

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

3
4 MARIO SACCATO,
5 *Petitioner,*

6
7 vs.

8
9 JOSEPHINE COUNTY,
10 *Respondent.*

11
12 LUBA No. 99-150

13
14 Appeal from Josephine County.

15
16 Mario Saccato, Cave Junction, represented himself.

17
18 Steven E. Rich, Grants Pass, represented respondent.

19
20 HOLSTUN, Board Chair; BASSHAM, Board Member; BRIGGS, Board Member,
21 participated in the decision.

22
23 DISMISSED

12/16/99

24
25 You are entitled to judicial review of this Order. Judicial review is governed by the
26 provisions of ORS 197.850.
27

1 Holstun, Board Chair.

2 The petition for review in the appeal was due November 29, 1999. The petition for
3 review has not been filed, nor has an extension of time to file the petition for review been
4 granted.

5 ORS 197.830(10) requires that a petition for review be filed within the deadlines
6 established by Board rule. OAR 661-010-0030(1) provides, in relevant part:

7 " * * * The petition for review together with four copies shall be filed with the
8 Board within 21 days after the date the record is received by the Board. * * *
9 Failure to file a petition for review within the time required by this section,
10 and any extensions of that time under * * * OAR 661-010-0067(2), shall
11 result in dismissal of the appeal * * *."

12 OAR 661-010-0067(2) provides that the time limit for filing the petition for review may be
13 extended only by written consent of all the parties.

14 The deadline for filing the petition for review is strictly enforced. *See Terrace Lakes*
15 *Homeowners Assn. v. City of Salem*, 29 Or LUBA 532, *aff'd* 138 Or App 188 (1995);
16 *Bongiovanni v. Klamath County*, 29 Or LUBA 351 (1995).

17 Because a petition for review was not filed within the time required by our rules, and
18 petitioner did not obtain written consent to extend the time for filing the petition for review
19 under OAR-661-010-0067(2) beyond November 29, 1999, ORS 197.830(10) and
20 OAR 661-010-0030(1) require that we dismiss this appeal.

21 This appeal is dismissed.