

**STATE OF MINNESOTA**  
**ACCESS REVIEW BOARD**

In the Matter of the Application of  
United Methodist Church of Vergas,

FINAL DECISION  
Dated: August 15, 2022

Application No. 22-06

This matter came on for hearing before the Access Review Board (“Board”) on July 7, 2022. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley, Board member Bill Reinke, and Board David Fenley were present at the meeting in person, while Board member Audel Shokohzadeh was present via teleconference. Board member Marvin Forbragd 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.

United Methodist Church of Vergas requested a waiver of the State Building Code in order to install a stairway chairlift at its church in Vergas, Minnesota. The church is a two-story building with a foyer in the front entryway, which has stairs leading up to the sanctuary and stairs leading down to the lower level. There is also a rear entry into the fellowship room, which is on the same level as the sanctuary. The assembly hall and kitchen in the basement are accessed from the sanctuary level using the stairs in the rear of the building. The church seeks to install a curved rail chairlift in the stairway leading to the assembly hall and kitchen in the basement in the rear of the building.

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 several members of the church use a cane to assist with walking and have difficulty using 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 church’s application indicated that it was not architectural feasible because there is insufficient room in the common area for an elevator.

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 \$14,395 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 rear stairway leading to the assembly hall and kitchen in the basement is 54 inches wide with a mid-level landing area. The folded chairs protrude 13.5 inches. The Board determined that 40.5 inches of clear passing space on the proposed stairway and mid-level landing area is 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. The Board noted that the Vergas Fire Chief provided a letter in support of the installation of the proposed chairlifts.

After considering these factors, Board member Fenley made a motion to approve the application for a waiver from the building code to install a curved rail chairlift in the rear stairway leading to the assembly hall and kitchen in the basement at United Methodist Church of Vergas in Vergas, 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