

PORT OF PRESCOTT
A Division of the Corporation of the Township of Edwardsburgh/Cardinal

**NOTICE RESPECTING THE TARIFF OF
GRAIN ELEVATOR CHARGES**

Short Title

1. This Notice may be cited as the **Grain Elevator Charges Tariff Notice.**

Interpretation

2. In this Notice:

“**Corporation**” means the Corporation of the Township of Edwardsburgh/Cardinal;

“**CGC**” means the Canadian Grain Commission, a federal government agency operating under the authority of the Canada Grain Act;

“**elevator**” means the transfer grain elevator, licensed by the CGC and under the administration, management and control of the Corporation at the Port of Prescott;

“**owner**” includes, in respect of grain, the agent, sender, consignee or bailee of the grain, as well as the carrier of the grain to, upon, over or from the property under the administration or jurisdiction of the Corporation.

Application

3. This Notice applies to the elevator under the administration, management and control of the Corporation at the Port of Prescott, Ontario, Canada.

Elevator Charges

4. (1) A charge shall be made for services provided in respect of grain at the elevator and shall constitute a toll in respect of the grain.

(2) The elevator services rates are set out in Schedule I (attached).

(3) The charges prescribed by this Notice are due from the owner as soon as they are incurred and shall be paid to the Port of Prescott, and delivered to the Port office at 3035 County Road 2, Prescott, Ontario, K0E 1T0 or mailed to c/o the Township of Edwardsburgh/Cardinal P.O. Box 129, Spencerville, Ontario, K0E 1X0.

(4) The charges referred to in subsection (3) are payable within 30 days from the date of invoice and, where the charges are not paid within the time, an additional charge of 1 per cent of the charges payable shall be paid for each subsequent 30 day period or portion thereof that the charges remain unpaid.

(5) The charges prescribed by this Notice for services in respect of grain at the elevator at the Port of Prescott shall be paid,

- (a) In the case of elevation charges, by the owner of the grain,
 - (i) where grain is received, on unloading, and
 - (ii) where grain is discharged, on loading;
- (b) In the case of vessel services, by the shipper of the grain as named on the Lake Bill of Lading on unloading; and
- (c) In the case of other charges such as cleaning, drying, turning, aeration, fumigation bagging and storage by the owner of the grain when incurred.

(6) Where charges are incurred in any year in respect of grain that remains in store after the expiration of that year, the charges shall be paid on or before the 30th day of January in the year next following.

Terms and Conditions

- 5. Every person who proposes to deliver grain to an elevator shall give notice to the Corporation of that proposal, stating the expected date of arrival, quantity, kind and grade of grain.
- 6. The Corporation may refuse to receive into the elevator all grain without discrimination [subsection 69 (1) of the Canada Grain Act] under the following conditions:
 - (a) When total stocks of all grain exceed 98,572 tonnes (64%);
 - (b) During the month of November when the total stocks of all grain exceed 55,447 tonnes (36%);
 - (c) During the period December 1, to April 30 of the following year inclusive, when the total stocks of all grain exceed 41,585 tonnes (27%);
 - (d) With respect to unloading any grain to be transferred through the elevator to vessels waiting to load, when:
 - 1. The elevator is full and unable to unload the next vessel in turn according to the rules of normal priority; and
 - 2. The loading of vessels waiting to load from the elevator is not interfered with; and
 - 3. The owner of the carrier, wishing to transfer direct through the elevator, has no grain of identical grade stored in the elevator, which is available for delivery.

Other Charges

- 7. The charges prescribed by this Notice are in addition to any other charges prescribed in any other Notice or that may be owing to the Corporation.

SCHEDULE 1

PORT OF PRESCOTT
A DIVISION OF THE CORPORATION OF THE TOWNSHIP OF
EDWARDSBURGH/CARDINAL

PRESCOTT, ONTARIO, CANADA

NOTICE OF GRAIN ELEVATOR CHARGES

Effective August 1, 2006

PORT OF PRESCOTT
A Division of the Corporation of the Township of Edwardsburgh/Cardinal
TARIFF OF GRAIN ELEVATOR CHARGES
Goods & Services Tax Extra, if applicable

The Schedule of Rates hereunder has been filed with the Canadian Grain Commission effective August 1, 2006.

ELEVATION

Receiving and shipping grain or screenings, including elevating and weighing; per tonne

FROM VESSEL	TO VESSEL			TO RAIL OR TRUCK	
	INWARD	OUT	IN/OUT	OUT	IN/OUT
WHEAT (including durum)	\$4.20	\$0.70	\$4.90	\$2.05	\$6.25
OATS	\$6.50	\$0.98	\$7.48	\$3.21	\$9.71
BARLEY	\$4.92	\$0.85	\$5.77	\$2.43	\$7.35
RYE	\$4.30	\$0.82	\$5.12	\$2.11	\$6.41
FLAXSEED	\$6.24	\$1.09	\$7.33	\$3.07	\$9.31
RAPESEED OR MUSTARD	\$6.36	\$1.08	\$7.44	\$3.12	\$9.48
CANOLA	\$6.36	\$1.08	\$7.44	\$3.12	\$9.48
CORN	\$4.55	\$0.85	\$5.40	\$2.20	\$6.75
SUNFLOWER SEED	\$14.07	\$2.12	\$16.19	\$6.92	\$20.99
SOYBEANS OR PEAS	\$5.44	\$1.00	\$6.44	\$2.64	\$8.08
SCREENINGS	\$6.50	\$0.98	\$7.48	\$3.22	\$9.72
OTHER GRAINS	\$6.50	\$0.98	\$7.48	\$3.22	\$9.72

FROM RAIL OR TRUCK	TO VESSEL			TO RAIL OR TRUCK	
	INWARD	OUT	IN/OUT	OUT	IN/OUT
WHEAT (including durum)	\$4.20	\$2.30	\$6.50	\$2.85	\$7.05
OATS	\$6.50	\$3.06	\$9.56	\$3.73	\$10.23
BARLEY	\$4.92	\$2.36	\$7.28	\$2.95	\$7.87
RYE	\$4.30	\$2.11	\$6.41	\$2.63	\$6.93
FLAXSEED	\$6.24	\$3.25	\$9.49	\$3.59	\$9.83
RAPESEED OR MUSTARD	\$6.36	\$3.29	\$9.65	\$3.64	\$10.00
CANOLA	\$6.36	\$3.29	\$9.65	\$3.64	\$10.00
CORN	\$4.55	\$2.40	\$6.95	\$3.30	\$7.85
SUNFLOWER SEED	\$16.65	\$9.32	\$25.97	\$9.76	\$26.41
SOYBEANS OR PEAS	\$5.45	\$2.80	\$8.25	\$3.45	\$8.90
SCREENINGS	\$7.02	\$3.55	\$10.57	\$5.80	\$12.82
OTHER GRAINS	\$7.02	\$3.55	\$10.57	\$5.80	\$12.82

Additional charges for loading the first 7,500 tonnes of grain or screenings into a vessel already partially loaded with grain or screenings (balance loaded in excess of 7,500 tonnes to be charged only the regular elevation rate).

WHEAT (including durum)	\$0.58
OATS	\$0.94
BARLEY	\$0.70
RYE	\$0.60
FLAXSEED	\$0.90
RAPESEED	\$0.92
CANOLA	\$0.92
CORN	\$0.63
SUNFLOWER SEED	\$2.02
SOYBEANS AND PEAS	\$0.75
SCREENINGS	\$0.94
OTHER GRAINS	\$0.94

Effective August 1, 2006

PORT OF PRESCOTT

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TARIFF OF GRAIN ELEVATOR CHARGES

Goods & Services Tax Extra, if applicable

SPECIAL SERVICES (per tonne)

COMMODITY	CLEANING	TURNING	AERATION	STORAGE
WHEAT (including durum)	\$3.95	\$0.35	\$0.77	\$0.054
OATS	\$6.41	\$0.57	\$1.26	\$0.089
BARLEY	\$4.86	\$0.43	\$0.95	\$0.070
RYE	\$4.10	\$0.36	\$0.80	\$0.057
FLAXSEED	\$6.16	\$0.54	\$1.22	\$0.065
RAPESEED OR MUSTARD	\$6.25	\$0.55	\$1.23	\$0.066
CANOLA	\$6.25	\$0.55	\$1.23	\$0.066
CORN	\$4.31	\$0.38	\$0.85	\$0.059
SUNFLOWER SEED	\$13.88	\$1.23	\$2.72	\$0.16
SOYBEANS OR PEAS	\$5.21	\$0.46	\$1.02	\$0.054
SCREENINGS	\$6.41	\$0.57	\$1.26	\$0.085
OTHER GRAINS	\$6.41	\$0.57	\$1.26	\$0.088

CLEANING NOTES

- ♦ Wheat - dockage: up to 1.0% – NOT CLEANED
1.1% and over \$3.95/tonne
- ♦ Canary seed – anything cleaned with more than 5% dockage BY ARRANGEMENT
- ♦ Buckwheat BY ARRANGEMENT

DRYING

- ♦ As per Port of Prescott drying charts. High moisture grain requires prior arrangement and may be refused at the discretion of the elevator.

IDENTITY PRESERVATION

- ♦ Identity preservation of special binned grain (including storage) for each day or part thereof – all grains – per tonne of wheat equivalent storage capacity in the special bin (refer to Note 3 below) \$0.15

FUMIGATION – PAYABLE BY OWNER OF GRAIN

Application of Malathion	\$0.80 per tonne
Application of Phosphine	\$0.75 per tonne

PROTEIN ANALYSIS

Each Sample	\$16.58
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BAGGING

Per tonne (shipper supplies bags)	\$25.00
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NOTES:

1. Elevation and drying charges to be computed on weight of grain received.
2. Storage charges are per day to be computed on weight after drying.
3. One tonne of wheat equivalent storage capacity is equal to 1.2987 cubic meters of storage.
4. Elevator charges or services other than those listed – by special arrangement.
5. All eastern grains will be fumigated upon receipt, other grain at the discretion of the elevator.

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WHARFAGE – PAYABLE BY OWNER OF GRAIN

Vessels loading bulk grain shall pay wharfage at the rate set out in Port of Prescott Wharfage Charges Tariff Notice.

BERTHAGE – PAYABLE BY VESSEL

Berthage charges shall be payable at the rate set out in Port of Prescott Berthage and Anchorage Charges Tariff Notice.

MOORING AND UNMOORING – PAYABLE BY VESSEL – SALTIES ONLY

The Elevator will furnish linesman for mooring and unmooring vessels at the Elevator dock at the following rates per gang:

Monday through Friday:

- ◆ When mooring \$687.50
- ◆ When unmooring \$687.50

After hours, Saturdays, Sundays and Holidays:

- ◆ When mooring \$1,030.00
- ◆ When unmooring \$1,030.00

NOTE: The above charges shall include one hour's waiting time. Waiting time in excess of one hour will be at half of the above hourly rate for every hour or fraction thereof.

CALL OUT: In the event a mooring crew is called out and a vessel fails to arrive, there shall be a minimum charge at the above prevailing rates.

SHIFTING OF VESSEL AT DOCK – PAYABLE BY VESSEL – SALTIES ONLY

Shifting time is included in the mooring and unmooring charge, provided the vessel shifts from hold to hold within one hour. Shifting time in excess of one hour will incur an additional mooring charge at the prevailing rate.

STEVEDORING – PAYABLE BY OWNER OF GRAIN – EXCEPTING LAKERS – PAYABLE BY OWNER OF VESSEL

- ◆ Loading lakers – per loaded tonne \$0.25
- ◆ Loading salt water vessels – per loaded tonne
 - ◆ Two-deck vessels (accepted by prior arrangement only)
 - ◆ Bulk carriers
 - ◆ Self trimmers \$0.58
 - ◆ With trimming \$1.27

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In addition to the regular rates as set forth in the tariff of Grain Elevator charges, services during other than regular working hours shall be subject to the following overtime charges.

1. OVERTIME	<u>SCHEDULE 1</u>	<u>SCHEDULE 2</u>
♦ Unloading vessels – per hour	\$ 505.00	\$ 1010.00
♦ Loading vessels – per hour	\$ 335.00	\$ 670.00

Provided that when gangs have been ordered and are ready to start work, the minimum charges shall be as follows:

♦ Unloading vessels – per hour	\$2,025.00	\$4,050.00
♦ Loading vessels – per hour	\$1,340.00	\$2,680.00

2. STAND-BY TIME

♦ Unloading vessels – per hour	\$1010.00	\$2,020.00
♦ Loading vessels – per hour	\$ 670.00	\$1,340.00

NOTE: Schedule 1 – Applies to normal work days until 9:30 p.m. (Monday through Friday) and for the first four hours on Saturdays.

Schedule 2 – Applies to Sundays, Statutory Holidays, after four hours on Saturdays and after 9:30 p.m. on normal work days.

3. OTHER CHARGES

- ♦ For all services performed during other than regular working hours BY ARRANGEMENT
- ♦ Stand-by time
 - ♦ For any delay in starting or continuing work, provided the delay is not due to any fault of the elevator BY ARRANGEMENT
- ♦ Containers (each)
 - ♦ Loading containers – regular truck loading elevation bulk heading a container (plus Material)... \$80.00
 - ♦ Trimming charges\$ 5.00
- ♦ The charge for services not specifically mentioned herein shall be BY ARRANGEMENT