

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2024

COUNCIL BILL NO. 24-0285
COMMITTEE OF REFERENCE:
4 Business, Arts, Workforce, Climate & Aviation Services

5
6 A BILL
7

8 **For an ordinance amending Chapter 23 of the Revised Municipal Code to require**
9 **food service establishments to offer healthy drink choices for children.**

10
11 **WHEREAS**, the health and wellbeing of children is a priority for the City; and

12 **WHEREAS**, by delaying enforcement until July 1, 2025, the City will have considerable time to
13 educate businesses and encourage voluntary compliance;

14 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
15 **DENVER:**

16 **Section 1.** That Chapter 23 of the Revised Municipal Code shall be amended by adding a new
17 division 3, to read as follows:

18 **DIVISION 3. - HEALTHY DRINKS IN CHILDREN'S MEALS**

19 **Sec. 23-60. - Definitions**

20 The following terms as used in this division have the following meanings unless the context
21 clearly indicates otherwise:

22 (1) *Children's meal* means a combination of food items and a beverage, or a single food item
23 and a beverage, sold together at a single price, primarily intended for consumption by a child.

24 (2) *Default beverage* means the drink that is included or offered in the children's meal absent
25 a customer's request for a specific beverage.

26 **Sec. 23-61. - Default beverages in children's meals.**

27 (a) On and after July 1, 2025, a retail food establishment that sells a children's meal shall
28 make the default beverage sold with the children's meal one of the following items:

29 (1) Water, still or sparkling, with no added sugar; or

30 (2) Dairy milk or non-dairy milk substitute with no added sugar.

31 (b) Menus shall only list the beverages described in subsection (a) of this section in
32 conjunction with children's meals. Employees shall not offer any beverage other than the default
33 beverage.
34

1 (c) Nothing in this section prohibits a retail food establishment's ability to sell, or the
2 customer's ability to purchase, any other beverage that is available if requested by the purchaser of the
3 children's meal

4 COMMITTEE APPROVAL DATE: March 6, 2024

5 MAYOR-COUNCIL DATE: March 12, 2024

6 PASSED BY THE COUNCIL _____

7 _____ - PRESIDENT

8 APPROVED: _____ - MAYOR _____

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER

12 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ ; _____

13 PREPARED BY: Jonathan Griffin, Assistant City Attorney DATE: February 23, 2024

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15 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
16 City Attorney. We find no irregularity as to form and have no legal objection to the proposed ordinance.

17 The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the
18 Charter.

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20 Kerry Tipper, City Attorney

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22 BY: Anshul Bagga, _____ City Attorney DATE: Mar 13, 2024