

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
Church located at 3099 County Rd. 5
Barnum, MN 55707

FINAL DECISION
Dated: January 10, 2023

Application No. 22-16

This matter came on for hearing before the Access Review Board (“Board”) on November 15, 2022. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Board members Bill Reinke and Marvin Forbragd were present in person, while Board member David Fenley was present via teleconference. Board member Maria Rodriguez-Dively was 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.

Church located at 3099 County Rd. 5, Barnum, MN 55707 requested a waiver of the State Building Code in order to install a stairway chairlift at its church. The church is a two-story building. The church seeks to install a chairlift in the stairway leading to the fellowship hall.

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 about eight members who will use the chairlift twice a 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 an elevator or platform lift is not architecturally feasible because there is no overhead space available.

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 the chairlift of \$20,000 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 proposed stairway is 72 inches wide, and the folded chair protrudes 12.75 inches. The Board determined that 59.24 inches of clear passing space on the proposed stairway is compliant clearances as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8 where the occupant load is more than 50. 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 it does not have a fire sprinkler system.

After considering these factors, Board member Forbragd 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 fellowship hall of Church located at 3099 County Rd. 5, Barnum, MN 55707. 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