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

JAMES CANTRELL and JEAN CANTRELL
Petitioners,

vs.

LANE COUNTY,
Respondent,

and

MIKE REMBOLDT and MARVIS REMBOLDT,
Intervenors-Respondents.

LUBA No. 2020-007

FINAL OPINION
AND ORDER

Appeal from Lane County.

Troy M. Slonecker, Springfield, represented petitioners.

H. Andrew Clark, Eugene, represented respondent.

William H. Sherlock, Eugene, represented intervenors-respondents.

RUDD, Board Chair; RYAN, Board Member; participated in the decision.

ZAMUDIO; Board Member; did not participate in the decision

DISMISSED 03/23/2020

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

Opinion by Rudd.

MOTION TO INTERVENE

Mike Remboldt and Mavis Remboldt (intervenors) moved to intervene on the side of respondent. The motion is unopposed and is granted.

DISMISSAL

The petition for review in this appeal was due March 10, 2020. 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(11) and (13) require that a petition for review be filed within the deadlines established by Board rule. OAR 661-010-0030(1) provides, in relevant part:

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

The deadline for filing the petition for review is strictly enforced. *Terrace Lakes Homeowners Assoc. v. City of Salem*, 29 Or LUBA 532, 535, *aff'd*, 138 Or App 188, 906 P2d 871 (1995). As we held in *Hutmacher v. Marion County*, 15 Or LUBA 514, 515 (1987):

> "Failure to adhere to the time schedule for filing documents necessary for timely appeal decisions can delay the final order. For this reason, and to carry out the legislative policy of expeditious decision making, the rule requiring petitions to be filed within the prescribed time is strictly followed."

Because a petition for review was not filed within the time required by our rules, ORS 197.830(11), (13), and OAR 661-010-0030(1) require that we dismiss this appeal.

This appeal is dismissed.