

OFFICE OF THE SECRETARY OF STATE
SHEMIA FAGAN
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

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

STATUTORY MINOR CORRECTION

LUBA 1-2023
CHAPTER 661
LAND USE BOARD OF APPEALS

FILED
03/27/2023 11:46 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Correcting statutory authority by removing reference to ORS 197.540(2)

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

775 Summer Street NE
Suite 330
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: 661-010-0046

RULE TITLE: Taking Official Notice

RULE SUMMARY: The reference in this rule to ORS 197.540(2) as statutory authority was in error and, per ORS 183.335(7)(e), we now correct that error by removing that reference.

RULE TEXT:

- (1) Grounds for Taking Official Notice: The Board may take official notice of relevant law as defined in ORS 40.090.
- (2) Motions to Take Official Notice:
 - (a) A motion to take official notice shall contain a statement explaining with particularity what the material sought to be noticed is intended to establish, how it is relevant to an issue on appeal, and the authority for notice under ORS 40.090. The motion to take official notice evidence shall be filed in writing and as a separate document and shall not be contained within a brief or other filing.
 - (3) Any party may file a response within 14 days of the date of service of the motion to take official notice.

STATUTORY/OTHER AUTHORITY: ORS 197. 820(4)

STATUTES/OTHER IMPLEMENTED: ORS 40.090