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

RUSS JOY,)
)
Petitioner,)
)
vs.)
) LUBA No. 97-242
CITY OF PORTLAND,)
) FINAL OPINION
Respondent,) AND ORDER

Appeal from City of Portland.
Russ Joy, Portland, represented himself.
Jeffrey L. Rogers, Portland, represented respondent.

GUSTAFSON, Chief Administrative Law Judge; HANNA,
Administrative Law Judge; LIVINGSTON, Administrative Law
Judge, participated in the decision.

DISMISSED 01/29/98

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

1 Gustafson,, Chief Administrative Law.

2 The city moves for dismissal of this appeal on the basis
3 that petitioner did not timely file a petition for review.

4 The petition for review in the appeal was due December
5 31, 1997. The petition for review has not been filed, nor has
6 an extension of time to file the petition for review been
7 granted.

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
12 copies shall be filed with the Board within 21 days
13 after the date the record is received by the Board.
14 * * * Failure to file a petition for review within
15 the time required by this section, and any
16 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 the
20 petition for review may be extended only by written consent of
21 all the parties.

22 The deadline for filing the petition for review is
23 strictly enforced. See Terrace Lakes Homeowners Assn. v. City
24 of Salem, 29 Or LUBA 532, aff'd 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, and petitioner did not obtain
28 written consent to extend the time for filing the petition for
29 review under OAR-661-10-067(2) beyond December 31, 1997,
30 ORS 197.830(10) and OAR 661-10-030(1) require that we dismiss

1 this appeal.

2 This appeal is dismissed.