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

SUNNYSIDE CONSTRUCTION AND DEVELOPMENT,
Petitioner,

vs.

CITY OF OREGON CITY,
Respondent.

LUBA No. 99-118

Appeal from City of Oregon City.

P. Stephen Russell III, P.C., Portland, represented petitioner.

Marnie Allen, Portland, represented respondent.

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

DISMISSED 12/01/99

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

1 Briggs, Board Member.
2

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

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

10 OAR 661-010-0067(2) provides that the time limit for filing the petition for review may be
11 extended only by written consent of all the parties. The deadline for filing the petition for
12 review is strictly enforced. *See Terrace Lakes Homeowners Assoc. v. City of Salem*, 29 Or
13 LUBA 532, *aff'd* 138 Or App 188 (1995); *Bongiovanni v. Klamath County*, 29 Or LUBA 351
14 (1995).

15 The record was settled for this appeal by Board order on October 7, 1999. The
16 petition for review in this appeal was due October 28, 1999. The petition for review has not
17 been filed, nor has an extension of time to file the petition for review been requested or
18 granted. Because a petition for review was not filed within the time required by our rules,
19 and petitioner did not obtain written consent to extend the time for filing the petition for
20 review beyond October 28, 1999, ORS 197.830(10) and OAR 661-010-0030(1) require that
21 we dismiss this appeal.

22 This appeal is dismissed.