



## Legislation Text

**File #:** RES 12-938, **Version:** 1

Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Health/Sport Club-Exercise Only and Tanning Facility licenses for Bowman Fitness LLC (ID# 20110003191), d/b/a Metro Lofts Snap Fitness, 2650 University Avenue West.

WHEREAS, the Deputy Legislative Hearing Officer recommends that the application for Bowman Fitness LLC, doing business as Metro Lofts Snap Fitness, for the Health/Sport Club-Exercise Only and Tanning Facility licenses, be approved with the following conditions:

1. No more than two tanning rooms containing tanning equipment are permitted. The tanning rooms shall be locked at all times unless a staff member is present inside the facility and performing the duties required by Minnesota State Statute 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.
2. This facility is licensed as a health/sport club "exercise only facility" per Chapter 427 of the City of Saint Paul Legislative Code and the licensee agrees during all times of operation to remain in compliance with all applicable regulatory requirements governing such a facility including but not necessarily limited to the following conditions #3 - #19:
3. An exercise only facility shall provide only fitness equipment and restroom/shower facilities, but no other facilities such as saunas, steam rooms, hot tubs, and massage facilities.
4. All members of an exercise only facility shall have access to the entire facility and there shall not be separate access to facilities for different levels of membership.
5. There shall be maintained clearly designated separate locker room/restroom facilities for female and male patrons.
6. An exercise only facility shall provide a minimum of 10 cardiovascular exercise machines and 10 strength training machines at all times.
7. There shall be at least seventy-five (75) square feet of external window space maintained free and clear of any obstruction(s) (i.e., signage, lettering, paper, equipment, walls, etc.). This condition is intended to permit clear visibility into and out of the facility at all times (including when the facility is closed).
8. If an exercise only facility has unstaffed hours of operation, all members of an exercise only facility shall sign a written acknowledgement stating they have been advised that a staff member is not always present during hours of operation, and these acknowledgements shall be retained by the business owner and immediately available to the DSI (Department of Safety and Inspection) upon request.
9. An exercise only facility shall provide at least one automatic electronic defibrillator (AED) on the premises, and at least three (3) times per year offer certification for use of the AED, CPR, and first aid free of charge to members of the facility.
10. An exercise only facility shall provide personal security devices capable of being worn around a member's neck that is connected to a security company staffed twenty-four (24) hours a day that will result in immediate notification of police and/or other emergency services. The security company shall have access to video surveillance from the club so that 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.
11. An 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, and shall be retained for a period of at least ninety (90) days and made immediately available to the Saint Paul Police Department (SPPD) or DSI upon request.

12. All external doors to the exercise only facility shall be equipped with tailgating alarms to record the entry of more than one person at a time to the facility. All tailgating alarms shall be reported to DSI along with the date, time, and circumstances of the alarm.

13. An exercise only facility shall have a working video surveillance system to provide twenty-four (24) hour recorded documentation of all activities on the interior of the facility (excluding inside locker rooms, restrooms, and tanning rooms), and the exterior of the facility including the parking lot within fifty (50) feet of the entrance to the facility. Recordings must be retained for a period of at least ninety (90) days and made immediately available to the SPPD or DSI upon request. In addition, the SPPD and DSI shall be provided electronic access to the surveillance system in order to monitor actions on the premises in live time.

14. An exercise only facility shall be equipped with a working video surveillance system which documents and records any persons(s) entering and leaving all internal doors to the 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 that is not monitored by internal surveillance cameras shall be reported to DSI along with the date, time, and circumstances of the incident.

15. If SPPD (Saint Paul Police Department) determines a preferable placement for cameras, the licensee shall position cameras as directed by SPPD within 90 days of notification from SPPD or DSI.

16. An exercise only facility shall notify DSI of the designated employee staffed hours for each facility, and the staff hours shall be conspicuously posted at the entrance to the facility. DSI shall be immediately notified in writing of any changes to staff hours.

17. An exercise only facility shall not allow members to bring guests into the facility during non-staffed hours. During all non-staffed hours, every person entering the facility shall be required to individually unlock the doors into the facility for the monitoring system to record that member's entry.

18. There shall be only one office area, and if such office area has interior walls the walls shall be made of at least 50% clear glass and have a door made up of at least 90% glass. No window treatment or other glass treatment shall be permitted that obstructs the view of the office in any way. The door to the office shall remain 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.

19. The licensee shall make available to SPPD and DSI the ability to obtain immediate access to the premises upon notice.

THEREFORE, BE IT RESOLVED that the Council of the City of Saint Paul hereby approves this license application with the aforementioned agreed-upon conditions.