

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

STATUTORY MINOR CORRECTION

LUBA 3-2024

CHAPTER 661

LAND USE BOARD OF APPEALS

FILED

11/01/2024 9:01 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Corrects a rule cross-reference.

CONTACT: Alyx Peterson
503-373-1265
luba.support@luba.oregon.gov

201 High St SE
Suite 600
Salem, OR 97301

Filed By:
Alyx Peterson
Rules Coordinator

AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 661-010-0065

RULE TITLE: Motions

RULE SUMMARY: Corrects a clerical error in subsection 2 of this rule which cross-referred to a rule subsection incorrectly.

RULE TEXT:

(1) When Motion is Appropriate: Unless these rules or applicable statutes provide another form of application, a request for an order or relief shall be made by filing a motion in writing for such order or relief. A motion shall show proof of service on all parties.

(2) Time of Filing: A party seeking to challenge the failure of an opposing party to comply with any of the requirements of statutes or Board rules shall make the challenge by motion filed with the Board and served on all parties within 14 days after the moving party obtains knowledge of such alleged failure. However, motions to dismiss for lack of jurisdiction may be filed at any time. An opposing party may, within 14 days from the date of service of a motion, file a response, except as allowed by OAR 661-010-0040(5)(d)(B) for responses to motions for in-person oral argument.

(3) How Submitted: Parties shall submit all motions without oral argument unless otherwise directed by the Board. All motions must be filed as a separate document and shall not be included with any other filing. A party that desires a telephone conference on a motion shall include a request for a telephone conference in its motion or response. The Board may, at its discretion, conduct a telephone conference with the parties to consider any motion.

(4) Effect of Filing Motion: Except as provided in OAR 661-010-0026(6) with regard to objections to the record, or as may otherwise be ordered by the Board on its own motion, the filing of a motion shall not suspend the time limits for other events in the review proceeding.

STATUTORY/OTHER AUTHORITY: ORS 197.820(4)

STATUTES/OTHER IMPLEMENTED: ORS 197.805