

SENATE BILL No. 152

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-9-27-69.5.

Synopsis: Drainage for developments. Requires a person who lays out a subdivision of lots or lands outside a municipality to obtain the county drainage board's approval of the plans and specifications for the drainage of the subdivision tract before proceeding with development of the subdivision tract. Specifies the standards that the plan and specifications must comply with.

Effective: July 1, 2001.

Wheeler

January 8, 2001, read first time and referred to Committee on Governmental and Regulatory Affairs.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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SENATE BILL No. 152



A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-9-27-69.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2001]: **Sec. 69.5. (a) A person who lays out a**
4 **subdivision of lots or lands outside the corporate boundaries of any**
5 **municipality must submit plans and specifications for the drainage**
6 **of the subdivision. The county drainage board must approve the**
7 **drainage plan before the person may proceed with development of**
8 **the subdivision.**

9 (b) A drainage plan and specifications submitted to the county
10 drainage board under subsection (a) must comply with the
11 following standards:

12 (1) The plan must maintain the amount of drainage through
13 the tract that existed when the tract was created. If any tiles
14 are cut, broken down, or rendered useless during the
15 construction activity on the tract, the landowner will be
16 responsible for the repair, replacement, or relocation of the
17 tile.



- 1 **(2) The plan may not change the locations where surface**
- 2 **water enters the tract and exits the tract from the locations**
- 3 **that existed when the tract was created.**
- 4 **(3) Water which sheds off of a new structure, especially when**
- 5 **the new structure is elevated or near a property line, or both,**
- 6 **must exit the tract in the same location where it did when the**
- 7 **tract was created.**
- 8 **(4) The plan must comply with this chapter.**

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