



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
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Legislation Text

File #: O2021-2862, Version: 1

Committee on License and Consumer Protection
City Council June 23, 2021

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO SECTION 2.

a) Definitions. For purposes of this Article, the following definitions apply:

"City" means the City of Chicago.

"Delivery fee" means a fee charged by a Third-Party Food Delivery Service for providing a Food Dispensing Establishment with a service that delivers food and beverages from such establishment to customers. The term does not include any other fee, commission or cost that a Food Dispensing Establishment has agreed to pay a Third-Party Food Delivery Service, such as fees for listing, marketing or advertising the Food Dispensing Establishment on the Third-Party Food Delivery Service platform, fees for access to customer subscription programs or fees related to processing the Online Order.

"Food Dispensing Establishment" has the same meaning as ascribed to this term in Section 4-8-010 of the Municipal Code of Chicago.

"Online Order" means an order placed by a customer through or with the assistance of a platform provided by a Third-Party Food Delivery Service, including a telephone order, for delivery or pick-up within the City.

"Purchase Price" means the price, as listed on the menu of the Food Dispensing Establishment, for the items contained in an Online Order, minus any applicable coupon or promotional discount provided to the customer by the Food Dispensing Establishment through the Third-Party Food Delivery Service. This definition does not include taxes, gratuities, and any other fees or costs that may make up the total amount charged to the customer of an Online Order.

"Third-Party Food Delivery Service" means any website, mobile application, or other internet service that offers or arranges for the sale of food and beverages prepared by, and the delivery or pick-up of food and beverages from, no fewer than 20 Food Dispensing Establishments located in the City that are each owned and operated by different persons.

b) Prohibitions. It shall be unlawful for a Third-Party Delivery Service to:

1) charge a Food Dispensing Establishment a Delivery Fee that totals more than 15 percent of the Purchase Price of each Online Order on an individual or cumulative basis.

2) charge a Food Dispensing Establishment any amount designated as a Delivery Fee for an Online Order that does not involve the delivery of food or beverages.

3) charge a Food Dispensing Establishment any fee, commission, or cost other than as permitted in Subsections 1 through 2, above.



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CHICAGO, ILLINOIS

Chicago City Council Co-Sponsor Form

3rd Party Delivery Fee

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CITY OF CHICAGO



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