

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 MARINE STREET LLC, CARMICHAEL OIL
5 COMPANY and TOM CARMICHAEL,
6 *Petitioners,*

7
8 and

9
10 EDMONDE ROACH and
11 GERILYN CASAVARDE,
12 *Intervenors-Petitioner,*

13
14 vs.

15
16 CITY OF ASTORIA,
17 *Respondent,*

18
19 and

20
21 NO. 10 SIXTH STREET LTD. and
22 CHESTER TRABBUCCO,
23 *Intervenors-Respondent.*

24
25 LUBA No. 99-068

26 ORDER DENYING COST BILL

27 On February 11, 2000, LUBA received a cost bill from the City of Astoria. That cost
28 bill is denied for two reasons. First, the cost bill seeks reimbursement for three copies of the
29 record, in the amount of \$235.80. The “required number of copies of the record” under OAR
30 661-010-075(1)(b)(B) is two-one for petitioner and one for LUBA. *Pardee v. City of*
31 *Astoria*, 17 Or LUBA 1071, 1072 (1990). Moreover, under OAR 661-010-075(1)(b)(C), an
32 award of costs may not exceed the amount of the deposit for costs, or \$150.00. Second, the
33 cost bill is signed by an administrative assistant in the city's Community Development
34 Department. The city may only appear at LUBA through a member of the Oregon State Bar.
35 OAR 661-010-075(6). We do not understand the administrative assistant to claim to be an
36 attorney representing the county.

1 Respondent's cost bill is denied.

2 Dated this 16th day of February, 2000.

3

4

5

6

7

8

Michael A. Holstun
Board Member