

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
Viking Covenant Church,

FINAL DECISION
Dated: August 15, 2022

Application No. 22-10

This matter came on for hearing before the Access Review Board (“Board”) on July 18, 2022. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Board member Bill Reinke were present in person, while Board member David Fenley was present via teleconference. Board members Marvin Forbrag and Audel Shokohzadeh were not present.

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.

Viking Covenant Church requested a waiver of the State Building Code in order to install a stairway chairlift at its church in Viking, Minnesota. The church is a two-story building with a front foyer that has stairs leading up to the sanctuary and stairs leading down to basement. The church seeks to install two chairlifts—one in the stairway leading to the sanctuary and the other in the stairway leading to the basement.

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 church’s application indicates that it has two – four members who would use the chairlift each week.

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 church’s application indicates that it was not architectural feasible because the church was built in the early 1900’s and the cost of other options is too high for a small congregation of under sixty people.

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 and installation cost for both the chairlifts of \$24,000 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 Bruno, 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 leading to the sanctuary is 95 inches wide and the stairway leading to the basement is 54 inches wide. The folded chairs protrude 15.125 inches. The Board determined that 79.875 inches of clear passing space on the proposed stairway leading to the sanctuary and that 38.875 inches of clear passing space on the proposed stairway leading to the basement are compliant clearances as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8 where the occupant load is more than 50. The building has a smoke detector system but does not have an alarm system or a fire sprinkler system.

After considering these factors, Board member Reinke made a motion to approve the application for a waiver from the building code to install a straight rail chairlift in the stairway leading to the sanctuary and a straight rail chairlift leading to the basement at Viking Covenant Church in Viking, Minnesota. Board member Fenley 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