

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
St. Paul's Lutheran Church

FINAL DECISION
Dated: October 7, 2024

Application No. 24-11

This matter came on for hearing before the Access Review Board ("Board") on September 10, 2024. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Board member Jim Weaver were present in person, while Board members Marvin Forbragd, David Fenley, and Elise Wehrman were present via teleconference.

Keith Duske and James Grabitske appeared in person on behalf of St. Paul's Lutheran Church.

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.

St. Paul's Lutheran Church requested a waiver of the State Building Code to install a stairway chairlift at its church in Montrose, Minnesota. The church is split-level building with an entry landing that goes to the upper stairway and a lower-level basement. The church already has a chairlift installed in the stairway leading to the upper level and now seeks to install a second chairlift in the stairway in 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 states that it has 2-5 members who require assistance walking downstairs.

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 the landing area inside the entry door is too small to provide for an elevator or platform lift.

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 total estimated cost for the chairlift of \$4,750 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 Stannah, 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 model includes dual call and send remotes, a folding seat, armrests, and footrests.

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 55 inches wide, and the folded chair protrudes 16 inches. The Board determined that 39 inches of clear passing space on the proposed stairways is a compliant clearance as allowed by IBC Chapter 10, Sections 1012.8 and 1009.4 where the occupant load is more than 50. The church has a smoke detector system but does not have an alarm system or a fire sprinkler system. The City of Montrose and its contract Code Official West Metro Inspections provided an email supporting the installation of the proposed chairlift.

After considering these factors, Board member Weaver made a motion to approve the application for a waiver from the building code to install a straight rail stairway chairlift in the stairway in leading to the basement at St. Paul's Lutheran Church in Montrose, Minnesota. Board member Forbragd seconded the motion. The motion carried unanimously.

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

- 1) The stairway chairlifts shall comply with all applicable building and 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 the list of licensed stairway chairlift installers on the Board's website at:

<https://www.dli.mn.gov/about-department/boards-and-councils/access-review-board>

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


KAREN GRIDLEY, Chair
Access Review Board