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BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

HAL HEWITT and JIM GIBBS,
Petitioners,

vs.

CITY OF COLUMBIA CITY,
Respondent,

and

DARRELL L. NORDIN and WHISPERING PINES DEVELOPMENT CO.,
Intervenors-Respondent.

LUBA No. 2000-105

FINAL OPINION
AND ORDER

Appeal from City of Columbia City.

Jeffrey L. Kleinman, Portland, represented petitioners.

Mark Greenfield, Portland, represented respondent.

David Brian Williamson, St. Helens, represented intervenors-respondent.

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

DISMISSED 08/30/2000

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

1 Opinion by Briggs.

2 The petition for review in the appeal was due on August 11, 2000. The petition for
3 review has not been filed, nor has an extension of time to file the petition for review been
4 granted.

5 ORS 197.830(11) requires that a petition for review be filed within the deadlines
6 established by Board rule. OAR 661-010-0030(1) provides, in relevant part:

7 “* * * The petition for review together with four copies shall be filed with the
8 Board within 21 days after the date the record is received or settled by the
9 Board. * * * Failure to file a petition for review within the time required by
10 this section, and any extensions of that time under * * * OAR 661-010-
11 0067(2), shall result in dismissal of the appeal * * *.”

12 OAR 661-010-0067(2) provides that the time limit for filing the petition for review may be
13 extended only by written consent of all the parties.

14 The deadline for filing the petition for review is strictly enforced. *Terrace Lakes*
15 *Homeowners Assoc. v. City of Salem*, 29 Or LUBA 532, *aff'd* 138 Or App 188, 906 P2d 871
16 (1995); *Bongiovanni v. Klamath County*, 29 Or LUBA 351 (1995).

17 Because a petition for review was not filed within the time required by our rules, and
18 petitioners did not obtain written consent to extend the time for filing the petition for review
19 under OAR 661-010-0067(2) beyond August 11, 2000, ORS 197.830(11) and OAR
20 661-010-0030(1) require that we dismiss this appeal.

21 This appeal is dismissed.