

May 12, 2020



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION  
CITY OF CHICAGO

**OFFICIAL NOTICE OF RULES REQUIRING THIRD-PARTY FOOD  
DELIVERY SERVICES TO DISCLOSE TO CONSUMERS COMMISSION  
AND SERVICE FEES CHARGED TO RESTAURANTS**

Be advised that on May 12, 2020, pursuant to Chapters 2-25 and 4-276 of the Municipal Code of Chicago ("MCC"), the Department of Business Affairs and Consumer Protection promulgated new Rules requiring third-party food delivery services to disclose to consumers any commission or service fees being charged to restaurants in order to process and deliver food.

The Rules apply to third-party delivery services that offer or arrange for the sale of food and beverage, along with same-day delivery or pickup, from 20 or more separately-owned food dispensing establishments licensed by the City of Chicago.

The Rules require such disclosure both before the transaction occurs, and also on any receipt provided to the customer. In brief, the Rules state:

"...the third-party delivery service shall disclose to the consumer, in plain and simple language and in a conspicuous manner:

- (1) The menu price of the food;
- (2) any sales or other tax applied to the transaction;
- (3) any delivery charge or service fee, imposed on or collected from the customer by the third-party delivery service or by the covered establishment, in addition to the menu price of the food;
- (4) any tip that will be paid to the person delivering the food, and not to the third-party delivery service, to be added into the transaction when it occurs, and
- (5) any commission associated with the transaction."

The Rules provide 10 days for such delivery service companies to incorporate these requirements and begin providing this disclosure to consumers. Failure to do so can result in citations and fines ranging from \$500 to \$10,000 per day (see MCC 2-25-090).

The full text of the Rules is [available here](#)

**City of Chicago Business Affairs and Consumer Protection**  
121 N. LaSalle St., Room 805  
Chicago, IL 60602  
312-74-gobiz  
[www.cityofchicago.org/bacp](http://www.cityofchicago.org/bacp)