Governing Rates, Rules & Regulations of Marine and Port Services Provided by the Canaveral Port Authority

TARIFF NO. 16

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SECTION 100 LEGAL NOTICES

RULE 100: CONSENT TO TERMS OF TARIFF

The use of the waterways and facilities under the jurisdiction of Canaveral Port Authority ("CPA"), such waterways and facilities referred to herein as "Port Canaveral" or the "Port", shall constitute a consent to the terms and conditions of this Tariff, and the rules and regulations of the CPA, as the same exist at the time of each such use; and such use shall evidence an agreement on the part of the agents, and other users of such waterways and facilities, to pay all charges specified in this Tariff (unless otherwise provided by written agreement with CPA or reduced/waived as provided herein), and be governed by all of said Tariff terms, conditions, rules and regulations.

RULE 105: GOVERNING AUTHORITY; JURISDICTION AND VENUE

Governing Authority: The Canaveral Port District is an independent special taxing district and political subdivision of the State of Florida. CPA has jurisdiction over and control of Port Canaveral including all wharves, sheds, warehouses, terminals, slips and upland areas and all other property owned or operated by it. It has the power to fix and regulate rates, charges, rules, and regulations for the use of these facilities. The administration, operation and maintenance of Port Canaveral is governed by a duly elected Board of Commissioners and are under the direct supervision of a Port Director appointed by said Board of Commissioners.

Jurisdiction and Venue: Jurisdiction with respect to any claim or cause of action whether in law or equity and whether founded in contract or in tort, brought by any user against CPA arising from or incidental to the user's operations on CPA-owned property and/or its use of CPA's services or facilities shall lie exclusively in the County or the Circuit Courts of the Eighteenth Judicial Circuit in and for Brevard County, Florida, and in the United States District Court for the Middle District of Florida. Use of CPA's facilities or receipt of its services by any user shall constitute that user's consent to jurisdiction and venue in accordance with this Rule and shall constitute that user's waiver of any objection based upon forum non conveniens or any other law providing for change or transfer of venue to any other location or forum. This Rule does not apply to any action by any user against CPA which may be instituted pursuant to an Act of the Congress of the United States that expressly designates the jurisdiction in which such action shall be prosecuted, and from which CPA would not have sovereign or Eleventh Amendment immunity.

RULE 110: APPLICATION OF TARIFF

The rates, rules and regulations contained in this Tariff shall apply equally to all users of and all traffic on the waterways and facilities owned, operated, and under the jurisdiction of CPA; except where inconsistent with express provisions of leases or agreements with CPA for use of facilities. CPA shall be the sole judge as to the application and interpretation of this Tariff and supplements hereto. Fees including, but not limited to, wharfage, dockage, harbormaster, and line handling may be waived, reduced, or absorbed by the Port Director, if in the best interest of CPA. The Port Director shall also have the authority to implement other changes to this Tariff if it is determined such action is necessary for competitive purposes and/or the efficient use of the facilities. If changes remain in place for a period of twelve (12) months and are expected to remain permanent thereafter, they will be submitted to the Board of Commissioners as a Tariff revision for its approval.

RULE 111: ADDITIONAL AUTHORITY FOR DECLARED EMERGENCY

Upon declaration of an emergency by the President of the United States or the Governor of the State of Florida affecting the State of Florida, or for a natural disaster suffered by another state or country served by shipping line customer(s) of Port Canaveral, the Port Director shall have the authority to:

Prioritize vessel berthing to address such emergency condition;
Reduce or waive dockage and/or wharfage charges up to an amount not to exceed five thousand dollars ($5,000.00) in support of humanitarian relief efforts where supplies, materials, labor, shipping, and related assistance are donated on a voluntary basis, or resources are provided at reduced rates by governmental or charitable agencies or organizations. In order to qualify for a reduction/waiver of dockage and/or wharfage charges, the carrier must furnish a manifest and certified statement as required by **Rule 115** identifying those items that qualify for a reduction/waiver. In addition, the Port reserves the right to access documentation, and the carrier agrees to comply with all conditions as described in **Rule 1200**.

RULE 115: VESSEL REPORTS AND CONTROLS REQUIREMENTS

All agents requesting a berth for a vessel at a Port Canaveral commercial wharf shall, as far in advance as possible but at a minimum twenty-four (24) hours prior to docking, submit a Vessel Berthing Request to the Harbormaster specifying the date and time of docking. The request shall include information regarding the approximate date and time of departure as well as the nature and quantity of cargo to be handled. The name, registration, and enrollment of the vessel must be provided. Failure to submit a proper Vessel Berthing Request could result in a delay in the vessel's arrival.

All vessels requesting a Port Canaveral commercial wharf shall notify the Harbormaster of their estimated time of arrival. Deviations or subsequent changes to scheduled arrival times shall also be reported. Such notices shall be given by all vessels as far in advance as is reasonably feasible in order to facilitate ship movements, coordination, and arrangement of port services for incoming vessels.

Agents and vessels requesting use of a Port Canaveral commercial wharf shall contact the Harbormaster upon arrival in order to ascertain the vessel's pre-assigned berth. The Harbormaster shall regulate and supervise the berthing of all vessels.

Full capacity and continuous twenty-four (24) hour vessel operations may be required at the discretion of the Harbormaster in order to facilitate Port operations and efficiency. Refusal or failure to fully comply with a continuous operations request may result in an order for the vessel to vacate the berth.

CPA reserves the right to order a vessel moved from its berth to a more suitable location including anchorage in the event of a disruption of the vessel's power or any other hindrances of its loading or unloading capabilities which impedes the vessel's ability to discharge or take on cargo pending necessary repairs.

CPA shall retain full authority to move or cause any vessel to be removed at any time and for any reason as deemed appropriate by the Harbormaster. The Harbormaster shall have absolute authority to arbitrate disputes and to direct masters, agents, and others having charge of vessels.

Before departing from a Port Canaveral commercial wharf, all vessels shall notify the Harbormaster Office of the vessel's departure time and obtain departure approval. Such notice shall be as far in advance of the actual departure time as is reasonably feasible in order to facilitate vessel movement and coordination; however, all such notices shall be made at least two (2) hours prior to departure.

The Agent, or others having charge of the vessel, shall direct and cause to be reported to the Finance Department all cargo or passengers loaded or discharged from such vessel or passengers in transit for non-homeported vessels. Such report(s) shall be submitted within five (5) business days of sailing or completion of cargo operations and in the form of copies of the ship's manifest, bill of lading or a certified statement providing the number of units, commodities, weights, dimensions (if required) and all other information which CPA deems necessary for the purpose of conducting audits to determine the accuracy of reports filed, compilation of commercial statistics or for other purposes. Failure to provide the requisite reports within the

designated time period shall result in a twenty-five dollar ($25.00) per business day penalty assessed to and payable by the ship's agent unless expressly waived in whole or in part by the Port Director.

RULE 120: EMERGENCY SHIP MOVEMENT POLICY

See **Addendum E**

RULE 125: MOU BETWEEN THE CANAVERAL PORT AUTHORITY AND THE NAVAL ORDNANCE TEST UNIT CONCERNING SHIP MOVEMENT PRIORITY

See **Addendum D**

RULE 130: SEVERABILITY PROVISION

Each and every paragraph, sentence, term, and provision of this Tariff shall be considered severable and that, in the event any paragraph, sentence, term or provision is determined to be invalid or unenforceable, the validity and enforceability, operation or effect of the remaining paragraphs, sentences, terms or provisions shall not be affected, and this Tariff shall be construed in all aspects as if the invalid or unenforceable matter had been omitted.

SECTION 200 GENERAL INFORMATION

RULE 200: RECOGNIZED WORKING HOURS

The recognized working hours of the CPA shall be from 8:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. local (ET), Monday through Friday, except the following holidays: Martin Luther King Jr Day, Presidents Day, Good Friday, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving, Friday after Thanksgiving, Christmas Eve, Christmas, and New Year's. When a holiday falls on a Saturday, the preceding Friday is observed. When a holiday falls on a Sunday, the following Monday is observed. Work performed at hours other than stated will be subject to overtime charges.

RULE 205: LOCATION

Port Canaveral is in Brevard County on the eastern coast of Florida, bordered on the north by the Cape Canaveral Space Force Station and the Banana River and bordered on the south by the City of Cape Canaveral. The main harbor channel is orientated in an east / west direction, extending from the Atlantic Ocean to the Banana River. The Port harbor contains three turning basins: the East Turning Basin, the Middle Turning Basin, and the West Turning Basin. These basins are connected by the Inner Reach Channel and the West Access Channel which form the south boundary of each basin. The Port Canaveral sea buoy is approximately located at: Latitude: 29°21.9N; Longitude 80°30.9W.

RULE 210: HARBOR ENTRANCE

Entrance to the harbor from the Atlantic Ocean is through a channel 500 feet wide and 46 feet deep. The entrance from the Intracoastal Waterway (Indian River) is by a canal 125 feet wide and 12 feet deep, running due east across Merritt Island for approximately four miles, to a lock measuring 600 feet by 90 feet.

RULE 215: TURNING BASINS

Information about the harbor's three turning basins:

East Turning Basin: The Naval Ordnance Test Unit (NOTU) manages the Navy's Trident Basin and Wharf.

Middle Turning Basin: Approximately 2,260 feet long basin (including channel). 1,800 feet wide at the north end, 2,600 feet wide at the south end, -35 foot depth east and north portion, -43 foot depth west and south portion, 1,400 foot diameter turning circle located in the southwest corner.

West Turning Basin: Trapezoidal basin which measures 2,750 feet wide at the widest point in the north, 1,400 feet wide at the narrowest point near the existing corner cut off, 1,650 feet long between Cruise Terminals 5 and 10, -35 feet CPA maintained depth, 1,725 foot diameter turning circle in the southeast quadrant. At the north side is the Cruise Terminal 5 Basin, 650 feet wide by 800 feet long, -35 foot depth.

RULE 220: BERTHING FACILITIES

Port Canaveral has berths located on both the north and south sides of the harbor. All cruise terminals are supported by a separate, secure parking facility. Information including dock space and depth of berth is provided below. A Port Facilities map is available on CPA's website at https://www.portcanaveral.com/port-operations/port-facilities/facilities-map. See **Addendum C** for Harbormaster contact information.

North Cargo Berths (NCB)

Berth	Dock Length		Maximum Draft	
NCB 1 / 2	393.2 m	1290'	12.2 m	40'00"
NCB 3 / 4	532.5 m	1747'	12.2 m	40'00"
NCB 5 / 6[1]	570.6 m	1872'	12.2 m	40'00"
NCB 8	310.9 m	1020'	12.2 m	40'00"

[1]-Contact Harbormaster if additional draft is required.

North Cruise Terminals (CT)

Terminal	Dock Length		Maximum Draft	
CT 5	208.8 m	685'	10.2 m	33'06"
CT 6	211.2 m	693'	10.2 m	33'06"
CT 8	240.2 m	788'	9.75 m	32'00"
CT 10	248.1 m	814'	10.4 m	34'00"

South Cargo Berths (SCB)

Berth	Dock Length		Maximum Draft	
SCB 1	492.2 m	1615'	9.75 m	32'00"
SCB 2[2]			12 m	39'06"
SCB 3			12 m	39'06"
SCB 4	125.6 m	412'	12.2 m	39'06"

[2]- Max Draft: Valid up until 975 ft. mark; Max Beam: 106' east of 800 ft. mark.

South Cruise Terminals (CT)

Terminal	Dock Length		Maximum Draft	
CT 1	431.9 m	1417'	11.1 m	36'06"
CT 2	212.4 m	697'	10 m	33'00"
CT 3	402 m	1319'	10 m	33'00"

NOTE: Further restrictions may be imposed due to current water depths and vessel characteristics. Each vessel will be reviewed on a case-by-case basis by the harbormaster and the Pilots.

RULE 225: WATER AND FUEL BUNKERING FACILITIES

All berths have facilities for supplying fresh water and are accessible by tank truck or barge for bunkering. North Cargo Berths 1 and 2, South Cargo Berths 3 and 4, and Cruise Terminals 1, 5, 6, 8, and 10 have access to pipeline for bunker fuels.

RULE 230: STORAGE FACILITIES

A variety of storage facilities are available including dry, refrigerated, freezer, foreign trade zone warehousing, specialized facilities including dry bulk silos and liquid bulk tanks, and paved open storage. Contact Business Development for a list of storage facilities.

RULE 235: CONTAINER FACILITIES

Container facilities are located at NCB 5 and NCB 6 on the north side of Port Canaveral.

RULE 240: RAILROAD FACILITIES

The Port is served by the Florida East Coast Railroad through the Cocoa rail car facility and by Norfolk Southern via a multi-purpose terminal in Titusville.

RULE 245: FOREIGN TRADE ZONE #136

CPA is the Grantee for Foreign Trade Zone #136. Refer to Foreign Trade Zone #136 Zone Schedule available on CPA's website at http://www.portcanaveral.com or by contacting Business Development for further information.

RULE 250: GENERAL RESTRICTIONS AND LIMITATIONS

CPA is not obligated to provide storage or accommodation for property which has not been transported nor is intended to be transported by water to or from the Port; nor is it obligated to provide dockage, wharfage, storage, or other services beyond reasonable capacity of the facilities; nor is it obligated to provide extended storage for any property in the course of normal operations, beyond a period of time determined by the Port Director.

CPA is not obligated to accept any cargo, either inbound or outbound, which is not compatible with the accepted objectives of the Port and the established assurances to the community. The Port Director has discretionary authority to refuse any such cargo.

RULE 255: REAL ESTATE FACILITIES

For information regarding leasing property and facilities owned and operated by CPA contact the Real Estate Department. See **Addendum C**.

RULE 260: RECREATION FACILITIES

For information regarding recreational facilities owned and operated by CPA including Jetty Park, Boat Ramps and Parks, visit CPA's website at https://www.portcanaveral.com/park-services.

RULE 265: COMMERCIAL FISHING AND PHOTOGRAPHY

All requests to photograph and/or film CPA owned, operated, or managed facilities or properties intended for commercial or promotional use must be submitted for review and approval 48 hours in advance to the CPA Communications Department. News media requesting Port access to cover news events must have advance authorization from the CPA. Failure to notify the CPA in advance of arrival may result in access being denied. See **Addendum C** for contact information.

SECTION 300 MARINE OPERATIONS: RULES AND REGULATIONS

RULE 300: HARBORMASTER

The Port Director shall designate the Harbormaster, and such other personnel deemed necessary for the execution and compliance with this Tariff and the operational rules and regulations for Port Canaveral. See **Addendum C** for Harbormaster contact information. In addition to any duties prescribed by law, the duties of the Harbormaster include:

1. Scheduling of vessel arrivals, departures and assigning berths in coordination with the Canaveral Pilots Association, ship's agent, and the local military establishment to provide for maximum safety and to reduce the possibility of incidents which could endanger personnel, damage property or the environment.
2. Coordinating the priority of vessel movements with the U.S. military when potential conflicts arise in scheduling. See **Addendum D** for Ship Movement Priority.
3. Coordinating marine safety and security procedures for Port Canaveral with the Canaveral Pilots Association, the U.S. military, U.S. Coast Guard, U.S. Army Corps of Engineers, the Port Facility Security Officer, and representatives or agents of vessel owners.
4. Processing of billing information.
5. Tracking the arrival and departure of vessels within the Port.
6. Scheduling vessel usage of berths, anchorages, or other facilities within the Port.
7. Ordering and enforcing a vessel, at its own expense and risk, to vacate or change position at a berth, anchorage, or facility in order to facilitate navigation, commerce, or Port security, to protect persons, vessels, or property, to prevent unauthorized use of Port facilities, or to facilitate dredging of channels or berths.
8. Designating Port facilities for the loading or discharging of vessels.
9. Monitoring waterside areas for threats to navigational safety and security and making notification to the Facility Security Officer on security related issues.
10. Issuing written orders of compliance and notices of violation under this Tariff.

VESSEL MOVEMENT PENALTIES:

1. Failure to Vacate or Change Position: Any vessel that unnecessarily delays in moving under an order to vacate or change position may be penalized in an amount not exceeding one thousand dollars ($1,000.00) for each hour or fraction thereof, plus 150 percent (150%) of the demurrage costs incurred by a waiting vessel, until the order is complied with.
2. Obstructing or Resisting Harbormasters: If any person, master, consignee, agent, wharfinger or wharf owner, lessee of a wharf or other person shall oppose or resist the Harbormaster or the Duty Harbormaster in the execution of their duty, or disobey any order given by either of said officers as to the manner of removing or adjusting the rigging of any vessel under the control of such person, he or she shall be guilty of a misdemeanor of the second degree, punishable as provided per Florida Statutes.

FAILURE TO NOTIFY HARBORMASTER:

Any master of a vessel who shall fail to report to the Harbormaster for a berth at the wharves on arriving in Port shall be guilty of a misdemeanor of the second degree, punishable as provided per Florida Statutes.

RULE 305: DUTY HARBORMASTER

The Port Director may appoint Duty Harbormaster(s) to provide a 24/7 contact for vessel owners, operators, agents, or masters in the absence of the Harbormaster, and to ensure compliance with this Tariff and the operational rules and regulations of the Port. The Duty Harbormaster(s) may be hailed on VHF Channels 12 or 16 by the call sign "Canaveral Harbormaster". See **Addendum C** for contact information. The duties of the Duty Harbormaster shall include those as outlined in the above Rule. When a situation arises where the Duty

Harbormaster is unable to resolve it satisfactorily, or it is outside the responsibilities designated to the Duty Harbormaster by this Tariff, contact shall be made with the Harbormaster or the Port Director for resolution.

RULE 310: RESERVATIONS FOR CRUISE VESSELS

CPA will accept requests for advance reservations for cruise ships on a "first come, first served basis" or by contract and will protect a day or dates for berths and other specialized facilities as needed. Advance arrangements are to be made by the ship's agent with the Harbormaster. Notwithstanding the above, CPA reserves the right, through the Harbormaster, to assign berths and/or change the assignment of berths already reserved for the best utilization of Port facilities taking into account any and all elements which CPA, in its sole discretion, chooses to consider in order to achieve the best berth and facilities utilization and is in the best interests of the Port. Ships requiring berths due to weather, medical or any other request should contact the Harbormaster as soon as possible. CPA shall not be responsible for delays to vessels in berth or seeking berth or be responsible for damages resulting from delays to vessels, regardless of cause.

RULE 315: RESERVATIONS FOR VESSELS OTHER THAN CRUISE

CPA reserves the right to provide preferred berthing by written contract and to liner services that maintain a regular schedule. All vessels shall be assigned berthing facilities by the Harbormaster on a first come, first served basis, upon submission of a completed Vessel Berthing Request. All vessels shall be assigned to berths in the order of arrival at the sea buoy and in which they declare themselves as ready to commence work immediately upon arrival at berth. Notwithstanding the above, CPA reserves the right through the Harbormaster to assign berths and/or change the assignment of berths already reserved for the best utilization of Port Canaveral facilities taking into account any and all elements which CPA, in its sole discretion, chooses to consider in order to achieve the best berth and facilities utilization and is in the best interests of the Port. Cargo vessels loading or unloading are limited to seventy-two (72) hours at berth when another vessel is awaiting the same berth with a confirmed Vessel Berthing Request. The Harbormaster may make an exception to this Rule to allow continued berthing. CPA shall not be responsible for delays to vessels in berth or seeking berth or be responsible for damages resulting from delays to vessels, regardless of cause.

RULE 320: CHANGE OF LOCATION OF VESSELS

Any vessel, boat, barge, or other watercraft must at all times have on board a person in charge with authority to take such action in any actual emergency as may be necessary in order to facilitate common navigation or commerce or for the protection of other vessels or property. The Port Director or Harbormaster is hereby authorized and directed to order and enforce the removal or change of location of any vessel, boat, barge or other watercraft at its own expense, to such place as the Port Director or Harbormaster may direct, for the purpose of facilitating navigation or commerce, or for the protection of other vessels or property, and it shall be unlawful for the master, owner or agent of such vessel to fail, neglect or refuse to obey any such orders of the Port Director or Harbormaster.

If there is no responsible person available, or if the person in charge refuses to shift the vessel as directed, the CPA may have the vessel shifted at the risk and expense of the vessel owner or operator.

RULE 325: PILOT CONTROLS AND REGULATIONS

All pilots or deputy pilots must be licensed or indentured by the State of Florida Pilot Commission. It is required for foreign vessels and all coastwise vessels, except those United States coastwise vessels which have on board a pilot licensed by the United States Government. If a vessel is sailing to a foreign port or arriving from a foreign port, it will have to engage a pilot licensed or apprentice pilot indentured by the State of Florida Pilot Commission for Port Canaveral, Florida, even though a United States licensed pilot is on board. All pilot service herein provided shall be by contractual arrangement running solely between the pilot engaged by the vessel and the vessel, its agents, and owners. CPA and the State of Florida Pilot Commission are not part of a contract arrangement.

All vessels shall have a licensed state pilot or certificated deputy pilot on board to direct the movements of vessels when entering or leaving Port Canaveral, except as otherwise provided in § 310.141, Florida Statutes. Exceptions include vessels exempted by the laws of the United States and monohulled vessels and certain multihulled vessels which draw less than 7' of water.

All Port pilots, including those holding a United States license, shall obey the directions given by the Port Director, Harbormaster in all particular instances as to vessel movement on the waters under jurisdiction of the CPA, either inbound or outbound, berthing, re-berthing, with regard to any vessel movement coordination and safety issues concerning these vessel movements. Any party failing to obey any such direction of the Port Director or Harbormaster shall lose their privilege to operate as a pilot at Port Canaveral, and such may be enforced by injunction or otherwise.

Pilotage services are provided in Port Canaveral by the Canaveral Pilots Association. See **Addendum C** for contact information. For information regarding pilot(s) licensed by the United States Government, contact the Harbormaster Office.

RULE 330: DECK WATCH

All vessels moored to CPA operated wharves shall maintain a live deck watch and monitor VHF Channels 12 and 16 with the capability of communicating in English. The Port Director may require any vessel berthed at private leaseholds to maintain a live deck watch and have an English-speaking person to monitor VHF Channels 12 and 16.

RULE 335: LIGHTS

All vessels, while within the jurisdictional waters of Port Canaveral, shall display proper navigation lights between sunset and sunrise and during periods of restricted visibility (fog, rain, haze, etc.) in accordance with the U.S. Coast Guard Navigation Rules. The use of flashing, occulting, or revolving lights is prohibited except where expressly allowed by law.

RULE 340: MOORING

The master and crew of each vessel shall, at all times, ensure that their vessel is secured to the wharf utilizing mooring lines in sufficient number, positioning, strength, and condition. The crew shall tend to their vessel's mooring lines for the duration of the vessel's dockage as needed in order to accommodate for changes in weather conditions, changes in tide, and passing vessels. Additionally, all vessels must comply with any mooring arrangement recommendations given by the Harbormaster, and/or Duty Harbormasters.

RULE 345: UNDER KEEL CLEARANCE AT BERTH

Any vessel berthed alongside any dock or seawall within Port Canaveral shall at all times maintain an under-keel clearance of at least six (6) inches between the lowest protrusion of the vessel and the sea bottom regardless of tidal conditions.

RULE 350: SPEED

The waters of Port Canaveral are designated as "slow speed, minimum wake" zone. In accordance with § 327.33, Florida Statutes, it is unlawful to operate a vessel without regard to posted speed and wake restrictions or other waterborne traffic, in a reckless manner, in a manner that endangers persons or property, including other vessels or structures, or in a manner causing wake damage.

RULE 355: ANCHORAGE

It shall be unlawful for any person, company, or corporation whether as principal, servant, agent, employee or otherwise, to anchor any vessel, barge, boat, or other watercraft of any kind in any of the turning basins or channels in Port Canaveral without permission from the Port Director except in cases of actual emergency. Vessels anchoring under emergency conditions will report to the Port Director and the Canaveral Pilots

Association immediately with a full statement of the circumstances. Violators will be charged five hundred dollars ($500.00) per day or any portion thereof, or twice the dockage charge, which would be applicable to the vessel, whichever is greater. Vessels authorized by the Port Director to anchor in Port Canaveral will be charged the dockage charge which would be applicable to that vessel.

RULE 360: COLLISION / ALLISION

In the event of a collision between two (2) vessels or an allision between a vessel and any wharf, dock, pier or other structure, a written report of such incident shall, be immediately reported to the Harbormaster for determination and instructions. A written report of such collision/allision made by the master, owner or agent involved is required to be furnished to the Port Director within twenty-four (24) hours after the collision/allision. In the event of a collision/allision where a vessel is under way and proceeding to the open sea with no need of repair, said report may be mailed by the master, owner, or agent of said vessel from the next port which it enters.

RULE 365: ENGINE IMMOBILIZATION

Masters, owners, or agents of vessels intending to immobilize the main engines of their vessels at CPA wharves shall submit a formal immobilization request to the Harbormaster a minimum of forty-eight (48) hours in advance of said vessel's estimated time of arrival. In the event that another vessel requires berthing at an immobilized vessel's berth for the purpose of actively working cargo, the Harbormaster will require the immobilized vessel to shift. All charges associated with said shift shall be at the expense of the Master, owner, or agent. In order to accommodate such shifts, as well as potential emergency movements, an immobilized vessel shall have a sufficient number of crew onboard and also towing lines rigged on the offshore side of the immobilized vessel's bow and stern.

RULE 370: OBSTRUCTION OF NAVIGATION

No substance that will form an obstruction to navigation or become a nuisance shall be deposited in the waters of Port Canaveral.

RULE 375: SALVAGE OPERATION

Prior to the commencement of salvage operations, individuals and/or businesses desiring to perform salvage operations within the waters of Port Canaveral will be required to furnish CPA with a performance bond ensuring that the salvage operation will be performed expeditiously and to the satisfaction of federal, state, and local authorities. The Port Director is authorized to determine and fix the amount of the required performance bond on a case-by-case basis.

RULE 380: UNDERWATER DIVING OPERATIONS

Underwater diving operations are prohibited within the confines of Port Canaveral except when authorized by the Harbormaster. Those involved with an authorized dive operation must notify the Harbormaster immediately prior to commencing diving operations, as well as at the conclusion of diving operations. Additionally, those involved with an authorized dive operation must have personnel onsite at the dive site that will monitor VHF Channel 12, as well as display proper dive flags throughout the duration of the dive. Furthermore, authorized diving operations must comply with all standing U.S. Coast Guard policies and regulations.

For purposes of this Rule the confines of Port Canaveral are defined as including all water east of the Barge Canal Lock through the Jetties to the Atlantic Ocean.

This Rule does not apply to waters under the control of the United States Navy, United States Army Corps of Engineers, or to the U.S. Coast Guard.

RULE 385: HOT WORK

Hot Work is prohibited on CPA wharves except when authorized by the Canaveral Fire Rescue. For information on obtaining a hot work permit, contact the Harbormaster Office.

SECTION 400 FACILITIES

RULE 400: ABANDONED CARGO

Any cargo on which charges have not been collected within ninety (90) days shall be considered abandoned cargo. CPA reserves the right to remove any or all such property to another part of the premises or remove it and place it in storage off of CPA premises at the risk and expense of the owner. CPA may retain possession of the property until all charges have been paid. In any instance, when the Port Director determines final abandonment of cargo, such cargo may be disposed of by CPA.

RULE 405: CLEANLINESS

All vessels, their owners or agents, and all other users of CPA property, facilities, or equipment, shall be held responsible for keeping CPA's property, facilities, and equipment in a clean and orderly manner to the satisfaction of CPA. CPA's property includes, but is not limited to, its berths, piers, adjacent aprons, and gutters, drains and drainage facilities, entryways, and roadways. Failure to comply with this requirement within twenty-four (24) hours of receipt of notice, will result in the user being charged five hundred dollars ($500.00) for each calendar day or portion thereof the property, facility or equipment is not cleaned. In addition to such charge, CPA reserves the right to do any required cleaning and charge the user the cost of such cleaning plus 20%.

RULE 410: DAMAGES TO PORT PROPERTY OR PROPERTY OF OTHERS

Users of CPA facilities shall be held responsible for all damage to property, facilities and equipment caused by them, their employees, agents, or contractors, or resulting from the use of CPA property and facilities. CPA's property includes, but is not limited to, its berths, piers, adjacent aprons, and gutters, drains and drainage facilities, entryways, roadways, and waterways. It is the responsibility of the users to immediately notify the Port Control and the Harbormaster of damages to property, facilities, or equipment caused by or arising out of their use and to confirm same in writing within three (3) working days.

Any damage caused by the vessel to the wharf or equipment for any reason shall be the responsibility of the master and the owner of the ship causing the damage. CPA shall be able to detain the ship until it has received a satisfactory guarantee for payment of the amount of the damage caused or a reasonable estimate thereof.

All repairs of damage to buildings, structures, equipment, etc. will meet current building and safety codes and shall be completed to CPA's satisfaction. CPA reserves the right to repair said damages and bill the user the cost of such repair plus 20%. Failure to notify the Port of any damage to the facilities will result in the user being charged the cost of such repairs plus 50%.

RULE 415: MAXIMUM LOAD / HEIGHT OF CRANE CARGO IN SHEDS ON WHARVES AND FACILITIES

CPA reserves the right to specify the maximum load that may be placed on its wharves and facilities, and the manner in which single heavy pieces shall be moved over said wharves and facilities and also reserves the right to specify the maximum height to which any commodity may be stacked or piled. A formal request for approval of such crane and heavy lift cargo movements shall be submitted to the Harbormaster Office and the Engineering Department a minimum of 2 business days in advance of said movement. Upon receipt of the request, an engineering analysis will be completed to determine if the wharves and facilities can support the weight of a crane lift, cargo, handling, or transport equipment, either individually or combined, CPA will

charge three hundred and seventy dollars ($370.00) for the engineering analysis, to either the crane operator, agent, stevedore, or tenant. Crane service companies must be permitted to conduct business at Port Canaveral per **Rule 1315** and carry insurance coverage in accordance with the Insurance Supplement, **Addendum A**.

RULE 420: SIGNS

Painting signs on structures belonging to CPA is prohibited without prior approval. Signs to be erected on the Port shall be furnished by the Port users and erected or placed by the user after the Port Director has approved the design material and size of said signs. All signs shall be uniform and are subject to CPA sign regulations.

RULE 425: VEHICLES ON FACILITIES

No owner or operator of any automobile, truck, trailer, or other vehicle may allow the vehicle to remain parked on any CPA secure or restricted facility for a period longer than is necessary for loading or unloading. Overnight parking is only authorized in approved commercial staging areas. Any vehicle in violation of this Rule may be towed at the owner's expense at cost plus 20%. CPA shall assume no responsibility for costs or damages associated with the removal and/or storage of unauthorized, improper, or illegally parked vehicles. Parking will be administered by code enforcement officers in accordance with CPA rules and regulations.

RULE 430: WHARF OBSTRUCTION

Stevedore's tools, appliances and equipment, vehicles, cranes or any other material or object, including cargo when not actively loading or unloading, will not be permitted to remain, or be stored on the aprons, wharves, wharf premises, driveways, roadways, or other locations that would hamper normal Port operations without prior approval of the Port Director. If removal is ordered and the removal order is not adhered to, within twenty-four (24) hours of receipt of notice, the user will be charged five hundred dollars ($500.00) for each calendar day or portion thereof until the facility is cleared. In addition to such charge, CPA reserves the right to remove such obstructions and store at the owner's expense at cost plus 20%.

SECTION 500 SECURITY, SAFETY, AND ENVIRONMENTAL

RULE 500: DISCHARGING / THROWING TRASH, REFUSE AND/OR GARBAGE INTO WATERWAYS

It shall be unlawful for any person, company or corporation to deposit, place or discharge into the waterways of Port Canaveral either directly or through private or public sewers, any sanitary sewage, garbage, dead animals, gaseous liquid or solid matter, petroleum product, calcium or carbide, trade waste, tar or refuse, ship engine exhaust scrubber washwater effluent discharge, or any other matter, which is capable of producing floating matter or scum on the surface of the water, sediment on the bottom of the waterways, turbid water within the water column, or the odors and gasses of putrefaction. In addition, all applicable federal, state, and local laws, rules, or regulations pertaining to air and water pollution shall be rigidly observed.

Vessels are permitted to utilize exhaust gas cleaning systems ("EGCS") in a closed-loop mode within the waters of Port Canaveral. Vessels must place EGCS in closed-loop mode in advance of entering the harbor and in accordance with the system operating parameters in order to prevent the discharge of residuals and exhaust gases from Port Canaveral. The operation of open-loop EGCS is strictly prohibited.

Vessels discharging oil from bilges or tanks into the waters of Port Canaveral will be reported to the U.S. Coast Guard. All vessels, their owners or agents, and all other users of CPA facilities, shall be held responsible for any such discharges caused by them.

CPA reserves the right to undertake any assessment or corrective action deemed necessary or prudent to protect public health or property. The cost of assessment and corrective action plus 50% will be assessed to vessel causing such discharge.

RULE 505: EMERGENCIES

Anyone who becomes aware of an emergency within the jurisdictional boundaries of the Port should call 911 or notify the Port Control Center (see **Addendum C**) while taking such measures as may be appropriate.

In case of fire on board a vessel docked in Port or on the wharf at which the vessel is berthed, such vessel shall sound repeated long blasts of its whistle or siren, each blast to be from four (4) to six (6) seconds duration, to indicate a fire.

Vessel horns, whistles, or sirens serve as important navigational and safety devices. Such signaling devices should only be used in the event of emergencies and in the furtherance of safe navigation. Other unnecessary use of signaling devices (e.g., farewell goodbyes or use as entertainment) is prohibited outside of the following operating hours: 0800 – 1800.

RULE 510: EXPLOSIVES

Explosives and hazardous or highly inflammable commodities or material may be handled over or received on the wharves or other facilities of CPA by special arrangements with and at the option of the Port Director. Handling of such commodities or material shall be conducted in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations and approved by the Canaveral Fire Rescue and U.S. Coast Guard.

RULE 515: HAZARDOUS MATERIALS

All Port users/tenants will be held responsible for compliance with all applicable federal, state, and local laws, ordinances, rules and regulations regarding the transportation, storage, disposal, use and handling of hazardous materials. Any user/tenant transporting, storing, disposing, using, or handling hazardous material shall indemnify and hold CPA harmless from all damages, claims, and expenses including attorney fees resulting from the presence of such material at or near the Port Canaveral. No provision or rule relieves or limits the violators' liability for their own negligence.

RULE 520: INCLEMENT WEATHER

Port Canaveral is not a suitable refuge for either hurricanes or tropical storms. Port Canaveral is a port of significant national and regional importance, and efforts must be taken to mitigate damage which may be caused by a severe weather event. All Port Canaveral users must comply with storm preparation directives and evacuation orders given by CPA, the U.S. Coast Guard, Brevard County Sheriff's Office, and Canaveral Fire Rescue. For additional information refer to CPA's website at http:/www.portcanaveral.com/About/Severe-Weather-Awareness or contact Public Safety and Security, see **Addendum C**.

Vessels greater than 500 gross tons desiring to remain in the Port during a hurricane or tropical storm must request and receive permission from the CPA and U.S. Coast Guard Sector Jacksonville. CPA may require vessels greater than 500 gross tons that have been approved by the U.S. Coast Guard to remain in Port to shift berths for operational or safety reasons.

Vessels under 500 gross tons may not remain in Port, including in the waterways of marinas, and shall be promptly removed from the waters of the Port by the vessel owner(s), upon issuance of an evacuation order by CPA.

The CPA may issue penalties to vessel owners or operators for violations of this Rule in an amount not to exceed the amount prescribed in § 313.22(3), Florida Statutes. The owner or operator of any vessel that has not been removed from the waterway of the marina, pursuant to an order from CPA, after the hurricane watch has been issued, may be subject to a fine in an amount not exceeding three times the cost associated with removing the vessel from the waterway.

Additionally, all tenants and users of Port Canaveral wharves and facilities shall be responsible for adequately securing all cargo, materials, and equipment that may cause personal injury and/or property damage in the event of a hurricane, tropical storm, or any other severe weather event. In the event any cargo, materials, or equipment are not stored and secured in accordance with requirements issued by the CPA, the CPA may take appropriate measures to secure the items and charge the tenant or user at cost plus 20%.

The CPA assumes no responsibility or liability for any injury or damage to persons, property, cargo, materials, or equipment resulting from hurricanes, tropical storms, or other severe weather events.

RULE 525: LOITERING

Loitering in or around restricted areas of the CPA shall be prohibited. Unauthorized presence within a restricted area constitutes a breach of security.

RULE 530: MARPOL ANNEX V

All persons including vessel owners, agents, stevedores, truckers, chandlers, ship repairers, oil vendors, tenants of CPA and any public or private company entering CPA property shall comply with the U.S.C.G. (PL 100-220) MARPOL Annex V code regarding disposal of plastic, vegetable, and medical waste. Contact the Harbormaster forty-eight (48) hours in advance of vessel's arrival for list of A.P.H.I.S. approved reception facilities.

RULE 535: NO SMOKING

It shall be prohibited for any person to smoke or light any match upon Port wharves or in the immediate vicinity of vessels containing, loading, or discharging explosives or dangerous cargo and/or any other area where such is prohibited by CPA, Canaveral Fire Rescue, or the U.S. Coast Guard.

RULE 540: NUISANCE DISCHARGE CREATED BY VESSELS

Throughout the duration of a vessel's stay in Port Canaveral, it is prohibited to emit excessive smoke, perform incineration activities, blow tubes, or clean boilers and/or shipboard cargo tanks/holds, or otherwise create nuisance discharge. All necessary measures to prevent emitting excessive soot, ash, or dark smoke from engine exhaust and/or ancillary shipboard machinery shall be taken. Additionally, the discharge into Canaveral harbor of black or gray water, or ballast water, unless such ballast water has been treated using an approved, properly functioning on board ballast water treatment system is prohibited. The vessel owner/operator and/or its local agent shall be held as the responsible party for any violation of this Rule. Nuisance discharge notifications shall be directed to both the Harbormaster and the Environmental Department, see **Addendum C**. Any nuisance discharge notifications received by the Harbormaster Office and the Environmental Department will be investigated in order to inform or, when necessary, issue warnings to a vessel and/or its local agent for any violation(s), and/or reporting to appropriate regulatory authority.

RULE 545: REGULATED AND HAZARDOUS SUBSTANCE SPILL RESPONSE READINESS

All companies and governmental entities transporting and handling petroleum-based fluids within Port Canaveral, or over any wharf or bulkhead must provide a current Discharge Prevention and Response Certificate as required by § 376.065, Florida Statutes, and demonstrate the number of trained personnel and containment and recovery equipment, as required by a response, and as identified in the Federal Pollution

Act of 1990, is adequate for the performance of their respective Port operations. Should such companies or entities utilize its membership in the Port Canaveral-Brevard County Spillage Cleanup Committee, Inc. to demonstrate compliance for any part of these requirements, such membership must be maintained in good standing. Contact the Environmental Department (see **Addendum C)**. Each company or entity must also have insurance coverage based upon the circumstances of response in accordance with the Insurance Supplement, **Addendum A**.

In the event of any regulated or hazardous substance being released or discharged on, under, or within CPA's facilities or into the waterways of Port Canaveral, the vessel, its owner(s) or agent(s), or the user(s) of CPA facilities shall be held responsible for any such release or discharge caused by them. The responsible party shall immediately follow notification procedures in accordance with **Rule 505,** in addition to notifying all regulatory agencies requiring notification. The responsible party, at its sole expense, also shall immediately take all necessary remedial mitigation and clean-up actions in accordance with applicable federal, state, and local laws, rules, and regulations. Any regulated or hazardous substance entering or having the potential to enter navigable waters must be reported immediately to the U.S. Coast Guard National Response Center (NRC). The phone number for the NRC is: 1 (800) 424-8802. CPA reserves the right to undertake any assessment or corrective action deemed necessary or prudent to protect public health or property. The cost of assessment and corrective action plus 50% will be assessed to the responsible party causing the release or discharge.

RULE 547: VESSEL HULL CLEANING AND MAINTENANCE OPERATIONS

Vessel hull cleaning or maintenance operations, including sandblasting or painting, while docked at Port Canaveral is prohibited without prior written approval from the Environmental Department. Any vessel, agent, person, or company desiring to perform such activities shall make a request for authorization in writing to both the Harbormaster and the Environmental Department (see **Addendum C**). The request is to be sent a minimum of forty-eight (48) hours prior to the desired commencement and shall contain the following: a detailed description of the activities to be performed; the vessel's biocide-free anti-fouling coating certificate(s); and the materials and protection measures to be used. The following are strictly prohibited in the Port Canaveral harbor: 1) hull cleaning and maintenance operations on a vessel which utilizes a biocide containing anti-fouling coating; 2) chipping, scaling, or otherwise removing paint from a vessel hull into the waterway; and 3) hull and deck washing with any product other than fresh water that is rinsed into or capable of entering the waterbody.

RULE 550: REMOVAL OF WASTE AND CONTAMINATED OILS

Contact the Harbormaster Office for a list of companies to contact for such service.

RULE 555: RESTRICTED ACCESS AREAS AND SECURE / NO TRESPASS ZONES

CPA has designated secure and restricted areas within the Port in accordance with Florida Statute § 311.12. These areas shall be clearly marked and indicate that unauthorized access is prohibited and constitutes a breach of security. In addition, security zones are established 100 yards around all tank vessels, cruise ships, and military pre-positioned ships within the Port jurisdictional area and shall be enforced in accordance with the provisions of Florida Statute § 327.461.

RULE 560: RESTRICTIONS REGARDING WASTE DISPOSAL PRACTICES FOR PASSENGER VESSELS

All passenger vessels operating from, or calling on, Port Canaveral are expected to abide by the waste disposal guidelines within the Cruise Industry Waste Management Policy outlined in the Memorandum of Understanding (MOU) between the International Council of Cruise Lines (ICCL) [now known as the Cruise Lines International Association (CLIA)], Florida-Caribbean Cruise Association (FCCA) and the Florida Department of

Environmental Protection (FDEP) as subsequently amended and any other applicable international, federal, state and local environmental regulations. The MOU is available on the FDEP website (see https://floridadep.gov/sites/default/files/cruiselineMOU12-06-01.pdf). Waste disposal guidelines are available on the Cruise Lines International Association (CLIA) website.

RULE 565: SECURITY DISTANCES BETWEEN VESSELS

Security zones are established 100 yards around all tank vessels, cruise ships, and military ships while the vessels are within the jurisdictional waters of the CPA. Entry into these zones is prohibited except as authorized by the U.S. Coast Guard. Security zones shall be in effect whether the vessel is in transit or at berth.

RULE 570: SECURITY SERVICES

In accordance with the Maritime Transportation Act ("MTSA"), the CPA may require Port Tenants, clients, and users to provide security services to monitor cargo or other property under their care, control, or management. This shall include, but not be limited to, all cargo and properties encompassed by a tenant leasehold or site-specific facility security plan ("FSP").

Port Tenants, clients, or users who are regulated by the U.S. Coast Guard under the purview of a site-specific FSP shall be wholly responsible for establishing terminal security services in accordance with the provisions of their site-specific plan.

In the event a user does not have an approved FSP, or their site-specific plan is not approved by the CPA Facility Security Officer, they may request permission to use the Port's FSP. If permission is granted, the user shall comply with all provisions of the regulations and procedures set forth in the Port's FSP. The user of the Port's FSP is responsible for Terminal Security Services in accordance with **Rule 571.**

CPA reserves the right to charge the user any administrative or civil penalty, fee, or fine assessed due to failure of the user to comply with the provisions of the MTSA and/or the Port's approved FSP. This charge shall include the actual cost, including any legal fees associated therewith, plus 20%.

Organizers of a special event or any activity for which there is an anticipated or actual need for enhanced or specialized security services shall be required to provide adequate security services, as determined by CPA, for the duration of such event or activity, and at the organizer's sole cost and expense. CPA reserves the right to charge the organizer for providing such enhanced or specialized security services, in the event adequate security services are not provided by the organizer, as determined by CPA.

Security services required by this Rule shall be provided by a contract provider of security services permitted by the CPA per **Rule 1315**. Such services shall be in accordance with the requirements of Chapter 493 of the Florida Statutes as amended. In addition, security services shall carry insurance coverage in accordance with the Insurance Supplement, **Addendum A**.

RULE 571: TERMINAL SECURITY SERVICES

When required by the Port's U.S. Coast Guard approved FSP, terminal security shall be provided by a contract provider of security services permitted by the CPA per **Rule 1315**. Requests for Terminal Security Services require a minimum of forty-eight (48) hours' notice to the CPA Harbormaster and Public Safety and Security Department.

Services requested with less than twenty-four (24) hours' notice will be charged at the Weekend/Holiday rate.

Description	Hourly Rate
Normal Business / Meal Hours	$34.00
Weekends and Holidays	$45.00

NOTE: Terminal Security Services will be billed at a minimum of four (4) hours per guard and are subject to applicable taxes. Guard requirements will be dependent upon assigned berth.

Cancellation with less than twenty-four (24) hours' notice will result in a charge of four (4) hours at the applicable hourly rate.

RULE 572: SECURITY SURCHARGE

A surcharge will be billed to offset cost of compliance with federal, state, and local security regulations and laws in the amount of 3% of total dockage charged for all vessels berthing at CPA maintained facilities with an LOA over 100 feet (excluding cruise/passenger vessels). This surcharge will be assessed in addition to all other fees within the Tariff.

RULE 573: MARINE STANDBY FIRE PROTECTION FOR LNG TRANSFER

Canaveral Fire Rescue is required to be on marine standby during all liquefied natural gas (LNG) transfer operations including, but not limited to, delivering LNG across the wharf and vessel bunkers. The following marine standby charges shall be for LNG delivered across the wharf and vessel bunkers:

Description	Hourly Rate
Marine Standby Fire Protection	$185.00

Requests for all LNG operations must be made to the CPA Harbormaster, CPA Public Safety and Security Department and Canaveral Fire Rescue at least seventy-two (72) hours in advance of the intended operations. In the event of cancellation, a notice of less than forty-eight (48) hours will result in a charge of four (4) hours of Marine Standby Fire Protection.

RULE 574: TWIC ESCORT FEES

CPA reserves the right to require and provide escort services for non-TWIC holders with approved business purposes on Port property within the Port's designated secure and restricted areas. The CPA's Director of Public Safety and Security, or designee, is authorized to consider individual cases which do not compromise the intent of this Rule, violate federal or state laws, or increase safety and security risks. The authorized TWIC escort must continuously remain side by side with the non-TWIC holder in a manner sufficient to observe the activities in which the escorted access was granted. See **Addendum C** for contact information. Reference **Rule 200** for the Port's recognized working hours.

Description	Hourly Rate
Normal Business Hours	$50.00
Weekends and Holidays	$75.00

RULE 575: SOLICITATION

It shall be unlawful for any person to solicit or carry on any business on CPA property without first obtaining authorization from the Port Director and will be subject to having required occupational licenses.

RULE 577: UNMANNED SYSTEMS (DRONES)

Port Canaveral is designated as a critical infrastructure facility as defined in §330.41, Florida Statutes. It is a felony of the third degree to knowingly or willfully operate a drone over the lands or waterways of Port Canaveral, allow a drone to make contact with or come within a distance close enough to interfere with the operations or cause a disturbance to the Port, without the prior written consent of the CPA or unless otherwise exempt. *See* §330.41(4), Florida Statutes. Operation of a watercraft drone in the waters of Port Canaveral is also prohibited without prior written consent of the CPA. Requests for authorization must be made to the CPA's Public Safety and Security Department (See **Addendum C**) at least 48 hours in advance of the intended operation. Persons found in violation may be subject to trespass from CPA property.

SECTION 600 DOCKAGE: RULES AND RATES

RULE 600: BASIS OF CHARGE

Dockage shall be based on the length overall of the vessel or the highest gross registered tonnage. Length overall is the linear distance as expressed in feet of the extreme length of the vessel. Lloyd's Register of Shipping shall be used to determine the vessel's LOA or GRT. If vessel is not in Lloyd's registry, then the vessel will be required to show a Certificate of Registry. However, the CPA reserves the right to admeasure any vessel when deemed necessary and use such admeasurements as the basis for dockage.

RULE 605: DURATION OF CHARGE

Dockage is calculated per twenty-four (24) hour period and begins when a vessel is secured to a wharf, pier, bulkhead structure or alongside another vessel so berthed and each 24 hours or portion thereof constitutes as an additional day's dockage. Dockage is based on straight running time and shifting from one adjoining berth to another shall not interrupt the straight running time.

RULE 610: DOCKAGE CHARGES EXCEPT GOVERNMENT AND CRUISE VESSELS

Over	But not more than	Charge per 24-hour day per LOA, in feet
0	300	$3.64
301	350	$5.17
351	400	$5.91
401	450	$7.02
451	500	$8.07
501	550	$8.99
551	600	$10.47
601	650	$12.27
651	700	$13.18
701	750	$13.92
751	800	$14.98
801	& Over	$16.05

RULE 615: DOCKAGE CHARGES GOVERNMENT VESSELS

For U.S. Government owned public vessels regularly based, visiting and/or operating from Port Canaveral and in Port either frequently or infrequently:

Per gross registered tonnage, per 24-hour day or fraction thereof	$0.39
U.S. Navy vessels or foreign naval vessels making infrequent visits of short duration for recreation or open house, will be on a space available basis with prior written approval	NO CHARGE

Government vessels not engaged in commerce may be granted an exemption or reduction in rates at the discretion of the Port Director.

RULE 620: DOCKAGE CHARGES CRUISE VESSELS

Dockage charges for cruise vessels are provided in the table below. The minimum dockage charge for multiday cruise vessels is $7,500.00.

Per gross registered tonnage, per 24-hour day or fraction thereof	$0.3557

620.1 One (1) Day Gaming Vessels

One (1) day gaming vessels homeported at Port Canaveral with 200 or more sailings per year	$1.29 per 24-hour day per LOA, in feet

RULE 625: DOCKAGE CHARGES BUNKERING

All vessels calling at Port Canaveral for the purpose of bunkering only and remaining on berth for less than twenty-four (24) hours will be charged dockage at 75% of the current Tariff rate or the minimum dockage rate, whichever is greater.

RULE 630: DOCKAGE FOR TUG AND BARGE BUNKERING

Tugs and barges engaged in bunkering only for cruise and cargo vessels will be charged dockage at 75% of the current Tariff rate or the minimum dockage rate, whichever is greater.

RULE 635: COMMERCIAL LAYBERTH

Upon application to and acceptance by the Port Director for a layberth rate, and subject to availability of a suitable berth, vessels that are in Port for reasons other than for cargo or cruise operation:

Days 1-7 will be charged dockage at a rate of 100% of the current Tariff rate.
Days 8-30 will be charged dockage at a rate of 75% of the current Tariff rate.

Requests for layberth must be submitted to the Port Director by the ship agent, in writing, within seventy-two (72) hours of the vessel's departure from Port Canaveral. Vessel lay-up in excess of thirty (30) days shall be by contract only.

RULE 640: CRUISE REFURBISHMENT

Upon application to and accepted by the Port Director and subject to availability of a suitable berth, cruise vessels in Port for refurbishment prior to commencement of or resuming cruise operations from Port Canaveral will be charged dockage at the rate of 75% of the current Tariff rate unless expressly waived in whole or in part by the Port Director.

RULE 645: MINIMUM DOCKAGE EXCEPT CRUISE VESSELS

Except as provided in **Rule 620**, the minimum dockage invoice will be as follows:

Per 24-hour day or fraction thereof	$376.48

RULE 650: DOCKAGE FOR UNAUTHORIZED BERTHING

Any vessel berthed in an unauthorized manner or shifted without approval of CPA shall be subject to dockage in an amount equal to twice the current Tariff rate.

The Port Director may issue a written exemption to this Rule, and may impose further restrictions, up to and including banning vessel docking, berthing, or mooring for safety, security, environmental or severe weather conditions that threaten the Port's infrastructure, commerce, or the navigational channel. Violations will be subject to penalties and will be enforced by appropriate authorities and the Harbormaster.

SECTION 700 WHARFAGE: RULES AND RATES

RULE 700: BASIS OF CHARGE

Wharfage shall be based on the cargo type and rates provided below. Unless otherwise noted, fractional tons will be used when calculating wharfage. For example, if the manifest indicates 2,500 pounds, wharfage rates will be computed at 1.25 tons.

Where wharfage is denoted as weight or measurement (W/M), rates shall be charged on the basis of weight (per ton) or measurement (per 40 cubic feet), whichever produces the greater revenue. The number of cubic feet in the measure is determined using the number of cubic feet which could be contained within the largest 6-sided box (having all right angles) required to contain the cargo had the cargo been shipped in such a rectangular box.

RULE 705: CARGO WHARFAGE

Cargo Type	Charge	Rate Type
All Items not otherwise specified (NOS)	$3.71	W/M
Aluminum, ingots, or billets	$2.59	Per ton
Automobiles and Motorcycles, New	$6.14	Per unit
Automobiles and Motorcycles, Used	$7.70	Per unit
Bananas/plantains	$1.88	Per ton
Bulk, dry, NOS	$1.00	Per ton
Bunkers, Liquefied Natural Gas (LNG) via pipeline, barge or truck	$0.58	CBM
Bunkers, petroleum via pipeline, barge or truck	$0.18	Per BBL
Citrus pellets	$0.55	Per ton

Cargo Type	Charge	Rate Type
Containers/Empty	$2.46	Per unit
Containers/Loaded	$34.75	Per unit
Dry cargo, bagged and palletized, for use by the construction industry	$2.20	Per ton
Dry cargo in supersacks	$1.81	Per ton
Fresh fruit, vegetables, NOS	$2.70	Per ton
Gypsum drywall	$2.36	Per ton
Hardboard, plywood, veneers, fence, posts, logs-finished/unfinished, processed, unprocessed	$3.05	Per ton
Juices, including concentrates and single-strength, and related products	$2.31	Per ton
Kraft liner board, knockdown boxes/cartons/fiberboard, wood-pulp (baled/rolled)	$2.23	Per ton
Liquefied Natural Gas (LNG)	$0.59	CBM
Lumber-finished/unfinished, processed/unprocessed per 1,000 board feet	$3.08	Per MBF
Machinery, manufactured equipment or parts, NOS	$8.71	W/M
Meat, poultry, fish, fresh or frozen	$2.95	Per ton
Newsprint or paper products, NOS	$2.77	Per ton
Petroleum, petroleum by products loaded or unloaded through pipeline	$0.18	Per BBL
Pumice	$1.14	Per ton
Recycled bins, empty, used for the transportation of juice and related products	No charge	
Salt	$1.36	Per ton
Sand and sand products	$1.12	Per ton
Steel and Iron products, NOS	$2.38	W/M
Steel and Iron, reinforced or rebar	$2.70	W/M
Trucks, buses, tractors, trailers, road building equipment, oil/water drilling equipment (new or used)	$27.36	Per unit
Wastepaper/corrugated medium, old newspapers, white/color paper, envelopes/cloth/fabric/ clothes (compressed bundles or bales)	$2.57	Per ton
Yachts & Boats, up to 25' LOA	$1.35	Per foot
Yachts & Boats, greater than 25' LOA	$2.07	Per foot
Other commodities and volume discounts	By Contract	

NOTE: Any cargo loaded in vehicles/trailers are subject to separate wharfage charges and must be listed separately with separate weights, on manifests or cargo reports.

RULE 710: DELIVERY OF BUNKERS/PETROLEUM PRODUCTS BY BARGE/TRUCK

Vessel bunkers arriving by barge or truck and delivering bunkers to vessels moored to any CPA wharf or bulkhead will be charged the bunkers wharfage as specified in **Rule 705**. Failure to report delivery of bunkers/petroleum products will result in the following charges: Wharfage cost owed plus 20% inclusive of administrative fees and investigation costs.

RULE 715: PASSENGER WHARFAGE

Passenger wharfage charges are provided in the table below. The minimum passenger wharfage charge for multiday cruise vessels is $7,500.00.

For ships engaged in multiday cruises:	
Passengers embarking from shore to ship (including security charge), per person	$14.85
Passengers disembarking from ship to shore (including security charge), per person	$14.85

For visiting cruise ships, not homeported at Port Canaveral:	
Passengers in transit (including security charge), per person	$14.85

NOTE: Steamship Company officials riding on their own vessels shall be exempt from passenger wharfage charges.

RULE 720: MINIMUM WHARFAGE EXCEPT CRUISE VESSELS

Except as provided in **Rule 715**, unless otherwise specified in individual items, the minimum for any one shipment will be as follows:

Wharfage	$79.75

RULE 725: SHIP'S STORES

No charge for wharfage will be made on ship's stores.

SECTION 800 STORAGE: RULES AND RATES

RULE 800: OVERFLOW PROPERTY RENTAL

Upon written approval by CPA, permitted stevedores, steamship agents and existing tenants may use overflow property for the purpose of marshaling and processing containers, break-bulk and other types of cargoes in connection with the loading and/or unloading of vessels. Overflow property may be used for a minimum period of fifteen (15) days to a maximum period of ninety (90) days. Minimum overflow property size is ½ acre. Such use shall be at the rates provided below and is subject to availability of space and approval of cargo types and volumes. Applications must be made at least two (2) business days in advance of the requested time period. Applications, protocols, and a listing of available locations are available from Business Development.

Property Type	Per 30-Day Period, Per Acre
Unimproved Property	$2,000.00
Semi-improved Property (Gravel)	$2,500.00
Improved (Paved)	$3,500.00

NOTE: Property Rental is subject to applicable taxes.

Use of overflow property may be immediately terminated if the Port Director determines, in his/her sole discretion, that the occupancy or use is in violation of any provision of this Tariff. Users must vacate overflow property (including all cargo, equipment, and other property) before expiration of the approved use period and are subject to charges in Rule 405 for failure to return the property in a clean condition. Users will be responsible for paying double the listed rates for failure to timely vacate the property in accordance with a termination notice issued under this Rule or upon expiration of the approved use period.

RULE 820: NON-SHIPMENT BY WATER

Cargo delivered on the Port and not loaded on a vessel berthed at Port Canaveral and subsequently moved inland from the Port is subject to wharfage (Section 700). Failure to report will result in the following charges: wharfage cost owed plus an amount equal to 20% for administrative fees.

SECTION 900 CRANE RENTAL: RULES AND RATES

RULE 900: CRANE RENTALS

The CPA reserves the right to provide either directly or pre-authorized (permitted) crane(s) for stevedoring operations throughout all Port facilities. As such, and when the CPA is in the position to provide adequate crane(s) for a specific operation, the CPA reserves the right to restrict the use of privately owned and operated cranes on Port facilities, except when granted permission by the Port Director or designee. When granted permission by the Port Director, or designee, for a private crane to operate on Port facilities, reference Rule 415.

RULE 901: CPA CRANE DESCRIPTIONS

Crane Description	
CPA 10	Mobile Harbor Crane / North Cargo Berths
CPA 11	Mobile Harbor Crane / North Cargo Berths
CPA 12	Mobile Harbor Crane / North Cargo Berths

CPA 10, 11 and 12 are Liebherr, LHM 600, Mobile Harbor Cranes with a certified max lift capacity on rope of 154 metric tons, an 18-container reach and capable of handling bulk cargoes. For additional information, contact Cargo Operations, see Addendum C.

RULE 902: CPA CRANE RENTAL FEE

Monday through Friday, 0800 – 1200 and 1300 – 1700 (Subject to a Minimum of 4 hours):

Equipment Type	Hourly Rate
Mobile Harbor Crane Standby Time	$ 441.00
Mobile Harbor Crane	$ 772.00
Mobilization / Demobilization (1 hour each)	$ 383.00

Monday through Friday, 1701 – 0759, meal hour and Saturdays, Sundays, and holidays (Subject to a Minimum of 4 hours):

Equipment Type	Hourly Rate
Mobile Harbor Crane Standby Time	$ 494.00

Mobile Harbor Crane	$ 825.00

NOTE: Above rates include CPA certified Operator and Technical Crew.

RULE 903: CPA CRANE RENTAL REQUESTS / CANCELLATIONS

REQUESTS

Request for use of CPA Crane(s) shall be made no later than 1400 hours on the business day prior to the intended use. Requests for use on weekends or Mondays must be made on the prior business day by 1400 hours. Contact Cargo Operations for all crane requests.

CANCELLATIONS

Requests to modify or cancel reservations may be made by providing four (4) hour notice to CPA Cargo Operations. If sufficient notice is not provided, the party making the rental arrangement shall be subject to a charge of two (2) hours for standby time.

SECTION 1000 RESERVED

SECTION 1100 MISCELLANEOUS: RULES AND RATES

RULE 1100: CARGO / MILITARY LINE HANDLING

Only CPA employees shall be permitted on all wharves, berths and piers owned by CPA for the purposes of handling lines. However, for the purpose of safety and security reasons, active-duty military personnel will be permitted to handle the lines of any U.S. Navy or U.S. Coast Guard vessel. Lloyd's Register shall be used in determining the gross registered tonnage (GRT) of the vessel.

It is the responsibility of the Agent of Record to notify CPA two (2) hours prior to vessel arrival, shift, departure and/or cancellation for the purpose of line handling. In the event of a cancellation less than two (2) hours prior to departure, the Agent of Record shall be subject to a charge of one (1) hour for standby time.
When CPA is requested, or required to perform the service of handling lines, a charge shall be assessed as follows:

Cargo/Military Vessels docking or undocking Monday through Friday, from 0800 to 1200 and 1300 to 1700:

GRT	Charge per Movement
0 – 4,000	$257.00
4,001 – 14,999	$438.00
15,000 - Over	$530.00

Cargo/Military Vessels docking or undocking Monday through Friday, 1701 to 0759, meal hour and Saturdays, Sundays, and Holidays:

GRT	Charge per Movement
0 – 4,000	$361.00
4,001 – 14,999	$670.00
15,000 - Over	$798.00

NOTE: Vessels utilizing steel cables for mooring will be charged an additional 10% over current line handling rates.

Miscellaneous Line Handling Fees	Charge per Movement
Standby Time, regardless of time of day, per hour	$300.00
For use of vehicle tying up	$81.00

NOTE: Standby time shall be charged beginning 60 minutes after the original scheduled time for arrival, departure, or shift.

RULE 1105: CRUISE VESSEL LINE HANDLING

Only CPA employees shall be permitted on all wharves, berths and piers owned by CPA for the purposes of handling lines. Lloyd's Register shall be used in determining the gross registered tonnage (GRT) of a vessel. It is the responsibility of the Agent of Record to notify the CPA two (2) hours prior to vessel arrival, shift, departure and/or cancellation for the purpose of line handling. As shown in the tables below, homeported cruise vessels will be billed at 75% of the current Tariff rates. If the vessel fails to meet the minimum definition of Rule, the full rate will be assessed retroactively.

When the Port is requested, or required to perform the service of handling lines, a charge shall be assessed as follows:

Cruise Vessel Line Handling Fees	Non-Homeport Charge per movement	Homeported Charge per movement
Vessels docking or undocking Monday through Friday, from 0800 to 1200 and 1300 to 1700	$1,080.13	$810.11
Vessels docking or undocking Monday through Friday, from 1701 to 0759, meal hour, Saturdays, Sundays, and Holidays	$1,624.37	$1,218.29

Miscellaneous Line Handling Fees	Non-Homeport Rate	Homeport Rate
Standby Time, regardless of time of day, per hour	$320.68	$240.52
For use of vehicle tying up	$86.06	$64.54

RULE 1110: HARBORMASTER FEES

Harbormaster fees will be assessed against all commercial vessels entering the main ship channel and bound for loading, unloading, or berthing at commercial piers unless otherwise provided by lease or contract. Vessels shifting to non-adjoining berths will be charged as a new voyage and subject to additional Harbormaster fees unless at the direction of the Harbormaster.

Vessels up to 2,000 gross registered tons	$234.00
Over 2000 gross registered tons	$366.00
Passenger vessels making daily cruises	$56.00

RULE 1115: FRESH WATER

Charges for fresh water delivered to vessels or used at piers or wharves, shall be metered over the duration of dockage and assessed as follows:

For vessels other than homeported cruise ships, per ton (240 gallons)	$3.02
For homeported cruise ships, per ton (240 gallons)	$2.50
The minimum invoice for freshwater charges per vessel shall be	$36.92
Hookup fee	$82.00
Overtime Hookup fee	$122.00
Water fitting not returned, each (non-refundable)	$181.00

NOTE: Water usage will be rounded to the tens of gallons for all meters six inches and larger before conversion to tons.

RULE 1120: MEDICAL EMERGENCY VESSEL CALL

Any medical emergencies will be charged one (1) line handling fee and one (1) harbormaster fee if less than one (1) hour stay.

RULE 1125: AUTOMOBILE PARKING FEES

Port Canaveral has designated areas for parking privately-owned vehicles at cruise ship facilities with rates as follows:

Parking, per day (includes arrival and date of departure)	$20.00
Oversize Vehicle Parking, per day (includes arrival and date of departure)	$40.00

NOTE: Parking Fees are subject to applicable taxes.

CPA reserves the right to charge rates other than those above for premium or preferred parking, incentives, prepaid parking, crew parking or vendor parking.

RULE 1130: TERMINAL USE FEE

CPA reserves the right to assess a terminal use fee when deemed necessary. Among the determining factors when assessing this fee will be the extraordinary nature and/or value of cargo, the dimensions and/or weight of the cargo, and the measures required to ensure transit through the terminals with minimal disruption of other terminal operations. CPA will advise the affected parties of this fee prior to the cargo transiting its terminal, including an estimate of the monetary amount to be assessed. This fee will be in addition to all other charges assessed by CPA, unless CPA decides otherwise.

RULE 1135: PUBLIC HEALTH AND SAFETY FEE

A fee will be billed to offset cost of compliance with federal, state, and local public health and safety requirements and recommendations. This fee will be assessed in addition to all other fees within the Tariff.

For ships engaged in multiday cruises:	
Revenue passengers embarking from shore to ship, per person	$1.00
Revenue passengers disembarking from ship to shore, per person	$1.00

For visiting cruise ships, not homeported at Port Canaveral:	
Revenue passengers in transit, per person	$1.00

SECTION 1200 FINANCE: RULES AND RATES

RULE 1200: ACCESS TO RECORDS

All vessels, their owners or agents, and all other users of the waterways and facilities shall be required to permit access to manifests of cargo, passenger, railroad documents and all other documents requested by the Port Director, for the purpose of audit for ascertaining the correctness of reports filed or for securing necessary data to permit correct estimate of charges.

RULE 1205: PAYMENT OF BILLS

All charges under this Tariff are due as they accrue and are payable upon presentation of invoices payable in U.S. funds only. The CPA reserves the right, in any event of delay or failure to pay invoices as presented, to demand payment of charges in advance before further services will be performed or facilities used or before freight, upon which charges have accrued will be delivered.

The CPA does not recognize the numerous shippers and consignees and cannot attempt to collect or assist in collecting wharfage and similar bills, which may be passed on to the shippers and consignees by the vessel, its owners, or agents, and said bills must be paid when presented regardless of when the vessel, its owners or agents are reimbursed.

The CPA reserves the right to estimate and collect all charges in advance which may accrue against a vessel, its owners, or agents, or against the cargo loaded or discharged by a vessel, or from other users of the facilities. Use of the facilities may be denied until such advance payments or deposits are made.

Steamship Agents are responsible for collection and payment of all charges to the Port Authority unless application and approval for direct billing has been authorized by the Finance Department.

All vessels landing goods on the wharves or piers, or receiving goods by pipeline, or delivering or receiving goods from vessels while said vessels are berthed at a wharf, dock, or pier on the waterways, thereby contract to pay and are responsible for the wharfage charges on such goods at the rates provided herein.

Charges for the handling of non-containerized Cargo, hire of equipment, cleaning and/or repairing of containers, provision of equipment interchange reports or any other service which is not mentioned in the Tariff shall be provided on request. The Carrier shall contact the Port Authority or applicable terminal operator directly to avail all the Marine Services.

RULE 1206 ACCEPTED METHODS OF PAYMENT; CONVENIENCE FEE

CPA accepts the following methods of payment: Check, Money Order, Cashier's Check, Electronic Funds Transfer (ACH), Bank Wire, Debit Cards, and Credit Cards (Mastercard, Visa, or American Express). Payments made with a Credit Card are subject to a 2.45% convenience fee.

RULE 1207: DIRECT BILLING

Charges under the Tariff will be billed and collected in accordance with **Rule 1205**. CPA will consider a request from an operator or user of Port facilities that desire direct billing. The operator or user will complete a written application to the Finance Department that includes a demonstration of financial responsibility. Applicants may be required to post and maintain indemnity bonds or other acceptable financial security up to their maximum annual liability as determined by the CPA pursuant to **Rule 1300**. The CPA reserves the right to suspend or cancel authorization for direct billing previously granted to operators or users who violate any provision of this Tariff.

RULE 1210: UNPAID CHARGES

All bills unpaid on the 30th calendar day following the day on which the invoice was issued, or the debt was due are delinquent. Delinquent accounts shall incur (as liquidated damages) a late charge of one and one-half percent (1-1/2%) for each month, eighteen percent (18%) per year, simple interest, on any portion of said bill which remains delinquent.

RULE 1215: VIOLATIONS AND DELINQUENT LIST

In addition to the other remedies provided by the rules and regulations of the CPA for violation of these Tariff terms and conditions, the carrier, vessel, owner, shipper, receiver, agent and/or other user who shall violate any of the terms and conditions of this Tariff or who shall fail to pay any bills hereunder when presented, shall be placed on a delinquent list. Any accounts with an outstanding balance over sixty (60) days will receive a cash basis letter, and those accounts will remain on a cash basis for all future activity until their account is within sixty (60) days. If an account receives more than three (3) cash basis letters within a twelve (12) month period, it will become necessary for that account to post a bond as set forth in this Tariff and will continue to carry a bond for twelve (12) months from the date of the third cash basis letter. If an account on cash basis fails to comply with the above, they will be denied the use of Port facilities by the CPA until such violation is corrected or until said charges due are paid, as the case may be.

Nothing herein shall act to preclude the CPA from exercising any and all of its legal remedies at any time to recover accounts or monies due.

RULE 1220: RETURNED CHECKS OR INSUFFICIENT FUNDS SERVICE CHARGE

Unless otherwise provided by law, a payment instrument (i.e., check, draft, order of payment, debit card order, or electronic funds transfer) returned or dishonored for any reason will incur a service charge of $25 if the face value does not exceed $50; $30 if the face value is more than $50 but does not exceed $300; $40 if

the face value exceeds $300; or five percent (5%) of the face value of the payment instrument, whichever is greater.

SECTION 1300 BUSINESS PERMITS AND INSURANCE: RULES AND RATES

RULE 1300: POSTING OF FINANCIAL SECURITY

CPA may require all Port users to post financial security while doing business in Port Canaveral. Users may be given the option of posting an indemnity bond, a cash deposit, or an irrevocable letter of credit enforceable in the United States, collectable in US Dollars, drawn on a bank that is subject to the regulatory and enforcement authority of state and/or federal regulatory authorities, and subject to review and approval by the Finance Department.

All indemnity and payment bonds or letters of credit required to be obtained pursuant to this Tariff shall protect CPA from and against all losses, costs, damages, expenses or injury incurred and sustained by CPA due to: (a) failure of the user to pay to CPA, when due, any and all Tariff or other charges that have accrued at Port Canaveral (whether relating to the furnishing of services or materials to the user, its principals, agents, servants, or employees; or, due to injury to property of Port Canaveral; or, stemming from the use of Port Canaveral and its facilities by the user, its principals, agents, servants or employees; or otherwise); or (b) non-compliance by the user, its principals, agents, servants or employees with applicable laws, ordinances, rules and regulations of the federal, state and local governmental units or agencies (including but not limited to the terms and provisions of all procedures and policies of CPA), as amended from time to time; or (c) any act, omission, negligence or misconduct of user, its principals, agents, servants or employees in Port Canaveral (whether causing injury to persons or otherwise).

In the event that CPA utilizes the security for any reason outlined herein, then user will be required to replenish the security in the same or increased amount and in a timeframe established by the Port Director.

RULE 1305: INSURANCE AND INDEMNITY REQUIREMENTS

Addendum A includes insurance requirements for users. **Addendum A** is incorporated herein by reference is an integral part of this Tariff. Users of CPA's facilities are responsible for having knowledge of its existence and content and are required to adhere to its provisions.

CPA, its employees, agents, and servants shall not be liable for any injury loss or damage to any person or property from any cause of whatsoever nature, unless such loss or damage is caused by the negligence of CPA. All vessels, their owners, employees, invitees, charterers, and agents, and all other users of CPA's facilities shall save and hold CPA harmless and indemnify CPA against any liability for any injury or death, to any person or persons or damage to property (including, but not limited to, expenses related to repairing or replacing CPA's facilities) arising from any acts, omission, neglect or default of vessels, their owners, employees, invitees, charterers, and agents, and all other users of CPA's facilities. The obligation described in this paragraph shall not only cover the losses and damages assessed or incurred by CPA, but also such costs and expenses related to preparing for litigation or settling or disposing of threats of litigation, including, but not limited to, attorney's fees, appellate attorney's fees, expert witness fees, evidence retention fees, court costs, and all other such costs and expenses incurred in preparation for trial or appeal such as printing briefs and exhibits. Nothing stated within this paragraph shall be deemed to exculpate or relieve CPA from liability from the negligent acts of CPA.

RULE 1310: LIABILITY FOR LOSS OR DAMAGE

CPA shall not be responsible for personal injuries, death, loss or damage to freight or property of others occurring on its property or facilities in the absence of negligence on the part of the CPA.

The CPA does not generally provide services for handling cargo or processing cruise vessel passengers and shall not be responsible for any injury to persons arising from services provided by franchised and/or permitted entities, tenants, Port users or other contracted or independent third-party service providers at Port Canaveral except in instances where injury results from negligence of the CPA.

RULE 1315: PERMITS TO OPERATE

No person, company, corporation, or other business entity as described in the designated categories as set forth in this Rule may operate at Port Canaveral without first obtaining from the CPA a permit authorizing such activity. Exempt from permit requirements are 1) those entities whose sole function on the Port is to fulfill the requirements of U.S. government regulatory agencies; 2) CPA approved and retained vendors, their subcontractors, and suppliers, while performing tasks called for while under their contract with the CPA; and 3) governmental entities. The following rules and regulations governing licensing are issued pursuant to Article IV of the Charter for the Canaveral Port District. These rules and regulations are promulgated to establish a standard licensing procedure by which the CPA can exercise its lawful control of the orderly development of port operations. Obtaining a Permit to Operate to do business at Port Canaveral does not entitle the holder of the permit to access restricted areas, land, offices, other Port facilities or guaranteed business opportunities, etc. The permit only allows the holder to conduct business at Port Canaveral subject to the rules, conditions, limitations, and requirements of this Tariff. See **Addendum C** for contact information.

A. PERMITTING PROCEDURE

Applications for Permits to Operate shall be submitted to the CPA using the form prescribed by CPA. Applications shall be accompanied by the fee specified below, a Certificate of Insurance that includes the applicable insurance specified in **Addendum A**, and documentary evidence in support of applicant's eligibility. The failure to fully and accurately complete the application will result in rejection of the application. The CPA shall review the scope of operations of an applicant as they relate to Port Canaveral activities up to and including the applicant's organizational and operational structure and those of any other entities performing operations with or on behalf of the applicant. CPA may require a Permit to Operate for such other entity (ies) based on the activity being performed on Port property. No Permit to Operate may be interpreted as an exclusive right to operate at Port Canaveral.

Permits are issued annually commencing January 1 of each year. The permit fee will be applied on a calendar year basis. New applications must include payment for the non-refundable application fee plus the applicable initial fee. Renewal applications must include payment for the annual renewal fee. For businesses engaged in multiple categories, separate applications and Permit fees are required for each Permit to Operate. **Applicants with accounts in arrears will not be allowed to renew and may face reinstatement procedures**. Permits will be considered lapsed if not renewed by January 15 and subject to reinstatement. Accounts subject to reinstatement must pay the initial application in addition to the annual fee prior to being reinstated.

The acceptance of a Permit to Operate shall signify agreement of the permittee to be governed by tariffs, policies, rules, and regulations of the CPA. No Permit to Operate shall be transferred or assigned to or otherwise used by any person other than the named Permittee. Any person, company, corporation, or other business entity properly acquiring a business from a Permittee hereunder may qualify for a license, depending upon the financial strength, background, and experience of the successor entity, by conforming to the application procedures of this Rule. The requirement to apply for a new license may be waived at the discretion of the CPA if the CPA determines the new entity is competent, financially sound, and capable to perform the duties of Permittee.

Companies engaging in business and/or providing services without a valid Permit to Operate as required herein shall be subject to the following penalties:

- First Violation: Written Warning
- Second Violation: $1,000 fine

Companies with three (3) or more violations may be subject to denial of a Permit for up to one (1) year from the last violation.

The CPA reserves the right to revoke or deny renewal of any Permit to Operate for violation of the provisions of this Tariff or other applicable rules or regulations (including insurance and bonding requirements), neglect of duty, and disregard for public safety or for any other act or acts detrimental to the interest of the CPA. Revoked permits may be subject to reinstatement procedures and fees.

B. PERMIT TO OPERATE CATEGORIES AND FEES:

Description	Nonrefundable Application Fee	Initial Fee	Annual Renewal Fee
Crane Services including rentals and heavy lift providers	$350.00	$2,060.00	$2,060.00
Cruise Ship Embarkation and Shore Services	$350.00	$910.00	$910.00
Cruise Ship Mobility Equipment Product Provider	$350.00	$500.00	$500.00
Mobile Fuel Vendor / Bunker Barge Service - LNG Products Provider	$350.00	$2,650.00	$1,375.00
Mobile Fuel Vendor / Bunker Barge Service - Petroleum Products Provider	$350.00	$2,650.00	$1,375.00
Mobile Fuel Vendor / Landside – LNG Products Provider	$350.00	$2,650.00	$1,375.00
Mobile Fuel Vendor / Landside - Petroleum Products Provider	$350.00	$2,650.00	$1,375.00
Sanitary Waste Removal Service	$350.00	$2,650.00	$1,375.00
Stevedoring Service	$350.00	$2,060.00	$2,060.00
Steamship Agency	$350.00	$910.00	$910.00
Franchise Steamship Agency – providing services for cruise vessels exceeding 20,000 GRT	$350.00	$2,650.00	$2,060.00
Security Services, including Class D, Class G and K-9 Handlers	$350.00	$910.00	$910.00
Tug Services	$350.00	$2,430.00	$2,430.00
Waste Oil Disposal Service	$350.00	$2,650.00	$1,375.00

SECTION 1400 DEFINITIONS

1400.1 AGENT
The vessel representative is responsible for filing a Vessel Berthing Request, providing accurate manifest documentation and payment for all charges assessed on a vessel.

1400.2 BERTH DAY
Each 24-hour period or fraction thereof during which a vessel occupies an assigned berth.

1400.3 BUNKERING
The process by which a ship takes fuel from either a pipeline, barge, or truck.

1400.4 CARGO
All types of bulk, break bulk, dry bulk, or any other forms of cargo whatsoever, including but not limited to any solid, liquid, live animals, vehicles, loose cargo, an empty or full container and whatever is conveyed or to be conveyed to or from a vessel.

1400.5 CARRIER
Any party or parties owning, nominating, or contracting with the vessel including, but not limited to, its agent(s), owner(s), operator(s) and or charter(s).

1400.6 CONSIGNEE
One to whom cargo is sent as stated on the bill of lading.

1400.7 CONTAINER
A demountable and reusable freight-carrying unit designed to be transported by different modes of transportation and having construction, fittings, and fastenings able to withstand, without permanent distortion or additional exterior packaging or containment, the normal stresses that apply on continuous all-water and intermodal transportation. The term includes dry cargo, ventilated, insulated, refrigerated, flat rack, vehicle rack, liquid tank, and open-top containers without chassis, but does not include crates, boxes, or pallet.

1400.8 DEFINITION OF VALID CODES
See **Addendum B**.

1400.9 DOCKAGE
The charge assessed when a vessel is secured to a wharf, pier, bulkhead structure or alongside another vessel so berthed.

1400.10 DRAY
Movement between locations inside the terminal.

1400.11 FACILITY SECURITY PLAN
A plan developed to ensure the application of security measures designed to protect the facility and its servicing vessels or those vessels interfacing with the facility, their cargoes, and persons on board at the respective MARSEC Levels pursuant to all applicable laws including but not limited to 33 Code of Federal Regulation 101.105, et seq.

1400.12 HARBORMASTER
The individual designated by the Port Director to ensure execution and compliance with this Tariff and the operational rules and regulations for Port Canaveral and whose duties include those specified in **Rule 300** of this Tariff. The term as used herein shall mean and refer to the Harbormaster or their designee.

1400.13 HOMEPORTED CRUISE VESSEL
A cruise vessel operating from a cruise terminal in Port Canaveral is considered a Homeported Cruise Vessel if it offers a voyage that originates from and ends at Port Canaveral.

1400.14 HOT WORK
Any operation that involves cutting, welding, grinding, brazing, soldering, or similar activities that produce sparks, heat, or open flame.

1400.15 LAYBERTH
When a vessel is secured to a wharf, pier, or bulkhead structure for purposes other than loading or discharging cargo, passengers, ship stores, or fuel.

1400.16 LINER SERVICE
Vessels making regularly scheduled calls for the receipt and delivery of cargo or passengers.

1400.17 POINT OF REST
The area on the terminal facility which is assigned for the receipt of inbound cargo from the ship and from which inbound cargo may be delivered to the consignee. It is also the area which is assigned for the receipt of outbound cargo from shippers for vessel loading.

1400.18 PORT DIRECTOR
The individual appointed by the duly elected CPA Board of Commissioners to directly oversee and supervise the administration, operation, and maintenance of Port Canaveral. The term used herein shall mean and refer to the Port Director or designee.

1400.19 PORT TERMINAL FACILITIES
One or more structures comprising a terminal unit, and including but not limited to warehouses, covered and/or open storage space, cold storage plants, grain elevators and/or bulk cargo loading and/or unloading structures, landings and receiving stations used for the transmission, care, and convenience of cargo and/or passengers in the interchange of same between land and water carriers or between two (2) water carriers with access to wharves.

1400.20 STEVEDORING
Stevedoring is the physical handling of cargo between the vessel and the Port Terminal Facilities.

1400.21 TARIFF
A publication including all revisions, amendments and schedules containing the rates, charges, rules, regulations, and practices of any person carrying on the business of furnishing wharfage, dock, warehouse, or other marine terminal services or facilities in connection with a common carrier by water in the United States or its possessions.

1400.22 TON
A unit of weight of 2,000 pounds.

1400.23 VESSEL
Except as otherwise provided in individual items, the term "vessel" means floating craft of every description and shall include in its meanings the "owners and agents" thereof, and those utilizing the services and facilities of the Port for loading, discharging, storage, handling, or transfer of cargo.

1400.24 VESSEL BERTHING REQUEST
The process of requesting permission for a vessel to use a specified berth during a specific timeframe.

1400.25 VESSEL ETA AND ETD

The terms ETA and ETD when used to berth vessels at Port Canaveral shall be defined as follows:

ETA – Estimated Time of Arrival:

This is the estimated time the first line from the ship is secured to the dock.

ETD – Estimated Time of Departure:

This is the estimated time the first line from the ship is released from the dock.

1400.26 WEIGHT OR MEASURE

Where wharfage is denoted as weight or measurement (W/M), rates shall be charged based on weight (per ton) or measurement (per 40 cubic feet), whichever produces the greater revenue.

1400.27 WHARF

A structure built on the shore extending into deep water, so that vessels may be moored alongside to load or unload cargo or passengers.

1400.28 WHARFAGE, CARGO

A charge assessed for the use of CPA wharves in the receiving and delivering of cargo to ships, barges, or other watercraft, including cargo received or delivered to barges, lighters, or other watercraft lying alongside such vessels, or taken from or delivered to the water. Wharfage charges are assessed against the vessel for each movement of the cargo over the wharf. All cargo received on or off the wharf is due wharfage. Wharfage will be collected on the cargo whether or not it is loaded aboard a vessel. CPA reserves the right to determine billing classification of all cargo. Wharfage charges are solely the charge for using the wharf and do not include charges for any other service. Refer to Wharfage – Rules and Rates in **Section 700** of this Tariff.

1400.29 WHARFAGE, PASSENGER

A charge assessed for all manifested cruise passengers on a vessel, other than a crewmember, embarking to, disembarking from, or in-transit on a cruise ship. Passengers on back-to-back cruises shall be counted as a separate embarkation and disembarkation for each time the homeported cruise vessel calls Port Canaveral. Passenger wharfage is solely the charge for use of a wharf and does not include charges for any other service.

* * * * *

ADDENDUM A: INSURANCE SUPPLEMENT

The rates and charges published in this Tariff do not include any amounts for insurance coverage. Insurance required by the owner and/or consignee of cargo to protect their respective interests shall be carried by the owner and/or consignee.

The phrase "Required Policy" means each policy of insurance required to be maintained by user under the terms of this Tariff. Each Required Policy must be placed in writing by a company or companies satisfactory to CPA but in all events by a company or companies having a current A.M. Best Company General Policyholders Rating of A+ or A and with an A.M. Best Company Financial Rating of not less than VI (or similar rating by a comparable service selected by CPA should A.M. Best Company cease providing such ratings) and be licensed to do business in Florida or, if the aforesaid is not available, by a company qualified to do business as a non-admitted insurer in Florida under current Florida surplus lines requirements.

All persons or companies leasing CPA property and/or conducting business operations on CPA owned land, in accordance with a Permit to Operate granted by CPA, shall be required to provide evidence of insurance coverage. Such insurance must name Canaveral Port Authority as an additional insured and provide waiver of subrogation in favor of CPA on commercial general liability and any excess policies (at no expense to CPA) but in no event shall the insurance provide coverage to CPA for cargo loss or damage as described within 46 C.F.R. § 525.2(a)(1) that is caused by CPA's negligence. A certificate of such insurance or certified copy of the insurance policy must be provided to the Finance and Risk Management Department and kept up to date in full force and continuous effect throughout the lease, permit or franchise period. The acceptance and/or approval of the company's insurance shall not be construed as relieving the company from any liability or obligation arising out of the work performed by said company.

Insurance requirements and exceptions are authorized by CPA Policy POL-2016-001-RSK-3 – Insurance Requirements.

MINIMUM INSURANCE REQUIREMENTS FOR ALL USERS

Except as otherwise provided in any written agreement between the user and the CPA, every user of CPA property must comply with the following insurance requirements:

(a) **Commercial General Liability Insurance**:

Coverage shall include, as a minimum: Premises Operations, Products and Completed Operations, Contractual Liability, Personal Injury Liability, Broad Form Property Damage. The Canaveral Port Authority as an additional insured and contain an endorsement waiving all rights of subrogation against the CPA and their respective agents and employees. The minimum limits acceptable shall be listed in the below chart.

(b) **Worker's Compensation and Employers Liability**: User must maintain Worker's Compensation Insurance to protect against claims under Florida Worker's Compensation laws, as well as, all Federal Acts applicable to user's operations on CPA property, including but not limited to U.S. Longshoremen and Harborworkers Act, Jones Act and Federal Employers' Liability Act (F.E.L.A.). The limit of liability for such coverage must at least meet applicable statutory requirements and Alternate Employer endorsement for the CPA must be included in each policy. Additionally, each policy must contain an endorsement waiving all rights of subrogation against the CPA and their respective agents and employees.

User must maintain Employers' Liability (EL) Insurance for personal injury, bodily injury, or death to any employee of user who may bring a claim outside the scope of Florida Worker's Compensation laws or Federal Acts applicable to user's operations on Port Canaveral property. This insurance must

contain all endorsements necessary to cover maritime operation and, where applicable, stevedore and longshore operations, including original admiralty benefits and damages under the Jones Act and benefits and damages under the U.S. Longshoremen and Harborworkers Act. Additionally, each policy must contain Alternate Employer endorsement for the CPA and an endorsement waiving all rights of subrogation against the CPA and their respective agents and employees.

(c) **Automobile Insurance**: User must maintain Automobile Liability Insurance coverage on all its owned, non-owned, rented or hired vehicles used for commercial purposes that enter Port Canaveral. Each policy with respect to commercial vehicles must contain an endorsement waiving all rights of subrogation against CPA and their respective agents and employees.

(d) **Umbrella/Excess Liability Insurance**: User may carry Umbrella/Excess Liability Insurance that contains a follow-form provision to meet coverage requirements. The Canaveral Port Authority (CPA) reserves the right to request Umbrella/Excess Liability Insurance based on the scope and complexity of a user's operation. Such policy must name the Canaveral Port Authority as an additional insured and contain an endorsement waiving all rights of subrogation against the CPA and their respective agents and employees.

(e) **Waiver of Subrogation:** The user agrees to waive any and all rights of recovery, claims, actions or causes of action against the other, its agents, officers and employees for any injury, death, loss or damage that may occur to any Person or CPA property, or any personal property of such party on CPA, by reason of fire, windstorm, earthquake, flood or any other risks, or any other cause which is insured under the insurance policy or policies that either party is required to provide or maintain under this Tariff, to the extent and only to the extent of any proceeds actually received by CPA or user, respectively, with respect thereto, regardless of cause or origin, including negligence of either party hereto, its agents, officers or employees, and each party covenants that no insurer will hold any right of subrogation against the other. If such waiver is not obtained, the party failing to do so indemnifies the other party for any claim by an insurance carrier arising out of subrogation.

ADDITIONAL INSURANCE REQUIREMENTS

Except as otherwise provided in any written agreement, the CPA reserves the right to request additional insurance coverage based on the nature, scope, and complexity of the user's operations. This may include but is not limited to:

(a) **Liquor Liability Insurance**: If user is engaged in any way in the sale of alcoholic beverages, either for consumption or sale of alcoholic beverages on CPA property.

(b) **Garage Keeper's Liability Insurance**: If user is engaged in any way in the performance of automobile valet services.

(c) **Protection & Indemnity Insurance**: If user operates a vessel calling at Port Canaveral, user must maintain Protection and Indemnity (P&I) Insurance Coverage in form and substance acceptable to CPA.

(d) **Stevedore's Legal Liability Insurance**: If user is engaged in any way in the performance of stevedore services and/or operations on or in connection with CPA's facilities.

(e) **Longshore and Harborworkers Insurance**: If user is engaged in any way in the performance of stevedore services and/or operations on or in connection with CPA's facilities.

(f) **Terminal Operators Liability Insurance**: If user is engaged in any way as an operator of Terminal Facilities on or in connection with CPA's facilities.

(g) **Pollution Liability Insurance**: If the user is engaged in any way in handling or transporting hazardous materials, abatement, or clean-up of waste materials, or in other industrial activities as designated by the CPA.

(h) **Cyber Liability, or Technology Errors and Omissions Insurance:** If user installs or utilizes any IoT Devices, computer/network-controlled devices, software, or SaaS or offers any services or hardware that can communicate with other CPA hardware, software, or services. The need for coverage will be determined based on evaluation of users' scope of work by the Information Technology Department.

(i) **Property Insurance:** If user stores mobility equipment on CPA premises, including within a cruise terminal, the user shall be responsible for maintaining property insurance coverage for the property.

CATEGORY OF PORT BUSINESS AND REQUIRED INSURANCE (Tables to Follow)

ADDENDUM A: Insurance Supplement (cont'd)

CATEGORY	GENERAL LIABILITY	WORKER'S COMPENSATION (WC) / EMPLOYER'S LIABILITY (EL)	COMMERCIAL AUTOMOBILE LIABILITY	OTHER
CRANE SERVICES	$1,000,000 per occurrence $2,000,000 General Aggregate to include property damage, personal injury, bodily injury or death and Riggers Liability endorsement.	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime, stevedore and longshore operations endorsements.	$1,000,000 Combined Single Limit	**Umbrella/Excess Liability** $2,000,000 per occurrence **Protection and Indemnity Insurance and/or Hull Coverage** (for Floating Crane operations) $1,000,000 per occurrence **Pollution Liability** $5,000,000 per occurrence
CRUISE SHIP EMBARKATION AND SHORE SERVICES	$1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements	$300,000 Combined Single Limit	**Umbrella / Excess Liability** $2,000,000 per occurrence **Cyber Liability, or Technology Errors and Omissions Insurance,** if required, $2,000,000 per occurrence
CRUISE SHIP MOBILITY EQUIPMENT PRODUCT PROVIDER	$1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements.	$300,000 Combined Single Limit	**Umbrella/ Excess Liability** $1,000,000 per occurrence **Equipment/ Property Insurance**, if required, $100,000 per occurrence

ADDENDUM A: Insurance Supplement (cont'd)

CATEGORY	GENERAL LIABILITY	WORKER'S COMPENSATION (WC) / EMPLOYER'S LIABILITY (EL)	COMMERCIAL AUTOMOBILE LIABILITY	OTHER
MOBILE FUEL VENDOR / BUNKER BARGE SERVICE - LNG PRODUCTS PROVIDER	$1,000,000 per occurrence $2,000,000 General Aggregate (as applicable)	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements.	$1,000,000 Combined Single Limit	**Protection and Indemnity Insurance and/or Hull Coverage** (for barge operations) $5,000,000 per occurrence **Pollution Liability** $5,000,000 per occurrence
MOBILE FUEL VENDOR / BUNKER BARGE SERVICE - PETROLEUM PRODUCTS PROVIDER	$1,000,000 per occurrence $2,000,000 General Aggregate (as applicable)	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements.	$1,000,000 Combined Single Limit	**Protection and Indemnity Insurance and/or Hull Coverage** (for barge operations) $5,000,000 per occurrence **Pollution Liability** $5,000,000 per occurrence
MOBILE FUEL VENDOR / LANDSIDE – LNG PRODUCTS PROVIDER	$1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements.	$1,000,000 Combined Single Limit	**Umbrella / Excess Liability** $5,000,000 per occurrence **Pollution Liability** $5,000,000 per occurrence
MOBILE FUEL VENDOR / LANDSIDE - PETROLEUM PRODUCTS PROVIDER	$1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements.	$1,000,000 Combined Single Limit	**Pollution Liability** $5,000,000 per occurrence

ADDENDUM A: Insurance Supplement (cont'd)

CATEGORY	GENERAL LIABILITY	WORKER'S COMPENSATION (WC) / EMPLOYER'S LIABILITY (EL)	COMMERCIAL AUTOMOBILE LIABILITY	OTHER
SANITARY WASTE REMOVAL SERVICE	**General Liability** $1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements	$1,000,000 Combined Single Limit	**Pollution Liability** $1,000,000 per occurrence
STEVEDORING SERVICE	**General Liability** $1,000,000 per occurrence $2,000,000 General Aggregate to include property damage, personal injury, bodily injury or death.	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime, stevedore and longshore operations endorsements.	$1,000,000 Combined Single Limit	**Umbrella/Excess Liability** $5,000,000 per occurrence **Stevedores Legal Liability** $1,000,000 per occurrence **Pollution Liability** $1,000,000 per occurrence **Cyber Liability, or Technology Errors and Omissions Insurance**, if required, $2,000,000 per occurrence
STEAMSHIP AGENCY	**General Liability** $1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements.	$300,000 Combined Single Limit	**Cyber Liability, or Technology Errors and Omissions Insurance**, if required, $2,000,000 per occurrence
FRANCHISE STEAMSHIP AGENCY	$1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements.	$300,000 Combined Single Limit	**Cyber Liability, or Technology Errors and Omissions Insurance**, if required, $2,000,000 per occurrence

ADDENDUM A: Insurance Supplement (cont'd)

CATEGORY	GENERAL LIABILITY	WORKER'S COMPENSATION (WC) / EMPLOYER'S LIABILITY (EL)	COMMERCIAL AUTOMOBILE LIABILITY	OTHER
SECURITY SERVICES	$1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements.	$300,000 Combined Single Limit	**Law Enforcement Legal/Security Guard Professional Liability** $1,000,000 per occurrence **Cyber Liability, or Technology Errors and Omissions Insurance**, if required, $2,000,000 per occurrence
TUG SERVICES	$1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime, stevedore and longshore operations endorsements.	$300,000 Combined Single Limit	**Umbrella/Excess Liability** $2,000,000 per occurrence **Protection and Indemnity Insurance, Hull Coverage and Tower's Liability** $1,000,000 per occurrence **Pollution Liability** $5,000,000 per occurrence
WASTE OIL DISPOSAL SERVICE	$1,000,000 per occurrence $2,000,000 General Aggregate	**WC:** Per State of Florida Statutory Limits. **USL&H & Jones Act as required.** **EL:** $1,000,000 per occurrence for personal injury, bodily injury, or death to any employee and applicable maritime operation endorsements.	$1,000,000 Combined Single Limit	**Pollution Liability** $1,000,000 per occurrence

NOTE: CPA reserves the right to request additional coverage in form and substance acceptable to CPA.

ADDENDUM B: DEFINITION OF VALID CODES

ABBREVIATION	DEFINITION
BBL	Barrel (42 gallons)
CBM	Cubic Meter
FSP	Facility Security Plan
GRT	Gross Registered Tonnage
LBS	Pounds
LNG	Liquefied Natural Gas
LOA	Length Overall in Feet
MBF	Thousand Board Feet
NOS	Not Otherwise Specified
W/M	Weight/Measure
CURRENCY:	
%	Percent
$	All amounts in U.S. Dollars (USD)

ADDENDUM C: CONTACT LIST

DEPARTMENT	PHONE NUMBER	EMAIL
Brevard Sheriff's Office - Port Canaveral	321-868-1113	
Business Development	321-394-3211	Cpa.Trade@portcanaveral.com
Canaveral Fire Rescue	321-783-4424	
Canaveral Pilots Association	321-783-4645	
Canaveral Port Authority – Main Office	321-783-7831	
Cargo Operations	321-394-3442	
Communications Department	321-247-9463	Communications@portcanaveral.com
E.N. Bisso & Son, Inc. (Tug Services)	321-783-7147	
Emergency	911	
Engineering Department	321-394-3208	
Environmental Department	321-394-3256	Env@portcanaveral.com
Finance Department	321-394-3234	
Harbormaster/ Duty Harbormaster	321-302-2756	Ops-Harbormasters@portcanaveral.com
Jetty Park	321-783-7111	
Marine Towing of Port Canaveral, LLC (Tug Services)	813-242-6500	
Permits to Operate	321-394-3224	RiskManagement@portcanaveral.com
Port Control Center (*24 hours*)	321-394-3281	
Public Safety and Security	321-394-3269	PSS@portcanaveral.com
Real Estate Department	321-394-3414	REDept@portcanaveral.com
U.S. Coast Guard (*Officer of the Day*)	321-868-4200	
U.S. Customs Port Canaveral	321-783-2066	
U.S. Dept. of Agriculture	321-783-3766	
U.S. Immigration & Naturalization Service	1-800-375-5283	

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CANAVERAL PORT AUTHORITY
AND
THE NAVAL ORDNANCE TEST UNIT

CONCERNING

SHIP MOVEMENT PRIORITY IN PORT CANAVERAL

I. INTRODUCTION

The commercial shipping interests of Port Canaveral and the operational mission of Naval Ordnance Test Unit (NOTU) are vitally important to both organizations. Because of this fact it is important that a system of ship movement priorities be maintained.

II. PURPOSE

The system of ship movement priorities will facilitate vessel scheduling in and out of Port Canaveral with consideration given to the requirements of each vessel for adherence to an established sailing schedule, pilot or equipment requirements, and/or navigational requirements such as tide restrictions, channel clearance restrictions, or visibility restrictions.

In creating the system of ship movement priorities, both organizations acknowledge and accept the others' reasons for their respective required vessel movement priorities, and that equitable access to Port Canaveral is assured under this system.

III. MAJOR CONSIDERATIONS

In establishing the system of ship movement priorities, these major considerations are recognized by both parties:

1. Emergency ship movements, either military or civilian, require top priority.

2. Because of the requirement of passengers to meet pre-arranged schedules for onward transportation, foreign port berth commitments, and Customs and Immigration clearance, cruise liner schedules are time critical in order to be competitive. This industry is of utmost economic importance to the Canaveral Port Authority and the Central Florida tourism industry.

3. Scheduling of Navy test ships sponsored by NOTU and supported by 45th Space Wing involves precise coordination of the services of many people in many diverse geographical locations. Navy test ships include submarines conducting Demonstration and Shakedown Operations (DASO) with attendant support ships and Navy sponsored ships (surface ships and submarines) conducting special tests critical to the national defense interest. Movement of these naval units in adherence to a scheduled test is mission critical.

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4. Military or civilian cargo vessels may require their movement to be scheduled because of tidal considerations or special labor requirements.

IV. SHIP MOVEMENT PRIORITY

Priority	Description
1	Emergency ship movements necessary to prevent loss of life or limit serious loss of property or to meet other military or civil emergencies.
2	Scheduled navy test ships (DASO submarines with support ships and naval units conducting special tests) and scheduled cruise liners.
3	Navy test ships which are off schedule and regular scheduled military ships.
4	Cruise Liners which are off schedule and regular scheduled civilian ships.
5	Other military or civilian ships which have time sensitive cargo or operations or have tide restricted movements.
6	All other vessels on a first come first served basis.

With respect to implementing the ship movement priority system, the following guidelines are established for both parties:

1. The Canaveral Port Authority Operations will keep NOTU Port Operations up-to-date regarding existing cruise line schedules.

2. For the purpose of ship movement priority, schedules of Navy test ships are considered firm once the unit arrives in Port Canaveral to begin operations. Navy test ships departure times for scheduled underway operations are normally between the hours of 0630 and 0730 with the exception of departure for the launch phase of a scheduled DASO. The departure times for the DASO submarine and launch area support ship are governed by range operational constraints and, therefore, vary with each operation. Canaveral Port Authority Operations will normally attempt to avoid scheduling cruise liners to enter or leave port from 0630 to 0730 when a designated Navy test ship is operating out of Port Canaveral. During the time a scheduled Naval unit is undergoing or supporting Navy tests, it will be assigned a priority 2 status. Should emergent circumstances dictate that a cruise liner or Navy test ship must enter or leave port during the same period, the conflict shall be resolved through liaison between NOTU Port Operations and Canaveral Port Authority Operations to achieve a mutually acceptable arrangement.

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3. Whenever a scheduled cruise liner or Navy test ship gets off schedule by more than thirty (30) minutes, it will lose its priority 2 status and become a priority 3 or 4 as appropriate. Should a conflict arise between movements of a cruise liner and a navy test ship movement priority will be determined by mutual agreement between NOTU Port Operations and Canaveral Port Authority Operations. Normally a higher priority consideration shall be given to the vessel whose estimated time of arrival at entrance to the buoyed channel or estimated time of departure from port occurs first. Unusual situations may infrequently arise where politically important people onboard either off-schedule cruise liners or Navy test ships require immediate entry to or departure from the port. Under these circumstances, a deviation from the priority designation may be necessary. These special situations will be handled on a case-by-case basis between NOTU Port Operations and Canaveral Port Authority Operations.

4. The time separation between ships entering and/or leaving Port Canaveral should be that interval deemed necessary by the Canaveral Pilots Association for the safety of the vessels concerned. Under no circumstances will the arrivals/departures of ships be scheduled such that a meeting situation would occur inside the buoyed channel of Port Canaveral.

5. In order to meet U.S. Navy Operational requirements a Priority 1 ship movement will immediately go into effect when an emergency involving U. S. Naval Warships requiring immediate departure of a Naval vessel occur. NOTU shall arrange for immediate tug assistance. Should there be any conflict, it shall be resolved through liaison between both parties to achieve a mutual acceptable arrangement.

V. CANCELLATION

This Memorandum of Understanding may be cancelled by either party, for any reason, with 60 days written notice to the other party.

H. L. Sheffield
Commanding Officer
Naval Ordnance Test Unit

Date: 26 JAN 00

Joe D. Matheny
Chairman
Canaveral Port Authority

Date: 1/19/00

ADDENDUM E: EMERGENCY SHIP MOVEMENT POLICY

TO: Masters, Pilots, Towboat Companies, Steamship Agents and All Others Concerned:

1. All vessels, unless prevented by conditions or special requirements of the vessel, will be turned around upon entering the turning basin and will be berthed headed seaward.
2. All vessels, civilian and military, will provide wire ropes from the bow and stern with eyes that can be reached by tugs coming alongside. Pilots will make sure wires are in proper position before leaving vessel.
3. The ship or ship's agent will immediately report any spillage of oil on the wharf or on the water and the extent of the spill to the Port Operations Manager and Port Control at (321) 394-3281. If spillage is considerable, all cargo operations must stop, and vessel prepared to undock.
4. All vessels will undock and proceed to outer anchorage when so ordered by the CEO or designee in the event of:
    a) A severe oil spillage;
    b) Fire is discovered on board a vessel laden with petroleum, explosives, or a quantity of dangerous cargo;
    c) Vessel is in jeopardy due to conditions on shore; or
    d) Extreme weather conditions.
5. Tugboats proceeding to a vessel with petroleum or explosives and through oil will stop smoking on board and put out cooking fires, burners and pilot lights.
6. Ships discovering fire on board or close by on shore will sound repeated long whistle blast signals and use every other available means to report the fire.
7. Emergency movement of ships will be made with an able sea watch without waiting for return of other ship's personnel.

CANAVERAL HARBOR SAFETY REGULATIONS

All ships discharging petroleum products in Port Canaveral will observe all requirements relating to petroleum discharge as set forth in **33 C.F.R. § 156**, "Navigation and Navigable Waters: Oil and Hazardous Material Transfer Operations".

Revision History

DATE	VERSION	STATUS	COMMENT
Prior Revisions available on request to Business Development			
2021.10.01	005	Submitted 8/18/2021 to Board of Commissioners for approval.	Language additions/deletions to Rules 115, 220, 230, 245, 255, 260, 265, 300, 325, 355, 385, 405, 510, 520, 535, 540, 570, 705, 710, 820, 1220, 1315 and Addendums B and C. Rate changes to Rules 415, 572, 615, 620, 620.1, 645, 705, 715, 720, 800, 1100, 1105, 1110, 1115, 1315. New Rules 571, 573, 574, 577, 1206.
2022.10.05	006	Submitted 8/17/2022 to Board of Commissioners for approval.	Language additions/deletions to Rules 200, 205, 220, 265, 300, 520, 571, 903, 1125, 1315, 1400.31 and Addendums A and C. Rate changes to Rules 415, 573, 610, 615, 620, 620.1, 645, 705, 715, 720, 800, 902, 1100, 1105, 1110 and 1115. New Definition 1400.15.
2023.06.01	007	Submitted 5/24/2023 to Board of Commissioners for approval.	Language additions/deletions to Rules 111, 220, and 520.
2023.10.01	008	Submitted 8/23/2023 to Board of Commissioners for approval.	Language additions/deletions to Rules 220, 255, 260, 574, 577, 900, 901, 1315, 1400.14 and Addendum A. Rate changes to Rule 415, 573, 610, 615, 620, 620.1, 645, 705, 715, 720, 800, 1020, 1100, 1105, 1110, 1115.
2024.10.01	009	Submitted 8/21/2024 to Board of Commissioners for approval.	Language additions/deletions to Rules 105, 205, 215, 220, 235, 245, 260, 350, 505, 547, 570, 571, 901, 902, Rate changes to Rules 415, 571, 573, 610, 615, 620, 620.1, 645, 715, 720, 800, 1100, 1105, 1110, 1115, 1220, Addendum B and C. Deletion of Rules 1000, 1005, 1010, 1015, 1020, 1025, 1400.12, 1400.22, 1400.23
2025.10.01	10	Submitted 8/20/2025 to Board of Commissioners for approval.	Language additions/deletions to Rules 220, 385, 405, 430, 577, 600, 901, Rate changes to Rules 415, 571, 615, 620, 620.1, 645, 705, 715, 720, 800, 1100, 1105, 1110, 1115, 1125, Addendum C. New Definition 1400.14
2026.10.01	11	Submitted 8/19/2026 to Board of Commissioners for approval.	Language additions / deletions to Rules 220, 260, 415, 500, 530, 547, 573, 610, 615, 620, 620.1, 645, 715, 720, 800, 902, 1100, 1105, 1110, 1115, 1315, Addendums A, B and C.