

September 26, 2002

The Honorable Edward M. Kennedy  
Chairman  
Committee on Health, Education, Labor and Pensions  
SD-644 Dirksen Senate Office Building  
Washington, D.C. 20510-6300

Dear Senator Kennedy:

The International Code Council (ICC) commends you and all the members of the Senate Committee on Health, Education, Labor and Pensions and the Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia on holding a joint hearing on the West Nile Virus health threat.

ICC is a not-for-profit organization whose mission is to promulgate a comprehensive and compatible regulatory system for the built environment through consistent performance-based regulations that are effective, efficient and meet government, industry and public needs. ICC develops the International Codes, a single comprehensive and coordinated functional set of codes governing building construction.

ICC respectfully requests that this statement be included in the record of the Joint Committee Hearing held on September 24, 2002 by the two committees mentioned above.

The International Codes can play a key role in the fight against the West Nile Virus. ICC has over 190 years of collective experience in developing comprehensive and coordinated codes for building construction. To date there are 44 states enforcing one or more of the International Codes. Approximately 97% of cities, counties and states are using documents published by ICC and its members. For more information on ICC or the International Codes, please visit our website: [www.intlcode.org](http://www.intlcode.org).

On September 24, 2002 the Committees heard testimony from the medical and health research communities. The spread of the West Nile Virus has become a primary concern to health officials across the country. ICC and its 50,000 individual members, 9,000 cities, 50 states and over 80 trade and professional organizations can help combat this problem.

Building codes that have been adopted by local governments can play a key role in the fight against the West Nile Virus and other mosquito-borne diseases. The best way to prevent the spread of the West Nile Virus is to attack the breeding ground of the mosquitoes that could potentially carry the disease. Areas of stagnant water should be eliminated. In addition, screens over windows and doors should be “bug tight.” Most people willingly maintain their properties according to health standards, but in some cases, certain guidelines must be enforced. The ICC’s International Codes can help. The International Property Maintenance Code® (IPMC) can assist local officials in enforcing the cleanup of existing properties. The IPMC® can combat the spread of mosquitoes and mosquito-borne viruses.

Local jurisdictions can contribute to the mitigation of this virus by adopting and enforcing the International Property Maintenance Code® (IPMC). The provisions in Chapter 3 of this code, when enforced by local jurisdictions, can assist in the slowing down of the spread of this virus and other infectious diseases by requiring that property owners meet certain minimum standards in the upkeep of their property. Requirements such as: 1) the property must be graded and drained so that there will be no accumulation of stagnant water; 2) a requirement for the proper drainage of roofs and gutters; 3) a requirement that addresses the accumulation and disposal of garbage; and 4) requirements that address the extermination of insects. The provisions of this code apply to both residential and commercial structures.

Other provisions of the IPMC® are also useful to local jurisdictions. The code also addresses vacant structures and land, requiring that these properties not “cause a blighting problem or adversely affect the public health and safety.” It addresses weeds and excessive plant growth. All of these sections of the IPMC® provide local jurisdictions the enforcement tools they need in order to require property owners to clean up unsanitary conditions on their property that harbor the growth and proliferation of the mosquito population.

Local jurisdictions have a powerful and useful tool in the IPMC® to assist in the fight against the West Nile Virus. Working in conjunction with local health departments, they can help ensure the health and safety of their communities. Currently the IPMC® is being enforced in twenty-five states. Three states, Michigan, New York and Oklahoma, have adopted the code statewide. In the other states, the code was adopted by local jurisdictions.

In conclusion, ICC offers its assistance to Congress in finding the best means to protect the public against the threat of the West Nile Virus. We urge the Members to consider including ICC in the programs to be operated through the Centers for Disease Control and Prevention program as called for in S. 2935, “Mosquito Abatement for Safety and Health Act.”

The Honorable Edward M. Kennedy  
Committee on Health, Education, Labor and Pensions  
September 26, 2002  
Page 3

Thank you for the opportunity to comment on this important national health problem.  
Please feel free to contact me if I may be of any assistance to your Committee.

Sincerely,

Sara C. Yerkes  
Vice President of Public Policy

cc: Members of Senate Health, Education, Labor and Pensions Committee  
Members of Senate Subcommittee on Oversight of Government Management,  
Restructuring and the District of Columbia  
Uwe Timpke  
Bob Heinrich, Chief Executive Officer  
Dom Sims, Senior Vice President