

**SUMMARY OF KEY TERMS OF THE CITY OF SANTA CLARA AND
COUNTY OF SANTA CLARA THIRD-PARTY FEE CAP ORDINANCES**

The more restrictive ordinance shall apply within the Santa Clara city limits, identified in **BOLD** below.

ORDINANCE	TERM	FEE CAPS	DISCLOSURES	COMPENSATION OF DELIVERY WORKERS
CITY OF SANTA CLARA	September 2, 2020 and until the local health emergency is terminated.	For delivery and non-delivery services (where an order is placed through a delivery service’s app or online portal) <ul style="list-style-type: none"> No more than 15% of the dollar value of the order may be charged to the restaurant 	Each receipt generated by the Third-Party Food Delivery Service for either the consumer or restaurant shall clearly state the fees charged, the gratuities paid, and any discounts offered by the restaurant.	Shall not reduce the compensation rates paid to the delivery service driver or retain any portion of amounts designated as a tip or gratuity. Any tip or gratuity shall be paid by the Third-Party Delivery Service, in its entirety, to the person delivering the food or beverages.
COUNTY OF SANTA CLARA	December 15, 2020 and until the local health emergency is terminated or full indoor seating at 100% capacity in restaurants is allowed under public health mandates.	<p>For delivery services (an order placed through a delivery service and actually delivered to the consumer by employees or contractors of that service)</p> <ul style="list-style-type: none"> No more than 15% of the dollar value of the order may be charged to the restaurant <p>For non-delivery services (where an order is placed through a delivery service’s app or online portal, but either delivered by the restaurant or picked up by the consumer)</p> <ul style="list-style-type: none"> No More than 10% of the dollar value of the order may be charged to the restaurant 	<ul style="list-style-type: none"> Upon written request by a restaurant, delivery company shall promptly provide a written invoice specifying in reasonable detail all fees charged to that restaurant by the delivery company for all listing services, promotional services and fees per online order Upon written request by a delivery worker, a delivery company shall provide documentation of all compensation received by such delivery river per online order, including any tips and gratuities 	Shall not reduce the compensation rates paid to the delivery service driver or retain any portion of amounts designated as a tip or gratuity. Any tip or gratuity shall be paid by the third-Party Delivery Service, in its entirety, to the person delivering the food or beverages