

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
Parker Satrom Law, P.A.,

FINAL DECISION
Dated: August 15, 2022

Application No. 21-07

This matter came on for hearing before the Access Review Board (“Board”) on June 30, 2021, and July 7, 2022.

The June 30, 2021, 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. All members of the Board were present during the June 30, 2021 via WebEx.

The July 7, 2022, hearing was at the Minnesota Department of Labor and Industry. Board Chair Karen Gridley, Board member Bill Reinke, and Board member David Fenley were present at the meeting in person, while Board members Audel Shokohzadeh was present via teleconference. Board member Marvin Forbragd was not present. The record closed at the conclusion of the hearing July 7, 2022.

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.

Parker Satrom Law, P.A. requested a waiver of the State Building Code to install a stairway chairlift at its two-story building in Cambridge, Minnesota. Parker Satrom Law, P.A. sought to install a curved rail continuous chairlift in a split-level stairway that serves both levels of the building. The proposed stairway is located at the rear of the building.

At its June 30, 2021, meeting, 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 two employees have difficulty walking the stairs.

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 application stated that the minimal use of an elevator or lift did not warrant the high cost of an elevator or 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 estimated purchase and installation cost for a curved continuous chairlift of \$13,600 along with an annual maintenance and warranty plan of \$450 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 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 lower level of the split stairway is 39.5 inches wide, that the upper level of the split stairway is 37.5 inches wide. The folded curved rail chairlift protrudes 15.5 inches from the wall thereby leaving only 24 inches of clear passing space on the lower-level stairway and 22 inches of clear passing space on the upper-level stairway for the curved rail chairlift. The Board determined that there was insufficient room in the stairway to maintain a clear width of 27 inches of clear passing space as required by IBC Chapter 10, Sections 1009.4 and 1012.8 when the occupant load on each floor is less than 50. The chairlift model includes 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 smoke detectors and an alarm system but does not have a fire sprinkler system.

After considering these factors, Board member Reinke made a motion to table the application for a waiver from the building code to install a curved rail continuous chairlift to allow the applicant to explore other options that may meet the minimum clear passing space requirements under IBC Chapter 10. Board member Fenley seconded the motion. The motion carried unanimously.

Following the June 30, 2021, meeting, Board Chair Gridley notified Parker Satrom Law, P.A. of the Board's decision to table the application. Thomas Satrom informed Board Chair Gridely that he would explore other options and provide additional information to the Board by letter. Because the Board did not receive any additional information from Parker Satrom Law, P.A., Board Chair Gridely emailed the law office on multiple occasions in April and May 2022 and informed Parker Satrom Law, P.A. that any additional information must be provided by June 20, 2022. On July 5, 2022, Thomas Satrom provided the Board with a letter requesting additional time for Parker Satrom Law, P.A. to provide additional information for the Board's consideration.

At its July 7, 2022, meeting, the Board reviewed Parker Satrom Law, P.A. request for additional time to submit more information. After discussion, Board Fenley made a motion to deny Parker Satrom Law, P.A.'s request for additional time. Board member Reinke seconded the motion. The motion carried unanimously.

After further discussion regarding the information previously submitted by Parker Satrom Law, P.A. and considered by the Board under the factors identified in Minn. Stat. § 471.471, subd. 3, Board member Shokohzadeh then made a motion to deny Parker Satrom Law, P.A.'s application for a waiver from the building code to install a stairway chairlift in the rear entrance stairway in its two-story building in Cambridge, Minnesota because the minimum clear passing space as required by IBC Chapter 10, Sections 1009.4 and 1012.8 would not be met and no additional options were submitted by Parker Satrom Law, P.A. Board member Shokohzadeh encouraged the submission of a new application after the applicant had further opportunity to explore additional options. Board member Fenley seconded the motion. The motion carried unanimously



KAREN GRIDLEY, Chair
Access Review Board