

December 16, 2020

**Re: Columbus, Ohio Ordinance 2768-2020**

Dear Sir/Madam:

The purpose of this correspondence is to provide notice of newly enacted City of Columbus Ordinance 2768-2020. This law limits the commission food delivery services may charge to restaurants located in the City of Columbus to a maximum of 15% of the purchase price on delivery or pick-up orders while restaurants are unable to provide unrestricted dine-in service. Please note the 15% cap does not apply to contracted optional products or services, including advertising, marketing, or access to customer subscription programs. Moreover, neither a reduction in compensation nor garnishment of gratuities for delivery drivers is permitted as a result of this law. **This law applies to any food delivery contract renewed or entered into after November 25<sup>th</sup>, 2020.**

The penalty for violation of the law is a misdemeanor of the first degree. Moreover, strict liability is intended to be imposed as the culpable mental state for a violation. Lastly, please note that organizational criminal liability is intended to be imposed for violations. A copy of the ordinance is attached herein for your review.

The effective date of the ordinance is November 25, 2020. If you feel you have been the victim of a violation of this new ordinance, please contact the Department of Public Safety, Licensing Section via these means:

[fooddelivery@columbus.gov](mailto:fooddelivery@columbus.gov) (preferred method as the office is closed due to COVID)

**614-645-8366** and leave a voice mail

As follow-up, the License Section will require the following from you:

- A copy of your establishment's contract with the delivery service
- A copy of the bill showing the overcharge
- Proof that you have contacted the delivery service in writing, preferably by certified mail, notifying them of the overcharge, and requesting a refund (you must give them 7 days from the date they receive your notification to respond)
- A written statement by the local restaurant management that has handled the above items



Once these items are reviewed by Licensing Section personnel for compliance, they will be forwarded to Columbus City Attorney Zach Klein's Office, Prosecution Division, for a final determination of whether criminal charges should be filed.

The provisions of this chapter are enforceable now, and until 120 days after eating and drinking establishments are permitted to operate at 100% capacity without restriction from a declared public health emergency order that previously contained restrictions on said establishments.

Should you have any questions please do not hesitate to contact me.

Respectfully,

*Cathy L. Collins*

Cathy Collins, Acting Administrator  
Licensing/Support Services  
614-645-5319