



City of Seattle City Light Department

DEPARTMENT POLICY & PROCEDURE

Subject

Number

DPP 500 P III-130

Effective December 9, 1982

RENTING CITY LIGHT PROPERTY FOR
PRIVATE GARDENS

Supersedes N/A

Approved

Department

City Light

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1.0 PURPOSE.

To establish guidelines for renting City Light distribution and transmission line property for gardening purpose to any qualified person who has income less than \$10,000 a year.

2.0 ORGANIZATIONS AFFECTED.

2.1 City Light Department.

3.0 REFERENCES:

3.1 SB 3140, Chapter 100 Laws of 1981, 47th Legislature.

3.2 DPP 500 P 803, Real Property and Real Property Rights – Use Permits.

4.0 POLICY.

4.1 City Light may rent a maximum of 2500 square feet for personal or family, private gardening to qualified persons. City Light may allow additional square footage if it is determined to be

more economically feasible for the Department to do so.

- 4.1.1 Qualified persons shall apply for a permit to use right-of-way for private gardening.
- 4.1.2 Qualified persons shall be assessed a nominal fee for renting such property pursuant to DPP 500 P 130 Schedule 100.
- 4.2 City Light shall consider right-of-way property available for renting under this DPP only such property which has been deemed safe for public use and nonessential to the maintenance and reliability of the system.
- 4.3 City Light may issue a permit to an agency administering a Pea Patch or similar program in order to administer designated plots of right-of-way for the purpose of private gardening by qualified persons.
- 4.4 Qualified persons granted a permit on or before the effective date of SB 3140 may be eligible for the same permit area at the discretion of the City Light Department, provided such area is available.
- 4.5 Permits and rates established for gardening in the right-of-way shall be reviewed annually, and adjusted as necessary.
- 4.6 To establish eligibility a notarized statement attesting to income less than \$10,000 a year shall be required.
- 4.7 Annual notarized statements attesting to income of less than \$10,000 per year shall be required. Failure to report disqualifying income may result in prosecution, fine, or any other remedy necessary to collect rents owing.
- 4.8 If the income of the permittee increases to exceed \$10,000, the permit may be continued and the permittee shall pay the fair market value for rental of the right-of-way.

5.0 DEFINITIONS.

- 5.1 Qualified Person (s). A person who is 18 years of age or older having a gross annual income of \$10,000 or less.
- 5.2 Permittee. An individual (s) who has executed a temporary use

permit to use a portion of City Light transmission line right-of-way for private gardening purposes.

- 5.3 Garden. A plot of land for the purpose of growing vegetables, flowers, landscaping, lawn, etc., or any combination thereof.

6.0 RESPONSIBILITIES.

6.1 Property Management is responsible for:

6.1.1 Administering the policies and procedures as stated herein.

6.1.2 Issuing permits to qualified persons for use of such property.

6.1.3 Coordinating with other agencies administering similar programs.

6.1.4 Determining whether or not property is safe for public use and nonessential to the maintenance and reliability of the system.

6.1.5 Providing necessary information to Cost Accounting for proper billing for rental of right-of-way.

6.1.6 Reviewing permits and fees annually.

6.1.7 Reviewing the present DPP in April of each year.

6.2 Cost Accounting Section is responsible for:

6.2.1 Billing the permittee annually for rent of right-of-way.

6.2.2 Collecting payment from permittee.

7.0 PROCEDURES.

7.1 Inquiries concerning rental of right-of-way for private gardening are handled by Property Management.

7.2 Application for use permit and affidavit of eligibility must be

completed by qualified persons.

7.2.1 Property Management issues a use permit, after
Completing a review in accordance with DPP 500 P 803.

7.2.2 Property Management notifies Cost Accounting that the
minimum fee is in effect.

7.3 Cost Accounting bills the permittee annually and collects
payment from the permittee.

8.0 APPENDICES.

8.1 Distribution: All Policy and Procedure Manual Holders.