

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

4   DEBORAH TRESSLER,                           )  
5    )  
6                    Petitioner,                           )  
7    )  
8            vs.    )  
9    )  
10   BAKER COUNTY,                            )  
11    )  
12                    Respondent.                            )  
13

LUBA No. 97-049

FINAL OPINION  
AND ORDER

14  
15            Appeal from Baker County.

16  
17            Raymond S. Baum, La Grande, represented petitioner.

18  
19            Bradley Anderson, County Counsel, Baker City,  
20   represented respondent.

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

24  
25            DISMISSED                                    06/04/97

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 Livingston.

2 ORS 197.830(10) requires that a petition for review be  
3 filed within the deadlines established by Board rule. OAR  
4 661-10-030(1) provides, in relevant part:

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

13 OAR 661-10-067(2) provides that the time limit for filing  
14 the petition for review may be extended only by written  
15 consent of all the parties. The deadline for filing the  
16 petition for review is strictly enforced. See Terrace Lakes  
17 Homeowners Assn. v. City of Salem, 29 Or LUBA 532, aff'd 138  
18 Or App 188 (1995); Bongiovanni v. Klamath County, 29 Or LUBA  
19 351 (1995).

20 The petition for review in this appeal was due May 8,  
21 1997. Petitioner neither filed a timely petition for review  
22 nor obtained an extension of time to file.

23 Because a petition for review was not filed within the  
24 time required by our rules, and petitioner did not obtain  
25 written consent to extend the time for filing the petition  
26 for review under OAR-661-10-067(2), ORS 197.830(10) and  
27 OAR 661-10-030(1) require that we dismiss this appeal.

28 This appeal is dismissed.