

320.0000 COUNTY SERVICE AREA

320.0001 Establishment.

1. A city may petition for the establishment of a county service area which would be completely outside of the city and which would provide no services for residents of the city.
2. The cities in Butte County may petition for the establishment of a county service area or areas to consist of surrounding urban unincorporated territory, including the town of Paradise, with regard to the presently existing enumerated services of the sheriff's department. However, before such county service area or areas could actually be formed, the board of supervisors would be required to find that the existing law enforcement services in fact included "extended police protection" within the meaning of the County Service Area Law.

Conceivably, extensive patrolling and other law enforcement services in urban areas by the sheriff could be construed as extended county services within the meaning of the enumerated provisions of the County Service Area Law. However, in our view, such a factual finding would be the exception, and not the rule.

3. County service areas may not be established in the unincorporated areas around the cities of Butte County to defray the costs of the county planning department and the county planning commission.
4. A county service area may not be financed from the county general fund if the voters fail to set a maximum tax rate at an election held for such purpose.
5. The duty to set forth the boundaries of a proposed county service area is the obligation of the petitioning cities, and not the duty of the local agency formation commission. OAG 9/4/74 (No. CV 74-46, Vol. 57, p. 423).