



Legislation Text

File #: 980565, Version: 0

980565
ORIGINAL

ALD. JOHNSON-ODOM

An ordinance relating to cruelty to animals.

78-31-5 m

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

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB98035.1
CAW
7/15/98