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1
                BEFORE THE LAND USE BOARD OF APPEALS
 2
                       OF THE STATE OF OREGON
 3
 4
   MARTIE SUCEC,
                                    )
 5
                                    )
 6
             Petitioner,
 7
 8
         vs.
                                            LUBA No. 97-120
 9
10
   CITY OF PORTLAND,
                                    )
11
                                    )
                                            FINAL OPINION
12
                                               AND ORDER
             Respondent,
                                    )
13
14
         and
15
16
   AT&T WIRELESS SERVICES, INC.,
17
18
             Intervenor-Respondent.
                                                   )
19
20
21
        Appeal from City of Portland.
22
23
        Martie Sucec, Portland, represented herself.
24
25
         Adrianne Brockman, Deputy City Attorney, Portland,
26
    represented respondent.
27
28
         D. Daniel Chandler, Portland, represented intervenor-
29
    respondent.
30
         HANNA, Referee; GUSTAFSON, Chief Referee; LIVINGSTON,
31
    Referee, participated in the decision.
32
33
34
                                    09/04/97
             DISMISSED
35
36
         You are entitled to judicial review of this Order.
37
    Judicial review is governed by the provisions of ORS
38
   197.850.
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- 1 Hanna, Referee.
- 2 The petition for review in this appeal was due August
- 3 4, 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. Respondent and intervenor-respondent move to
- 6 dismiss this appeal pursuant to ORS 197.830(10) and
- 7 OAR 661-10-030(1).
- 8 ORS 197.830(10) requires that a petition for review be
- 9 filed within the deadlines established by Board rule. OAR
- 10 661-10-030(1) provides, in relevant part:
- 11 "* * * The petition for review together with four
- copies shall be filed with the Board within 21
- days after the date the record is received by the
- Board. * * * Failure to file a petition for review
- 15 within the time required by this section, and any
- extensions of that time under * * * OAR 661-10-
- 17 067(2), shall result in dismissal of the appeal *
- 18 * *."
- 19 OAR 661-10-067(2) provides that the time limit for filing
- 20 the petition for review may be extended only by written
- 21 consent of all the parties.
- The deadline for filing the petition for review is
- 23 strictly enforced. See Terrace Lakes Homeowners Assn. v.
- 24 City of Salem, 29 Or LUBA 532, <u>aff'd</u> 138 Or App 188 (1995);
- 25 Bongiovanni v. Klamath County, 29 Or LUBA 351 (1995).
- 26 Because a petition for review was not filed within the
- 27 time required by our rules, ORS 197.830(10) and
- 28 OAR 661-10-030(1) require that we dismiss this appeal.
- 29 This appeal is dismissed.