

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
First Lutheran Church of Audubon,

FINAL DECISION
Dated: 11/19/20

Application No. 20-08

This matter came on for hearing before the Access Review Board (“Board”) on October 6, 2020. 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.

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.

First Lutheran Church of Audubon requested a waiver of the State Building Code in order to install a stairway chairlift at its church in Audubon, Minnesota. The church is a three-level building with a sanctuary that is located on the upper level of the building. The church seeks to install a chairlift in the stairway leading to the sanctuary.

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 10 to 15 members who have difficulty climbing the stairs to access the sanctuary.

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 an elevator or platform lift system due to the costs and because the church would lose a critical room used for children during worship services.

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, installation, and annual maintenance cost for the chairlift of \$9,000 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 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 stairway leading to the sanctuary is 65 inches wide and the folded chair protrudes 12.75 inches. The Board determined that 52.25 inches of clear passing space on the stairway is a compliant clearance as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8. The board noted that the church has two exits out of the sanctuary and three exits from the lower level. 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 does not have a smoke detector, an alarm system, or a fire sprinkler system.

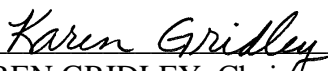
After considering these factors, Board member Swanson made a motion to approve the application for a waiver from the building code to install a stairway chairlift in the main entry stairway leading to the sanctuary at First Lutheran Church of Audubon in Audubon, Minnesota. Board member Fenley seconded 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