

SECTION TWO GENERAL RULES AND REGULATIONS		Item No.
<p>APPLICATION OF RATES, CHARGES AND FEES, AND RULES AND REGULATIONS</p> <p>Except as otherwise provided in this Tariff, the applicable rates, charges and fees shall be those in effect at the time the charge or fee accrues.</p> <p>Except as otherwise provided in this Tariff, the applicable rules and regulations shall be those in effect at the time the rule or regulation is applied and enforced.</p>	200	
<p>CHARGES AND FEES NOT TO BE COLLECTED WITHOUT AUTHORIZATION OR AT OTHER THAN TARIFF RATES</p> <p>It shall be unlawful for any person to collect or attempt to collect any charge or fee named in this Tariff, or to land, ship, deposit or remove any merchandise or other property upon or from any wharf, wharf premises or other premises, under the jurisdiction of the Board, without authorization by the Board or Executive Director to do so, and it shall be unlawful for any person, having authorization to do so, to collect or attempt to collect any such charge or fee calculated at rates in excess of those named in this Tariff or other than as provided in this Tariff.</p>	205	
<p>RIGHT TO INTERPRET AND APPLY RATES, CHARGES, FEES, RULES AND REGULATIONS RESERVED TO BOARD</p> <p>The Board reserves to itself the right to interpret and determine the applicability of any of the rates provided for in this Tariff and to assess charges or fees in accordance with any such interpretation and determination, and the Board reserves to itself the right to determine the applicability of any rule or regulation of this Tariff and to enforce any such rule or regulation in accordance with any such interpretation or determination.</p>	210	

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 TWO
GENERAL RULES AND REGULATIONS – Continued**

Item No.

UNLAWFUL TO FAIL OR REFUSE TO PAY TARIFF CHARGES

Every person who fails or refuses to pay, or by false returns or in any manner avoids the payment of all or any portion of any charge for dockage, wharfage, wharf demurrage, wharf storage, or any other charge or fee which may be due to the Board from any source or cause, as provided for by this Tariff, is, in addition to the general penalties provided for in this Tariff, liable for and shall pay to the Board twice the amount of such charge or fee, and in addition, the sum of \$100.00, except as may be otherwise specifically provided in this Tariff.

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PENALTIES FOR VIOLATION

(a) It shall be unlawful for any person to utilize or make use of any wharf, landing, watercraft, facility, utility, structure, improvement or appliance under the jurisdiction of the Board, or to make use of the navigable waters of Los Angeles Harbor, without paying to said Board the proper toll, charge or fee therefor as may be fixed and specified in this Tariff and every person, firm or corporation violating any of the provisions of these Tariffs, respecting the payment of any such toll, charge or fee, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment, consistent with the Los Angeles City Municipal Code.

* (b) No person, firm or corporation shall fail, refuse or neglect to comply with any of the provisions of the rules and regulations prescribed by this Tariff, and any person, firm or corporation violating any of the provisions of these rules and regulations except for Section 20 (which has remedies set forth in Item 2090) shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than Five Hundred Dollars, or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

* Every violation of this Tariff that is established as a misdemeanor, or is charged as a misdemeanor, unless provision is otherwise made, shall be punishable by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the County Jail for a period of not more than six (6) months, or by both a fine and imprisonment.

Every violation of this Tariff that is established as an infraction, or is charged as an Infraction, is punishable by a fine as set forth in this Tariff section, or as otherwise provided in this Tariff, not to exceed Two Hundred Fifty Dollars (\$250.00) for each violation.

Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Tariff is committed, continued or permitted by that person, and shall be punishable accordingly.

See Item 10 for explanation of abbreviations and symbols.

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SECTION TWO
GENERAL RULES AND REGULATIONS – Continued

Item No.

RESPONSIBILITY

(a) The Board and the City assume no responsibility whatsoever and shall not be liable in any manner or degree for any merchandise accepted for storage, or for any care, handling, insurance, loss or damage with respect thereto, unless such merchandise is receipted for on behalf of the Board by an officer or employee thereof authorized to execute such receipts and then only to the extent that responsibility and liability shall be absolutely imposed by operation of law.

(b) Neither the Board nor the City shall be responsible or liable in any manner or degree for any loss or damage to any merchandise or other property of any description stored, handled, used, kept or placed upon, over, in, through, or under any wharf or other structure or property owned, controlled or operated by the Board or the City occasioned by or on account of pilferage, rodents, insects, natural shrinkage, wastage, decay, seepage, leaky containers, heating, evaporation, fire, leakage or discharge from sprinkler system, rain, floods, or the elements, collapse of a wharf or other structure, war, riots, strikes, or from any cause whatsoever, except to the extent that responsibility and liability shall be, regardless of the above limitations, absolutely imposed by operation of law.

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PORT CHARGES HOW ENFORCED

Merchandise remaining on a wharf after the expiration of the free time provided in this Tariff may, if all accrued charges thereon be not paid upon demand therefor, be taken possession of by the Board, and the Board shall have the right to remove and store the same wholly at the charge, risk, and expense of the merchandise and owner thereof, and may sell the merchandise at public auction, with or without notice, in its discretion. The proceeds of such sales shall be applied to the charges accrued and expenses remaining unpaid. Any balance over and above the accrued charges and expenses shall be held for account of the owner.

In the event the proceeds from such sale are not sufficient to satisfy such accrued charges and expenses, the owner, shipper, consignee or carrier, as their interests may appear, shall be personally liable for the payment of any unsatisfied balance due of such charges and expenses.

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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 TWO GENERAL RULES AND REGULATIONS -- Continued		Item No.
<p>RIGHT OF INSPECTION</p> <p>Every member of the Board, the Executive Director, and his duly authorized agent, are hereby authorized and empowered to enter and inspect any vessel to ascertain the kind, quantity, stowage, and character of merchandise or cargo thereon, or her condition in any respect; and are also authorized and empowered to enter and inspect any wharf, warehouse, or other industry or establishment situated in the Harbor District under the jurisdiction of the Board, for the purpose of carrying out the powers and duties imposed upon the Board by the Charter of the City of Los Angeles or otherwise by law; and it shall be unlawful for any person to hinder or molest any such officer or agent or refuse to allow him to enter such vessel or other premises for any of the purposes herein specified.</p>		235
<p>ENFORCEMENT OF RULES AND REGULATIONS</p> <p>It shall be the duty of the Executive Director of the Harbor Department to enforce all orders and all rules and regulations adopted by the Board relating to regulation, operation, or control; and the Executive Director may delegate to the Port Warden the duty of enforcing or seeing to the enforcement of such rules and regulations as the Executive Director may in writing, from time to time, designate, and for that purpose the Port Warden shall have the power and authority of a regular police officer of the City of Los Angeles, including the power to make arrests for the violation of any of the provisions of such rules and regulations so designated, and shall be furnished with a regulation police badge by the Chief of Police of said City.</p> <p>It shall also be the duty of the Port Warden, subject to the approval of the Executive Director, to report to the proper federal, state or municipal officer the violation of any law, rule or regulation respecting the operation or control of Los Angeles Harbor in every case in which he is not himself empowered to act.</p>		240

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
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SECTION TWO -- Continued GENERAL RULES AND REGULATIONS – Continued		Item No.
WILLFUL DAMAGE TO PROPERTY		
<p>It shall be unlawful for any person to willfully or carelessly destroy, damage, disturb, deface, or interfere with any buoy, float, life preserver, sign, notice, or any other municipal property whatsoever under the jurisdiction of the Board.</p>		245
DAMAGE TO PROPERTY		
<p>(a) Every person and every vessel responsible for any damage to any municipal property of any kind or character under the jurisdiction of the Board shall be held liable for and charged with the cost and expense of the replacement or repair of the property so damaged or destroyed.</p> <p>The expense of repairing said damage shall be charged against the person or vessel, or both, responsible therefor.</p> <p>(b) In the event any damage is done to any wharf, wharf premises, facility or other property, owned by the City of Los Angeles and in the possession of, or under the supervision, management or control of the Board, the person or persons causing, responsible for, or in any way connected with such damage, and the person or persons to whom the wharf, wharf premises, facility or other property may be assigned, or by whom it is being used, and the master, owner, operator, or agent of any vessel, vehicle, or other instrumentality involved in such damage, shall promptly give a full report thereof to the Executive Director giving the date and hour the damage occurred, the names and addresses, or, if unknown, a description of witnesses and other persons, vessels or instrumentalities involved in the damage, as well as all other pertinent facts and information that may be available. It shall be unlawful for any person to refuse, neglect or fail to make or give any such report in the form and manner aforesaid, and, in addition to the general penalties prescribed in the Tariff, any such person who so refuses, neglects or fails, may be refused the use of any wharf or other facility until the Board has been fully reimbursed for any such damage.</p>		250
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 TWO – Continued
 GENERAL RULES AND REGULATIONS -- Continued

Item No.

FURNISHING REQUIRED DOCUMENTS

- (a) The owner, agent, master, or other person in charge of a vessel or cargo, shall have 15 calendar days, from the date of departure of the vessel from any wharf, to deliver to the Executive Director a full and correct statement, signed and certified to by him, on forms approved by the Board, of all merchandise of every kind loaded or discharged at such wharf, specifying the type and quantity of such merchandise together with complete and verifiable copies of the vessel's manifest and/or Bills of Lading.

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Complete and certified copies of inbound and/or outbound container reports, on forms approved by the Board, will also be delivered within the same period.

- + In lieu of furnishing the above documents, cargo information and container reports may be transmitted electronically directly to the Harbor Department through preapproved contractual Electronic Data Interchange procedures. Vessels or steamship companies identified in the furnished documentation will not be disclosed by the Harbor Department without prior approval of the steamship company or its agent.

- (b) Neglect or refusal to make or deliver the documentation within the time period as provided for in paragraph (a) of this Item will result in the assessment of a penalty charge of 1/30 of two percent per day of the total wharfage charges due subject to a minimum penalty charge of two percent (2%) of total wharfage charges.

See Item 10 for explanation of abbreviations and symbols.

Correction No. 15	Order No. 6023 Ordinance No. 167245	Adopted July 24, 1991 Adopted August 16, 1991	EFFECTIVE: October 1, 1991
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SECTION TWO – Continued
 GENERAL RULES AND REGULATIONS -- Continued

Item No.

CREDIT LIST

The Executive Director or a designee may release any person from the obligation of paying charges named in this tariff, in the manner or at the times required by this tariff provided such person (1) deposits and maintains on deposit with the Executive Director security acceptable to the Port in an amount sufficient to guarantee the payment of all charges incurred by or on behalf of such person or (2) is placed on the Credit List after making written application wherein such person agrees to pay, upon presentation any and all bills for said charges.

If the application for credit is granted, such person shall have 15 calendar days, from the date of departure of each vessel from any wharf, to deliver to the Executive Director, complete and verifiable copies of the vessel's manifest and/or Bills of Lading, complete and certified copies of container reports and other information respecting such vessel and merchandise as the Board may require. + In lieu of furnishing the above documents, cargo information and container reports may be transmitted electronically directly to the Harbor Department through preapproved contractual Electronic Data Interchange procedures. In case of failure to furnish such documentation when due, or to pay any bill or bills upon presentation, such person may be stricken from the Credit List and placed upon the Delinquent List.

Persons not on the Credit List may, in lieu of making a deposit or application as provided above, with the consent of the Executive Director, be relieved of paying charges named in this tariff, in the manner or at the times required by this tariff, upon producing and filing with the Executive Director a written agreement signed by a person on the Credit List or who has a sufficient deposit with the Executive Director to guarantee payment of such charges, wherein such person agrees and promises to pay any and all bills for tariff charges upon presentation.

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See Item 10 for explanation of abbreviations and symbols.

Correction No. 16	Order No. 6023 Ordinance No. 167245	Adopted July 24, 1991 Adopted August 16, 1991	EFFECTIVE: October 1, 1991
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SECTION TWO – Continued GENERAL RULES AND REGULATIONS -- Continued	Item No.
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<p style="text-align: center;">TERMS AND CONDITIONS OF PAYMENT</p> <p>(a) The use of Port facilities or service is conditioned upon satisfactory assurance of the Port that applicable charges will be paid when due. All charges are due and payable as they accrue or on completion of service or use. Cash payment for all anticipated tariff charges is required in advance unless credit has been arranged as provided in Item 260.</p> <p>(b) Pilotage and dockage shall be assessed against all vessels which are subject to the payment of pilotage and dockage at rates named in this Tariff. In addition to any person responsible under Item 265 or pursuant to a contract, the vessel, its owners and charterers are jointly and severally responsible for payment of pilotage and dockage charges and each agrees to guarantee such charges. Such charges shall be paid by the vessel through its master, owner, agent or other authorized person. Vessels on the Credit List shall file with the Executive Director, such information respecting the docking and movement of the vessel as may be required by the Port within ten (10) days after such dockage or pilotage shall accrue.</p> <p>(c) Wharfage, wharf demurrage, wharf storage and any other charges in this Tariff which are assessed against merchandise shall be paid at rates named in said tariff. Charges shall be paid by the owners of the merchandise and shall be collected by the vessel discharging or loading the merchandise through its owner, agent, manager, master, berth assignee or other authorized person acting as an agent for the Board. The full amount of all charges assessed against such merchandise shall be paid before the removal or delivery of such merchandise from the wharf or wharf premise unless the vessel, its owner or agent or the berth assignee has satisfied Item 260.</p> <p>The vessel, its owner and charterer jointly and severally and the berth assignee guarantee and are liable for the payment of all charges whether or not collected by such vessel, its owner, charterer, agent or the berth assignee. The use of a municipal wharf or wharves by the vessel, its owner or charterer or the acceptance of a berth assignment by an assignee constitutes acceptance and acknowledgement of the liability for and guarantee of such charges.</p>	265
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See Item 10 for explanation of abbreviations and symbols.

Order No. 5837	Adopted July 12, 1989	EFFECTIVE: July 1, 1990
Ordinance No. 165789	Adopted April 10, 1990	

SECTION TWO – Continued GENERAL RULES AND REGULATIONS -- Continued	Item No.
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<p style="text-align: center;">TERMS AND CONDITIONS OF PAYMENT -- Continued</p> <p>(d) Wharfage, wharf demurrage, wharf storage and any other charges in this Tariff which are assessed against merchandise are liens against all such merchandise deposited upon any wharf or other premises under the jurisdiction and control of the Board. The Board, its agents or assignees, may hold possession of any or all of such merchandise to secure payment of any or all of such charges until paid.</p> <p>(e) The Board may take actual possession of merchandise remaining on the wharf or other premises longer than the time prescribed by the rules and regulations of this Tariff. If accrued charges are not immediately paid thereafter, the Board may, at any time after taking possession, remove and store any or all of such merchandise at the charge, risk and expense of the merchandise, its owner or consignee thereof. The Board may sell any or all of such merchandise at public auction with or without notice.</p> <p>(f) For the purpose of keeping the wharves and other premises under the jurisdiction and control of the Board free of obstructions, the Board shall serve a written notice on the owner, agent, consignee or person in possession or having custody of such obstructing merchandise, material or structure, or it may post a notice thereon, requiring its removal within 24 hours. On failure to comply, the Board may remove and store such merchandise, material or structures wholly at the charge, risk and expense of the owner or consignee. The Board may sell such merchandise, material or structures at public auction with or without notice and such sale will be subject to immediate removal, if not already removed by the Board.</p> <p>(g) The proceeds of any sale as provided for in paragraphs (e) and (f) of this Item shall be retained to satisfy all tariff charges assessed against merchandise, plus 10%, and in the case of obstructions, \$100.00 additional for each day during which the wharf or other premises have been obstructed. The surplus after expenses of such sale, if any, shall be paid to the proper persons. The owner, consignee, or proper person, shall be liable for and shall pay to the Board, any charges, fees and costs remaining unsatisfied out of the proceed of such sale.</p>	265 (Cont.)
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See Item 10 for explanation of abbreviations and symbols.

Order No. 5837	Adopted July 12, 1989	
Ordinance No. 165,789	Adopted April 10, 1990	EFFECTIVE: July 1, 1990

SECTION TWO – Continued GENERAL RULES AND REGULATIONS -- Continued	Item No.
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<p style="text-align: center;">TERMS AND CONDITIONS OF PAYMENT -- Continued</p> <p>(h) Every person in charge of a vessel or cargo who shall cause, allow or permit such vessel to leave a wharf or berth at which it is docked, unless forced to do so by stress of weather or fire or unless such vessel or person is on the Credit List or has otherwise arranged credit, as provided in Item 260, before all tariff charges due and payable against such vessel or against such merchandise which may have been discharged from or received upon such vessel, have been paid, shall be guilty of a misdemeanor and shall be subject to the penalties prescribed by law and this tariff.</p> <p>(i) All vessel owners and charterers, all owners of cargo, and all agents, managers, vessel masters, berth assignees and terminal operators accepting services in the Port of Los Angeles agree that the services provided by and accepted in accordance with the terms stated in this Tariff form part of the contract for services between the City and such vessel owners and charterers, vessel masters, cargo owners, berth assignees and terminal operators, and that City may also assert all other remedies available to it at law concurrently with or before exercising its remedies under this tariff.</p> <p>(j) A vessel agent or other person requesting reservation of a berth ("berthing agent") shall, as part of the berth reservation process, provide to the extent of his knowledge all information requested by the Port respecting the vessel, estimated arrival and departure, amount(s) and type(s) of cargo to be loaded/discharged and shall estimate the amount of each category of port charges, as enumerated and party responsible therefor. This information shall be provided on the Port's "Agent's Statement of Responsibility" form. The submission of this form, signed by the berthing agent, shall constitute the berthing agent's attestation as to the accuracy of the information therein supplied, based upon and to the extent of information made available to the berthing agent at the time of submission; and the berthing agent shall be held personally liable to the Port for any financial loss suffered by the Port as a result of the agent's failure so to report accurately.</p>	265 (Cont.)
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See Item 10 for explanation of abbreviations and symbols.

Order No. 5837	Adopted July 12, 1989	EFFECTIVE: July 1, 1990
Ordinance No. 165789	Adopted April 10, 1990	

SECTION TWO – Continued GENERAL RULES AND REGULATIONS -- Continued		Item No.
DELINQUENT INVOICES		
<p>(a) Invoices covering charges in this Tariff, as issued by the Port are due and payable upon presentation.</p> <p>(b) Any invoice for any charge or charges prescribed by these tariffs for which full payment is not received by the Harbor Department within thirty (30) calendar days from the date of the invoice is delinquent and shall be placed on the delinquent list.</p> <p>(c) A delinquent invoice or delinquent charge is subject to a late payment charge consisting of simple interest of 1/30 of two percent of the invoice amount remaining unpaid each day.</p> <p>(d) Penalty charges prescribed in other items of this Tariff are separate and distinct from the delinquent payment charge assessable under this item.</p>		270
U.S. GOVERNMENT CARGOES		
<p>With the exception of Wharfage and Dockage, cargoes for the account of the United States of America or its individual agencies will be subject to contract rates, rules and regulations quoted by the Port of Los Angeles.</p>		280
EMERGENCY RELIEF CARGO		
<p>The Executive Director may waive the assessment of all or any portion of any charge for wharfage, dockage, pilotage, wharf demurrage, wharf storage or any other charge or fee which may be due from any source or cause as provided for in this Tariff which may be associated with cargo destined to provide emergency relief which is directly attributable to natural disasters. The cargo must be shipped by and destined to bonafide relief organizations and must not be intended for resale.</p>		285
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 TWO – Continued
 GENERAL RULES AND REGULATIONS -- Continued

Item No.

SHIPPERS’ REQUESTS AND COMPLAINTS

(a) Requests and complaints from shippers on matters relating to the rates, rules and regulations contained in this Tariff must be made to the Executive Director.

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(b) The Port of Los Angeles is a member of the California Association of Port Authorities, 1510 14th Street, Sacramento, California 95814. Any request or complaint which is not satisfied by the Port of Los Angeles may be referred to the Association by submitting all available data in writing.

INTERNATIONAL SEAFARERS CENTER

The International Seafarers Center of Long Beach, Inc. (“Center”) is a California non-profit public benefit corporation which is organized to provide and maintain facilities and services for the recreational, personal and cultural needs of merchant seafarers calling at the Port of Los Angeles without regard to race, religion, national origin, ancestry, sex, sexual orientation, age, disability, marital status, domestic partner status, or medical condition. The Center operates from a facility located at 120 South Pico Avenue, Long Beach, California 90802. The Center is dependent upon voluntary contributions from the public and, in particular, from those maritime industries dependent upon the services of merchant seafarers to defray the Center’s costs in providing its services. Such contributions are entirely voluntary and are not enforceable pursuant to any enforcement provision associated with this Tariff. Such voluntary contributions do not represent charges or assessments imposed by this Tariff.

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See Item 10 for explanation of abbreviations and symbols.

Correction No. 230	Order No. 6753 Ordinance No. 174842	Adopted June 12, 2002 Adopted September 17, 2002	EFFECTIVE: November 4, 2002
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SECTION TWO – Continued GENERAL RULES AND REGULATIONS -- Continued	Item No.
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COMPLIANCE WITH HOMELAND SECURITY
LAWS, RULES AND REGULATIONS

- (a) Purposes. The purposes of this Item No. 298 are twofold. The first purpose of this Item No. 298 is to provide for the efficient, coordinated and effective action to reduce the risk and to mitigate the consequences of an act that threatens the security of: personnel; municipal premises, private premises, and wharf premises in the Harbor District; private property; and the public. The second purpose of this Item No. 298 is to comply with the requirements of federal, state, local and municipal laws, rules and regulations related to homeland and/or maritime security, including but not limited to the MTSA and the MTSA Regulations.

- (b) Definitions. The terms “MTSA”, “MTSA Regulations”, “Facility Security Plan”, and “Homeland Security Authority” are defined in Section One, Item 100 (aa), (bb), and (cc) of Port of Los Angeles Tariff No. 4

- (c) Compliance with Homeland Security Laws, Rules and Regulations. Tenants, permittees, contractors, assignees and operators in the Harbor District and all others subject to the provisions of this Tariff at all times shall fully comply with all requirements of federal, state, local and municipal laws, rules and regulations related to homeland and/or maritime security, including but not limited to the MTSA and the MTSA Regulations.

- (d) Facility Security Plans. Tenants, permittees, contractors, assignees, and operators in the Harbor District and all others subject to the provisions of this Tariff, whenever applicable, shall prepare and have approved by the appropriate Homeland Security Authority a Facility Security Plan. Copies of such Facility Security Plans, and their revisions or updates, shall be provided to the Director of Homeland Security of the Port of Los Angeles immediately upon their adoption by entities that generate such plans.

- (e) Compliance with Facility Security Plans. Tenants, permittees, contractors, assignees and operators in the Harbor District and all others subject to the provisions of this Tariff shall fully comply with the Facility Security Plan applicable to any location they visit in the Harbor District, to the extent that notice of such plan or notice of the applicable compliance requirement in such plan has been given.

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See Item 10 for explanation of abbreviations and symbols.

Order No. 6812	Adopted January 12, 2005	EFFECTIVE: July 9, 2005
Ordinance No. 176705	Adopted May 25, 2005	

SECTION TWO – Continued GENERAL RULES AND REGULATIONS -- Continued	Item No.
<p style="text-align: center;">COMPLIANCE WITH HOMELAND SECURITY LAWS, RULES AND REGULATIONS (continued)</p> <p>(f) Indemnification. Each tenant, permittee, contractor, assignee and operator in the Harbor District who operates at a location subject to a Facility Security Plan shall be responsible for full compliance with all federal, state, local and municipal laws, rules and regulations related to homeland and/or maritime security, including but not limited to the MTSA and/or the MTSA Regulations and shall indemnify and hold the City, its boards, officers, agents and employees harmless from and against all claims, costs, losses and liabilities, including attorney’s fees and costs of defense, arising out of: (i) the violation of any federal, state, local and municipal laws, rules and regulations related to homeland and/or maritime security, including but not limited to the MTSA and/or the MTSA Regulations; (ii) the failure to adopt or to comply with its Facility Security Plan; (iii) its failure to comply with this Item No. 298.</p> <p>Additionally, each tenant, permittee, contractor, assignee and operator and other Person entering on the Harbor District or using any Port of Los Angeles facility shall indemnify and hold the City, its boards, officers, agents and employees harmless from and against all claims, costs, losses and liabilities, including attorney’s fees and costs of defense, arising out of any failure to comply with this Item No. 298.</p> <p>For purposes of this subparagraph (e), and with respect solely to the City’s rights as to the federal government, the federal government shall not be considered a tenant, permittee, contractor, assignee, operator or Person, but the City does not release the federal government or waive the City’s rights with respect to the federal government as to any legal obligation of the federal government to the City or the City’s legal rights against the federal government.</p>	<p>(+) 298</p>

See Item 10 for explanation of abbreviations and symbols.

	Order No. 6812 Ordinance No. 176705	Adopted January 12, 2005 Adopted May 25, 2005	EFFECTIVE: July 9, 2005
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SECTION TWO – Continued GENERAL RULES AND REGULATIONS -- Continued	Item No.
<p style="text-align: center;">COMPLIANCE WITH HOMELAND SECURITY LAWS, RULES AND REGULATIONS (continued)</p> <p>(g) Grant of Occupancy Rights to Homeland Security Authorities. Certain tenants, permittees, contractors, assignees and operators have the right to enter on and to use specific Harbor District premises pursuant to individual contracts with the City. Notwithstanding any other provision in such City contracts, such certain tenants, permittees, contractors, assignees and operators may grant to the appropriate Homeland Security Federal Authorities the right to occupy or use the contractual Harbor District premises for purposes of carrying out legally mandated security and inspection functions necessary for the use of such premises, subject to: (i) first providing a copy of the grant of the occupancy right to the City, in care of the Executive Director, and securing the prior written consent of the Executive Director to the grant; and (ii) compliance with all other applicable provisions of any agreement with the City and other legal requirements, including without limitation, securing any necessary building permits from the City.</p> <p>With the Executive Director’s prior written consent, the Homeland Security Authorities’ occupancy rights may continue beyond termination of the City’s contract with the applicable tenant, subject to the right of the Executive Director to terminate such occupancy rights upon thirty (30) days written notice to the federal government.</p> <p>Subject to the written approval of both the Board and the applicable tenant, permittee, contractor, assignee or operator, the City through its own forces or contractors may construct and install necessary security facilities at the premises at issue for purposes of the federal government’s security and inspection</p>	<p>(+) 298</p>

See Item 10 for explanation of abbreviations and symbols.

	Order No. 6812	Adopted January 1, 2005	EFFECTIVE: July 9, 2005
	Ordinance No. 176705	Adopted May 25, 2005	