Name
- Estimated times of arrival and sailing
- Name of Franchised Agent
- Name of Ship Line
- Vessel Registry
- Vessel length overall and beam
- Vessel Gross Tonnage
- Arrival and estimated sailing deep drafts
- Preferred Berth
- Docking side to
- Nature and quantity of cargo, if any, to be handled
- Name of Stevedore, if any
- Name of preferred tugboat service provider
- Services required such as:
 - Passenger Loading Bridge
 - Cruise Terminal
 - Portable Brows
 - Potable Water
 - Wastewater Removal
 - Oily Waste Removal
 - Container Cranes
 - Electricity for refrigerated containers
 - Notification of Hot Work

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All Berth Applications are to be in writing and transmitted to the Harbormaster via Fax at (954)525-9512.

In addition to the filing of a Berth Application, all vessels, through their franchised steamship agent or vessel representative, must provide the Harbormaster with a firm twenty-four (24) hours notice of estimated time of arrival and provide notice of any and all changes thereafter.

Daily cruise operations are exempt from the 72 and 24 hours notification provisions.

Unless specifically exempted as provided herein, any vessel which does not conform with 72-hour Berth Application or 24-hour firm estimated time of arrival provisions and conflicts with vessels that have properly complied with the Berth Application and notice provisions, may be assigned an alternate berth if available or await the vacancy of the berth requested on the Berth Application.

Notwithstanding a franchised steamship agent's or vessel representative's designation of a preferred tugboat or towing service provider on a vessel's Berth Application, the Port Everglades Department, through its Harbormaster, reserves the right to designate the tugboat and towing service provider to a vessel in instances where the Harbormaster determines that safety, efficient berth utilization and/or special circumstances within the Port Everglades harbor requires same. Such designation shall be final and non-appealable.

The Port Everglades Department reserves the right to refuse entry to any vessel carrying refrigerated liquefied petroleum gas, explosives or hazardous cargo as provided in 49 CFR Subchapter C, Parts 171-180 (as amended), or a vessel which is determined by the Port Everglades Department to be in an unseaworthy condition. All vessels, while in Port Everglades, shall remain at all times in a seaworthy condition. This includes, but is not limited to, the vessel having its main propulsion machinery in full working order so as to permit shifting from the assigned berth or sailing from the Port if so ordered by the Harbormaster, United States Coast Guard, or other entity having jurisdiction to order such movement.

The Port Everglades Department reserves the right to prohibit departure from Port Everglades of any vessel deemed to be unseaworthy.

All vessels entering Port Everglades shall comply with Florida's Coastal Protection laws, rules and regulations (as amended) which include, but are not limited to, addressing financial responsibility and liability requirements, booming of vessels, anchorage areas, pilotage, ship specific spill contingency plans and approved vessel security plans.

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Further, notwithstanding any other provision of this Tariff, the Port Everglades Department may refuse entry of any vessel to Port Everglades when, in its discretion, such refusal shall be in the best interest of Broward County.

Any vessel wishing to undertake repairs to its main propulsion machinery to the extent that would result in the vessel not being able to shift or sail as described above must, as far in advance as possible, make request to the Harbormaster and United States Coast Guard and receive permission from both before undertaking the repairs. Consideration will be given to, among other factors, the extent of repairs, the time the repairs are to take, berth availability, weather conditions, and time of the year.

The Port Everglades Department reserves the right to require the vessel to have a tug(s) standing by while the vessel's main propulsion is out of service.