

**CITY OF DURANGO
ORDINANCE O-2016-xx**

**AN ORDINANCE AMENDING CHAPTER 25 OF THE CODE OF ORDINANCES
OF THE CITY OF DURANGO BY ADDING A PROHIBITION OF THE USE OF
FLUORIDE IN THE CITY'S DRINKING WATER**

WHEREAS, the City currently adds the chemical sodium fluoride to fluoridate the water for the assumed purpose of lessening tooth decay;

WHEREAS the Food and Drug Administration both classifies and regulates fluoride as a drug;

WHEREAS, all citizens should have the right of informed consent as to whether to ingest a drug and adding fluoride to the public water system takes away that choice;

WHEREAS, in recent years, there has been a growth of credible science studies cited in scientific journals that found potentially adverse impacts to public health caused by the addition of fluoride to public water systems;

WHEREAS, World Health Organization data showed fluoridated and non-fluoridated nations had essentially the same cavity rates and that even the CDC acknowledged that fluoride's actions are primarily topical, not swallowed, for both adults and children;

WHEREAS, the vast majority of the world's nations, cities, health and medical organizations do not recommend water fluoridation because of health, ineffectiveness, cost and/or ethical concerns;

WHEREAS, these recent studies challenge the traditional assumptions that fluoride is a public health benefit, prevents tooth decay, and is especially beneficial to people that do not have adequate dental care;

WHEREAS, credible science has asserted that adding fluoride to public water systems can have a disproportionate adverse impact on more vulnerable groups and can have undesired long-term effects on all members of the public;

WHEREAS, if fluoride is removed from the City's drinking water, members of the public can still receive effective alternatives to fluoridation at low costs or no cost;

WHEREAS, if fluoride remains in the City's drinking water, members of the public do not have low cost alternatives to obtain drinking water without fluoride, and people who do not want to consume fluoride in their water would be required to continually buy plastic bottled water or install water filtration systems in their homes, work, and schools;

WHEREAS, low-income families may not be able to afford the choice of bottled water or expensive filters in order to avoid fluoride;

WHEREAS, removing fluoride from the City's water would not require an appropriation or any additional cost, but would instead eliminate an unnecessary cost, currently estimated at hundreds of thousands of dollars in future City budgets;

WHEREAS, the City is responsible for adopting regulations that protect the health, safety and welfare of the public and for mitigating actions that present any risk to the health, safety and welfare of the public;

WHEREAS, this ordinance is presented to the City Council as an initiative and in accordance with Article VII of the City Charter;

WHEREAS, the City Clerk has certified the sufficiency of the initiative petition and has presented it to the City Council for action; and

WHEREAS, a public hearing has heretofore been held before the City Council, and the Council has determined, subsequent to said public hearing, that the adoption of the proposed amendments and additions to Chapter 25 of the Code of Ordinances of the City of Durango would be in the best interests of the citizens of the City of Durango and are important to protect the health, safety and welfare of the public.

NOW, THEREFORE, THE CITY OF DURANGO HEREBY ORDAINS:

The following new section be added to Chapter 25 of the City Code of Ordinances:

Sec. 25-40. Fluoride not to be added to public water system.

The department of public works/division of public utilities of the city, and all city employees, are prohibited from adding fluoride (or any chemical containing fluoride for the purpose of fluoridation) to the city's public water system. This section shall become effective on June 1, 2017.

CITY COUNCIL OF THE CITY OF DURANGO

Mayor

Attest:

City Clerk