

## 6.12.010 - Definitions.

In the context of this ordinance the following definitions are adopted:

- (a) An animal is any nonhuman vertebrate.
- (b) An experiment is any procedure conducted by a research institution upon a live animal.
- (c) A research institution is any facility operated in the City of Cambridge, any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine, or agricultural, medical, biological, or diagnostic laboratory, biological corporation, hospital or other educational or scientific establishment within the City of Cambridge which, in connection with any of its activities, investigates or gives instruction concerning the structure and function of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals, or participates in the development, marketing, or testing of any commercial product utilizing live animals.

(Ord. 1086, Added, 06/26/1989)

## 6.12.020 - Commissioner of Laboratory Animals.

- A. The City Manager shall appoint a Commissioner of Laboratory Animals (CLA) for the purpose of overseeing the care and use of laboratory animals in the City. The Commissioner shall neither be aligned with an antivivisection nor a biomedical research organization or movement. The CLA's qualifications should include an understanding of animal welfare, health, physiology, psychology and pathology, as well as the philosophy and goals of the animal welfare movement and scientific endeavor.
- B. The CLA shall use the February 24, 1989 "Joint Report of the Mayor's Blue Ribbon Committee on the Care and Use of Laboratory Animals in Cambridge" as a guide to his or her oversight of the care and use of laboratory animals in Cambridge.

(Ord. 1086 (part), 1989: prior code § 11-31)

## 6.12.030 - Registration and registration fee.

Each research institution shall register with the CLA.

(Ord. 1086 (part), 1989: prior code § 11-32)

## 6.12.040 - Guidelines for the care and use of animals.

All experiments on all animals within the City shall be undertaken in conformity with all federal, state and local statutes, ordinances and regulations concerning the welfare of animals including the "Guide for the Care and Use of Animals" of the National Institutes of Health, the "Animal Welfare Act" (7 U.S.C. sections

2131, et seq.), the Health Research Extension Act of 1985, the "Public Health Service Policy on Humane Care and Use of Laboratory Animals," G.L. c. 140, s. 174D, and 105 CMR 910.000 et seq., all as amended or revised from time to time.

(Ord. 1086 (part), 1989: prior code § 11-33)

#### 6.12.050 - Animal care and use committees.

- A. Each institution that performs research, experiments or biotechnical procedures using animals shall maintain or establish an autonomous animal care and use committee with the power to disapprove or restrict research, experiments or biotechnical procedures regarding the care and use of laboratory animals in accordance with the standards set forth in Section 6.12.040. Each animal care and use committee shall have a member who is not and has not been affiliated with the institution.
- B. An individual not affiliated with the institution in any way and who is neither aligned with an antivivisection nor a biomedical research or other biotechnical organization or movement shall be appointed to the animal care and use committee. The nonaffiliated person should be knowledgeable about animal welfare philosophy and about the purpose of scientific research. The appointment of the nonaffiliated member shall be made by the chief executive of the institution for a term of one year subject to renewal at the expiration of the term. Appointment and renewal shall be binding only on approval of the Commissioner of Laboratory Animals.

(Ord. 1086 (part), 1989: prior code § 11-34)

#### 6.12.060 - Reports and information.

Each animal care and use committee of each research institution shall provide the following information for review by the CLA at the time of his annual visit:

- A. The number and species of animals used in the previous year;
- B. The results of all federal and state inspections concerning animal care and use in the previous year;
- C. The name and occupation of the nonaffiliated members of the animal care and use committee;
- D. The dates of meetings of the animal care and use committee held in the previous year;
- E. The number of experiments or protocols for procedures reviewed by the animal care and use committee in the previous year.

(Ord. 1086 (part), 1989: prior code § 11-35)

#### 6.12.070 - Reports of violations.

The CLA shall report any violation of the standards prescribed in Section 6.12.040 to the chief executive officer of the research institution.

(Ord. 1086 (part), 1989: prior code § 11-36)

#### 6.12.080 - Inspections and investigations.

The CLA shall make at least one annual visit to each research institution to inspect animal and research facilities and hold at least one annual meeting with the chairperson and with the nonaffiliated member of the animal care and use committee to discuss its work. The CLA may inspect any animal care and use committee reports and documents on his annual visit. The CLA shall make unannounced visits to inspect animal and research facilities as needed. Meetings and inspections should be made to ensure that the standards set forth in Section 6.12.040 are being followed. The CLA shall report to the City Manager from time to time and may make recommendations to him regarding the care and use of laboratory animals within the City.

(Ord. 1086 (part), 1989: prior code § 11-37)

#### 6.12.090 - Violation—Penalty.

Any research institution that violates this chapter shall, after hearing by the Commissioner, be punished by a fine of three hundred dollars per violation per day. Each day of violation shall constitute a separate offense.

(Ord. 1086 (part), 1989: prior code § 11-38)

#### 6.12.100 - Severability of Sections.

Nothing in this ordinance shall prohibit anything otherwise required by federal or state law. If any section, subsection, clause, phrase or portion this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

(1086, Added, 06/26/1989)