



675 IAC 14-4.4 – Indiana Residential Code Proposed Draft Rule
Drafting Notes and Corrections

The following is a list of changes made by the Commission’s staff to the code change proposals adopted by the Commission. These changes are non-substantive and meant to clarify and resolve technical errors that were found in drafting the draft proposed rule.

1. The title was changed from the 2020 Indiana Residential Code to just the “Indiana Residential Code”
2. Proposal #8 [Sec. 2(2) in the proposed draft rule] – The section on administrative review of orders was modified to comply with IC and to include how orders of local fire departments may be reviewed.
3. Proposal #25 [Sec. 3(4) in the proposed draft rule] – Corrected scrivener errors: “...by a local historic preservation commission **as** authorized under IC 36-7-11.”
4. Proposal #28 [Sec. 3(7) in the proposed draft rule] – deleted the word “means” after the title “POTABLE WATER.” Capitalized the word “water” at the beginning of the sentence. These editorial changes were made to reflect the intent to readopt the 2005 Indiana Residential Code’s definition of “POTABLE WATER” and mirror the 2018 IRC’s formatting style. These editorial changes do not change the substance of the proposal.
5. Proposal #29 [Sec. 3(8) in the proposed draft rule] – deleted the words “REGISTERED DESIGN PROFESSIONAL means” after the title “REGISTERED DESIGN PROFESSION.” Capitalized the word “An” at the beginning of the sentence. These editorial changes were made to mirror the 2018 IRC’s formatting style. These editorial changes do not change the substance of the proposal.
6. Proposal #30 [Sec. 3(11) in the proposed draft rule] – Changed “as described in IC 22-12-1-5(c).” to “ascribed thereto in IC 22-12-1-5(c).” This editorial change was made to reflect the intent to readopt the 2005 Indiana Residential Code’s definition of “TOWNHOUSE.” This editorial change does not change the substance of the proposal.

7. Proposal #362 and #33 (Sec. 5 in the proposed draft rule)– At its 12/19/18 meeting, the IRCC failed to clarify if Proposal #33’s changes to the seismic design and wind design criteria in Table 301.2(1) will be carried forward into the draft rule. Proposal #362, which was approved by the IRCC at the 12/19/18 meeting, only changes the ice shield underlayment requirement designations in the table back to the designations currently listed in the 2005 Indiana Residential Code (675 IAC 14-4.3-6). It is committee staff’s interpretation that Proposal #362 only reverses the amendment made to Proposal #33 at the IRCC’s 5/16/18 meeting. As such, the original, un-amended Proposal #33 is carried forward into the draft rule, since the original Proposal #33 already lists the ice shield underlayment requirement designations provided in the 2005 Indiana Residential Code (675 IAC 14-4.3-6).

Other editorial changes found in original Proposal #33:

- (1) Ice shield underlayment requirement designation for Allen County changed to “Yes,” as reflected in current rule (675 IAC 14-4.3-6).
 - (2) Winter design temperature requirement designations for Fayette County and Floyd County changed to “2°” and “9°” respectively, as reflected in current rule (675 IAC 14-4.3-6).
 - (3) Minimum foundation depth requirement designation for Steuben County changed to “36 (inches),” as reflected in current rule (675 IAC 14-4.3-6).
 - (4) Air Freezing Index designations for Steuben County and Tipton County changed from “≤1500” to “2000,” as referenced in Table 403.3(2) of the 2018 IRC model code.
8. Proposal #80 (Sec. 38 of the proposed draft rule) – Staff made several changes to incorporate the residential swimming pool rules of 675 IAC 14-4.3 within Section R326 of the model code, since Part III, Chapter 3 of the model code covers building planning and construction. Incorporating all of these rules under Section R326 of the model code also prevents potential issues in having to renumber other chapters and sections of the model code. Staff rescanned several figures that have become unreadable in the current rule – 675 IAC 14-4.3. Staff also made sure that references to certain sections/subsections within Section R326 refer to the appropriate section/subsection in Section R326, and no longer reference old rule citations that have been repealed. Under Section R326.22.1, staff added language to direct the reader to Chapter 42 for the electrical requirements for spas, hot tubs, and hydromassage tubs.
 9. Proposal # 89 (Sec. 42 in the proposed draft rule) – Even though the IRCC revised this proposal to add Section R403.1.1.1 to the draft rule, and revised the text to state that “size of footings supporting piers and columns shall comply with TABLE R403.2,” the IRCC failed to take formal action to readopt TABLE R403.2 in the new draft rule. Because it is clear to staff that the IRCC intended to readopt TABLE

R403.2 as it is currently promulgated in the 2005 Indiana Residential Code (675 IAC 14-4.3-66), staff has added TABLE R403.2 to the new draft rule, under Sec. 46.

10. Proposal #146 (Sec. 88 of the proposed draft rule) – Technical correction: added the letter “R” in front of the FIGURE 1003.9 and SECTION 1003.9, to match the correct section reference to the model code. This does not change the substance of the proposal.
11. Proposal #373 (Sec. 94 in the proposed draft rule) – Even though Proposal #373 notes that Section N1102.4.1.1 is to be “changed to read as follows...,” in substance, the proposal only deletes the very last sentence of Section N1102.4.1 in the model code. As such, the draft rule states that the text of the last sentence of Section N1102.4.1 is deleted without substitution.
12. Proposal #154 (Sec. 95 in the proposed draft rule) – After it was approved and accepted by the Commission, IBA contacted staff to advise that, upon speaking to an energy efficiency consultant, the Committee’s approved amendment to the first sentence of Section N1102.4.1.2 references the incorrect table(s). The proposal should reference Table N1102.4.1.1, as opposed to Table N1102.1.2 and Table N1102.1.4. Staff has revised Sec. 95 of the proposed draft rule to only reference Table N1102.4.1.1, to ensure the proposed draft rule is as correct as possible prior to filing. Staff also identified that Proposal #154 fails to reference RESNET/ICC 380 in the second sentence of the proposal, even though it is explicitly referenced in Section N1102.4.1.2 of the model code. Staff believes that this is a typo in the proposal, since the proposal does not explicitly strike the reference to RESNET/ICC 380 from the provision. As such, staff has retained the reference to RESNET/ICC 380 in the proposed draft rule.
13. Proposal #157 (Sec. 101 in the proposed draft rule) – Staff added the following to the proposed draft rule: “The EXCPETION of SECTION N1105.3 is retained as written without amendment.” This is added to the proposed draft rule to clarify that the proposal only intendeds to delete the last sentence of the provision of Section N1105.3, and keeps Section 1105.3’s exception.
14. Proposal #165 (Sec. 110 in the proposed draft rule) – Staff may need clarification from the submitter of the proposal (Craig Wagner) if the proposal’s intent is to retain the last sentence of Section M1201.1 as provided in the model code. Even though Proposal #165 omits the last sentence, it does not explicitly delete/strike the last sentence of Section 1201.1, and therefore lacks explicit intent. Proposal #165 does not exactly mirror the current Indiana Residential Code’s amendment to Section 1201.1 (675 IAC 14-4.3-140).

15. Proposal #172 (Sec. 116 in the proposed draft rule) – Staff added “(51 mm)” after “2 inches” in the proposed code change to Section M1305.1.3.1. This has been added for consistency with model code in terms of how the model code references measurements [**** inches (** mm)**].
16. Proposal #182 (Sec. 123 in the proposed draft rule) – Changed the word “Section” to “Sections” at the end of the proposal, since the proposal references two sections of the model code. This editorial change does not change the substance of the proposal.
17. Proposal #209 (Sec. 132 in the proposed draft rule) – Within the proposed code change of Proposal #209, Proposal #209 states “Change G2405.1 as follows...” This is an editorial error. The section number and title of Proposal #209 and the proposed amendment correctly reference to title and text of Section G2408.4. As such, the proposed draft rule only references Section G2408.4 in regards to Proposal #209. This editorial error does not change the substance of the proposal.
18. Clarification needed regarding Proposal #239 (Sec. 159 in the proposed draft rule) – The text “, tubing,” is added to the first sentence of the proposed code change to Section P2609.1 in Proposal #239. This text is not provided in the first sentence of Section P2609.1 of the model code. However, since the additional text is neither bold-faced nor underlined, staff cannot confirm if the proponent (Craig Wagner) intended to add this text as new text to Proposal #239. This additional text is currently provided in the proposed draft rule, since Proposal #239 was approved as submitted by the IRCC.
19. Proposal #241 (Sec. 161 in the proposed draft rule) – Staff determined that the proposed code change to Section P2706.1.2 in Proposal #241 is to “add an exception to reads as follows,” not “change the exception to read as follows,” as indicated in Proposal #241. Proposal #241 reflects the current Indiana Residential Code’s amendment under 675 IAC 14-4.3-192. This editorial change does not change the substance of the proposal.
20. Proposal #251 (Sec. 171 in the proposed draft rule) – Even though the exception to Section P3003.9.2 is not included in Proposal #251, staff has included the exception in the amendment to Section P3003.9.2 in the proposed draft rule, simply to clarify that the exception to Section P3003.9.2 is retained without amendment in the text of Section P3003.9.2. This clarification does not change the substance of the proposal.
21. Proposal #266 (Sec. 185 in the proposed draft rule) – Staff has determined that Proposal #266 contains an editorial error. The proposed code change to Section P3103.1.1 states, “Add an exception to Section P3101.2.1 as follows:” Staff believes that the proponent of Proposal #266 (Craig Wagner) accidentally carried this text over

from one of his previous proposals for code change to Chapter 31 of the model code (Proposal #263), and as such, this text is not intended to be included as part of Proposal #266. As such, staff has omitted this text in the proposed draft rule's amendment to Section P3103.1.1.

22. Proposal #284 (Sec. 197 in the proposed draft rule) – Staff has determined that Proposal #284 contains an editorial error. The proposed code change to Section P3601.6.2 states, “Add an sentence to the end of Section P3403.2 as follows:” Staff believes that the proponent of Proposal #284 (Craig Wagner) accidentally carried this text over from one of his previous proposals for code change to Chapter 34 of the model code (Proposal #277), and as such, this text is not intended to be included as part of Proposal #284. As such, staff has omitted this text in the proposed draft rule's amendment to Section P3601.6.2.
23. Proposal #335 [Sec. 229(a) in the proposed draft rule] – Staff believes a point of clarification is needed regarding Item #2 of Section AE101.1 of Proposal #335. The Committee amended Proposal #335 to strike all references to “repairs” in Item #3 of Section AE101.1. Should the reference to “repair” be deleted from Item #2 as well, or did the Committee intentionally retain that particular reference?
24. Proposal #348 [Sec. 229(v) in the proposed draft rule] – Staff found an editorial error in Item #1 of the exception to Section AE504.1. Staff deleted the word “a” in Item #1 of the exception to Section AE504.1 in the proposed draft rule. This editorial change does not change the substance of the proposal.
25. Proposal #378 (Sec. 234 in the proposed draft rule) – Staff believes a point of clarification is needed regarding Appendix J, which has been deleted without substitution in Proposal #378. Under the current administrative rule (675 IAC 14-4.3-267), Appendix J is deleted, but “See the General Administrative Rules (675 IAC 12) and local ordinance.” is substituted in its place. The Commission may want to consider if it is necessary to include this reference in the new draft rule, as stated in the current administrative rule, as opposed to simply deleting Appendix J without substitution.