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## **OGDEN POINT TERMINAL TARIFF**

OGDEN POINT DOCKS

VICTORIA, B.C.

PIERS A and B

TERMINAL TARIFF

Covering Rates and Charges

Terms and Conditions

Effective: February 1, 2012

OGDEN POINT TERMINAL TARIFF

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## **OGDEN POINT TERMINAL TARIFF**

**EFFECTIVE: FEBRUARY 1, 2012**

**A. Tariff Name:** The Schedules may be cited as the Ogden Point Terminal Tariff.

### **B. Interpretation**

1. "Berthage" means a charge on a vessel in respect of the period of time that the vessel is occupying a berth or is fast to or tied up along side a vessel occupying a berth or pier at Ogden Point, Victoria. Berthage shall be assessed on the overall length of each vessel commencing when the first line is made fast and terminating when the last line is cast off.
2. "Day" means a period of twenty-four consecutive hours commencing at 0001 on any date.
3. "Goods" means any tangible personal property or movables including animals and vehicles.
4. "Lay By berth" means a vessel awaiting berth assignment at another port.
5. "Manager" is Western Stevedoring, the corporation authorized by Greater Victoria Harbour Authority to manage and operate and collect the charges prescribed by this Tariff at Ogden Point, Victoria.
6. "Metric Tonne" means 1,000 kg. Or 2204.6 lbs.
7. "Month" means the period from a date in the one calendar month to but not including the same date in the next calendar month, or if there is no corresponding date in the next month, to and including the last day of the calendar month.
8. "Owner" includes:
  - (i) in the case of a vessel, the agent, charter by demise or master of the vessel, and
  - (ii) in the case of goods, the agent, sender, consignee, or bailee of the goods as well as the carrier of the goods to, upon, over or from wharf property.
9. "Passenger Vessel" means any vessel that is equipped to carry passengers.
10. "Passenger Vessel Charges" means the aggregate of:

- (i) a charge in respect of each passenger of a passenger vessel in transit on such vessel or embarking or disembarking at Ogden Point, Victoria.
  - (ii) service and facilities charges on a passenger vessel, including but not limited to charges for use of the passenger facilities on the Piers.
  - (iii) berthage charges for the use of a berth.
11. "Ogden Point Piers A & B, Victoria, B.C." means the lands and improvements owned by Greater Victoria Harbour Authority.
12. "Vessel" includes every description of ship, boat or craft used or capable of being used solely or partly for marine navigation without regard to method or lack of propulsion, a dredge, a floating elevator, a floating home, an oil rig, a seaplane, a raft or boom of logs or lumber and an air cushion vehicle.
13. "Wharfage" means a charge imposed in respect of goods, including goods in containers, that:
- (i) pass over, onto or under Ogden Point, Victoria.
  - (ii) are loaded on or unloaded from a vessel at Ogden Point, Victoria
  - (iii) are transshipped overside from vessel to vessel at Ogden Point, Victoria
  - (iv) unloaded overside from vessel to water or from water to vessel at Ogden Point, Victoria
  - (v) landed from or placed in the water at Ogden Point, Victoria: or
  - (vi) loaded on or unloaded from a vehicle at Ogden Point, Victoria

### **C. Application**

This Tariff applies to the premises known as Ogden Point in the City of Victoria, British Columbia under the administration of the Manager.

### **D. Charges and Conditions**

1. Rates, tolls, fees or other charges in respect of a vessel or goods shall be paid by the Master or person in charge of the vessel, the Owner or agent of the vessel or owner, consignee or shipper of the goods or his agent to the Manager.
2. Vessels owned by Her Majesty The Queen which are not engaged in commerce shall be exempt from the payment of berthage, wharfage and demurrage charges.

### **E. Payment**

1. Every person who is the owner of a vessel or goods in respect of which charges are payable pursuant to this tariff is liable for the payment of those charges.

2. Goods, on which charges are owing shall not be removed from Ogden Point, Victoria until the charges have been paid or security for payment of the charges have been accepted by the Manager.
3. Charges for which security has been accepted by the Manager shall be paid within thirty days from the date due and, where those charges are not paid within thirty days from the date due, the Manager may levy for each subsequent thirty day period or portion thereof an additional charge of twenty four percent compounded monthly.

**F. Wharfage**

1. Wharfage shall be levied once only in respect of goods reshipped from Ogden Point, Victoria except goods that are:
  - (i) removed and later re-shipped over Ogden Point, Victoria or
  - (ii) re-shipped over Ogden Point, Victoria after being altered in form or composition at Ogden Point, Victoria.
2. Wharfage shall not be levied on
  - (i) ships' stores and bunker fuel for the sole use of any vessel unloading or loading goods or paying berthage at Ogden Point, Victoria where the Manager does not issue a receipt in respect of them; or
  - (ii) repair materials, lining or ballast delivered directly to and for the sole use of any vessel unloading or loading goods or paying berthage at Ogden Point, Victoria.

**G. Overside Wharfage**

1. When goods are transshipped over the side from one vessel to another vessel, unloaded over the side from a vessel to the water or loaded from the water on to a vessel, the wharfage shall be charged at half (1/2) the applicable wharfage rate(s) in Schedule I.

**H. Compulsory Removal of Goods**

1. The Manager may, by written notice to the Owner of the goods at Ogden Point, Victoria require the removal of those goods by and at the expense of the Owner of the goods.
2. The Owner of the goods described in a notice given under subsection (1) shall, upon receipt of the notice, remove the goods forthwith from Ogden Point, Victoria.

**SCHEDULE I**

**Wharfage**

**Inward and Outward Goods**

<b>Description</b>	<b>Basis</b>	<b>Rate</b>
1. All goods not otherwise specified	per metric ton	\$ 2.36
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2. Specified goods:		
(a) Boats and yachts	per metric ton	\$ 2.36
	minimum charge	\$ 200.00

## SCHEDULE II

### Berthage

Berthage shall be imposed commencing from the time when the first line is made fast and will terminate when the last line is cast off.

	<u>Rate Per Metre (\$)</u>
<b>1. <u>Coastal Vessel Operating</u></b>	
(i) For each 8 hours of part thereof	1.20
(ii) For each hour the berth is occupied for less than 4 hours following any 8 hour period	0.16
<b>minimum charge</b>	<b>180.00</b>
<b>2. <u>Lay-By Berth</u></b>	
(i) for each 8 hours of part thereof	2.20
(ii) for each hour or portion thereof after the 8 <sup>th</sup> hour, per metre	0.28
<b>minimum charge</b>	<b>330.00</b>
<b>3. <u>Vessels Not Otherwise Specified</u></b>	
(i) for the first 8 hour period or portion thereof, per metre	4.50
(ii) for each hour or portion thereof after the 8 <sup>th</sup> hour, per metre	0.55
<b>minimum charge</b>	<b>675.00</b>

Berthage shall be imposed against all vessels berthed at Ogden Point **except** the following:

- a) A vessel owned by Her Majesty The Queen or a foreign government that is not engaged in trade and/or commerce,
- b) A tug that is docking or undocking another vessel at Ogden Point, Victoria.
- c) A lighter which is loading or unloading goods to or from any vessel which is paying Berthage charges to the Manager.
- d) A barge that is loading or unloading goods to or from any Vessel that is paying Berthage charges to the Manager.
- e) A barge which is unloading goods at Ogden Point Victoria for subsequent re-shipment from Ogden Point, Victoria by a ocean vessel, tug, lighter or barge is berthed at Ogden Point, Victoria.

**SCHEDULE III**

**Passenger Vessel Charges**

**A. Passenger Charges:**

	<b><u>Basis</u></b>	<b><u>Rate (\$)</u></b>
<b><u>BUNDLE OPTION</u></b> <u>(for cruise lines presenting over 30,000 passengers)</u> <u>(includes Service &amp; Facilities and Berthage)</u>		
1. Persons 12 years of age and over	each	10.20
2. Persons under 12 years of age	each	5.10
<b><u>NON BUNDLE OPTION</u></b> <u>(for cruise lines presenting less than 30,000 passengers)</u> <u>(excludes Service &amp; Facilities and Berthage)</u>		
1. Persons 12 years of age and over	each	8.55
2. Persons under 12 years of age	each	4.30

**B. Service and Facilities Charges:**

Description:

Passenger vessels - when permitted to occupy one or more berths at Ogden Point, Victoria.

1. For each 8 consecutive hours or part thereof:
  - a) Not over 52 meters in length 515.00
  - b) Over 52 meters but not over 102 meters in length 1,030.00
  - c) Over 102 meters but not over 152 meters in length 1,545.00
  - d) Over 152 meters in length 2,472.00

Where a vessel berths for a period that exceeds the normal 8 hour period by a maximum of 4 hours, the charge for each additional hour or part thereof shall be 1/8 of the charges specified. A period in excess of 4 hours is regarded as another 8 hour period.

**C. Berthage Charge:**

- |   |        |
|---|--------|
| For each period of 24 consecutive hours or part thereof | 618.00 |
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**SCHEDULE IV**

**TOUR BUSINESS CHARGES**

1. Taxis, limousines, pedicabs and other carriages not subject to tour business charges identified in item 2 below, at \$200.00 plus applicable taxes per vehicle per calendar year.
2. Cruise Line company arranged shore excursions and services at \$2.00 plus applicable taxes per revenue passenger.
3. Designated shuttle buses at \$ 0.75 plus applicable taxes per revenue passenger.
4. Privately arranged tours or services not specifically described above at \$ 200.00 plus applicable per vehicle per pick up.

**SCHEDULE V**

**USE AND OCCUPANCY CHARGES**

1. General warehouse storage at \$8.00 per square foot per annum.
2. General bare land storage at \$3.20 per square foot per annum.
3. Bus storage at \$160.00 per bus per month (outdoor); \$210.00 per bus per month (indoor).

Proposals for Use and Occupancy of Port lands are reviewed on a case by case basis. The above rates are subject to change and a different rate may be negotiated based on the type of use and length of term.