

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
St. James Episcopal Church,

FINAL DECISION
Dated: March 18, 2021

Application No. 20-06 Reconsidered

This matter came on for hearing before the Access Review Board (“Board”) on March 16, 2021. The 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. The record closed at the conclusion of the hearing.

All members of the Board were present via WebEx. Ron Hintz and Mark Helland appeared via WebEx on behalf of St. James Episcopal 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. James Episcopal Church previously requested a waiver of the State Building Code to allow it to install a stairway chairlift at its church in Fergus Falls, Minnesota. The church is a two-level building with the sanctuary on the main level and a kitchen, meeting room and education wing on the lower level. The church sought to install a single chairlift in two stairways, separated with a middle landing, leading from the lower level to the sanctuary. At its October 6, 2020, meeting, the Board reviewed the application pursuant to the factors identified in Minn. Stat. § 471.471, subd. 3 and denied the application because there was insufficient room in the stairway and middle landing area to maintain a clear width of 35 inches of clear passing space as required by IBC Chapter 10, Sections 1009.4 and 1012.

St. James Episcopal Church provided additional information relating to the width of the stairways and now seeks to install two straight rail chairlifts on the split-level stairway leading from lower level to the sanctuary. In light of the new information, the church has requested reconsideration of its application for a waiver of the State Building Code to allow it to install two chairlifts on the split-level stairway at its church in Fergus Falls, Minnesota.

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

about ten members who are unable to use the stairs to access the sanctuary from the lower level. The Board also noted that the lower level has two exits leading directly outside.

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 for the church to install a vertical lift system because there was insufficient space to install it without placing it directly in the sanctuary.

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, Ron Hintz reported that the updated estimated purchase, installation, and annual maintenance cost for the chairlift was \$12,000. The Board determined that the estimated purchase, installation, and annual maintenance cost for the chairlifts of \$12,000 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 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 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 proposed stairways for the chairlifts are 46 inches wide and the middle landing area is 46 inches by 46 inches; however, the church intends to widen each stringer of stairs to 56 inches. The church has informed the Board that there is room for the church to move one wall of the existing stairway and widen each stringer of stairs to 56 inches. The folded chairs for the proposed chairlifts protrude 15 and 1/8 inches. The Board determined that there was sufficient room in the stairway to maintain a clear width of 35 inches of clear passing space as required by IBC Chapter 10, Sections 1009.4 and 1012.8. The chairlift model includes remotes to call the chair from upper or lower landings if the chair is not in the needed location. The building has a smoke detector and an alarm system but does not have 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 two straight rail chairlifts on the split-level stairway connecting the lower level and main level at St. James Episcopal Church in Fergus Falls, Minnesota. Board member Reinke added a friendly amendment to the motion conditioning approval of the chairlifts on the stairways being widened to 56 inches as proposed by the church. Board members Fenley accepted the friendly amendment and Board member Shokohzadeh seconded the motion. The motion carried unanimously.


KAREN GRIDLEY, Chair
Access Review Board