

Section One: Definitions

101. BERTH ASSIGNMENT

The granting of permission to use a specified berth.

102. BERTH DAY

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

105. COUNTY (C)

Miami-Dade County is organized and existing under and by virtue of the laws of the State of Florida and situated in the County of Miami-Dade in Florida.

106. COUNTY COMMISSION

The legislative governing body of Miami-Dade County as provided for in the charter of Miami-Dade County. The term is synonymous with "Board of County Commissioners", the "Board" and "BCC".

107. COUNTY MAYOR

The administrative head of Miami-Dade County who is responsible for the efficient operation of all County Departments.

108. DANGEROUS CARGO

Dangerous Cargo (includes hazardous materials, explosives, radioactive materials, etc.) items included in Title 33 of the Code of Federal Regulations Section 160.204 and further defined in sections referenced therein.

109. DOCKAGE (C)

The charges assessed against a vessel for berthing at a wharf, pier, bulkhead structure, or bank, or for mooring to a vessel so berthed. For avoidance of doubt, dockage charges do not include the provision of shore power, water, or any other utility or utility-related service, or other service, to the vessel.

111. FACILITY SECURITY PLAN (FSP)

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.

112. FISCAL YEAR

Any twelve (12) months period from October 1st to September 30th of the following year.

113. FREE TIME

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

113. GREETER (I)

Ground transportation greeters are employees or agents of pre-arranged ground transportation companies, other than TNCs/TNEs, that greet, receive, locate, or otherwise assist pre-arranged ground transportation passengers (other than TNC or TNE passengers) at PortMiami, excluding drivers.-

114. HANDLING

The service of physically moving cargo between point of rest and any place on the terminal facility, other than the end of ship's tackle.

115. HEAVY LIFT

The service of providing heavy lift cranes and equipment for lifting cargo.

116. PORT LEGAL HOLIDAYS (For billing purposes only)

New Year's Eve _____	January 1
Martin Luther King's Birthday	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Law Enforcement Appreciation Day	<u>May 12</u>
Memorial Day	Last Monday in May
Juneteenth _____	June 19 (observed June 19 or the following business day)
Independence Day _____	July 4
Labor Day1 st _____	Monday in September
Columbus Day _____	2 nd Monday in October
Veterans' Day _____	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Day	December 25 (Observed December 25 or the following business day)

In the event a legal holiday falls on a Saturday, it is celebrated on the preceding Friday, and in the event a legal holiday falls on a Sunday, it is celebrated on the succeeding Monday.

117. LOADING AND UNLOADING

The service of loading or unloading cargo between any place on the terminal or water and railroad cars, trucks, vessels, ferries, lighters or barges, or any other means of conveyance to or from the terminal facility or water.

118. OPERATOR

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.

119. NON-OPERATING PORT (C)

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PortMiami does not provide longshoremen, checkers, or handlers for cargo or baggage; nor does it handle, count or provide guards or security for cargo and ships. These services are provided by franchised stevedoring, cargo handling, and steamship agency firms. A list of firms authorized to perform these services is available upon request from the Seaport Permit Section.

120. NOTICE OF VIOLATION

A notice issued by the United States Coast Guard or other federal, state, or local agency for an alleged violation. The notice contains the applicable law or regulation violated and the corresponding proposed penalty and conditions to resolve the case.

122. PERSON

"Person" shall be defined in Florida Statutes Section 1.01 (3), and shall include without limitations municipal, governmental, and public bodies and their agents, when such bodies or agents are using the Port terminal facility.

123. POINT OF REST

The area on the terminal facility which is assigned for the receipt of inbound cargo from the ship and from which area inbound cargo may be delivered to the consignee, and that area which is assigned for the receipt of outbound cargo from shippers for vessel loading.

124. PORT DIRECTOR

This term is synonymous with the term "Seaport Director".

125. DANTE B. FASCELL PORT OF MIAMI-DADE

This term is synonymous with the term "Seaport Department," "Port," "Port of Miami," "Port of Miami-Dade," "PortMiami" or "PortMiami-Dade".

126. MULTI-DAY CRUISE PARKING REVENUE (C)

For purposes of multi-day cruise lines that have contractual multi-day cruise parking revenue sharing incentive rights, for clarification purposes, such multi-day cruise parking revenue sharing shall not include any parking revenue derived from or associated with daily cruises, non-revenue cruises, ferry services, cruises less than 24 hours in duration, cruises to nowhere, non-multi-day cruise events, or any other category of service excluded from multi-day cruise parking revenue by or under any terms of this Tariff or the subject multi-day cruise lines' respective preferential berthing or other contracts with the County.

127. PORT COMMISSIONING AGENT

Individual(s) designated by the Director to certify that a vessel has successfully completed the Commissioning process to allow the vessel to successfully plug into the shore power system at PortMiami.

128. PORT TERMINAL (C)

One or more structures comprising a terminal unit, including, but not limited to wharves, 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

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cargo and/or passengers in the interchange of same between land and water carriers or between two water carriers.

130. SEAPORT DEPARTMENT (C)

The department of Miami-Dade County was created to operate, manage, and develop the Seaport and terminal facilities of Miami-Dade County.

131. SHIP AGENT (C)

The vessel representative is responsible for the collection and payment of all charges assessed on a vessel for which they file a Request for Ship's Berth Assignment and provide accurate manifest documentation. All Ship Agents must be bonded and permitted by the Seaport Department to transact business at PortMiami.

132. SMALL BOAT

A vessel having a container/trailer capacity of 750 TEUs or less.

133. SMALL PASSENGER VESSEL

A passenger vessel with an overall length of less than 300 feet shall be deemed a "Small Passenger Vessel."

134. TARIFF

A publication 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.

136. TERMINAL STORAGE

The service of providing warehouse or other terminal facilities for the storing of inbound or outbound cargo, including wharf storage, shipside storage, closed or covered storage, open or ground storage, bonded storage, and refrigerated storage, after storage arrangements have been made.

137. USAGE

The use of the terminal facility by any rail carrier, lighter operator, trucker, shipper or consignees, their agents, servants, and/or employees, when they perform their own car, lighter, or truck loading or unloading, or the use of said facilities for any other gainful purpose for which a charge is not otherwise specified.

138. VESSEL

Except as otherwise provided in individual items, the term "vessel" means floating craft of every description and shall include in its meanings the term "owners and agents" thereof.

139. WHARF DEMURRAGE (C)

A charge assessed against cargo remaining in or on terminal facilities after the expiration of free time unless arrangements have been made for storage. Wharf demurrage is also applicable to cargo remaining in or on terminal facilities after the expiration of an authorized storage period.

140. WHARFAGE, CARGO (C)

A charge, assessed against the cargo or vessel on all cargo passing or conveyed over, onto, or under wharves or between vessels (to or from barge, lighter, or water), when berthed at a wharf or when moored in slip adjacent to the wharf. Wharfage is solely the charge for use of the wharf and does not include the provision of shore power, water, or any other utility or utility-related service to the vessel, nor does it include charges for any other service.

141. WHARFAGE, PASSENGER (C)

A charge assessed against a passenger on a vessel, other than a crew member, when embarking from or debarking to port property. Passenger wharfage is solely the charge for use of the wharf and other passenger facilities and does not include the provision of shore power, water, or any other utility or utility-related service to the vessel, nor does it include charges for any other service.