

**ORDINANCE #2012-21**

**AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF  
THE CITY OF DORAL, FLORIDA CREATING SECTION \_\_\_\_\_  
ESTABLISHING NUTRITIONAL REQUIREMENTS FOR FOOD  
AND BEVERAGES SOLD AT CITY FACILITIES, AND EVENTS;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION  
IN THE CITY CODE; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, 31.9 percent of American children and adolescents ages 2 to 19 are obese, or overweight, which translates into more than 23 million who are either obese or overweight; and

**WHEREAS**, overweight children and adults are at greater risk for numerous adverse health consequences, including type 2 diabetes, heart disease, stroke, high blood pressure, high cholesterol, certain cancers, asthma, low self-esteem, depression and other debilitating diseases;

**WHEREAS**, the medical costs of obesity have risen nationally to \$147 billion each year; and

**WHEREAS**, the City of Doral is committed to providing an environment where children and adults can maintain a healthy lifestyle; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AS FOLLOWS:**

Section 1. Section \_\_\_\_\_ of the City Code of the City of Doral is hereby created to read as follows:

Section \_\_\_\_\_. Definitions.

- a. "Added sweetener" means any additive other than 100 percent fruit juice that enhances the sweetness of a beverage.
- b. "City Event" shall mean any event primarily sponsored by the City of Doral whether at a City Facility or elsewhere. This term shall not include events held at City Facilities by third parties

where the City is merely a sponsor and not responsible for any organizational aspects of the event.

- c. "City Facility" shall mean any property owned and operated by the City of Doral.

Section \_\_\_\_\_. Nutritional Requirements of Foods and Beverages.

- a. It shall be required that at least fifty percent (50%) of foods offered for sale or provided at any City Event and/or City Facility meet the following nutritional requirements:
  1. Not more than 35 percent of its total calories shall be from fat.
  2. Not more than 10 percent of its total calories shall be from saturated fat.
  3. Not more than 35 percent of its total weight shall be composed of sugar, including naturally occurring and added sugar.
  4. Not more than 175 calories per individual food item.
- b. It shall be required that at least fifty percent (50%) of beverages offered for sale or provided at any City Event and/or City Facility meet the following nutritional requirements:
  1. Fruit-based drinks that are composed of no less than 50 percent fruit juice and that have no added sweeteners.
  2. Drinking water.
  3. Milk, including, but not limited to, chocolate milk, soy milk, rice milk, and other similar dairy or nondairy milk.
  4. Electrolyte replacement beverages that do not contain more than 42 grams of added sweetener per 20 ounce serving.
- c. The price for foods and beverages conforming with the above sections shall not exceed comparable nonconforming products by more than a maximum of ten percent (10%).

Section \_\_\_\_\_. Implementation.

- a. The City Manager or his/her designee shall be responsible for the implementation and enforcement of this Ordinance and shall consult a licensed nutritionist to that effect.
- b. All RFPs, ITBs or other solicitations for concession services at City Events or Facilities shall weigh the nutritional offerings of proposers or bidders with a weight of no less than twenty percent of the total solicitation score.
- c. All contracts for concession services or other services that will provide food or beverages at any City Event or Facility shall

reference this section and clearly state that failure to adhere to the requirements herein shall constitute a material breach of the contract and be subject to immediate termination.

Section 2. Repeal of Conflicting Provisions. To the extent any provisions of the Code conflict with this Chapter, those provisions are repealed in their entirety.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Inclusion in the Code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Doral, Florida; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Effective Date. This Ordinance shall be effective commencing September 19, 2012.

The foregoing Ordinance was offered by Councilmember Boria, who moved its adoption. The motion was seconded by Councilman Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Peter Cabrera	Yes
Councilwoman Luigi Boria	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED on first reading this 22 day of August, 2012.

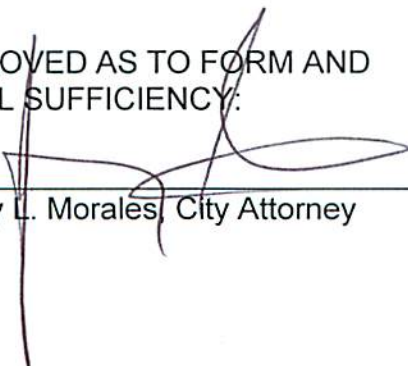
PASSED AND ADOPTED on second reading this 19 day of September, 2012.

  
\_\_\_\_\_  
Juan Carlos Bermudez, Mayor

ATTEST:

  
\_\_\_\_\_  
Barbara Herrera, City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Jimmy L. Morales, City Attorney