

1                   BEFORE THE LAND USE BOARD OF APPEALS  
2                   OF THE STATE OF OREGON  
3

4   LARRY ALEXANDER,                   )  
5    )  
6                   Petitioner,                   )  
7    )  
8           vs.                                    )  
9    )  
10   CLACKAMAS COUNTY,                   )  
11    )  
12                   Respondent.                   )  
13

LUBA No. 94-177  
FINAL OPINION  
AND ORDER

14  
15           Appeal from Clackamas County.

16  
17           Steven W. Abel, Portland, represented petitioner.

18  
19           Susie L. Huva, Assistant County Counsel, Oregon City,  
20   represented respondent.

21  
22           GUSTAFSON, Referee; HANNA, Chief Referee; LIVINGSTON,  
23   Referee, participated in the decision.

24  
25                   DISMISSED                                   05/02/97  
26

27           You are entitled to judicial review of this Order.  
28   Judicial review is governed by the provisions of ORS  
29   197.850.

1 Opinion by Gustafson.

2 On March 31, 1997 the Board issued an order resuming  
3 the briefing schedule in this appeal. The petition for  
4 review was due April 21, 1997. The petition for review has  
5 not been filed, nor has an extension of time to file the  
6 petition for review been granted.

7 ORS 197.830(10) requires that a petition for review be  
8 filed within the deadlines established by Board rule. OAR  
9 661-10-030(1) provides, in relevant part:

10 " \* \* \* The petition for review together with four  
11 copies shall be filed with the Board within 21  
12 days after the date the record is received by the  
13 Board. \* \* \* Failure to file a petition for review  
14 within the time required by this section, and any  
15 extensions of that time under \* \* \* OAR 661-10-  
16 067(2), shall result in dismissal of the appeal \*  
17 \* \* ." (Emphasis added.)

18 OAR 661-10-067(2) provides that the time limit for filing  
19 the petition for review may be extended only by written  
20 consent of all the parties.

21 The deadline for filing the petition for review is  
22 strictly enforced. See Terrace Lakes Homeowners Assn. v.  
23 City of Salem, 29 Or LUBA 532, aff'd 138 Or App 188 (1995);  
24 Bongiovanni v. Klamath County, 29 Or LUBA 351 (1995).  
25 Because a petition for review was not filed within the time  
26 required by our rules, and petitioner did not obtain written  
27 consent to extend the time for filing the petition for  
28 review under OAR-661-10-067(2) beyond April 21, 1997,  
29 ORS 197.830(10) and OAR 661-10-030(1) require that we

1 dismiss this appeal.

2 This appeal is dismissed.