

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
Restoring Lives Church,

FINAL DECISION
Dated: Monday February 3, 2020

Application No. 19-09

This matter came on for hearing before the Access Review Board (“Board”) on October 21, 2019. The record closed at the conclusion of the hearing.

All members of the Board were present. Board Chair Karen Gridley and members Margot Imdieke Cross and Bill Reinke were present at the meeting in person, while members John Swanson and Audel Shokohzadeh were present via teleconference.

The issue in this application is whether the application for a waiver of the State Building Code for the purpose of installing a stairway chair lift should be granted.

Restoring Lives Church requested a waiver of the State Building Code in order to install a stairway chair lift at its church in Zimmerman, Minnesota. The church is a two-level building. There are three exits with two interior stairways. The lower level contains the restrooms, fellowship hall and kitchen, and is the level the church wishes to serve with the proposed stairway chairlift.

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 has one member who uses a wheelchair and three other members who could benefit from the chairlift. The Board also noted that the church was built in 1931 before the building code required an elevator.

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 stated that the church’s application did not provide information regarding the not architectural feasibility. Rather, the church’s application indicated that the chairlift was the best option due to the small size of its membership. Currently the congregation has only 20-25 members. The Board noted that the cost of providing a platform lift, elevator, or LULA may not be justified given the church’s small congregation size and limited financial resources. The Board also noted that there was not adequate space for other devices based on the floor plan submitted by the church.

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 installation and annual maintenance cost for the chairlift of \$5,595 is justified.

With regard to the fourth factor, the reliability of the proposed device or equipment, the Board noted that the proposed chair lift 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 chair lift 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 discussed that the church has a 53-inch wide stairway in the front of the building leading to the fellowship hall. The folded chair protrudes 15 and 1/8 inches, leaving 37 and 7/8 inches of clear passing space. The Board noted that 37 and 7/8 inches of clear passing space on a 53-inch wide stairway is a compliant clearance as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8. The Board discussed that the stairway is a split level and that the landing does not have sufficient room to place a second chairlift on the upper portion of the stairway. Thus, the church's proposal is for installation of one chairlift on the lower portion of the stairway from the landing to the lower area. The Board noted that the chairlift will be accessed from a side entrance at the mid-landing area. The Board discussed that the model includes remotes on both landings to call the chair from upper or lower landings, a swivel seat, and a keyed on/off switch. The Board also discussed that the building has a smoke detector but does not have an alarm system or fire sprinkler system.

After considering these factors, Board member Imdieke Cross made a motion that the application for a waiver from the building code is approved to install a stairway chairlift in the front stairway at Restoring Lives Church in Zimmerman, Minnesota. Board member Reinke seconded the motion. The motion carried unanimously.

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

- 1) The stairway chair lift shall comply with the Minnesota Building Code and Minnesota Elevator Code requirements. Only licensed elevator contractors may install stairway chair lifts. 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 chair lift shall be maintained in the folded position when not in use.


KAREN GRIDLEY, Chair
Access Review Board