

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
Starland Colony School,

FINAL DECISION
Dated: May 4, 2022

Application No. 22-04

This matter came on for hearing before the Access Review Board (“Board”) on March 9, 2022. The hearing was held remotely via WebEx after Board Chair Karen Gridley determined that an in-person meeting was not practical or prudent after Governor Walz declared a peacetime emergency under chapter 12 of the Minnesota statutes due to COVID-19. The record closed at the conclusion of the hearing.

All members of the Board were present via WebEx.

The issue in this application is whether the application for a waiver of the State Building Code for the purpose of installing a stairway chairlift should be granted.

Starland Colony School requested a waiver of the State Building Code in order to install a stairway chairlift at its school in Gibbon, Minnesota. The school is in a two-story building with one flight of stairs between the first and second floor. The school seeks to install a chairlift in the stairway between the first and second floor.

The Board reviewed the application pursuant to the factors identified in Minn. Stat. § 471.471, subd. 3.

With regard to the first factor, the need for limited accessibility when a higher degree of accessibility is not required by state or federal law or rule, the Board noted that the school’s application indicates that the school has one student who is unable to get to the second floor of the school.

With regard to the second factor, the architectural feasibility of providing a greater degree of accessibility than would be provided by the proposed device or equipment and the cost of providing a greater degree of accessibility, the Board noted that the school’s application indicates that it is not architecturally feasible to install an elevator in the school because there is insufficient space and that an outside elevator is not ideal due to winter conditions.

With regard to the third factor, the total cost of the proposed device or equipment over its projected usable life, including installation, maintenance, and replacement costs, the Board

determined that the estimated purchase, installation, and maintenance costs for the chairlift of \$10,000 – \$15,000 over a ten-year period is justified.

With regard to the fourth factor, the reliability of the proposed device or equipment, the Board noted that the proposed chairlift is manufactured by Handicare, which is a reputable company.

With regard to the fifth factor, the applicant's ability to comply with all recognized access and safety standards for installation and maintenance, the Board discussed that the chairlift device allowed the user to fold the chair out of the way when not in use for safety and to maintain the device in good condition.

With regard to the sixth factor, whether the proposed device or equipment can be operated and used without reducing or compromising minimum safety standards, the Board noted that the stairway is 66 inches wide and that the folded chair protrudes 15.125 inches. The Board determined that 50.875 inches of clear passing space on the proposed stairway is a compliant clearance as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8. The school's application further indicates there is an emergency exit leading out of the second floor in addition to the main stairs. The chairlift model includes dual call and send remotes on both landings to call the chair from upper or lower landings if the chair is not in the needed location. The building has a smoke detector system and an alarm system but does not have a fire sprinkler system.

After considering these factors, Board member Fenley made a motion to approve the application for a waiver from the building code to install a straight rail chairlift in the stairway between the first and second floor at the Starland Colony School in Gibbon, Minnesota. Board member Reinke seconded the motion. The motion carried unanimously.

The Board's approval is subject to the following conditions:

- 1) The stairway chairlifts shall comply with the Minnesota Building Code and Minnesota Elevator Code requirements. Only licensed elevator contractors may install stairway chairlifts. Proper permits, inspections, and certificates for use shall be obtained by the licensed elevator contractor installing the lift. Licensed elevator contractors may be found by searching License Look Up at:

<https://secure.doli.state.mn.us/lookup/licensing.aspx>

- 2) The stairway chairlift shall be maintained in the folded position when not in use.


KAREN GRIDLEY, Chair
Access Review Board