



**Proposed Code Change**  
State Form 41186R

RETURN TO:  
INDIANA DEPARTMENT OF HOMELAND SECURITY  
CODE SERVICES SECTION  
302 W. Washington Street Room W246  
Indianapolis, IN 46204

<b>FOR OFFICE USE ONLY</b>
Received 5/12/09
Code 48-09

**INSTRUCTIONS:** Only TYPED copy accepted.  
(KEY – Dashed line through material to be deleted, underline material to be added)  
Use second sheet for any material requiring more space.

Code Title <b>International Residential Code</b>		Edition 2009
Section number and title <b>R401.3 Drainage</b> , Exception		Page 71
Proponent Carolyn Schleif	Title President, Nightingale Designs, Inc.	
Address 10517 Hyde Park, Carmel, IN 46032		Phone (317) 580-0540
PROPOSED CODE CHANGE (Check One)		
<input type="checkbox"/> Change to read as follows <input checked="" type="checkbox"/> Add to read as follows <input type="checkbox"/> Delete and substitute as follows <input type="checkbox"/> Delete without substitution		
ADD after first sentence: "If the property line occurs inside 10 feet from the face of the foundation wall, the 6 inch drop shall occur along the property line."		
REASON AND FISCAL IMPACT		
Reason: Relying on drain tile systems doesn't work because they clog with silt (even with mesh).  Homeowners plant trees and shrubs between themselves and their neighbors for privacy reasons, leading to ponding and water in basements and crawl spaces. They plant on top of drain systems, and don't even know it.  Counties often can only enforce drainage issues within regulated drains. Municipalities do not want to have to enforce neighbor to neighbor issues.  Fiscal impact: None, this can be done during grading.		
REVIEW RECOMMENDATION		
Approve		
Disapprove		
Approve as amended		
Further Study		