

## 21-05: Habitable vs. non-habitable space in accessory structures

### 2017 ORSC R105.2 #1 and Ch 2 Definitions

**QUESTION:** Is a heated, detached, accessory building, not exceeding 200 square feet in area, considered a “non-habitable” structure and, therefore, exempt from permits under Section R105.2(1)?

**RESPONSE:** Based on the State of Oregon statewide code interpretation No. 03-01 ([Code interpretation 03-01 \(oregon.gov\)](#)), a detached accessory building that is not exceeding 200 square feet in area and meets the height requirements in section R105.2(1) or the exception that does not contain a kitchen and is not used for overnight sleeping purposes would be considered non-habitable space and would not require a building permit.

The exemption from a structural permit does not negate required trade permits when applicable such as electrical, mechanical, and plumbing.

#### Change History:

Effective Date	Significant Changes	Employee Name
6/10/21	Implementation	Terry Whitehill