



City of San Diego
EXECUTIVE ORDER NO. 2020-8
By the Mayor

On March 12, 2020, I issued a proclamation of local emergency in preparation and response to the spread of the COVID-19 virus in our community, which our City Council ratified on March 17, 2020. The local emergency will continue until its termination.

On March 19, 2020, in Executive Order N-33-20, the Governor directed all California residents to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, under the Order of the State Public Health Officer until further notice.

On March 12, 2020, the County Public Health Officer issued orders directing the public to take certain actions to protect the public health from COVID-19. The Public Health Order was amended several times and is in effect until further notice.

On June 30, 2020, effective July 1, 2020, the County Public Health Officer issued an order requiring tables designed for dining to be six feet apart, or separated by barriers or partitions that extend above the heads of customers while seated.

The Centers for Disease Control and Prevention recommends staying at least six feet from non-household members in both indoor and outdoor spaces to reduce the spread of COVID-19.

On July 6, 2020, the Governor and Public Health Official issued orders prohibiting indoor dining activities within the County of San Diego. Within the City of San Diego, this closure affects over 4,000 bona fide restaurants that employ over 55,000 residents. The City recognizes that businesses that comply with these orders may not be able to fulfill their financial obligations due to a loss of income as a result of COVID-19. During the initial mandatory closure of all dining between March 2020 and May 2020, the Food Services and Drinking Places industry lost approximately 40% of its workforce countywide according to the Employment Development Department of the State of California, with many of those job losses within the City of San Diego. It is in the public interest to promote economic stability by taking action to mitigate the substantial loss of income to local residents and businesses due to the loss of compensable work hours or wages, layoffs, and business closures. Allowing for the expansion of outdoor dining is necessary to protect the residents of San Diego by meeting the social distancing requirements that reduce the spread of COVID-19 and expediting economic recovery efforts for those restaurants and employees who continue to suffer during this pandemic.

Therefore, I am issuing this Executive Order to limit enforcement of certain San Diego Municipal Code requirements for sidewalk cafes and parking requirements for eating and



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drinking establishments with private parking lots to be used by eating and drinking establishments in need of additional outdoor dining space, as described in section 8 below.

By virtue of authority vested in me as Mayor of the City of San Diego pursuant to the provisions of the City Charter, San Diego Municipal Code section 51.0105, and California Government Code section 8634 to promulgate, issue, and enforce rules, regulations, and orders, I hereby declare the following orders to be necessary for the protection of life and property and I hereby order, effective immediately until further notice that:

1. All of the requirements contained in Executive Order No. 2020-1, dated March 16, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.
2. All of the requirements contained in Executive Order No. 2020-2, dated March 30, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.
3. All of the requirements contained in Executive Order No. 2020-3, dated April 30, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.
4. All of the requirements contained in Executive Order No. 2020-4, dated May 21, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.
5. All of the requirements contained in Executive Order No. 2020-5, dated May 29, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.
6. All of the requirements contained in Executive Order No. 2020-6, dated June 5, 2020, except those superseded here or by order of the Governor or the Public Health Official, remain in effect.
7. All of the requirements contained in Executive Order No. 2020-7, dated June 30, 2020, except those superseded here or by order of the Governor or the Public Health Official, remain in effect.



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8. Except as superseded by Order of the Governor or the Public Health Official:
- a. Pending consideration of an ordinance amending San Diego Municipal Code section §142.0510, City will limit enforcement of parking regulations in San Diego Municipal Code section §142.0510 to allow eating and drinking establishments to use private parking lots for outdoor eating and drinking, provided businesses are otherwise in compliance with all social distancing and other COVID-related health orders and all other City, county, state, and federal laws, including the Americans with Disabilities Act.
 - b. Pending consideration of an ordinance amending San Diego Municipal Code section §141.0621(a)(2), City will limit enforcement of San Diego Municipal Code section §141.0621(a)(2) requiring Public Right-of-Way Permits for Sidewalk Cafes, provided businesses are otherwise in compliance with all social distancing and other COVID-related health orders and all other City, county, state, and federal laws, including the Americans with Disabilities Act.
 - c. Limiting the enforcement of the above referenced provisions of the San Diego Municipal Code shall be in effect until the City Council acts on an emergency ordinance on July 14, 2020.
9. Any violation of the above prohibitions may be referred for prosecution to the fullest extent of the law. Each individual officer should use their discretion in enforcing this order, consistent with the spirit of this order.

Dated: July 7, 2020

Mayor Kevin L. Faulconer