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**Sent:** Tuesday, July 13, 2021 1:55 PM

**To:** Scott Bounds <[SBounds@olsonllp.com](mailto:SBounds@olsonllp.com)>

**Subject:** Habitability Ordinance

In March Council discussed the Habitability Ordinance but it did not go any further than a discussion. Now David Schwab has a potential buyer for his island lot. The buyer wants to be able to put a study and a bathroom in the attic with windows.

The current ordinance does not define legal attic. See Scott's comments in red

The Current Ordinance does address attics. 11:02:04

11:02.04 Attic: An attic, unless a legal attic story, shall not be a habitable room and shall not enclose such places as bath or toilet rooms, or laundries and if a wall and/or ceiling of such attic space is finished shall have no window or skylight.

So attic cannot be habitable room (habitable also defined). Cannot have windows or skylight.

In absence of definition, common meaning applies. Dictionary definition of attic: space or room below the roof.

Under the current ordinance, an attic could be finished, but cannot have bath, toilet or laundry, and cannot have windows or skylight.