

Amendment 2 Version 1 to CB 120379 – Cap on Delivery Service Fees

Sponsor: Councilmember Herbold

Prohibit restrictions on restaurant prices

Effect: This amendment would prohibit a food delivery platform from restricting the prices that a restaurant may charge for food and/or beverages on the food delivery platform, at the restaurant, or through any other means. With this amendment, food delivery platforms would not be allowed to prohibit restaurants from charging higher prices for online pick-up and delivery.

Amend Section 2 of CB 120379 as follows:

7.30.030 Agreement required

A. A food delivery platform shall not offer consumers pick-up or delivery services from a restaurant or charge a restaurant any fee for services related to pick-up or delivery services, without first obtaining an agreement with the restaurant expressly authorizing the food delivery platform to ~~((take orders and offer delivery or pick-up of the food and/or beverages prepared by the restaurant))~~ engage in such actions.

B. A food delivery platform shall not impose, by agreement or other means, any restrictions on the prices that a restaurant may charge for food and/or beverages, whether sold through the food delivery platform, sold directly from the restaurant, or sold through any other means.

C. The agreement required by subsection 7.30.030.A shall be terminated upon the restaurant's written request to the food delivery platform. The food delivery platform shall remove the restaurant from its list of participating restaurants within 72 hours of receiving the request for termination.