



## Legislation Details (With Text)

**File #:** 980565 **Version:** 0  
**Type:** Ordinance **Status:** Placed On File  
**File created:** 7/24/1998 **In control:** PUBLIC SAFETY COMMITTEE  
**On agenda:** **Final action:** 10/9/1998  
**Effective date:**  
**Title:** An ordinance relating to cruelty to animals.  
**Sponsors:** ALD. JOHNSON-ODOM  
**Indexes:** ANIMALS, CRIMES AND MISDEMEANORS  
**Attachments:**

Date	Ver.	Action By	Action	Result	Tally
7/24/1998	0	COMMON COUNCIL	ASSIGNED TO		
9/24/1998	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
10/1/1998	0	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	3:2
10/9/1998	0	COMMON COUNCIL	PLACED ON FILE	Pass	15:1

980565  
ORIGINAL

ALD. JOHNSON-ODOM  
An ordinance relating to cruelty to animals.  
78-31-5 rn  
78-31-5-cr  
- Analysis -

This ordinance prohibits the use of 2 tests that are done on animals to determine the irritancy level of a substance. The "Draize eye irritancy test" applies a substance to the eyes of unanesthetized animals. The "skin irritancy test" applies a substance to the shaved, abraded skin of unanesthetized animals. The ordinance prohibits both tests on vertebrate animals unless required by state or federal law.

The ordinance is enforceable by humane officers. Individuals may file written reports of violations with a humane officer, who must promptly investigate.

Violators of the ordinance are subject to a Class F penalty of a forfeiture of \$50 to \$500.  
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 78-31-5 of the code is renumbered to 78-31-6.

Part 2. Section 78-31-5 of the code is created to read:

78-31. Cruelty to Animals.

5. ANIMAL TESTING. a. In this subsection:

a-1. "Animal" means a vertebrate nonhuman animal.

a-2. "Draize eye irritancy test" means a test to determine the irritancy level of a substance by applying it to the eyes of immobilized, unanesthetized live animals, generally rabbits.

a-3. "Skin irritancy test" means a test to determine the irritancy level of a substance by applying it to the shaved, abraded skin of unanesthetized animals, generally rabbits.

a-4. "Testing" means a procedure involving the administration of a substance to determine its relative irritation or toxicity.

b. Except as otherwise required by state or federal law, no person shall engage in any animal testing that involves use of the Draize eye irritancy test or the skin irritancy test.

c. An individual who believes that this subsection is being violated may file with a humane officer a written report specifying the location of the violation, the approximate date and time of the violation, if known, the name of the person perpetrating the violation, if known, and any other relevant information that may assist the humane officer's investigation. Whenever a humane officer receives such a report or has other reason to suspect a violation of this subsection, the humane officer shall promptly investigate to determine whether a violation of this subsection has occurred.

APPROVED AS TO FORM

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Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

Date: \_\_\_\_\_

LRB98035.1

CAW

7/15/98