



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed

**In control:** City Council

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**Title:** Amending Chapter 427.07 of the Legislative Code regarding requirements for health clubs located in the Downtown Business District.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/15/2015	1	Mayor's Office	Signed	
12/9/2015	1	City Council	Adopted	Pass
12/2/2015	1	City Council	Laid Over to Final Adoption	Pass
11/18/2015	1	City Council	Laid Over to Third Reading/Public Hearing	
11/12/2015	1	City Council	Laid Over to Second Reading	Pass

Amending Chapter 427.07 of the Legislative Code regarding requirements for health clubs located in the Downtown Business District.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES HEREBY ORDAIN

### Section 1

That Legislative Code section 427.07 is hereby amended as follows:

Sec. 427.07. - Construction, maintenance and staff requirements.

The following requirements shall apply to the construction, maintenance and staffing of the licensed premises:

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(13) *Exception to on duty staffing rule.* An exercise only facility may operate without a staff member on the premises as required by paragraph (11) and (12) above under the following conditions:

- a. The exercise only facility must be on the ground level of a commercial or traditional neighborhood zoned building, or on the skyway level with skyway access. The space within the building must be at least five hundred (500) square feet with at least seventy-five (75) square feet of external windows or windows facing the skyway that allow passers by, licensing officials, and police to see clearly into the building and allow members to easily see outside the facility. The requirements of this paragraph shall not apply to exercise only facilities located in the Downtown Business District, as defined in Sec. 409.02.

- b. The facility shall have at least ten (10) cardiovascular exercise machines including but not limited to treadmills, elliptical trainers and stationary bicycles; and at least ten (10) strength training machines. If the exercise only facility is located within a mixed-use building, the facility must install mats or other sound reducing flooring in free weight areas.
  
- c. All members of the exercise only facility must be advised and sign an acknowledgement that they have been advised that a staff member is not always present during hours of operation. These acknowledgements shall be retained by the exercise only facility and available to the department of safety and inspections upon request.
  
- d. The exercise only facility shall maintain and operate an access monitoring system that records the name, date and time that members enter the facility. This record shall be made regardless of whether the facility is staffed. This record shall be maintained for a period of at least ninety (90) days and made available to the department of safety and inspections or the city police department upon request.
  
- e. The exercise only facility must provide at least one (1) automatic electronic defibrillator (AED) on the premises. In addition, the facility must offer certification for use of the AED, CPR and first aid free of charge to members of the facility at least three (3) times per year.
  
- f. Exercise only facilities must have personal security devices capable of being worn around a member's neck that is connected to a security company twenty-four (24) hours a day that will result in immediate notification of police and/or other emergency services. That security company shall have access to video surveillance from the club so the police can be notified of what caused the alarm and can better be able to send appropriate help. Exercise only facilities must post notification to members in a conspicuous location near the door to the facility and within view of the fitness equipment that all members of the facility who are alone in the facility must wear a personal security device at all times.
  
- g. The exercise only facility shall have a working video surveillance system to provide documentation of all activities on the interior of the facility (excluding locker rooms, rest rooms and tanning facilities) and the exterior of the facility including the parking lot within fifty (50) feet of the entrance to the facility or the skyway as far as possible up to fifty (50) feet of the entrance. If city police determine a preferred placement for cameras, licensee shall position cameras as directed by city police. Recordings must be retained for ninety (90) days and made available to the city police department or the department of safety and inspections immediately upon request. In addition, the city police department and department of safety and inspections shall be provided electronic access to the surveillance system in order to monitor actions on the premises in live time.
  
- h. All external or skyway doors to the fitness only facility shall be equipped with tailgating alarms. All tailgating alarms shall be reported to the department of safety and inspections along with the time and circumstances of the alarm.

- i. All internal doors shall be equipped with a working video surveillance system which documents and records any person(s) entering and leaving all internal doors to the fitness only facility including but not limited to restrooms, shower rooms and tanning facilities. Any instances in which more than one person enters a room within the facility not monitored by internal surveillance cameras shall be reported to the department of safety and inspections along with the time and circumstances of the incident.
  
- j. The exercise only facility shall contain only the following rooms:
  - 1. One (1) large room containing all fitness equipment.
  - 2. At least one (1) locker room/restroom for female patrons and at least one (1) locker room/restroom for male patrons.
  - 3. No more than one (1) group fitness room in which all interior walls are made up of at least fifty (50) percent clear glass and a door made up of at least ninety (90) percent glass with no window treatment or obstruction to the view of the room in any way. The group fitness room must be sufficiently lit to allow an average person to see facial and other recognizable features on video surveillance recordings anytime a person is inside the room.
  - 4. No more than one (1) office area in which all interior walls are made up of at least fifty (50) percent clear glass and a door made up of at least ninety (90) percent glass with no window treatment or other glass treatment that obstructs the view of the office in any way. The door to the office shall be locked at all times unless an employee is inside the office. Anytime any person is inside the office, the lights to the office shall be on.
  - 5. No more than two (2) rooms containing tanning equipment as defined by section 380.03 of the Saint Paul Legislative Code. The tanning rooms shall be locked at all times unless a staff member is present inside the facility and performing the duties required by Minn. Stat. § 325H. Members of the exercise only facility shall not have access to tanning equipment or rooms containing tanning equipment unless a staff member is present.
  - 6. A janitor's closet as required under (3) of this section. Janitor's closets in exercise only facilities shall be locked at all times unless an employee or person hired by the exercise only facility is performing janitorial services. Members of the exercise only facility shall not have access to the janitor's closet at any time for any reason.
  
- k. The exercise only facility shall notify the department of safety and inspections of the designated staff hours for each club. Staffed hours shall be conspicuously posted on the entrance to the health club.
  
- l. The exercise only facility shall not allow members to bring guests into the facility during hours that the facility is not staffed. During all non-staffed hours, every person entering the facility shall be required to individually unlock the entry doors in order for the monitoring system to record that member's entry.

Section 2

These ordinance amendments shall take effect and be in force thirty (30) days from and after their passage, approval and publication.