

**SECTION TWO
GENERAL RULES & REGULATIONS**

EFFECTIVE OCTOBER 1, 2013

FMC SUBRULE: 34-A03

FOR EXPLANATION OF SYMBOLS, SEE PAGE 0-A (AFTER TITLE PAGE)

<p>All vessels, their owners and agents, and all other users of the waterways and facilities, shall be required to permit access to manifests of cargo, passengers, railroad documents, and all other documents for the purpose of audit for ascertaining the correctness of reports filed, or for securing the necessary data to permit correct estimate of charges.</p>	<p>ACCESS TO RECORDS</p>	<p>220</p>
<p>All users of Port facilities shall indemnify and hold harmless the County and its officers, employees, agents and instrumentalities from any and all liability, fines, losses or damages, including attorneys' fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, notices of violation, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the users' use of Port facilities. All users of Port facilities shall pay all claims, fines and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay costs, fines, judgments and attorneys' fees which may issue thereon, provided the County shall have given reasonable written notice of such matter with full right to defend and shall cooperate in such defense.</p>	<p>INDEMNIFICATION</p>	<p>221</p>
<p>Users of the Port facilities are required to furnish the County with a Payment Guarantee, insuring the County against loss of any funds and indemnifying the County in full for the payment of bills that accrue as a result of dockage, notices of violation, cargo and passenger wharfage, water sales, storage, rentals, leases, warehousing, wharf demurrage, track rentals, electric current and any other charges that may accrue for services rendered by the County. The Director is authorized to determine and fix the amount of the required Payment Guarantee. The Director is also authorized to designate the persons who shall be required to post the bond required by this section.</p> <p>Standard Lease (boilerplate) Agreement Lessees shall furnish to the Port a <i>payment guarantee</i> prior to occupancy of the leased space equivalent to the duration of the cancellation notification: thirty (30) days for a month to month lease term and ninety (90) days for 1 to 5 year lease terms. Lessee may elect to post said guarantee as an Indemnity Bond (Bond), an Irrevocable Letter of Credit (ILC) or via company check, provided the Bond or ILC (as applicable) is in a form acceptable to the County.</p>	<p>PAYMENT GUARANTEE</p>	<p>222</p>