



FOR IMMEDIATE RELEASE
 Thursday, July 22, 2021

City of San Diego Outdoor Business Compliance Visits Set to Restart Aug. 2

BUSINESSES CONDUCTING OPERATIONS OUTDOORS AND IN PUBLIC RIGHT OF WAY EXPECTED TO MEET BUILDING CODE AND SAFETY REQUIREMENTS

SAN DIEGO – As the City of San Diego seeks to help local businesses come into compliance with temporary outdoor business operation requirements, the City will now begin compliance visits on Monday, Aug. 2, 2021, to give businesses additional time to make required changes. Compliance checks and enforcement will begin with businesses currently operating in the public right of way without a City-issued Temporary Outdoor Business Operation (TOBO) permit.

For businesses with a TOBO permit that have noncompliant structures and other violations, enforcement will not occur until after Monday, Sept. 6.

“One of the few bright spots for local businesses during the past 18 months has been the success of outdoor dining and shopping,” Mayor Todd Gloria said. “The City is committed to helping businesses retain outdoor operations while working with them to make it safer in the long run. We strongly encourage businesses to use this time to determine how to bring their outdoor dining structures into compliance with the necessary fire and safety regulations.”

The City encourages [TOBO](#) permit holders to self comply, ensuring operations are located, designed and built as approved within the permit guidelines. All unpermitted business operations can apply for a TOBO permit.

During inspections, City staff will be checking for violations including:

- Unpermitted structures and decks in the right of way (including the street) that were not designed, reviewed and inspected for state and local requirements.
- Platforms built in the street with added walls and roofs.
- Railings that are taller than 45 inches.
- Liquid propane gas heaters within tents and structures.
- Fire extinguishers not installed in tents and structures.
- Electrical extension cords crossing the sidewalks.

- Unpermitted tents that are 400 square feet and larger.
- Tents or canopies that have been in use for more than six months in a year.
- Materials used for tents that do not meet the State Fire Marshal's standards.
- Improper drainage and blocking the natural flow of water to City storm drains.
- Americans with Disabilities Act (ADA) violations.
- Red and blue curb encroachments.

Enforcement on noncompliant businesses was initially [set to begin on July 13](#), following a one-year extension of the outdoor retail and dining ordinance passed by the San Diego City Council. Permit holders were mailed a letter on May 24 to notify them of what would be necessary to comply with all permit requirements.

The City will continue to work on a case-by-case basis with business owners to ensure compliance with all codes that protect public health and safety. This citywide, cross-departmental effort follows ongoing educational outreach on what is allowed to be designed and built under federal, state and local requirements.

To help qualified small businesses and restaurants with other tenant improvements, the City recently launched the [Small Business and Restaurant Assistance Program](#). The program helps qualified small businesses and restaurants navigate the permitting process and get guided assistance through virtual meetings.

A TOBO permit is required when conducting business in the public right of way, including in parking lanes and sidewalks, but is not required when conducting business on private property. A [San Diego Fire-Rescue Department permit](#) is required when using tents or temporary structures covering more than 400 square feet.

For more information about the program and a [grant opportunity](#) to offset the cost for TOBO applicants to comply with the modifications, visit sandiego.gov/TOB or call 619-446-5150.

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