



CITY OF SAN MARCOS
NEIGHBORHOOD ENHANCEMENT
Code Compliance & Environmental Health

MEMORANDUM

To: The Aquarium/Rooftop on the Square (126 S. Guadalupe St.)
c/o Robert Espinosa, Owner

REF: Eating Establishment Regulations

July 25, 2025

Good Afternoon Mr. Espinosa:

First, I wanted to take the time to thank you for attending our previous meeting, on July 23rd, to review the violations observed at your establishment. This meeting led us to discuss the process to come into compliance as an *Eating Establishment* as defined in the [San Marcos Land Development Code \(2025\) Section 5.1.5.5 \[4.b.\]](#). Below are the topics of discussion that took place during the meeting and a follow-up that you requested:

- **The establishment has been closed over the summer due to a “slow period.”**
 - No City of San Marcos departments were not notified about the closure
 - The establishment is scheduled to re-open on *August 21st*
 - The closure’s purpose was to address and seal any areas that have allowed rodent infestations.
 - Pest control is still active.
- **Eating Establishment Compliance**
 - Documentation of previous violations that created (2) 3-month CUP renewals to verify establishment follows the *Point System* and regulations
 - June 2012-**Not operating during hours submitted in application (2)**
 - June 2012-**Certificate of Occupancy Revoked**
 - January 2013-**Liquor law violations**
 - April 2013-**Liquor law violations**
 - April 2025
 - Infestation and rodent feces in the kitchen area and on both floors where food and drinks are prepared and served to the public.
 - **No food services were observed.**
 - It is unknown when *Santi’s Tacos* (food provider) left the establishment.
 - Food Permit **SUSPENDED** due to infestation
 - Permit reinstated after pest control reports were submitted
 - June 2025
 - Infestation and rodent feces in kitchen area

- **No food services were observed.**
 - Conditional Use Permit **SUSPENDED** until the threat was removed.
 - **Citation#00376** issued for the following:
 - IPMC 309.1 Infestation
 - LDC 2.8.3.5 (A-D) [Rodent feces & Failure to adhere to permit requirements]
 - July 2025
 - Social media portrays establishment as a “*Dance & Nightclub Bar*” and does not follow the regulations defined under 5.1.5.5[4.b.4].
- **Food Services**
 - Bagel Bros will be providing food services to be in compliance with *Eating Establishment* permit requirements.
- **San Marcos Fire Department**
 - Property is in violation of several Fire Codes that were addressed by Fire Marshal, *Jonathan Henderson*.
- **Conditional Use Permit Renewal Application August 2025**
 - The application included operating hours of *12pm-2am*.
 - The application had an outstanding balance of **\$750.00**.
 - The application was incomplete and did **NOT** meet the July 12th deadline.
 - CUP will expire **August 04, 2025**

Per our final discussion reference your renewal application, I verified, and you did not meet the deadline for a complete application submission. Therefore, as of **August 05, 2025**, you will **NOT** be able to continue with the on-premises consumption/sale of alcoholic beverages at the establishment. You will only be able to continue with *Food Sales* until your complete application is received, and you are scheduled for a hearing with the Planning & Zoning Commission for approval.

I highly encourage you to develop a Corrective Action Plan (CAP) or Performance Improvement Plan (PIP) when you are scheduled for a renewal hearing with our Planning & Zoning Commission to advocate on your willingness to come into compliance.

Please continue to communicate with your case manager, *Will Rugeley* regarding your renewal requirements, our Fire Marshal *Jonathan Henderson* for Fire Code violations, and with me in reference to the permit issues. Thank you for your time. I look forward to continuing working with you and your staff.

Respectfully,

Claudia Cormier



Claudia Cormier
Code Compliance Officer
512-393-8437

CC:

- Shanna O'Brien, Environmental Health & Safety Manager
- Amanda Hernandez, Director of Planning & Development Services
- Andrea Villalobos, Assistant Director of Planning & Development Services
- David Soto, Planning Manager
- Jonathan Henderson, Fire Marshal



CITY OF SAN MARCOS
NEIGHBORHOOD ENHANCEMENT
Code Compliance & Environmental Health

NOTICE OF EXPIRED
CONDITIONAL USE PERMIT (CUP)

AQUARIUM/ROOFTOP ON THE SQUARE
126 S GUADALUPE ST.
SAN MARCOS, TX 78666

AUGUST 04, 2025

Dear Business Owner,

You are hereby notified of the **EXPIRATION** of your **CONDITIONAL USE PERMIT (CUP)** on **AUGUST 04, 2025**, for the on-premises consumption of **ALCOHOLIC BEVERAGES**. As of **THIS** notice, you are **NOT** allowed to continue with the on-premise consumption of alcohol on the premises until your CUP is renewed with the City.

- Where an **eating establishment** includes the sale of alcohol for on-premise consumption the following standards shall apply (**L&D Code 2025; 5.1.5.5.B.4a**):

<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Permit. The establishment MUST hold for the premises a VALID Conditional Use Permit for the on-premise sale and consumption of alcohol issued and effective under Section 2.8.3.1, this Section 5.1.5.5E and any conditions of such permit.
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- 2.8.3.5 Duration; Expiration; Suspension; Violation; Revocation:

<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • A. Duration; A conditional use permit shall remain in effect until it expires, is suspended, or is revoked in accordance with Section 2.3.8.5A(1-4) as supplemented by Section 2.8.3.5. • D. Violation: It is unlawful for any person to violate or to cause or permit to be violated any terms or conditions of a conditional use permit or upon which a conditional use permit was issued or renewed. For purposes hereof, the term "person" shall include the permit holder, the owner or a manager of the permit holder, and any office of the permit holder.
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If you have any questions, please contact us at codecompliance@sanmarcostx.gov or contact the officer at the number provided below. A complete copy of ordinances can be found at [San Marcos Land Development Code](#).

Thank you,

Claudia Cormier



Claudia Cormier
Code Compliance Officer
ccormier@sanmarcostx.gov
512-393-8437

CC

- Shanna O'Brien, Environmental Health & Safety Manager
- Amanda Hernandez, Director of Planning & Development Services
- Jonathan Henderson, Fire Marshal

Business

Owner/Representative: _____

Signature _____

Date _____

Certified Mail: _____

Date _____

Notice Posted at Front Door:

_____ C. Cormier 11898 _____

Date 08/04/2025



CITY OF SAN MARCOS
NEIGHBORHOOD ENHANCEMENT
Code Compliance & Environmental Health

NOTICE OF EXPIRED
FOOD ESTABLISHMENT PERMIT

AQUARIUM/ROOFTOP ON THE SQUARE
126 S. GUADALUPE ST.
SAN MARCOS, TX 78666

AUGUST 07, 2025

Dear Business Owner,

You are hereby notified of the **EXPIRATION** of your **FOOD ESTABLISHMENT PERMIT FE-22-2233** on **AUGUST 03, 2025**. As of **THIS** notice, you are **NOT** allowed to continue with operations until your food permit is renewed with the *Environmental Health Department*. The food permit can be renewed online at mygovernmentonline.org by card, check by mail, or in person at 1040 Hwy 123, San Marcos, Texas 78666.

Sec. 18.092. - Permit required.

- a) A person must hold a permit issued by the health authority to operate a food establishment.
- b) A person must hold a food establishment permit issued by the health authority to operate a group residence, boarding home, or congregate living facility with occupancy for 16 or more residents when food is provided, stored, or prepared onsite, or prepared by a third-party operator or facilitator.
- c) A vending machine that only dispenses non-time/temperature control for safety food is not considered a food establishment and does not require a permit.
- d) A person must comply with the requirements of this chapter to receive or retain a permit.
- e) A permit issued under this chapter is not transferable.
- f) The health authority may cite, suspend operations, or suspend utilities against the person or business that is operating a food establishment that does not have a current or valid food permit.

If you have any questions, please contact us at codecompliance@sanmarcostx.gov or contact the officer at the number provided below. A complete copy of ordinances can be found at [San Marcos Land Development Code](#).

Thank you,

Claudia Cormier



Claudia Cormier
Code Compliance Officer
ccormier@sanmarcostx.gov
512-393-8437

CC

- Shanna O'Brien, Environmental Health & Safety Manager
- Amanda Hernandez, Director of Planning & Development Services
- Jonathan Henderson, Fire Marshal

**Business
Owner/Representative:**

Signature

Certified Mail:

**Notice Posted at Front
Door:**

_____	_____
_____	Date _____
_____	Date _____
C. Cormier 11898	Date 08/07/2025

COPY

FIXED FOOD ESTABLISHMENT PERMIT

Rooftop

126 S Guadalupe St, Suite 100 San Marcos, TX 78666

Permit
Number:
FE-22-2233



Issue Date:
8/4/2025

Expiration Date:
8/3/2026

FOR CONCERNS ABOUT THIS ESTABLISHMENT PLEASE
CONTACT:

Neighborhood Enhancement Department
Environmental Health
630 East Hopkins Bldg 5 San Marcos, TX 78666
Phone (512) 393-8444
Email: HealthInfo@sanmarcostx.gov
www.sanmarcostx.gov/Health

THIS PERMIT IS NON-TRANSFERABLE

THIS ESTABLISHMENT IS HEREBY GRANTED A PERMIT TO
OPERATE A FOOD ESTABLISHMENT WITHIN THE CITY OF
SAN MARCOS. THIS PERMIT IS TO REMAIN IN FORCE UNTIL
THE DATE OF EXPIRATION UNLESS REVOKED FOR NON
COMPLIANCE OF THE CITY OF SAN
MARCOS FOOD CODE AND CURRENT STATE CODES.



Visit San Marcos
https://www.visitsanmarcos.com › listing › santis-tacos

Santi's Tacos | San Marcos, TX

Santi's Tacos · 126 S Guadalupe St San Marcos, TX 78666 · (512) 200-9510. Share. Email · X · Facebook Facebook · LinkedIn · Reddit. About. Tasty street tacos, ...



Yelp
https://www.yelp.com › ... › Mexican › Tacos

SANTI'S TACOS - CLOSED - Updated April 2025

Yelpers report this location has closed. Find a similar spot. San Marcos, TX.



4.0 (120) · Price range: \$



Yelp
https://www.yelp.com › ... › Mexican › Tacos

SANTI'S - Tacos

SANTI'S, 126 S Guadalupe St, San Marcos, TX 78666, 5 Photos, Mon - Closed, Tue - 11:00 am - 12:00 am, Wed - 11:00 am - 12:00 am, Thu - 11:00 am - 12:00 am, ...



3.2 (10)



Instagram · santis.tacos
690+ followers

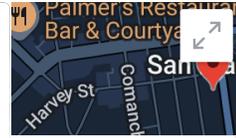
Santis (@santis.tacos) · Instagram photos and videos

126 S Guadalupe, San Marcos, Texas 78666 · Photo by Santis in The Square - San Marcos. weekends at #santis are so much better. · Photo by Santis on August 24, ...



Favor Delivery
https://www.favordelivery.com › santis-tacos-12767 › 12...

Santi's Tacos Delivery 126 South Guadalupe Street San ...



See photos

See outside

Santi's Tacos

4.4 438 Google reviews
\$10–20 · Mexican restaurant

Permanently closed ▾

[Reviews](#)
[Save](#)
[Share](#)
[Call](#)
[Menu](#)

Address: 126 S Guadalupe St, San Marcos, TX 78666

Phone: (512) 210-1101

[Suggest an edit](#) · [Own this business?](#)

Price per person: \$10–20 ▾
Reported by 41 people

People also search for

Taquitos Mi Rancho Tacos	Los Jambados Tacos Tacos	Bobcat Quickie Tex Mex

Reviews

126 South Guadalupe Street. \$6.29 delivery fee.
Starters. Tacos. Quesadillas. Tortas. Seafood.
Sides. Get the app Become a Runner.



 Tripadvisor
https://www.tripadvisor.com/Restaurant_Review-g566...

SANTI'S TACOS, San Marcos - Restaurant Reviews & ...

Santi's Tacos - CLOSED · SANTI'S TACOS, San Marcos - Restaurant Reviews & Phone Number - Tripadvisor.

 Reddit · r/sanmarcos
10+ comments · 2 years ago

Santi's tacos : r/sanmarcos

38K subscribers in the sanmarcos community. The place for all things San Marcos, TX ... Skip to main content **Santi's tacos** : ...

Favorite breakfast **tacos**? : r/sanmarcos ... 64 posts Jun 18, 2024

Mexican Food : r/sanmarcos - Reddit 48 posts Feb 1, 2024

[More results from www.reddit.com](https://www.reddit.com)

 MapQuest
https://www.mapquest.com/.../Texas/San_Marcos

Santi's, 128 S Guadalupe St, San Marcos, TX 78666, US

San Marcos, TX **78666**. +1 (512) 200-9510. Santi's Tacos is a popular eatery in San Marcos, TX, known for serving authentic Mexican...

 MapQuest
https://www.mapquest.com/.../Texas/San_Marcos

Santi's, 126 S Guadalupe St, San Marcos, TX 78666, US

Downtown **San Marcos** Bistec 6 **tacos** Bistec nachos. 126 S Guadalupe St. **San Marcos, TX 78666**. Open until 12:00 AM. Hours...

3.0 (10)

 Toast
<https://order.toasttab.com/online/aquarium-san-marco...>

Aquarium - San Marcos 126 S. Guadalupe

Santi's Tacos @ The Aquarium on The Square. Aquarium - San Marcos 126 S ... Guadalupe Location and Ordering Hours. (512) 80... \$2 to \$12

Google reviews ⓘ

 "Best **barbecue** of my life, wonderful **tortas**, great **service**, awesome **prices**."

 "We enjoyed their tasty **nachos** and delicious **street tacos**."

 "Friendly **staff**, lovely Mexican decorated **interior**."

[View all Google reviews](#)

From Santi's Tacos

"Santi's Tacos is a Mexican restaurant located near downtown San Marcos where we strive to serve you the most authentic Mexican street food in the city! We have a variety of items from aguas frescas, to mini taquitos, to homemade flour tortillas... [More](#)

People also search for :

Santis tacos san marcos tx **reviews**



Santis tacos san marcos tx **menu** 

Santis tacos san marcos tx **phone number** 

Santis tacos san marcos tx **delivery** 

Tacos **near me** 

1 2 3 4 5 6 7 8 9 10 [Next](#)

San Marcos, Texas - [Based on your past activity](#) - [Update location](#)

[Help](#) [Send feedback](#) [Privacy](#) [Terms](#)

Back

Print Results

Printed on: 7/24/2025

Master File Id: 2100011232

License Type: MB

License Id: 103081531

Legacy

CLP: MB803637

Status: Active

Location Address

Trade Name: Rooftop On The Square

City: SAN MARCOS

126 S GUADALUPE ST

Mailing Address

126 S GUADALUPE ST

Owner: THE ROOFTOP ON THE SQUARE LLC

SAN MARCOS, TX
786665532
UNITED STATES

SAN MARCOS, TX
786665532
United States

County

Hays

Catalog of present defaults for current delinquent list:

<u>Buyer Number</u>	<u>AIMS Buyer Number</u>	<u>Seller Number</u>	<u>AIMS Seller License Type</u>	<u>AIMS Seller Number</u>	<u>Trade Name</u>	<u>City</u>	<u>Delin. Amount</u>	<u>Original Date</u>
MB 803637	103081531				Rooftop On The Square	SAN MARCOS		
		P 862492	P	103556524	SPEC'S WINES & SPIRITS SPEC'S	SAN MARCOS	1,780.28	7/2/2025
		P 862492	P	103556524	SPEC'S WINES & SPIRITS SPEC'S	SAN MARCOS	1,780.28	7/17/2025

Catalog of pending defaults for next delinquent list:

No records found for License #103081531.



aquariumsquare



aquariumsquare

Follow

Message



The Aquarium on the Square

Bar

Open Thursday-Saturday, 6pm-2am

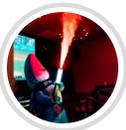
\$10 Fishbowls 🐟

126 S Guadalupe St, San Marcos, Texas 78666

calendly.com/theaquariumonthesquare/rooftop-aquarium-hiring-effort-fall-2024



DRINKS 🍹



🍹🍹🍹

220 posts



1,586 followers



1,791 following



EVERY THURSDAY NIGHT

I GOT A TEXT! 8PM

love island

WATCH PARTY

COMPLIMENTARY ROUND OF SHOTS FOR EVERY BOMBSHELL

\$2 JELLO SHOTS
\$2 FANNY FLUTTERS

THE AQUARIUM ON THE SQUARE

TAG US IN OUR PHOTO OPP TO RECIEVE A COMPLIMENTARY FISHBOWL
COMFORTABLE SEATING WITH SHOW AUDIO AND GIANT LED SCREEN





aquariumsquare



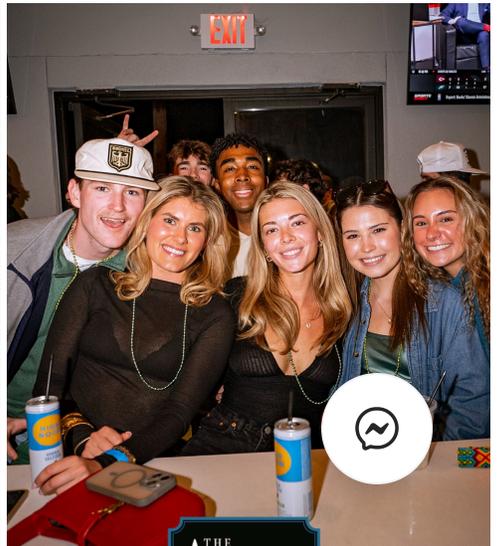
THE AQUARIUM ON THE SQUARE

CINCO DE MAYO PARTY

ANNUAL PIÑATA TOSS AT 8PM

FRIDAY BUY A DRINK FOR A CHANCE TO HIT THE PIÑATA
MAY 2ND

PRIZES INCLUDE CASH, FREE DRINK TICKETS, FREE BOTTLE SERVICE





aquariumsquare





aquariumsquare

