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BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

RON STEINKE and)	
HOME BUILDERS ASSOCIATION)	
OF METROPOLITAN PORTLAND,)	LUBA No. 79-029
)	
Petitioners,)	
)	
vs.)	ORDER DISMISSING
)	PETITIONERS' NOTICE
CITY OF SCAPPOOSE,)	OF INTENT TO APPEAL
)	
Respondent.)	

This case came before the Board on December 5, 1979, when petitioners filed a notice of intent to appeal respondent's November 5, 1979 "Moratorium on Sewer Connections." No notices of intent to participate have been received by the Board nor has respondent filed a copy of the record with the Board.

Prior to the date set for respondent to submit the record, petitioners, on 12/21/79, by and through their attorney Kevin L. Hanway moved to dismiss their appeal. The stated basis for petitioners' motion to dismiss is respondent's December 17, 1979 withdrawal of the contested moratorium.

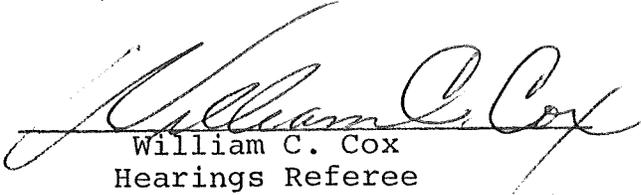
Petitioners have paid LUBA a \$50.00 filing fee and \$150.00 deposit for costs. This Board has not received a cost bill from respondent.

Now, therefore, it is ordered that this case shall be dismissed on motion of petitioner, that petitioners filing

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1 fee be not refunded and that respondent has until January 15,
2 1980 to submit a cost bill if it intends to do so.

3 Dated this 28 day of December, 1979.

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5 William C. Cox
6 Hearings Referee

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