1 BEFORE THE LAND USE BOARD OF APPEALS 2 OF THE STATE OF OREGON 3 4 MAYWOOD COMPANY, INC., ) 5 ) 6 Petitioner, ) 7 LUBA No. 96-238 ) 8 vs. ) FINAL OPINION 9 ) 10 CITY OF WEST LINN, AND ORDER ) 11 ) 12 Respondent. ) 13 14 15 Appeal from City of West Linn. 16 17 John D. Ryan, Portland, represented petitioner. 18 19 Pamela J. Berry, Portland, represented respondent. 20 21 GUSTAFSON, Referee; HANNA, Chief Referee; LIVINGSTON, 22 Referee, participated in the decision. 23 24 03/21/97 DISMISSED 25 26 You are entitled to judicial review of this Order. 27 Judicial review is governed by the provisions of ORS 197.850. 28

1 Opinion by Gustafson.

The petition for review in this appeal was due March 7, 1997. The petition for review has not been filed, nor has an extension of time to file the petition for review been granted.

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

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

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. <u>See Terrace Lakes Homeowners Assn. v.</u> 22 <u>City of Salem</u>, 29 Or LUBA 532, <u>aff'd</u> 138 Or App 188 (1995); 23 <u>Bongiovanni v. Klamath County</u>, 29 Or LUBA 351 (1995).

Because a petition for review was not filed within the time required by our rules, and petitioner did not obtain written consent to extend the time for filing the petition for review under OAR-661-10-067(2) beyond March 7, 1997, ORS 197.830(10) and OAR 661-10-030(1) require that we dismiss this appeal.

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## 1 This appeal is dismissed.