PORT EVERGLADES TARIFF NO. 12

Item No. 1200-Definitions.

Issue No. 6

Effective Date: October 1, 2026

AGGREGATE:

Any of several hard, inert materials that, among other things, are used for mixing in various size fragments with a cementing material to form concrete, mortar, or plaster. Includes, but is not limited to, crushed rock and sand.

APPLICABLE LAW:

All applicable laws, codes, advisory circulars, rules, regulations, and ordinances of any federal, state, county, municipal, or other governmental entity, as amended.

BARREL (PETROLEUM):

The net measure of 42 U.S. Gallons at 60 degrees Fahrenheit.

BERTH:

The place assigned to a vessel in Port when lying alongside a pier or dock where the vessel may load and discharge cargo or embark and debark cruise passengers or otherwise lay-in.

BOARD OF COUNTY COMMISSIONERS:

The governing body of Broward County and the Port Everglades Department issues, amends, interprets, and enforces the terms and conditions of this Tariff.

BUSINESS DAYS:

Monday through Friday of each week, exclusive of holidays, between the hours of 8:00 a.m. and 5:00 p.m.

COMMON USE AREA:

Open yard area or transit shed space that is not leased or assigned as a Grid. Subject to the terms of this Tariff for storage and Wharf Demurrage charges.

Item No. 1200-Definitions. (Cont.)

CONFINED SPACE:

Any space that is large enough and so configured that a person could bodily enter and perform assigned work. The space must have limited or restricted means for entry or exit and must not be designated for continuous employee occupancy.

A permit - required Confined Space is defined as a Confined Space that has one (1) or more of four characteristics:

It contains or could contain a hazardous atmosphere;

It contains a material that has the potential to engulf an entrant;

It has an internal configuration such that an entrant could be trapped or asphyxiated; or

It contains any other recognized serious safety or health hazard.

DOCKAGE:

The charge, calculated in accordance with the Dockage charges named in this Tariff, assessed against a vessel for berthing at or making fast to a Broward County Wharf, pier, dock, bulkhead structure, mooring dolphin, or for mooring to another vessel so berthed (nested).

FACILITY OPERATOR:

The entity operating a petroleum terminal and liquid bulk petroleum pipelines within Port Everglades.

FRANCHISED STEAMSHIP AGENT:

The entity that represents the interests of a vessel calling at Port Everglades and that has been franchised by Broward County.

FREE TIME:

The specified period during which cargo may occupy space assigned to it on terminal property free of Wharf Demurrage or Terminal Storage charges immediately prior to the loading or subsequent to the discharge of such cargo on or off the vessel.

Item No. 1200-Definitions. (Cont.)

GRID:

Open yard area assigned for ten (10) day periods to qualified Port Users and tenants for the marshaling of cargo.

HAZARDOUS MATERIALS:

All Class 1 explosives and all materials defined as “Certain Dangerous Cargoes” in US Coast Guard regulations in 33 CFR § 160 or as “cargo of particular hazard” in 33 CFR § 126.

HAZARDOUS WASTE:

All materials defined as “Hazardous Waste” under the Resource Conservation and Recovery Act (42 U.S.C. 6901, et Seq.) and Environmental Protection Agency regulations in 40 CFR § 261.

HEAVY LIFT:

A piece of cargo, the weight of which requires special equipment and gear to lift.

HOT WORK:

Any activity involving riveting, welding, burning, the use of powder-actuating tools, or similar fire-producing operations. Grinding, drilling, abrasive blasting, or similar spark-producing operations are also considered Hot Work except when such operations are isolated physically from any atmosphere containing more than ten percent (10%) of the lower explosive limit of a flammable or combustible substance.

LAY-IN:

Lying alongside a pier or dock without loading and/or discharging cargo or embarking/debarking cruise passengers.

PORT EVERGLADES:

The geographic location, including all facilities and waterways, of the “Port Jurisdictional Area” as defined in Chapter 99-475, Laws of Florida, except the Broward County Convention Center.

Item No. 1200-Definitions. (Cont.)

PORT USER:

Any person or entity who avails itself of facilities and/or property in Port Everglades, regardless of whether such person or entity has entered into a written contract with Broward County. This term includes, but is not limited to, stevedores, cargo handlers, tenants, Facility Operators, Franchised Steamship Agents, Vessel Representatives, and any of their agents or employees.

RECOGNIZED WORKING HOURS:

Monday through Friday of each week, exclusive of holidays, from 8:00 a.m. to 5:00 p.m.

SEAWORTHY (or SEAWORTHINESS):

The sufficiency of a vessel in materials, construction, equipment, machinery, and crew for the trade or service in which it is employed. Any sort of disrepair in the ship, or failure to properly perform by the crew, is a breach of the warranty of Seaworthiness.

SHIP STORES:

Provisions and supplies for use onboard a vessel by crew and/or cruise passengers at sea or in Port.

SMALL BOAT:

(1) A vessel having a container or trailer capacity of 150 TEU's or less that uses ship's gear or truck cranes for lift on/lift off for loading/discharging or roll on/roll off for loading/discharging; or

(2) A vessel having a container capacity of 300 TEU's or less that uses the Port Everglades Department's container gantry cranes for lift on/lift off for loading/discharging.

TERMINAL STORAGE:

The service of providing transit sheds or other terminal facilities or yards for the in-transit storage of inbound or outbound cargo after the expiration of Free Time.

VESSEL REPRESENTATIVE:

An entity that represents the interests of its own vessels calling at Port Everglades that, in lieu of applying for and being approved by Broward County as a Franchised Steamship Agent, has established its credit, ability to perform, insurance coverages, and trustworthiness to the satisfaction of the Port Everglades Department.

WHARF:

A structure of steel and/or concrete built on the shore extending into deep water, so that vessels may lie alongside. Also called a dock or pier.

WHARFAGE:

The charge assessed against all cargo and cruise passengers (embarking/disembarking/in transit), calculated in accordance with the Wharfage charges set forth in this Tariff, for the passage of the cargo and the cruise passengers (embarking/disembarking/in transit) onto, over, through, or under Wharves or Wharf premises or between vessels or overside vessels (to or from a barge or the water) when berthed at Wharves or Wharf premises or when moored in a slip adjacent to a Wharf or Wharf premise. Wharfage is solely the charge for use of Wharves or Wharf premises and does not include charges for any other service or facility.

WHARF DEMURRAGE:

A charge assessed against cargo remaining in or on terminal facilities after the expiration of Free Time, unless arrangements have been made for storage, or remaining in or on terminal facilities after expiration of an authorized storage period.