

27.9.5 LUBA Procedures/Rules - Stays - Order. Where respondents' response to a motion for stay include a motion to dismiss for lack of jurisdiction, petitioners are entitled under LUBA's rules to 14 days to respond in writing to the jurisdictional challenge. However, where the motion for stay is sought to stop excavation and grading that will be completed within a few days and LUBA agrees with respondents that petitioners fail to demonstrate that the excavation and grading will result in irreparable injury, LUBA will issue an order on the motion for stay in advance of petitioners' written response to respondents' jurisdictional challenge. *Jaqua v. City of Springfield*, 45 Or LUBA 713 (2003).

27.9.5 LUBA Procedures/Rules - Stays - Order. Although ORS 197.845 does not require that LUBA limit the effect of a stay of a quasi-judicial land use decision, LUBA may limit the effect of such a stay to the particular geographic area or particular provisions of the stayed decision for which colorable claim of error and irreparable harm have been shown. *ONRC v. City of Seaside*, 27 Or LUBA 679 (1994).