

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2024

COUNCIL BILL NO. 24-0285
COMMITTEE OF REFERENCE:

4
5 A BILL

6
7 **For an ordinance amending Chapter 23 of the Revised Municipal Code to require**
8 **food service establishments to offer healthy drink choices for children.**

9
10 **WHEREAS**, the health and wellbeing of children is a priority for the City; and

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

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

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

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

18 **Sec. 23-60. - Definitions**

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

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

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

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

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

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

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

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

33 (c) Nothing in this section prohibits a retail food establishment's ability to sell, or the

1 customer's ability to purchase, any other beverage that is available if requested by the purchaser of
2 the children's meal.

3
4 COMMITTEE APPROVAL DATE: _____, 2024.

5 MAYOR-COUNCIL DATE: _____, 2024.

6 PASSED BY THE COUNCIL _____ 2024
7 _____ - PRESIDENT

8 APPROVED: _____ - MAYOR _____ 2024

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER
12

13 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2024; _____ 2024

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

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17 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
18 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
19 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
20 3.2.6 of the Charter.

21
22 Kerry Tipper, City Attorney

23
24 BY: _____, _____ City Attorney DATE: _____