



City of Chicago



R2020-285

Office of the City Clerk

Document Tracking Sheet

Meeting Date:

4/24/2020

Sponsor(s):

Vasquez, Jr. (40)
La Spata (1)
Curtis (18)
Rodriguez (22)
Rodriguez Sanchez (33)
Reboyas (30)
Ramirez-Rosa (35)
Smith (43)
Osterman (48)

Type:

Resolution

Title:

Call for Governor JB Pritzker to exercise emergency authority to limit excessive fees and surcharges to restaurants by third-party delivery apps and bring aid and relief to restaurants burdened by stay at home order

Committee(s) Assignment:

Joint Commuittee: Finance; License and Consumer Protection

Committee on License and Consumer Protection

RESOLUTION

WHEREAS, the outbreak of the novel coronavirus 2019-ncov, also known as COVID-19, has precipitated a worldwide public health crisis, and,

WHEREAS, declaration of major disaster in the state of Illinois beginning on January 20, 2020 and ongoing was approved by the President of the United States on March 26, 2020, and

WHEREAS, the Governor of Illinois possesses emergency powers under the Illinois Compiled Statutes section 20 ILCS 3305, and

WHEREAS, the Governor of Illinois, in response to the highly contagious and hazardous COVID-19 outbreak, issued on March 20, 2020, Executive Order 2020-10, which implemented a "stay at home" order, requiring most individuals with certain exceptions to remain in their place of dwelling, and

WHEREAS, this order and various subsequent orders prohibit restaurants in the State of Illinois from offering dine-in services, limiting restaurants to takeout and delivery offerings only, which has placed a severe and sudden strain on restaurant operators, particularly small and independent businesses, and

WHEREAS, many customers use third-party food delivery services that rely on networked non-commercial vehicle drivers to place orders with restaurants for delivery and takeout, and

WHEREAS, service agreements between restaurants and third-party food delivery services in some cases include fees, charges, and other costs not currently capped by law or regulation, which can in some cases exceed 30% of the order purchase price paid by the customer, and

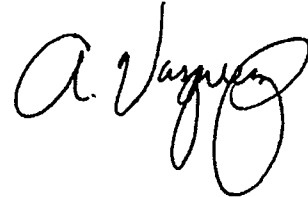
WHEREAS, in this dire emergency and given the already existing saturation of third-party food delivery services, restaurants have little bargaining power or ability to negotiate fees with third-party food delivery service providers, and

WHEREAS, it is in the public interest to enable local restaurants to survive this crisis as sources of employment, economic vitality, and neighborhood character for the City of Chicago, now therefore,

BE IT RESOLVED, that we, the City Council of Chicago, assembled here on this 22nd day of April, 2020, do hereby urge the Governor of Illinois to exercise where possible his emergency authority to cap at a reasonable rate or otherwise limit excessive per-order fees and other surcharges to restaurants by third-party delivery apps, and to as far as possible bring direct aid and relief to restaurants burdened by the "stay at home order," and

Committee on License and Consumer Protection

BE IT FURTHER RESOLVED, that, subsequent to or in the absence of such a declaration, the City Council of Chicago shall work with the Mayor of Chicago, the Governor of Illinois, and the affected industries to bring long-term transparency, stability, and fairness to coordination between restaurants and third-party delivery services.

A handwritten signature in black ink, appearing to read "A. Vasquez". The signature is stylized with a large, looping "V" and a circular flourish at the end.

Andre Vasquez, Jr.
Alderman, 40th Ward

The following legislation is being introduced by Click or tap here to enter text.regarding Click or tap here to enter text.co-sponsored by

Daniel La Spata

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Alderman Ward 17

Derrick Curtis

Alderman Ward 18

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Michael D. Rodriguez

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Alderman Ward 29

Ariel Reboyas

Alderman Ward 30

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Alderman Ward 31

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Alderman Ward 32

Rossana Rodriguez Sanches

Alderman Ward 33

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Alderman Ward 34

Carlos Ramierz-Rosa

Alderman Ward 35

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Alderman Ward 38

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Alderman Ward 39

Andre Vasquez

Alderman Ward 40

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Alderman Ward 41

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Alderman Ward 42

Michele Smith

Alderman Ward 43

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Alderman Ward 44

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Alderman Ward 47

Harry Osterman

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Alderman Ward 49

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Alderman Ward 50

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Mayor Lightfoot

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Clerk Valencia