



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

May 9, 2007



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Coos County Plan Amendment
DLCD File Number 003-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 22, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

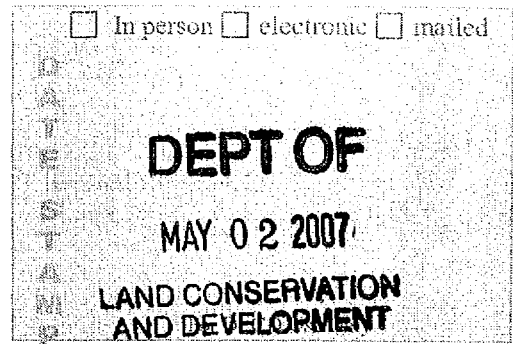
If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Dave Perry, DLCD Regional Representative
Patty Evernden, Coos County Planning Director

<paa> ya/

Notice of Adoption



THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
 PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

Jurisdiction: **Coos County**

Local file number: **AM-07-02**

Date of Adoption: **4/27/2007**

Date Mailed: **5/1/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **2/12/2007**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Legislative text amendments to the Coos County Zoning and Land Development Ordinance (CCZLDO) Section 5.7.300 Quasi-Judicial Land Use Hearing Procedure, 5.7.400 Requests to Present Additional Testimony, 5.8.223 Appeal of Hearings Body Decision to Board of Commissioners, and 5.8.900 Notice of Appeal.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD # 003-07(15877)

DLCD file No.: _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Patty Evernden, Planning Director**

Phone: (541) 396-3121 Extension: 210

Address: **Coos County Courthouse**

Fax Number: 541-396-2690

City: **Coquille, OR**

Zip: **97423-**

E-mail Address: **pevernden@co.coos.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision

per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - **ATTENTION: PLAN AMENDMENT SPECIALIST**.

1 BOARD OF COMMISSIONERS
2 COUNTY OF COOS
3 STATE OF OREGON

4 IN THE MATTER OF AMENDING)
5 THE COOS COUNTY ZONING &)
6 LAND DEVELOPMENT ORDINANCE) ORDINANCE 07-02-003PL
(Legislative Amendment AM-07-02))

7 The Board of Commissioners for the County of Coos ordains as follows:

8 SECTION 1. TITLE

9 This Ordinance shall be known as "Coos County Ordinance No. 07-02-003PL".
10

11 SECTION 2. AUTHORITY

12 This Ordinance is enacted pursuant to the provisions of ORS Chapter 215.
13

14 SECTION 3. PURPOSE

15 The purpose of this Ordinance is to amend the Coos County Zoning & Land
16 Development Ordinance (CCZLDO) provisions for presentation of testimony in
quasi-judicial land use hearings and appeal procedure.
17

18 SECTION 4. RECITALS

19 The Board of Commissioners initiated the text amendment pursuant to Section
20 1.2.200 of the CCZLDO.

21 On July 18, 2006, the Notice of the Proposed Amendment was sent to the
22 Department of Land Conservation and Development (DLCD) prior to the first
23 evidentiary hearing as required by ORS 197.610, OAR Chapter 660, Division
18 and CCZLDO Section 1.2.325.

24 Public notice was posted on March 16, 2007, of the Planning Commission and
25 Board of Commissioner hearings.

26 The Planning Commission considered the proposed amendments at a public
27 hearing on April 5, 2007. The Hearings Body unanimously voted to
28 recommend approval of the proposed text amendments to the Board of

1 Commissioners.

2 Public notice was published in the Coquille Valley Sentinel newspaper as
3 required by Section 1.2.325 on April 4, 2007.

4 Following public notice, the Board of Commissioners held a public hearing on
5 April 17, 2007, to consider the amendments to the CCZLDO.

6 On April 17, 2007, the Board closed the oral and written record and proceeded
7 to deliberate, at which time by motion and vote, the Board approved Ordinance
8 07-02-003PL.

9 SECTION 5. FINDINGS

10 The Board of County Commissioners finds this amendment is a legislative
11 decision appropriate for the Board's consideration as the policy-making body
12 for Coos County.

13 The Board further finds this amendment is a post acknowledgment
14 amendment to the Comprehensive Plan's implementing Ordinance and is in
15 compliance with the Statewide Planning Goals.

16 The Board further finds the CCZLDO amendments will provide applicants a
17 reasonable idea of the procedures related to quasi-judicial land use hearings
18 and appeal provisions.

19 The Board further finds that proper public notice was given to the Coquille
20 Valley Sentinel for publication on April 4, 2007.

21 The Board further finds that public notices were posted at the Courthouse in
22 Coquille, North Bend Annex and Coquille Annex on March 16, 2007.

23 SECTION 6. AMENDMENTS TO THE COOS COUNTY ZONING & LAND
24 DEVELOPMENT ORDINANCE

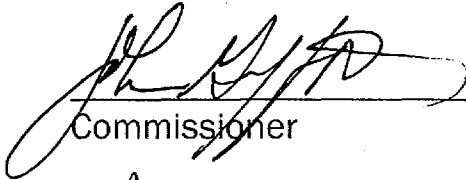
25 Attachment "A", attached hereto and incorporated herein by this reference, is
26 adopted as amendments to the Coos County Zoning & Land Development
27 Ordinance and all subsequent amendments thereto.
28

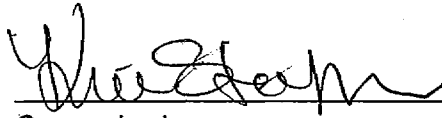
1 SECTION 7. SEVERANCE CLAUSE

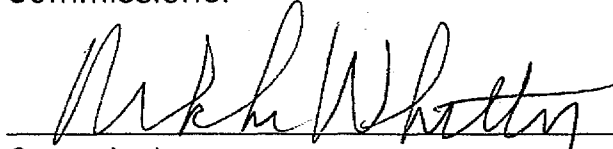
2 If any section, subsection, provision, clause or paragraph of this Ordinance
3 shall be adjudged or declared by any court of competent jurisdiction to be
4 unconstitutional or invalid, such judgment shall not affect the validity of the
5 remaining portions of this Ordinance; and it is hereby expressly declared that
6 every other section, subsection, provision, clause or paragraph this Ordinance
7 enacted, irrespective of the enactment or validity of the portion thereof
8 declared to be unconstitutional or invalid, is valid.

9 ADOPTED this 27th day of April, 2007.

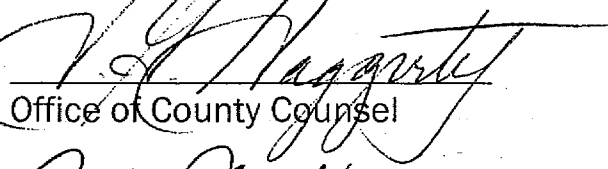
10 BOARD OF COMMISSIONERS

11 
12 Commissioner

13 
14 Commissioner

15 
16 Commissioner

17 ATTEST:
18 APPROVED AS TO FORM:

19 
20 Office of County Counsel

21 
22 Recording Secretary

23
24 SIGNED this 27th day of APRIL 2007.

25
26 Effective Date: APRIL 27, 2007

ATTACHMENT "A"

SECTION 5.7.300. Quasi-Judicial Land Use Hearings Procedures.

1. The presiding officer shall provide an opportunity for members to announce conflicts or abstain from participating and allow challenge to any member participating as a decision maker in a quasi-judicial hearing.
2. At the beginning of a hearing under the Comprehensive Plan or land use regulations of Coos County, a statement shall be made to those in attendance that:
 - A. Lists the applicable substantive criteria;
 - B. States that testimony and evidence must be directed toward the criteria listed or other criteria in the Plan or implementing ordinances which the person believes to apply to the decision; and
 - C. States that failure to raise an issue with statements and evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals.
3. Presentation of Testimony: (for hearings other than appeals on the record)
 - A. Staff Report.
 - B. Applicant or, in the case of an appeal of a prior decision, appellant.
 - C. Additional testimony by other parties in support of the application or appeal.
 - D. Testimony by opponents or, in the case of an appeal, the applicant and others in support of the application.
 - E. Neutral parties.
 - F. Applicant's rebuttal arguments, or in the case of an appeal of a prior decision, appellant's rebuttal arguments.
 - G. Upon completion of evidence and testimony, if there has been no request to continue the hearing or leave the record open, the Chair will close the public hearing. A request for continuance or an opportunity to submit additional evidence is subject to provisions of Section 5.7.400.
 - H. After closing the record, the Hearings Body will deliberate and reach a decision. The final decision will be reduced to writing and will include the

findings on which the decision is based. Notice of the decision will be mailed to all parties.

4. Representatives

- A. A party may represent themselves or be represented by an attorney. Consultants and other non-attorney professionals may appear as fact witnesses for any party, but may not appear as a legal representative.
- B. Any person presenting testimony on behalf of a group, company or any other organization, except an attorney or officer of the organization, must enter written evidence into the record establishing that the person is authorized to appear on behalf of the organization. Such written authorization must:
 - (1) Be written on the group, company, or organization's official letterhead;
 - (2) Name the person authorized to appear on behalf of the group, company or organization;
 - (3) Specify the scope of the authorization; and
 - (4) Contain the signature of a person with authority to grant the authorization.

5. Submission of Written Evidence

- A. Petitions: Any party may submit a petition into the record as evidence. The petition shall be considered as written testimony of the party who submitted the petition. A petition shall not be considered to be written testimony of any individual signer. To have standing, a person must participate orally at the hearing or submit other individual written comments. Anonymous petitions or petitions that do not otherwise identify the party submitting the petition, shall not be accepted as evidence.
- B. Required Number of Copies: Submission of written materials for consideration shall be provided as follows for hearings before the:
 - (1). Planning Commission – 15 copies
 - (2). Board of Commissioners – 7 copies

The County may, at its sole discretion, reject any materials that do not contain the requisite number of copies. It may be requested that the County make the requisite number of copies subject to the submitter paying the applicable copy charges.

- C. The applicant bears the burden of proof that all of the applicable criteria have been met; however, in the case of an appeal the appellant bears the burden of proving the basis for the appeal such as procedural error or that applicable criteria have not in fact been met.
6. Definitions: As used in this Article the following definitions shall apply:
- A. "Party" means any person, organization or agency who has established standing under the provisions of Article 5.8.
 - B. "Witness" means any person who appears and is heard at a hearing and is not a "party". A witness shall not be considered a "party" unless the Board of Commissioners determines that the person is a party in accordance with Article 5.8.

SECTION 5.7.400. REQUESTS TO PRESENT ADDITIONAL EVIDENCE

- A. Prior to conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. If such a request is received, the Hearings Body will either continue the public hearing, in accordance with subsection (B), or leave the record open for additional written evidence or testimony, in accordance with subsection (C).
- B. If the Hearings Body grants a continuance, the hearing shall be continued to a date, time and place certain at least seven days from the date of the initial hearing. At the continued hearing, parties may present and rebut new evidence, arguments or testimony. If new written evidence is submitted at the continued hearing, prior to the conclusion of the hearing any person may request that the record be left open for at least seven days to submit additional written evidence, arguments or testimony, but such additional evidence shall be limited to responding to the new written evidence submitted at the continued hearing.
- C. If the Hearings Body leaves the record open for additional written evidence, arguments or testimony, the record shall be left open for at least seven days. Any party may file a written request for an opportunity to respond to new evidence submitted during the period the record was left open. If such a request is filed, the Hearings Body shall reopen the record to a date and time certain to admit new evidence, argument or testimony but any additional evidence shall be limited to responding to the new written evidence submitted during the period the record was left open. While the record is open, any person may raise new issues which relate to the new evidence, arguments, testimony or criteria which apply to the matter.
- D. Unless waived by the applicant, the Hearings Body will allow the applicant at least seven days after the record is closed to all other parties to submit final

written arguments in support of the application. The applicant's final submittal shall be considered part of the record, but shall not include any new evidence. This seven day period will not be counted towards the 120 or 150 day decision time-frame.

- E. Except for the time frame identified in Section 5.7.400(D), a continuance or extension granted pursuant to this section is subject to the 120 or 150 day decision time-frame unless the continuance is requested or agreed to by the applicant.
- F. If the Hearings Body leaves the record open, prior to the conclusion of the initial evidentiary hearing they will specify the date the record will close and the date, time and location when they will reconvene to deliberate and make a decision on the application.

SECTION 5.7.500. Findings. The final decision of the Hearings Body or Board of Commissioners, shall be based on factual information to the extent required by state law based on the record including the Comprehensive Plan and land use regulations applying the evidence and testimony in the record to the applicable criteria. (OR 98-01-002PL 5/4/98)

SECTION 5.7.600. (RESERVED)

SECTION 5.7.700. (RESERVED)

SECTION 5.7.800. (RESERVED)

ARTICLE 5.8 APPEALS OF DISCRETIONARY DECISIONS.

SECTION 5.8.100.

Coos County has established an appeal period of 15 days from the date written notice of administrative or Planning Commission decision is mailed.

The Board of Commissioners or Hearings Body shall dismiss an appeal for failure to follow the requirements of this article.

[OR 04 12 013PL 2/09/05]

SECTION 5.8.150. Standing to Appeal.

A decision by the Planning Director, Hearings Body, or Board of Commissioners to approve or deny an application may be appealed as identified in the Sections below. The appeal must be filed within the appeal period and meet one of the following criteria:

1. In the case of a decision by the Planning Director, the petitioner was entitled to notice of the decision; or

2. In the case of a decision by the Hearings Body, the petitioner was entitled to notice of the decision of the hearing; or
3. The person is aggrieved or has interests adversely affected by the decision.

In the case of an appeal of a Hearings Body decision to the Board of Commissioners, the petitioner must have appeared before the Hearings Body orally or in writing.
[OR 04 12 013PL 2/09/05]

SECTION 5.8.200. Appeals of Administrative Decisions.

1. Notice of Intent to Appeal (NOIA) shall be filed with the Department on the NOIA form provided by the County along with any required filing fee. Upon receipt of an appeal, the Department shall schedule a public hearing before the Hearings Body and provide public notice as provided in Section 5.7.100(1). The hearing on appeal of an administrative decision shall be de novo (ORS 215.416).
2. The appeal hearing procedure shall be in accordance with Section 5.7.300.
[OR 04 12 013PL 2/09/05]

SECTION 5.8.223 Appeal of Hearings Body Decision to Board of Commissioners.

1. The review of the decision of the Hearings Body by the Board of Commissioners shall be confined to the record of the proceeding, which shall include:
 - a. All materials, pleading, memoranda, stipulations, and motions submitted by any party to the proceeding and received or considered by the Hearings Body as evidence;
 - b. All materials submitted by the Planning Department with respect to the application;
 - c. Minutes of the public hearing of the Hearings Body;
 - d. The findings and action of the Hearings Body and the notice of decision; and
 - e. Arguments confined to the record by the parties or their legal representatives at the time of review by the Hearings Body.
[OR 04 12 013PL 2/09/05]
2. A Notice of Appeal (NOA) shall be filed with the Department on the NOA form provided by the County along with any required filing

fee. The appellant may include written argument based on the record with the NOA. No new evidence may be submitted in an appeal on the record. Any legal issues not included in the NOA are considered waived by the appellant.

3. The respondent shall submit written argument within 15 days of submittal of the NOA. No new evidence may be submitted in an appeal on the record.
4. If the respondent is not the applicant, the applicant will have seven days to submit final written argument. No new appeal issues may be raised in the applicant's final written argument.
5. Deliberation by Board of Commissioners may include oral argument at the discretion of the Board
6. All items to be submitted to the County must actually be received by the County Planning Department no later than 5:00 p.m. on the deadline date. If the deadline date falls on a weekend or County holiday, then the item must actually be received by the County Planning Department no later than 12:00 p.m. on the next County business day following the deadline date. All items to be mailed to another party must be postmarked no later than the deadline date, regardless of whether such deadline day falls on a weekend or County holiday.

SECTION 5.8.230. Board of Commissioners Action

1. The Board of Commissioners may affirm, modify, or reverse all or part of the action of the Hearings Body or may remand the matter for additional review or information. [OR 04 12 013PL 2/09/05]
2. A final decision by the Board of Commissioners or Hearings Officer may be appealed to the Land Use Board of Appeals (LUBA).

SECTION 5.8.250. Reconsideration of Administrative Decision.

1. During the period set forth at Section 5.8.100, the Planning Director may withdraw for the purposes of reconsideration, any administrative decision.
2. If an administrative decision is withdrawn for the purposes of reconsideration, the Planning Director shall, within 30 days of the withdrawal, affirm, modify or reverse the administrative decision.
3. Notice of the reconsidered administrative decision shall be provided in the same manner as notice of the original administrative decision, and any appeal of said decision may proceed pursuant to Article 5.8.
[OR-92-07-012PL]

SECTION 5.8.300. Record Presented to Hearings Body or Board of Commissioners.

After notice of intent to appeal has been filed pursuant to Section 5.8.200, then: [OR 96-06-007PL 9/4/96].

1. For appeals of administrative decisions, the Planning Director shall forward to the Hearings Body a copy of:
 - a. the application for the subject administrative permit; and
 - b. the written findings establishing the basis for his decision; and
 - c. the notice of intent to appeal.

2. For appeals of Hearings Body decisions, the Planning Director shall forward to the Board of Commissioners a copy of:
 - a. the application for the requested action; and
 - b. the staff report on the request; and
 - c. the public hearing record of the Hearings Body's decision; and,
 - d. the notice of intent to appeal.

SECTION 5.8.400. Multiple Appeals. Multiple appeals of the same land use decision may be consolidated into one hearing, at the discretion of the Planning Director, Planning Commission or Board of Commissioners, provided the appeals involve the same or substantially similar issues and/or a common question of law or fact. The consolidation process must not work to deprive any appellant of his or her right to a full and fair hearing on the merits of their case. Such consolidation of the appeals into one hearing will avoid unnecessary costs or delay and will assist in the proper resolution of the matter in question.

SECTION 5.8.500. (RESERVED) [OR 04 12 013PL 2/09/05]

SECTION 5.8.600. (RESERVED) [OR 04 12 013PL 2/09/05]

SECTION 5.8.700. Reconsideration of Final Decision By Board of Commissioners.

1. At any time subsequent to the filing of a notice of intent to appeal a decision made by the Board of Commissioners, and prior to the date set by the Land Use Board of Appeals for filing the record on said appeal, the Board of Commissioners may withdraw its decision for the purposes of reconsideration. If the Board withdraws its final decision order for purposes of reconsideration, it shall, within such time as the Land Use Board of Appeals may allow, affirm, modify or reverse its decision.

[OR 92-07-012PL]

2. Hearings on reconsidered decisions will, at the County's sole discretion, be either:
 - a. Based on the record. New findings shall be drafted for the Board's consideration and shall be presented to the Board at a regularly scheduled Board meeting. No new evidence or testimony shall be considered, or;
 - b. De novo allowing additional evidence and testimony. Participation shall be strictly limited to those persons or organizations who are parties to the LUBA appeal.
3. The Board of Commissioners may limit the scope of a hearing on reconsideration.

SECTION 5.8.800. Review of Remanded Decisions.

1. Decisions remanded by the Land Use Board of Appeals will be scheduled for hearing for one of the following:
 - a. within 45 days from the date of the final LUBA order, the applicant will provide a written request for a hearing on those issues raised at LUBA; the request must be accompanied by the appeal fee;
 - b. within 30 days of receiving the request a hearing will be scheduled before the Board of Commissioners; or
 - c. if no such request is received the application shall be deemed to be withdrawn and action taken to void the implementing Ordinance.
 - d. each time a decision is remanded, 1, 2, and 3, above must be followed. (OR 98-01-002PL 5/4/98)
2. Hearings on remanded decisions will be, at the County's sole discretion, either:
 - a. Based on the record. New findings shall be drafted for the Board's consideration. Written and oral testimony shall be limited to argument only, based on the evidence already in the record or;
 - b. De novo allowing additional evidence and testimony.
3. The Board of Commissioners may limit the scope of a hearing on remand.

4. Participation in the remand hearing shall be strictly limited to those persons or organizations who were parties to the LUBA appeal. Therefore:
 - a. Notice of the remand hearing shall be given only to persons who were parties to the LUBA appeal; and
 - b. Only parties to the LUBA appeal may present evidence, witnesses, testimony or arguments in the remand hearing.
5. The party prevailing at the remand hearing shall prepare the findings of fact necessary to support the decision.

SECTION 5.8.900. Notice of Appeal.

NOTICE OF APPEAL (NOA)

Appellant: _____

Mailing address: _____

Phone: _____ Email: _____

Appellant's Representative: _____

Mailing address: _____

Phone: _____ Email: _____

The appellant hereby requests consideration of the following decision:

File Number: _____ Nature of Application: _____

Decision: _____ Decision Date: _____

1. State the reasons for the appeal, citing the specific Comprehensive Plan or CCZLDO provisions that are alleged to be violated:

2. A statement of the standing of the appeal: _____

I _____, have filed an appeal application with the Coos County Planning Department to be reviewed and processed according to state and county requirements. I acknowledge the following disclosures:

_____ I understand I may ask questions and receive input from planning staff, but acknowledge that I am ultimately responsible for all information and documentation submitted with this NOA. I further understand planning staff cannot legally bind the county to any fact or circumstance that conflicts with state or local laws, and in the event a conflict occurs, all such statements or agreements are void.

_____ I understand that I have the burden of demonstrating my appeal is supported by the applicable criteria. The criteria for approving or denying my request have been furnished to me as a part of this application and I acknowledge receipt.

_____ I understand the Hearings Body will dismiss an appeal for failure to follow the requirements of Article 5.8.

Signed: _____ Date: _____

FOR STAFF USE ONLY

NOA Fee: _____

Received By: _____ Date: _____

File #: _____