

**Requesting an Out-of-Agency Service Extension or Exemption
Pursuant to Government Code Sections 56133 and 56134**

Adopted February 11, 2015

Revised May 13, 2015

Revised March 9, 2016

Background:

Unless determined by the Commission to be exempt, a city or district may provide new or extended services by contract outside its jurisdictional boundaries only if it first requests and receives written approval from the Commission.

Procedures for Requests Pursuant to Government Code Section 56133:

If a request pursuant to Government Code Section 56133 is filed by a party other than the city or district which would provide the service, the affected city or district must provide a written endorsement indicating its willingness to provide the service if the Commission approves the request.

The Commission shall consider any proposals for an out-of-agency service extension, either pursuant to Government Code Section 56133(b), if a future change of organization or reorganization is anticipated, or pursuant to Government Code Section 56133(c), if the Commission finds that there is an existing or impending threat to public health or safety of the residents of the affected territory.

The Commission shall also consider any requests to be exempt from the requirement to obtain LAFCO approval of an out-of-agency service extension, pursuant to Government Code Section 56133(e).

LAFCO shall publish a notice no less than 21 days in advance of the public hearing before the Commission, consistent with Government Code sections 56153-56154, except as otherwise provided herein.

If the Executive Officer determines that an out-of-agency request is associated with an urgent situation where the public interest requires action in less than 21 days, the Executive Officer may waive the 21-day notice and agendaize the matter before the Commission as a special meeting, which may be by teleconference, pursuant to the requirements of the Ralph M. Brown Act (Government Code Section 54950 et seq) with the concurrence of the Commission Chair, or if the Chair is unavailable, the concurrence of the First Vice Chair, or Second Vice Chair as may be available.

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Procedures for Requests Pursuant to Government Code Section 56134:

The Commission shall consider any proposals for an out-of-agency service extension for fire protection contracts consistent with the provisions of Government Code Section 56134.

Reconsideration

Government Code Sections 56133 and 56134 provide that requests for reconsideration may be made by the applicant. It is the policy of the Commission to also consider requests for reconsideration filed by any person or affected agency. Reconsideration shall be subject to the procedures and requirements established in Government Code Section 56895, except as provided herein.