

0150-12469-0000

**TRANSMITTAL**

TO  
Eugene D. Seroka, Executive Director  
Harbor Department

DATE  
12/15/2023

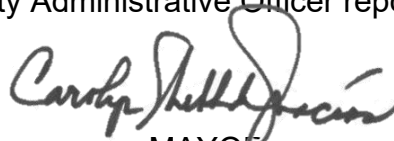
COUNCIL FILE NO.

FROM  
The Mayor

COUNCIL DISTRICT  
15

**RESOLUTION NO. 23-10235 AND PROPOSED PERMANENT ORDER AMENDING  
PORT OF LOS ANGELES TARIFF NO. 4, SECTION SEVEN "FREE TIME, WHARF  
DEMURRAGE, AND WHARF STORAGE", ITEMS 720 AND 780 TO MODIFY  
FREE TIME ALLOWED ON INBOUND CONTAINERIZED MERCHANISE AND  
WHARF DEMURRAGE CHARGES, EFFECTIVE OCTOBER 1, 2023**

Approved and transmitted for further processing including Council consideration.  
See the City Administrative Officer report attached.



MAYOR

(Carolyn Webb de Macias for)

Attachment

MWS/PJH/MCB/JVW:SHF:10240121t

CAO 649-d

**REPORT FROM**

**OFFICE OF THE CITY ADMINISTRATIVE OFFICER**

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Date: November 28, 2023

CAO File No. 0150-12469-0000  
Council File No.  
Council District: 15

To: The Mayor

From: Matthew W. Szabo, City Administrative Officer



Reference: Correspondence from Los Angeles Board of Harbor Commissioners (Board) dated September 7, 2023 regarding September 7, 2023 Board Resolution; referred by the Mayor for report on September 7, 2023

Subject: **RESOLUTION NO. 23-10235 AND PROPOSED PERMANENT ORDER AMENDING PORT OF LOS ANGELES TARIFF NO. 4, SECTION SEVEN "FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE", ITEMS 720 AND 780 TO MODIFY FREE TIME ALLOWED ON INBOUND CONTAINERIZED MERCHANISE AND WHARF DEMURRAGE CHARGES, EFFECTIVE OCTOBER 1, 2023**

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**RECOMMENDATIONS**

That the Mayor:

1. Approve Los Angeles Harbor Department (Port) Resolution No. 23-10235 authorizing the adoption of the proposed Permanent Order No. 23-7352 and a corresponding Ordinance to amend Port of Los Angeles Tariff No. 4, Section Seven "Free Time, Wharf Demurrage, and Wharf Storage", Items 720 and 780 to modify free time allowed on inbound containerized merchandise and wharf demurrage charges, effective October 1, 2023;
2. Adopt the September 7, 2023 Board of Harbor Commissioners finding that the proposed action is categorically exempt from the requirements of California Environmental Quality Act (CEQA) under Article III Class 1(31) of the Los Angeles City CEQA Guidelines; and
3. Authorize the Port Executive Director, or designee, to execute the proposed amendment, already approved as to form by the City Attorney, and return the Resolution to the Port for further processing, including Council consideration.

## SUMMARY

The Los Angeles Board of Harbor Commissioners (Board) requested approval of the September 7, 2023 Resolution No. 23-10235 which authorizes the adoption of the proposed Permanent Order No. 23-7352 and a corresponding Ordinance to amend Port of Los Angeles (POLA) Tariff No. 4, Section Seven “Free Time, Wharf Demurrage, and Wharf Storage”, Items 720 and 780, effective October 1, 2023. The proposed tariff changes include: 1) counting Saturdays and Sundays as part of the allowable free time on inbound containerized merchandise if the marine terminal’s truck gates are open for business; and 2) adding a third demurrage tier for merchandise remaining on terminal for more than 10 days after the expiration of allowable free time and modifying demurrage rates. The implementation of the proposed tariff amendment would deter prolonged on-terminal dwell time and improve fluidity for the wide range of supply chain stakeholders that utilize the POLA.

The proposed Permanent Order and corresponding Ordinance have been reviewed and approved as to form by the City Attorney. Pursuant to Charter Section 653(a), Council must approve by ordinance to amend the tariff before it can become effective permanently. Our office has reviewed the request and recommends approval.

## BACKGROUND

The POLA Tariff No.4 sets rules, regulations, and fees for access to and usage of POLA facilities and services and across POLA-controlled waterways. Tariff fee receipts make up the bulk of the operating revenue of the Harbor Department (Port), which the Port uses to administer the Department and the POLA, and maintain and improve its facilities and infrastructure. The Port periodically reviews and updates tariff rates and rules to keep pace with market rates and comply with the Port Financial Policies. Pursuant to Charter Sections 653(a) and (b), the Board has authority to make changes to the tariff for a period not to exceed 90 days under each Temporary Order, but a Permanent Order must be approved by Council by ordinance.

Tariff No. 4, Section Seven “Free Time, Wharf Demurrage, and Wharf Storage” includes provisions relating to the duration merchandise can remain on-terminal without being assessed wharf demurrage upon discharge from a vessel or prior to lading to a vessel. This section also lists fees to be charged after the expiration of the allowable free time when cargo is not picked up by the receiver or is delivered to a terminal too early before a vessel’s commencement of loading operations and departure.

*Proposed Tariff No. 4 Amendment* – The proposed amendment to the tariff includes the following changes to Section Seven, Items 720 and 780, effective October 1, 2023:

- Item 720, Free Time Allowed – Free time allowed is the specified number of days during

which merchandise may occupy space assigned to it without being assessed wharf demurrage. The proposed change is to count Saturdays and Sundays as part of the allowable free time on inbound containerized merchandise, provided the marine terminal's truck gates are open for business on such days. Currently, the weekend days are free even when the truck gates are open.

- Item 780, Rates for Wharf Demurrage after Expiration of Free Time – The amendment would add a third demurrage tier for merchandise remaining on-terminal for more than 10 days after the expiration of the allowable free time and increase demurrage charges. Appendix A, immediately following this reports, provides a list of proposed rates by commodity in comparison with the current rates. The rates for the new third tier would approximately double the current rates.

*Need for Tariff No. 4 Amendment* – The increase of wharf demurrage fees is an effort to deter POLA's terminal property from being used as a cargo storage facility. The amendment would reduce the on-terminal dwell time for containerized and non-containerized merchandise, increase cargo velocity for the wide range of supply chain stakeholders utilizing the POLA, and improve POLA's competitiveness. The proposed amendment has been approved by the California Association of Port Authorities, of which the Port is a member. It would also create parity with the Port of Long Beach. The amendment is operational in nature rather than financially driven. The estimated demurrage revenues for Fiscal Year 2023 were \$100,319, of which \$100,000 were derived from one container terminal permit that would not be affected by the amendment.

Extended dwell times on inbound merchandise at the POLA became evident as a result of the COVID-19 pandemic and its impact on container volumes. To address the record volume and reduce congestion, the Ports of Long Beach and Los Angeles announced in October 2021 a temporary Container Dwell Fee program, charging each import container dwelling nine days or more at the terminal. The program ended on January 14, 2023 at both ports. While the fee was never implemented, the two ports have seen a combined decline of 92 percent in aging cargo on the docks since the program's inception.

*Temporary Order* – On September 7, 2023, the Board authorized a Temporary Order approving the same provisions as the proposed tariff amendment, effective October 1, 2023 for a period not to exceed 90 days.

## **CITY COMPLIANCE**

*California Environmental Quality Act (CEQA)* – On September 7, 2023, the Board determined that the proposed action is categorically exempt from requirements of CEQA pursuant to Article III Class 1(31) of the Los Angeles City CEQA Guidelines.

The City Attorney has reviewed and approved the proposed Permanent Order and Ordinance

as to form. Pursuant to Charter Sections 653(a) and (b), the Board has authority to issue a Temporary Order for a period not to exceed 90 days, but Council must approve by ordinance to amend the tariff before it can become effective permanently. Our office recommends approval.

## **FISCAL IMPACT STATEMENT**

Approval of the proposed Permanent Order is expected to result in reduced dwell times and improved fluidity for the wide range of supply chain stakeholders that utilize the Port of Los Angeles. The Harbor Department (Port) expects only minimal increases to demurrage revenues as the proposed Order is operational in nature rather than financially driven. The estimated Fiscal Year 2023 demurrage revenues were \$100,319, of which \$100,000 were derived from one container terminal permit that would not be affected by the Order. The recommendations in this report and proposed actions comply with the Port's Financial Policies. There is no impact on the City's General Fund.

Appendix A – Proposed Rates for Wharf Demurrage after Expiration of Free Time  
Attachment 1 – September 7, 2023 Harbor Board report, Resolution 23-10235

*MWS:PJH/MCB/JVW:SHF:10240121*

**APPENDIX A**  
**PROPOSED RATES FOR WHARF DEMURRAGE AFTER EXPIRATION OF FREE TIME**  
(Tariff No. 4, Section Seven, Item 780. Current rates are shown in parentheses.)

<b>Commodity</b>	<b>First Tier Charge Per Day for First 5 Days</b>	<b>Second Tier Charge Per Day for Days 6 – 10</b>	<b>New Third Tier Charge Per Day for Days 11+</b>
<b>Merchandise, Not Otherwise Specified (NOS):</b> Billed at either the weight per kiloton (KT) or by measurement per cubic meter, whichever creates the greatest revenue, except as noted.			
Merchandise, NOS, not carried in cargo containers or trailers. Note 1.	\$0.81 (\$0.76)	\$1.64 (\$1.54)	\$3.28 (\$1.54)
Merchandise, NOS, carried in cargo containers or trailers. Note 2.	\$0.81 (\$0.76)	\$1.64 (\$1.54)	\$3.28 (\$1.54)
<b>Overall Length of the Container or Trailer in Meters:</b>			
Between 0 to 7	\$24.83 (\$23.38)	\$49.60 (\$46.70)	\$99.20 (\$46.70)
Between 7 to 9	\$30.34 (\$28.57)	\$60.69 (\$57.15)	\$121.38 (\$57.15)
Between 9 to 13	\$49.66 (\$46.76)	\$99.32 (\$93.52)	\$198.64 (\$93.52)
Over 13	\$64.84 (\$61.05)	\$129.66 (\$122.09)	\$259.32 (\$122.09)
<b>Vehicles, motor, self-propelling, set up on own wheels, viz.:</b>			
Automobiles, passengers, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks or pick-truck chassis.			
Shipped outbound by water carrier in domestic trade or shipped by manufacturers for distribution to automobile dealers, per vehicle.	\$2.42 (\$2.28)	\$4.82 (\$4.54)	\$9.64 (\$4.54)
Privately owned vehicles or used cars shipped inbound to the Port of Los Angeles, per vehicle.	\$8.07 (\$7.60)	\$16.14 (\$15.20)	\$32.28 (\$15.20)
Commercial or freight vehicles, including chassis, freight trailers or freight semi-trailers, per KT.	\$2.42 (\$2.28)	\$4.82 (\$4.54)	\$9.64 (\$4.54)
Agricultural, earth-moving equipment, or road-making equipment, NOS, per KT.	\$2.42 (\$2.28)	\$4.82 (\$4.54)	\$9.64 (\$4.54)

**Notes:**

1. If measurement of the cargo is required but not available, the measurement shall be constructed on the basis of one (1) cubic meter for each 125 kilograms of cargo.
2. If the measurement of the cargo is required but not available, the charge per day will be based on the overall length of the container or trailer as follows.

## INTER-DEPARTMENTAL CORRESPONDENCE

DATE: September 7, 2023

TO: The Honorable Karen Bass, Mayor  
City of Los Angeles

FROM: Amber M. Klesges, Commission Secretary *AMC*  
Harbor Department / Mail Stop 260

SUBJECT: **CHARTER SECTION 653 (b)** – RESOLUTION NO. 23-10235 -  
PERMANENT ORDER TO AMEND PORT OF LOS ANGELES TARIFF NO.  
4, SECTION SEVEN “FREE TIME, WHARF DEMURRAGE, AND WHARF  
STORAGE”

In accordance with Executive Directive No. 4, attached for your review is Resolution No. 23-10235 authorizing approval of Permanent Order No. 23-7352 to Amend Port of Los Angeles Tariff No. 4, Section Seven “Free Time, Wharf Demurrage, and Wharf Storage”, Items 720 and 780; which was approved by the Board of Harbor Commissioners on September 7, 2023.

It is respectfully recommended for the City Administrative Office to review, report, and return to the Harbor Department for further processing to City Council for final consideration.

Please feel free to contact me for any inquiries regarding the transmitted documents at (310) 732-2642 or [aklesges@portla.org](mailto:aklesges@portla.org)

cc: Heleen Ramirez, Mayor's Office  
Erick Martell, Mayor's Office  
Jacqueline Wagner, CAO Office  
Sondra Fu, CAO Office  
Stephanie Magnien, Harbor Representative  
City Attorney

AK:EV

#6  
9.7.23

RECOMMENDATION APPROVED;  
RESOLUTION 23-10235 ADOPTED AND  
ORDER 23-7352 APPROVED  
BY THE BOARD OF HARBOR COMMISSIONERS

September 7, 2023  
*AM Klesges*  
Amber M. Klesges  
Board Secretary



**DATE: AUGUST 29, 2023**

**FROM: CARGO MARKETING**

**SUBJECT: RESOLUTION NO. ~~23-10235~~ - APPROVE PERMANENT ORDER TO AMEND PORT OF LOS ANGELES TARIFF NO. 4, SECTION SEVEN "FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE"**

**SUMMARY:**

Staff requests approval of a Permanent Order approving an amendment to Port of Los Angeles (Port) Tariff No. 4 (Tariff), Section Seven "Free Time, Wharf Demurrage, and Wharf Storage", Items 720 and 780. Item 720 would be modified to include Saturdays and/or Sundays as part of the allowable free time on inbound containerized merchandise, provided the marine terminal (terminal) operator's truck gates are announced or published as being open for container delivery on those days. Additionally, to deter Port terminal property from being used as a cargo storage facility, Item 780 would be modified to add a third demurrage tier for merchandise remaining on terminal for more than 10 days after the expiration of free time. The proposed amendment would become effective on October 1, 2023.

A separate action recommends a Temporary Order to make changes to the Tariff within the Board of Harbor Commissioners' (Board) authority to adopt rates for up to 90 days, with any rates to be effective beyond the 90 days requiring this Permanent Order to be approved by City Council ordinance.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners:

1. Find that the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III Class 1(31) of the Los Angeles City CEQA Guidelines;
2. Approve the amendment to Port of Los Angeles Tariff No. 4, modifying rates and regulations in Section Seven "Free Time, Wharf Demurrage, and Wharf Storage", Items 720 and 780, subject to the California Association of Port Authorities' review and approval, and authorize the Executive Director to work with the California Association of Port Authorities to secure this approval or proceed to take independent action in



SUBJECT: PERMANENT ORDER TO AMEND PORT OF LOS ANGELES TARIFF NO. 4, SECTION SEVEN "FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE"

accordance with the California Association of Port Authorities' procedure;

3. Adopt Permanent Order No. 23-7352 with an effective date of October 1, 2023, to amend Port of Los Angeles Tariff No. 4, to modify rates and regulations in Section Seven "Free Time, Wharf Demurrage, and Wharf Storage", Items 720 and 780;
4. Direct the Board Secretary to transmit to the City Council for approval the Permanent Order and the Ordinance approving and authorizing the Amendments to Port of Los Angeles Tariff No. 4 pursuant to City Charter 653(a);
5. Direct the Board Secretary to transmit to the City Clerk a Notice of Public Hearing for publication in accordance with the provisions of California Government Code sections 66018 and 6062a;
6. After the effective date of the Ordinance, transmit the Permanent Order and Ordinance to the Executive Director or his nominee for implementation and posting to the Port of Los Angeles website; and
7. Adopt Resolution No. 23-10235.

**DISCUSSION:**

Background and Context – Port Tariff No. 4, Section Seven "Free Time, Wharf Demurrage, and Wharf Storage", includes provisions relating to the duration merchandise can remain on-terminal without being assessed wharf demurrage upon discharge from a vessel or prior to loading to a vessel. Section Seven also lists fees to be charged after the expiration of such free time when cargo is not picked up by the receiver or is delivered to a terminal too early before a vessel's commencement of loading operations and departure. Extended dwell times on inbound merchandise became evident as a result of the COVID-19 pandemic and its impact on container volumes. In an effort to deter prolonged dwell times, an excess dwell fee was put in place on inbound merchandise that would be charged to the container shipping lines for containers remaining on-terminal over 9 days. While no fee was ever charged, the threat of this fee changed the behavior of supply chain stakeholders and resulted in cargo moving off terminal faster, thus making space available for export cargo and new import cargoes.

Proposed Tariff Amendment - Staff recommends amending Port Tariff, Section Seven "Free Time, Wharf Demurrage, and Wharf Storage" (Transmittal 1), Item 720, to include Saturdays, Sundays or both as part of the allowable free time on inbound containerized merchandise, provided the terminal operator's truck gates are announced or published as being open for container delivery on those days. The inclusion of Saturdays and/or Sundays as part of the wharf free time will encourage the import community to utilize weekend days to process cargo. It is anticipated that enhanced utilization of weekend hours will increase cargo velocity, increase available terminal space and potentially increase container equipment and truck chassis utilization.

**DATE: AUGUST 29, 2023**

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**SUBJECT: PERMANENT ORDER TO AMEND PORT OF LOS ANGELES TARIFF NO. 4, SECTION SEVEN "FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE"**

Additionally, Item 780 would be modified to add a third demurrage tier for merchandise remaining on-terminal for more than 10 days after the expiration of free time in an effort to deter Port terminal property from being used as a cargo storage facility. Currently, there are only two demurrage tiers: one for the first five days after expiration of free time, and a second for each day after the fifth day. The daily charge for the third demurrage tier would be double that of the prior tier, for cargo remaining on-terminal for 6-10 days after the expiration of free time (see tables below).

Rates on Merchandise, Not Otherwise Specified (NOS), not carried in cargo containers or trailers, and rates on containerized Merchandise, NOS, billed at either the weight per kiloton (KT) or by measurement per cubic meter, whichever creates the greatest revenue, would see an increase in demurrage charges, as stated below:

<b>Commodity</b>	<b>Charge Per Day for First 5 Days</b>	<b>Charge Per Day for Days 6 – 10</b>	<b>Charge Per Day for Days 11+</b>
Merchandise, NOS, not carried in cargo containers or trailers. Note: If measurement of the cargo is required but not available, the measurement shall be constructed on the basis of one (1) cubic meter for each 125 kilograms of cargo.	\$0.81	\$1.64	\$3.28
Merchandise, NOS, carried in cargo containers or trailers. Note: If measurement of the cargo is required but not available, the charge per day will be based on the overall length of the container or trailer as follows:	\$0.81	\$1.64	\$3.28

<b>Overall Length in Meters Over</b>	<b>Overall Length in Meters but Not Over</b>	<b>Charge Per Day for First 5 Days</b>	<b>Charge Per Day for Days 6-10</b>	<b>Charge Per Day for Days 11+</b>
0	7	\$24.83	\$49.60	\$99.20
7	9	\$30.34	\$60.69	\$121.38
9	13	\$49.66	\$99.32	\$198.64
13	Over	\$64.84	\$129.66	\$259.32

DATE: AUGUST 29, 2023

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SUBJECT: PERMANENT ORDER TO AMEND PORT OF LOS ANGELES TARIFF NO. 4, SECTION SEVEN “FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE”

Rates on vehicles would see the addition of a third demurrage tier as follows:

Commodity	Charge Per Day for First 5 Days	Charge Per Day for Days 6 – 10	Charge Per Day for Days 11+
Vehicles, motor, self-propelling, set up on own wheels, viz.: <b>Automobiles, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks or pick-up truck chassis.</b>			
Shipped outbound by water carrier in domestic trade or shipped by manufacturers for distribution to automobile dealers, per vehicle.	\$2.42	\$4.82	\$9.64
Privately owned vehicles or used cars shipped inbound to the Port of Los Angeles, per vehicle.	\$8.07	\$16.14	\$32.28
<b>Commercial or freight vehicles, including chassis, freight trailers or freight semi-trailers, per KT.</b>	\$2.42	\$4.82	\$9.64
<b>Agricultural, earth-moving equipment, or road-making equipment, NOS, per KT.</b>	\$2.42	\$4.82	\$9.64

Need for Amendment – Reducing the on-terminal dwell time for containerized and non-containerized merchandise will provide more space on Port terminals to accept empty containers, export merchandise, and improve fluidity for the wide range of supply chain stakeholders that utilize the Port.

Need for Approval – Los Angeles City Charter Section 653(a) requires the Board to approve any amendment by Order and City Council approval of the Order by Ordinance.

A separate action recommends Board adoption of a Temporary Order within its Los Angeles City Charter Section 653(b) authority to approve changes to Tariff No. 4 (Transmittal 1), to be effective for a period not to exceed 90 days. The Temporary Order, if approved, will be effective October 1, 2023, and expire 90 days after the effective date or upon execution of the Permanent Order (Transmittal 2) and Ordinance (Transmittal 3) by the City Council, whichever occurs first. This action for Board and City Council adoption of a Permanent Order (Transmittal 2) and Ordinance (Transmittal 3) are required under the Charter Section 653(a) to make changes to the Tariff (Transmittal 1) effective beyond the Temporary Order’s 90-day effective period.

#### **ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of a Permanent Order to amend the Port Tariff, which is an activity that modifies any rate, fee, or charge for the use of existing municipal facilities and services involving negligible or no expansion of use. Therefore, the Director of Environmental Management has determined that the proposed action is categorically

DATE: AUGUST 29, 2023

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SUBJECT: PERMANENT ORDER TO AMEND PORT OF LOS ANGELES TARIFF NO. 4, SECTION SEVEN "FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE"

exempt from the requirements of CEQA in accordance with Article III Class 1(31) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

Approval of the proposed Permanent Order is expected to result in reduced dwell times and improved fluidity for the wide range of supply chain stakeholders that utilize the Port. Only minimal increases to demurrage revenues are expected as this amendment is operational in nature rather than financially driven.

Estimated Fiscal Year 2023 demurrage revenues were \$100,319, of which \$100,000 were derived from one container terminal permit which would not be affected by approval of this Order.

**CITY ATTORNEY:**

The Office of the City Attorney has approved as to form and legality the proposed Permanent Order and Ordinance.

**TRANSMITTALS:**

1. Proposed POLA Tariff No. 4 Revision
2. Permanent Order
3. Ordinance



ERIC CARIS  
Director of Cargo Marketing

FIS Approval: MR(initials)  
CA Approval: SO(initials)

*Michael DiBernardo*

MICHAEL DIBERNARDO  
Deputy Executive Director

APPROVED:

*Marla Bleavins* For

EUGENE D. SEROKA  
Executive Director

EC:JY:aa

SECTION SEVEN FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE	Item No.
<p style="text-align: center;">DEFINITIONS</p> <p>(a) WHARF DEMURRAGE is the charge, calculated in accordance with the Wharf Demurrage rates named in this Tariff, assessed against merchandise which remains on a municipal wharf or wharf premises after the free time allowed.</p> <p>(b) WHARF STORAGE is the charge, calculated in accordance with Wharf Storage rates named in this Tariff, assessed against merchandise which remains on a municipal wharf or wharf premises and has been accepted for storage.</p> <p>(c) INBOUND MERCHANDISE is merchandise which has been discharged from a vessel. Inbound Merchandise may be non-containerized or containerized.</p> <p>(d) OUTBOUND MERCHANDISE is merchandise which is being or has been assembled and is awaiting loading on board a vessel.</p> <p>(e) FREE TIME is the specified number of days during which merchandise may occupy space assigned to it without being assessed Wharf Demurrage.</p>	700
<p style="text-align: center;">FREE TIME, COMMENCES WHEN</p> <p>(1) INBOUND MERCHANDISE, Non-containerized: Free time shall commence at the first midnight after the vessel, from which the merchandise was discharged, finishes discharging or leaves wharf, whichever occurs first; provided, that when a vessel moves to another wharf to complete discharging because of lack of space at first wharf, such vessel shall not be considered as having left the first wharf.</p> <p>[C] INBOUND MERCHANDISE, Containerized: Free time shall commence for each container at 3:00 a.m. after the container is discharged from a vessel.</p> <p>(2) OUTBOUND MERCHANDISE: Free time shall commence at the first midnight after the merchandise is placed on a wharf or wharf premises; provided, however, that the days during the loading or discharging operations of a vessel shall not be counted as wharf demurrage or wharf storage days if merchandise is being loaded on or discharged from such vessel with dispatch.</p>	[C] 710
See Item 10 for explanation of abbreviations and symbols.	
Correction No.377	<div>Order No. 6880      Adopted July 19, 2006</div> <div>Ordinance No. 177985      Adopted October 10, 2006</div> <div>EFFECTIVE: December 1, 2006</div>

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued				Item No.								
<p style="text-align: center;">FREE TIME ALLOWED</p> <p>Exclusive of Saturdays, Sundays and the legal holidays named in Item No. 100(n) of this Tariff, Free Time shall be allowed on Inbound, Outbound and Transshipped Merchandise, subject to Item No. 730, as follows:</p> <table><tr><td>CONTAINERIZED CARGO Inbound: Outbound:</td><td>COASTWISE TRADE 5 days 5 days</td><td>INTERCOASTAL TRADE 4 days 6 days</td><td>FOREIGN AND OFFSHORE TRADE 4 days 6 days</td></tr><tr><td>NON-CONTAINERIZED CARGO Inbound: Outbound:</td><td>COASTWISE TRADE 5 days 5 days</td><td>INTERCOASTAL TRADE 5 days 10 days</td><td>FOREIGN AND OFFSHORE TRADE 7 days 10 days</td></tr></table>				CONTAINERIZED CARGO Inbound: Outbound:	COASTWISE TRADE 5 days 5 days	INTERCOASTAL TRADE 4 days 6 days	FOREIGN AND OFFSHORE TRADE 4 days 6 days	NON-CONTAINERIZED CARGO Inbound: Outbound:	COASTWISE TRADE 5 days 5 days	INTERCOASTAL TRADE 5 days 10 days	FOREIGN AND OFFSHORE TRADE 7 days 10 days	+ <b>[C]</b> 720
CONTAINERIZED CARGO Inbound: Outbound:	COASTWISE TRADE 5 days 5 days	INTERCOASTAL TRADE 4 days 6 days	FOREIGN AND OFFSHORE TRADE 4 days 6 days									
NON-CONTAINERIZED CARGO Inbound: Outbound:	COASTWISE TRADE 5 days 5 days	INTERCOASTAL TRADE 5 days 10 days	FOREIGN AND OFFSHORE TRADE 7 days 10 days									
<p>+Note 1: Either Saturdays, Sundays or both shall be included in the Free Time Allowed on Inbound Containerized Merchandise if a containerized terminal operator announced or published that its gates will be open for container delivery on such days.</p> <p>Transshipped: Merchandise transshipped involving a long and a short free time period shall be allowed the longer free time period but in no case shall such merchandise be allowed the aggregate of the inbound and the outbound period.</p>												
<p style="text-align: center;">FREE TIME MAY BE SHORTENED OR EXTENDED</p> <p>(a) Only when necessary shall the free time herein provided for be fully utilized or taken advantage of, and the Executive Director, if he determines that the interests of commerce and navigation require, is hereby empowered at any time to shorten such free time and to cause the removal of any merchandise, irrespective of the free time period.</p> <p>(b) Outbound merchandise, upon approval of the Executive Director, may remain on wharves, premises or facilities of the Port at owner's risk at no charge for a period of time not to exceed ten (10) working days beyond the allowable free time in Item 720 if the vessel for which the cargo was originally intended is unable to call as scheduled because of stress of weather, accident, breakdown or other emergency. Thereafter, wharf demurrage shall be assessed against such merchandise unless or until the merchandise is accepted for wharf storage. This exception does not apply on merchandise which wharf demurrage or storage charges have accrued prior to the original scheduled call date of the vessel.</p> <p>(c) The Executive Director may extend the allowable free time on any merchandise if terminal operations or movement of merchandise are interrupted by war, earthquake, flood, fire, riot, or any unusual occurrence which, in the judgment of the Executive Director, warrants the extension of such free time.</p>				730								
See Item 10 for explanation of abbreviations and symbol												
Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:									

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued		Item No.
APPLICATION OF WHARF DEMURRAGE RATES		
<p>Wharf demurrage shall be assessed in accordance with the provisions Item No. 780 against all merchandise remaining on wharf premises after the expiration of free time as provided in Item No. 720, Termination of Wharf Storage as provided in Item No. 790, or upon the area designated in a space assignment after its termination as provided in Item No. 800. The grantee of a berth assignment may apply in writing to the Executive Director to use the storage provisions of Item No. 790 or space assignment provisions of Item No. 800.</p>		740
STORAGE UNDER STRIKE CONDITIONS		
<p>Merchandise which cannot be removed from the port due to a general waterfront strike of five calendar days or more will be subject to the following:</p> <p>(a) Merchandise on Free Time: Strikebound merchandise will be continued on free time until the maximum free time allowed under this tariff has expired. Upon expiration of free time, storage charges will be assessed under the provisions of Item No. 790.</p> <p>(b) Merchandise on Demurrage or Storage: Merchandise on demurrage or storage will be subject to storage under the storage rates in this section during the period in which the strike is in effect. The Executive Director reserves the right to authorize storage rates for strikebound cargo without prior request.</p> <p>(c) Charge applicable after the strike ends: Merchandise which was previously strikebound remaining on hand on the sixteenth day following the end of the strike will be subject to demurrage, unless prior authorization has been granted by the Executive Director for storage or space assignment.</p>		750
See Item 10 for explanation of abbreviations and symbols.		
Order No. 5837      Adopted July 12, 1989 Ordinance No. 165789      Adopted April 10, 1990		EFFECTIVE: July 1, 1990



SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued		Item No.
<p style="text-align: center;">ASSEMBLY TIME</p> <p>Subject to terminal space availability and upon receiving shipper's or consignee's request, the Executive Director may grant time of up to 20 days beyond the regular free time allowance provided in this tariff for assembling cargo lots. Assembly Time granted is exclusive of Saturdays, Sundays, and Holidays. Assembled cargo lots must aggregate 200 revenue tons or more constituting an export or import shipment for loading or unloading from a specifically named vessel. Note: Extension of time to assembled cargo applies only to Port of Los Angeles charges contained in this tariff. Equipment owned or leased by ocean carrier(s) is subject to demurrage (or detention) charges and free time provisions provided for in individual ocean carrier tariffs.</p>		+ 760
See Item 10 for explanation of abbreviations and symbols.		
Correction No. 68	Order No. 6094      Adopted July 22, 1992 Ordinance No. 168288      Adopted October 9, 1992	EFFECTIVE: November 21, 1992



SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND, WHARF STORAGE -- Continued		Item No.
<p><b>RATES FOR WHARF DEMURRAGE AFTER EXPIRATION OF FREE TIME</b></p> <p>Wharf demurrage shall be assessed against all merchandise remaining on the wharf or wharf premises after the expiration of the free time allowed (See Item 720) at wharf demurrage rates named in this Item (subject to Notes 1,2,3,4 and 5).</p> <p>Note 1. See Item 790 for wharf storage rates.</p> <p>Note 2. When requested in writing by the steamship company and when verification can be made from steamship company's records, the Executive Director may waive wharf demurrage against small portions of shipments of merchandise requiring recooling, against small portions of shipments of merchandise discharged from a vessel which have not been located at the time of delivery of the major portion of such merchandise, against merchandise discharged from a vessel which is deadover without billing and which may not be delivered by a steamship company until ownership thereof is established, and against portions of shipments of merchandise in bond held by Customs for the appraiser's store.</p> <p>Note 3. Rates provided in this Rule will not apply on merchandise, in bulk, handled mechanically through the bulk loading or unloading facilities at Berths 48 through 53.</p> <p>Note 4. The minimum wharf demurrage charge shall be \$22.73 per lot excepting automobiles and pick-up trucks.</p> <p>Note 5. In those cases in which merchandise remains on wharf demurrage for extended periods of time, accrual reports shall be made by the terminal operator and invoices shall be issued by the Harbor Department for the amount of demurrage charges accrued on a particular lot of cargo for an initial 45-day period and each subsequent 30-day period. Neglect or refusal to deliver the accrual reports to the Executive Director within 15 days following the completion of the initial 45-day period and subsequent 30-day periods of demurrage will result in the assessment of a penalty charge of two percent (2%) of total demurrage charges incurred.</p>		[A] 780
See Item 10 for explanation of abbreviations and symbols.		
Correction No. 821	Order No. 22-7327 Ordinance No. 187649	Adopted April 28, 2022 Adopted October 25, 2022
EFFECTIVE: December 12, 2022		

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE – Continued				Item No.
RATES FOR WHARF DEMURRAGE AFTER EXPIRATION OF FREE TIME -- Continued				
RATES				
In cents per day or fraction thereof, Saturdays, Sunday and holidays included, per KT or cubic meter or fraction thereof or other unit, on the same basis as wharfage is assessed, except as noted.				
<u>Commodity</u>	<u>Charge Per Day for First 5 Days</u>	<u>Charge Per Day for Days 6 - 10</u>	<u>Charge Per Day for Days 11+</u>	
Merchandise, N.O.S., not carried in cargo containers or trailers. Note: If measurement of the cargo is required but not available, the measurement shall be constructed on the basis of one (1) cubic meter for each 125 kilograms of cargo.	81	164	328	*[A] 780 (Cont.)
Merchandise, N.O.S., carried in cargo containers or trailers. Note: If measurement of the cargo is required but not available, the charge per day will be based on the overall length of the container or trailer as follows:	81	164	328	
OVERALL LENGTH IN METERS				
Over	But Not Over			
0	7	2483	4960	9920
7	9	3034	6069	12138
9	13	4966	9932	19864
13	over	6484	12966	25932
See Item 10 for explanation of abbreviations and symbols.				
Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:	

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued				Item No.
WHARFAGE DEMURRAGE – Continued				[A] 780 (Cont.)
<u>Commodity</u>	<u>Charge Per Day for First 5 Days</u>	<u>Charge Per Day for Days 6 - 10</u>	<u>Charge Per Day for Days 11+</u>	
Vehicles, motor, self-propelling, set up on own wheels, viz.:				
Automobiles, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks or pick-up truck chassis.				
Shipped outbound by water carrier in domestic trade or shipped by manufacturers for distribution to automobile dealers, per vehicle.	242	482	964	
Privately owned vehicles or used cars shipped inbound to the Port of Los Angeles, per vehicle.	807	1614	3228	
Commercial or freight vehicles, including chassis, freight trailers or freight semi-trailers, per KT.	242	482	964	
Agricultural, earth-moving equipment, or road-making equipment, N.O.S., per KT.	242	482	964	
See Item 10 for explanation of abbreviations and symbols.				
Correction No.	Order No.	Adopted	EFFECTIVE:	
	Ordinance No.	Adopted		

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued		Item No.
<p style="text-align: center;">[C] WHARF STORAGE</p> <p>Merchandise may be stored on wharves and wharf premises for limited periods of time after prior arrangements have been made by the shipper or consignee thereof, if:</p> <ul style="list-style-type: none"> <li>(a) Space is available; and</li> <li>(b) The prompt loading or discharging of vessels will in no manner be interfered with; and</li> <li>(c) Approved by the Terminal Operator and the Executive Director.</li> </ul> <p>Wharf storage shall be assessed against all merchandise permitted to be stored on wharves at wharf storage rates named in this Item (subject to Notes 1, 2, and 3).</p> <p>Note 1. Subject to the provisions of paragraph (2), Item 710.</p> <p>Note 2. Rates provided in this Item will not apply on merchandise, in bulk, handled mechanically through the bulk loading or unloading facilities at Berths 48 through 53.</p> <p>Note 3. Merchandise permitted to be stored on wharves will be assessed a minimum charge of five (5) days storage at rates named in this Item, but not less than \$22.73 per lot.</p>		[A] 790
See Item 10 for explanation of abbreviations and symbols.		
Correction No.	Order No. Ordinance No.	Adopted Adopted EFFECTIVE:

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

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued			Item No.
WHARF STORAGE – Continued			[A] 790
		<u>RATE</u>	
Vehicles, motor, self-propelling, set up on own wheels Viz.: Commercial or freight vehicles, including chassis, freight trailers or freight semi-trailers, per KT .....		169	
Vehicles parked on any municipal wharf by consent of and where designated by the Executive Director, per vehicle .....		169	
(not subject to Note 3)			
Automobile, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks or pick-up truck chassis, per vehicle.			
<u>Charge per day for first 21 days</u>	<u>Charge per day for each additional day over 21 to 45 days</u>	<u>Charge per day for each additional day over 45 days</u>	
72	142	428	
See Item 10 for explanation of abbreviations and symbols.			
Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:

ORDER NO. 23- 7352

An Order of the Board of Harbor Commissioners of the City of Los Angeles amending Port of Los Angeles Tariff No. 4.

THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LOS ANGELES DOES HEREBY ORDER AS FOLLOWS:

Section 1. Port of Los Angeles Tariff No. 4, adopted July 12, 1989, by Order No. 5837, and Ordinance No. 165,789, adopted April 10, 1990, as amended, is further amended as set forth in Exhibit "A," attached hereto and incorporated herein by reference.

Section 2. The Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III, Class 1(31) of the Los Angeles City CEQA Guidelines.

Section 3. The Board Secretary shall transmit to the City Council for approval the Order and Ordinance approving the amendment to Tariff No. 4 pursuant to City Charter Section 653(a).

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

I HEREBY CERTIFY THAT the foregoing Order was adopted by the Board of Harbor Commissioners of the City of Los Angeles at its meeting held on \_\_\_\_\_.

\_\_\_\_\_  
AMBER M. KLESGES  
Board Secretary

APPROVED AS TO FORM AND LEGALITY

8/28, 2023  
HYDEE FELDSTEIN SOTO, City Attorney  
STEVEN Y. OTERA, General Counsel

By   
NEILL T. TSENG, Deputy City Attorney

NTT  
Attachment - Exhibit A

SECTION SEVEN FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE	Item No.
<p style="text-align: center;">DEFINITIONS</p> <p>(a) WHARF DEMURRAGE is the charge, calculated in accordance with the Wharf Demurrage rates named in this Tariff, assessed against merchandise which remains on a municipal wharf or wharf premises after the free time allowed.</p> <p>(b) WHARF STORAGE is the charge, calculated in accordance with Wharf Storage rates named in this Tariff, assessed against merchandise which remains on a municipal wharf or wharf premises and has been accepted for storage.</p> <p>(c) INBOUND MERCHANDISE is merchandise which has been discharged from a vessel. Inbound Merchandise may be non-containerized or containerized.</p> <p>(d) OUTBOUND MERCHANDISE is merchandise which is being or has been assembled and is awaiting loading on board a vessel.</p> <p>(e) FREE TIME is the specified number of days during which merchandise may occupy space assigned to it without being assessed Wharf Demurrage.</p>	700
<p style="text-align: center;">FREE TIME, COMMENCES WHEN</p> <p>(1) INBOUND MERCHANDISE, Non-containerized: Free time shall commence at the first midnight after the vessel, from which the merchandise was discharged, finishes discharging or leaves wharf, whichever occurs first; provided, that when a vessel moves to another wharf to complete discharging because of lack of space at first wharf, such vessel shall not be considered as having left the first wharf.</p> <p>[C] INBOUND MERCHANDISE, Containerized: Free time shall commence for each container at 3:00 a.m. after the container is discharged from a vessel.</p> <p>(2) OUTBOUND MERCHANDISE: Free time shall commence at the first midnight after the merchandise is placed on a wharf or wharf premises; provided, however, that the days during the loading or discharging operations of a vessel shall not be counted as wharf demurrage or wharf storage days if merchandise is being loaded on or discharged from such vessel with dispatch.</p>	[C] 710
See Item 10 for explanation of abbreviations and symbols.	
Correction No.377	<div>Order No. 6880      Adopted July 19, 2006</div> <div>Ordinance No. 177985      Adopted October 10, 2006</div> <div>EFFECTIVE: December 1, 2006</div>



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

Item No.

FREE TIME ALLOWED

Exclusive of Saturdays, Sundays and the legal holidays named in Item No. 100(n) of this Tariff, Free Time shall be allowed on Inbound, Outbound and Transshipped Merchandise, subject to Item No. 730, as follows:

CONTAINERIZED CARGO Inbound: Outbound:	COASTWISE TRADE 5 days 5 days	INTERCOASTAL TRADE 4 days 6 days	FOREIGN AND OFFSHORE TRADE 4 days 6 days
NON-CONTAINERIZED CARGO Inbound: Outbound:	COASTWISE TRADE 5 days 5 days	INTERCOASTAL TRADE 5 days 10 days	FOREIGN AND OFFSHORE TRADE 7 days 10 days

+[C]  
720

+Note 1: Either Saturdays, Sundays or both shall be included in the Free Time Allowed on Inbound Containerized Merchandise if a containerized terminal operator announced or published that its gates will be open for container delivery on such days.

Transshipped: Merchandise transshipped involving a long and a short free time period shall be allowed the longer free time period but in no case shall such merchandise be allowed the aggregate of the inbound and the outbound period.

FREE TIME MAY BE SHORTENED OR EXTENDED

(a) Only when necessary shall the free time herein provided for be fully utilized or taken advantage of, and the Executive Director, if he determines that the interests of commerce and navigation require, is hereby empowered at any time to shorten such free time and to cause the removal of any merchandise, irrespective of the free time period.

(b) Outbound merchandise, upon approval of the Executive Director, may remain on wharves, premises or facilities of the Port at owner's risk at no charge for a period of time not to exceed ten (10) working days beyond the allowable free time in Item 720 if the vessel for which the cargo was originally intended is unable to call as scheduled because of stress of weather, accident, breakdown or other emergency. Thereafter, wharf demurrage shall be assessed against such merchandise unless or until the merchandise is accepted for wharf storage. This exception does not apply on merchandise which wharf demurrage or storage charges have accrued prior to the original scheduled call date of the vessel.

(c) The Executive Director may extend the allowable free time on any merchandise if terminal operations or movement of merchandise are interrupted by war, earthquake, flood, fire, riot, or any unusual occurrence which, in the judgment of the Executive Director, warrants the extension of such free time.

730

See Item 10 for explanation of abbreviations and symbol

Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:
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SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued			Item No.
<p style="text-align: center;">APPLICATION OF WHARF DEMURRAGE RATES</p> <p>Wharf demurrage shall be assessed in accordance with the provisions Item No. 780 against all merchandise remaining on wharf premises after the expiration of free time as provided in Item No. 720, Termination of Wharf Storage as provided in Item No. 790, or upon the area designated in a space assignment after its termination as provided in Item No. 800. The grantee of a berth assignment may apply in writing to the Executive Director to use the storage provisions of Item No. 790 or space assignment provisions of Item No. 800.</p>			740
<p style="text-align: center;">STORAGE UNDER STRIKE CONDITIONS</p> <p>Merchandise which cannot be removed from the port due to a general waterfront strike of five calendar days or more will be subject to the following:</p> <p>(a) Merchandise on Free Time: Strikebound merchandise will be continued on free time until the maximum free time allowed under this tariff has expired. Upon expiration of free time, storage charges will be assessed under the provisions of Item No. 790.</p> <p>(b) Merchandise on Demurrage or Storage: Merchandise on demurrage or storage will be subject to storage under the storage rates in this section during the period in which the strike is in effect. The Executive Director reserves the right to authorize storage rates for strikebound cargo without prior request.</p> <p>(c) Charge applicable after the strike ends: Merchandise which was previously strikebound remaining on hand on the sixteenth day following the end of the strike will be subject to demurrage, unless prior authorization has been granted by the Executive Director for storage or space assignment.</p>			750
See Item 10 for explanation of abbreviations and symbols.			
	Order No. 5837 Ordinance No. 165789	Adopted July 12, 1989 Adopted April 10, 1990	EFFECTIVE: July 1, 1990

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued	Item No.
<p style="text-align: center;">ASSEMBLY TIME</p> <p>Subject to terminal space availability and upon receiving shipper's or consignee's request, the Executive Director may grant time of up to 20 days beyond the regular free time allowance provided in this tariff for assembling cargo lots. Assembly Time granted is exclusive of Saturdays, Sundays, and Holidays. Assembled cargo lots must aggregate 200 revenue tons or more constituting an export or import shipment for loading or unloading from a specifically named vessel. Note: Extension of time to assembled cargo applies only to Port of Los Angeles charges contained in this tariff. Equipment owned or leased by ocean carrier(s) is subject to demurrage (or detention) charges and free time provisions provided for in individual ocean carrier tariffs.</p>	+ 760
See Item 10 for explanation of abbreviations and symbols.	
Correction No. 68	<div>Order No. 6094      Adopted July 22, 1992</div> <div>Ordinance No. 168288      Adopted October 9, 1992</div> <div>EFFECTIVE: November 21, 1992</div>

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND, WHARF STORAGE -- Continued			Item No.
<p><b>RATES FOR WHARF DEMURRAGE AFTER EXPIRATION OF FREE TIME</b></p> <p>Wharf demurrage shall be assessed against all merchandise remaining on the wharf or wharf premises after the expiration of the free time allowed (See Item 720) at wharf demurrage rates named in this Item (subject to Notes 1,2,3,4 and 5).</p> <p>Note 1. See Item 790 for wharf storage rates.</p> <p>Note 2. When requested in writing by the steamship company and when verification can be made from steamship company's records, the Executive Director may waive wharf demurrage against small portions of shipments of merchandise requiring recooling, against small portions of shipments of merchandise discharged from a vessel which have not been located at the time of delivery of the major portion of such merchandise, against merchandise discharged from a vessel which is deadover without billing and which may not be delivered by a steamship company until ownership thereof is established, and against portions of shipments of merchandise in bond held by Customs for the appraiser's store.</p> <p>Note 3. Rates provided in this Rule will not apply on merchandise, in bulk, handled mechanically through the bulk loading or unloading facilities at Berths 48 through 53.</p> <p>Note 4. The minimum wharf demurrage charge shall be \$22.73 per lot excepting automobiles and pick-up trucks.</p> <p>Note 5. In those cases in which merchandise remains on wharf demurrage for extended periods of time, accrual reports shall be made by the terminal operator and invoices shall be issued by the Harbor Department for the amount of demurrage charges accrued on a particular lot of cargo for an initial 45-day period and each subsequent 30-day period. Neglect or refusal to deliver the accrual reports to the Executive Director within 15 days following the completion of the initial 45-day period and subsequent 30-day periods of demurrage will result in the assessment of a penalty charge of two percent (2%) of total demurrage charges incurred.</p>			[A] 780
See Item 10 for explanation of abbreviations and symbols.			
Correction No. 821	Order No. 22-7327 Ordinance No. 187649	Adopted April 28, 2022 Adopted October 25, 2022	EFFECTIVE: December 12, 2022

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

Item No.

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

RATES

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

<u>Commodity</u>	<u>Charge Per Day for First 5 Days</u>	<u>Charge Per Day for Days 6 - 10</u>	<u>Charge Per Day for Days 11+</u>
Merchandise, N.O.S., not carried in cargo containers or trailers. Note: If measurement of the cargo is required but not available, the measurement shall be constructed on the basis of one (1) cubic meter for each 125 kilograms of cargo.	81	164	328
Merchandise, N.O.S., carried in cargo containers or trailers. Note: If measurement of the cargo is required but not available, the charge per day will be based on the overall length of the container or trailer as follows:	81	164	328

\*[A]  
780  
(Cont.)

OVERALL LENGTH IN METERS

Over	But Not Over			
0	7	2483	4960	9920
7	9	3034	6069	12138
9	13	4966	9932	19864
13	over	6484	12966	25932

See Item 10 for explanation of abbreviations and symbols.

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

Item No.

WHARFAGE DEMURRAGE – Continued

<u>Commodity</u>	<u>Charge Per Day for First 5 Days</u>	<u>Charge Per Day for Days 6 - 10</u>	<u>Charge Per Day for Days 11+</u>
Vehicles, motor, self-propelling, set up on own wheels, viz.:			
Automobiles, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks or pick-up truck chassis.			
Shipped outbound by water carrier in domestic trade or shipped by manufacturers for distribution to automobile dealers, per vehicle.	242	482	964
Privately owned vehicles or used cars shipped inbound to the Port of Los Angeles, per vehicle.	807	1614	3228
Commercial or freight vehicles, including chassis, freight trailers or freight semi-trailers, per KT.	242	482	964
Agricultural, earth-moving equipment, or road-making equipment, N.O.S., per KT.	242	482	964

[A]  
780  
(Cont.)

See Item 10 for explanation of abbreviations and symbols.

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

SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued		Item No.
<p style="text-align: center;">[C] WHARF STORAGE</p> <p>Merchandise may be stored on wharves and wharf premises for limited periods of time after prior arrangements have been made by the shipper or consignee thereof, if:</p> <ul style="list-style-type: none"> <li>(a) Space is available; and</li> <li>(b) The prompt loading or discharging of vessels will in no manner be interfered with; and</li> <li>(c) Approved by the Terminal Operator and the Executive Director.</li> </ul> <p>Wharf storage shall be assessed against all merchandise permitted to be stored on wharves at wharf storage rates named in this Item (subject to Notes 1, 2, and 3).</p> <p>Note 1. Subject to the provisions of paragraph (2), Item 710.</p> <p>Note 2. Rates provided in this Item will not apply on merchandise, in bulk, handled mechanically through the bulk loading or unloading facilities at Berths 48 through 53.</p> <p>Note 3. Merchandise permitted to be stored on wharves will be assessed a minimum charge of five (5) days storage at rates named in this Item, but not less than \$22.73 per lot.</p>		[A] 790
See Item 10 for explanation of abbreviations and symbols.		
Correction No.	Order No. Ordinance No.	Adopted Adopted EFFECTIVE:

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



SECTION SEVEN – Continued FREE TIME, WHARF DEMURRAGE, AND WHARF STORAGE -- Continued			Item No.
WHARF STORAGE – Continued			[A] 790
<div>RATE</div>			
Vehicles, motor, self-propelling, set up on own wheels Viz.: Commercial or freight vehicles, including chassis, freight trailers or freight semi-trailers, per KT ..... 169			
Vehicles parked on any municipal wharf by consent of and where designated by the Executive Director, per vehicle ..... 169 (not subject to Note 3)			
Automobile, passenger, seating capacity not exceeding 10 passengers per vehicle, including pick-up trucks or pick-up truck chassis, per vehicle.			
<div>Charge per day for first 21 days</div>	<div>Charge per day for each additional day over 21 to 45 days</div>	<div>Charge per day for each additional day over 45 days</div>	
72	142	428	
See Item 10 for explanation of abbreviations and symbols.			
Correction No.	Order No. Ordinance No.	Adopted Adopted	EFFECTIVE:

**ORDINANCE NO. \_\_\_\_\_**

An ordinance approving Order No. \_\_\_\_\_ of the Board of Harbor Commissioners of the City of Los Angeles, amending Port of Los Angeles Tariff No. 4.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. That Order No. \_\_\_\_\_ passed and adopted by the Board of Harbor Commissioners of the City of Los Angeles on the \_\_\_\_ day of \_\_\_\_\_, 2023, amending Port of Los Angeles Tariff No. 4, be, and the same is hereby ratified, confirmed and approved, which Order is in words and figures as follows:

**"ORDER NO.**

An Order of the Board of Harbor Commissioners of the City of Los Angeles amending Port of Los Angeles Tariff No. 4.

**THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LOS ANGELES DOES HEREBY ORDER AS FOLLOWS:**

Section 1. Port of Los Angeles Tariff No. 4, adopted July 12, 1989, by Order No. 5837, and Ordinance No. 165,789, adopted April 10, 1990, as amended, is further amended as set forth in Exhibit "A," attached hereto and incorporated herein by reference.

Section 2. The Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III, Class 1(31) of the Los Angeles City CEQA Guidelines.

Section 3. The Board Secretary shall transmit to the City Council for approval the Order and Ordinance approving the amendment to Tariff No. 4 pursuant to City Charter Section 653(a).

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

I HEREBY CERTIFY THAT the  
foregoing Order was adopted by the  
Board of Harbor Commissioners of the  
City of Los Angeles at its meeting held  
on \_\_\_\_\_.

\_\_\_\_\_  
AMBER M. KLESGES  
Board Secretary"

Sec. 2. That, pursuant to the provisions of Section 653(b) of the City Charter, the Board of Harbor Commissioners shall have the power to suspend, modify or amend temporarily any of the rules or regulations, or any of the rates, tolls or charges prescribed by the aforesaid Order of the Board of Harbor Commissioners for periods not exceeding ninety (90) days, and shall have power to place in effect for a like period of time any temporary rule or regulation, rate, toll or charge for the Harbor District.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to City Hall; one copy on the bulletin board located at the Main Street entrance to City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

HOLLY L. WOLCOTT, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By \_\_\_\_\_  
NEILL T. TSENG  
Deputy City Attorney

Date \_\_\_\_\_

File No. \_\_\_\_\_