

CITY OF SEATTLE

ORDINANCE 124128

COUNCIL BILL 117710

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4 AN ORDINANCE relating to vending machines operated on City Property; requiring all vending
5 machines operated on City Property to stock "Healthier" and "Healthiest" food and
6 beverage selections as defined by Public Health Seattle & King County "King County
Healthy Vending Guidelines".

7 WHEREAS, approximately half the adult population in the city of Seattle is overweight or
8 obese; and

9 WHEREAS, overweight adults are at greater risk for numerous serious health outcomes that
10 place a large burden on the health care system and increase health care costs, including
11 type 2 diabetes, heart disease, stroke, high blood pressure, high cholesterol, certain
cancers, asthma, arthritis and other debilitating diseases; and

12 WHEREAS, studies show that Americans consume too few vegetables, fruits, high-fiber whole
13 grains, low-fat milk and milk products and seafood, and too much saturated and trans
fats, refined grains, sodium and sugar-sweetened beverages; and

14 WHEREAS, ensuring easy access to healthy food and beverage choices in City worksites would
15 provide opportunities for City employees to consume more nutritious food and beverages
16 while at work and support healthy and productive City employees; and

17 WHEREAS, ensuring all city employees have access to healthy food and beverage choices in
18 City worksites requires vending machine content standards for vending machines
operated on City property; and

19 WHEREAS, The King County Healthy Vending Guidelines adopted by the Seattle King County
20 Board of Health establishes standards for vending machine content based upon calories,
fat, sugar and sodium content; and

21 WHEREAS, the Department of Parks and Recreation has led the way by successfully
22 implementing the King County Healthy Vending Guidelines of "Healthier" and
23 "Healthiest" choices in all vending machines in City park facilities; NOW THEREFORE,

24 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**



1 Section 1. Any concessionaire operating a food and/or beverage vending machine on
2 City property shall stock at least 50 percent of the items within each such machine with food and
3 beverages items that meet the "Healthiest" or "Healthier" product selection criteria adopted by
4 the Seattle King County Board of Health in the King County Healthy Vending Guidelines
5 (Attachment A), and shall clearly label such items to inform consumers that such items meet the
6 Guidelines.

7 Section 2. No City officer or employee shall have the authority to contract for the
8 placement on City property of any vending machine in which less than 50% of the items stocked
9 meet the "Healthiest" or "Healthier" product selection criteria set forth in the King County
10 Healthy Vending Guidelines, and no contrary or inconsistent contract provision shall be
11 approved by any department head or any subordinate thereof or be binding upon the City. All
12 written contracts containing provisions that are contrary or inconsistent with this Section,
13 including any contract extensions that are in force on the effective date of this ordinance shall be
14 allowed to continue in effect in accordance with the provisions and conditions therein until
15 expiration, provided that no such contrary or inconsistent provisions shall be renewed. Any
16 contract that is in violation of this Section shall not be binding on the City of Seattle, and any
17 City officer or employee that enters into or is responsible for such contract shall not be
18 considered an agent or officer of the City for purposes of the contract but instead shall bear
19 solely responsibility and liability to any other contracting party. The City reserves the right to
20 remove from City premises at any time and at the concessionaire's or any other contracting
21 party's expense and risk, any vending machine found to be out of compliance with this
22 ordinance.

23 Section 3. Sections 1 and 2 of this ordinance shall not apply to vending machines on
24 property within the control of the Department of Parks and Recreation that are subject to the
25 requirements of Ordinance 123765; nor shall any provision contained within Sections 1 and 2
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1 apply to the extent that it conflicts with any collective bargaining agreement or to the extent that
2 such provision is subject to collective bargaining.

3 Section 4. It is the City Council and Mayor's intent to review implementation, compliance and
4 impact of this ordinance one year from the effective date. This evaluation will include
5 recommendations for promoting purchases of healthier foods and beverages, and will consider
6 whether increasing the percentage of items in vending machines that meet the "Healthiest" or
7 "Healthier" product selection criteria would promote healthier purchases. The evaluation will be
8 conducted jointly by the City Personnel Department and Public Health – Seattle & King County
9 and completed by June 30, 2014.

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11 Section 5. During the six months commencing from the effective date of this Ordinance,
12 and to the extent funds from current appropriations are available, the City Council directs that the
13 Director of Personnel or his or her delegated representative inform and educate City employees
14 about the King County Healthy Vending Guidelines and the benefits of healthy vending choices
15 through such avenues including but not limited to the Personnel Department's Wellness
16 newsletter and the Personnel Department's website.

17 Section 6. Section 1 and Section 2 of this ordinance shall take effect 90 days after the
18 effective date of this ordinance.

19 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
20 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
21 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

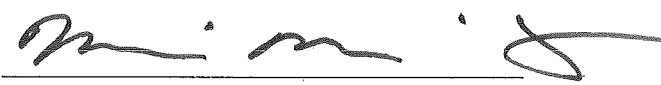
22 Passed by the City Council the 4th day of March, 2013, and
23 signed by me in open session in authentication of its passage this
24 4th day of March, 2013.





President _____ of the City Council

Approved by me this 12 day of March, 2013.



Michael McGinn, Mayor

Filed by me this 12th day of March, 2013.



Monica Martinez Simmons, City Clerk

(Seal)

Attachment A: King County Healthy Vending Guidelines



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Received
APR 04 2013
City of Seattle
Office of the City Clerk

STATE OF WASHINGTON -- KING COUNTY

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295442
CITY OF SEATTLE, CLERKS OFFICE

No. 124127,128,129,130,131

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCE

was published on

03/25/13

The amount of the fee charged for the foregoing publication is the sum of \$108.24 which amount has been paid in full.



Subscribed and sworn to before me on
03/25/2013
Notary public for the State of Washington,
residing in Seattle