

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

3
4 STEVE ENNIS,)
5)
6 Petitioner,)
7)
8 vs.)
9)
10 KLAMATH COUNTY,)
11)
12 Respondent,)
13)
14 and)
15)
16 PAUL RITTER and CAROL RITTER,)
17)
18 Intervenors-Respondent.)

LUBA No. 97-059

FINAL OPINION
AND ORDER

19
20
21 Appeal from Klamath County.

22
23 James H. Bean, Portland, represented petitioner.

24
25 Reginald Davis, County Counsel, Klamath Falls,
26 represented respondent.

27
28 Michael P. Rudd, Klamath Falls, represented
29 intervenors-respondent.

30
31 HANNA, Judge; GUSTAFSON, Chief Judge; LIVINGSTON,
32 Judge, participated in the decision.

33
34 DISMISSED 10/07/97

35
36 You are entitled to judicial review of this Order.
37 Judicial review is governed by the provisions of ORS
38 197.850.

1 Hanna, Judge.

2 The petition for review in the appeal was due September
3 12, 1997. The petition for review has not been filed, nor
4 has an extension of time to file the petition for review
5 been granted.

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

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

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

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

24 Because a petition for review was not filed within the
25 time required by our rules, and petitioner did not obtain
26 written consent to extend the time for filing the petition
27 for review under OAR-661-10-067(2) beyond September 12,
28 ORS 197.830(10) and OAR 661-10-030(1) require that we
29 dismiss this appeal.

1 This appeal is dismissed.