

Legislation Text

File #: ROGC 20-201, **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.

[Deferred from 5/6/2020 - Item G.2 (ROGC 20-175); and 5/13/2020 - Item G.3 (ROGC 20-182)]