

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

In the Matter of the Application of  
Slovenian National Home Membership Organization

FINAL DECISION  
Dated: October 7, 2024

Application No. 24-09

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.

Charlene Godec and Mark Nosan appeared via teleconference on behalf of Slovenian National Home Membership Organization.

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.

Slovenian National Home Membership Organization requested a waiver of the State Building Code to install a stairway chairlift in its building in Chisholm, Minnesota. The organization occupies the second floor of the building. The organization seeks to install a chairlift in the stairway in leading to the second floor.

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 organization’s application states that it has members who require assistance getting up and down 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 organization’s application and drawing do not clearly identify whether there is sufficient space in the entry vestibule to install a platform lift. The application states that the organization is a small community with a very limited budget.

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 \$6,950 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 50 inches wide, and the folded chair protrudes 12.75 inches. The Board determined that 37.25 inches of clear passing space on the proposed stairways is a compliant clearance as allowed by IBC Chapter 10, Sections 1011.2 and 1014.8 where the occupant load is more than 50. The organization has a smoke detector system but does not have an alarm system or a fire sprinkler system.

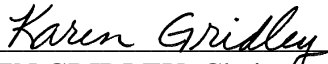
After considering these factors, Board member Fenley made a motion to approve the application for a waiver from the building code to install a straight rail stairway chairlift in the proposed stairway at the Slovenian National Home Membership Organization in Chisholm, Minnesota. Board member Weaver seconded 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