

1 Opinion by Sherton.

2 The local government record in this appeal was received
3 by the Board on April 19, 1991, and therefore the petition
4 for review was due on May 10, 1991. OAR 661-10-030(1). No
5 extension of time for filing the petition for review has
6 been requested or granted. As of this date, no petition for
7 review has been filed.

8 Respondent moves to dismiss this appeal, arguing that
9 under OAR 661-10-030(1), petitioner's failure to file the
10 petition for review within the time required by Board rule
11 requires this Board to dismiss the appeal. Respondent also
12 requests that petitioner's filing fee and deposit for costs
13 be awarded to respondent as the cost of preparation of the
14 record. OAR 661-10-075(1)(c).

15 Because petitioner has neither filed a petition for
16 review within the time required by our rules, nor obtained
17 an extension of time for filing the petition for review, ORS
18 197.830(8) and (10) and OAR 661-10-030(1) require that we
19 grant respondent's motion to dismiss and request for award
20 of petitioner's filing fee and deposit for costs. McCauley
21 v. Jackson County, ___ Or LUBA ___ (LUBA No. 90-110,
22 October 24, 1990); Piquette v. City of Springfield, 16 Or
23 LUBA 47 (1987); Hutmacher v. Marion County, 15 Or LUBA 514
24 (1987).

25 This appeal is dismissed. Petitioner's filing fee and
26 deposit for costs are awarded to respondent.