

Legislation Text

File #: ROGC 20-175, **Version:** 1

Fee Cap on Food Delivery Services. (Diep)

Direct staff to draft and enact an urgency ordinance that:

- (1) Limit fees third-party food-delivery services operating in San José may charge on restaurants to:
 - (a) 10% where food-delivery companies do not make personal protective equipment available to the employees or independent contractors who make deliveries; and
 - (b) 15% where food-delivery companies establish that personal protective equipment is provided at no cost to the employees or independent contractors making deliveries;
- (2) Sunsets the 15% cap on fees once restaurants in Santa Clara County may offer unrestricted dine-in service;
- (3) Grants food-delivery companies 14 days per incident to refund any fees taken in excess of these limits; and
- (4) Imposes a sliding scale of fines for repeated instances of exceeding the fee limits.