

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

In the Matter of the Application of  
Trinity Masonic Lodge,

FINAL DECISION  
Dated: January 3, 2022

Application No. 21-11

This matter came on for hearing before the Access Review Board (“Board”) on October 26, 2021 and December 7, 2021. The hearings were held remotely via WebEx after Board Chair Karen Gridley determined that in-person meetings were 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 December 7, 2021.

All members of the Board were present during October 26 and December 7 meetings via WebEx. John Bergum appeared for both meetings on behalf of Trinity Masonic Lodge 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.

Trinity Masonic Lodge requested a waiver of the State Building Code in order to install a stairway chairlift at a two-level building in Duluth, Minnesota. Initially, Trinity Masonic Lodge sought to install a single straight rail chairlift in a stairway leading to the second floor where it holds its meetings. The Board reviewed the application pursuant to the factors identified in Minn. Stat. § 471.471, subd. 3 during its October 26, 2021, meeting and unanimously orally approved Trinity Masonic Lodge’s application for a waiver from the building code to install a single straight rail chairlift in the stairway leading to the second floor at Trinity Masonic Lodge in Duluth, Minnesota.

Immediately after the conclusion of the October 26, 2021 meeting, Trinity Masonic Lodge’s representative, John Bergum, telephoned Board Chair Karen Gridley to provide a clarification to Trinity Masonic Lodge’s application and to request reconsideration of its application in light of the new information. Mr. Bergum informed the Board Chair that the stairway for the proposed chairlift is U-shaped with three sections: a lower section with two stairs, a mid-section with nine stairs, and an upper section with six stairs. Mr. Bergum requested that the Board reconsider Trinity Masonic Lodge’s application for a waiver from the building code to install three separate straight rail Stannah chairlifts, one for each of the three sections. Mr. Bergum stated that was unable to provide this clarification during the October 26, 2021, meeting due to technical difficulty with his computer connection.

During its December 7, 2021 meeting, the Board reviewed and reconsidered Trinity Masonic Lodge's application in light of the new information and 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 lodge has multiple members who are unable to climb the stairs to the second floor to attend meetings.

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 lodge's floor plans indicate that there is no common area to install an elevator. The Board also noted that the lodge's application states that it does not have the funding for installing 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 each separate chairlift of \$6,000 is justified.

With regard to the fourth factor, the reliability of the proposed device or equipment, the Board noted that the proposed chairlifts are 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 devices allowed the user to fold the chairs out of the way when not in use for safety and to maintain the devices 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 U-shaped and has three flights of stairs: a lower section with two stairs, a mid-section with nine stairs, and an upper section with six stairs. The Board also noted the applicant's clarification that the lodge's application pertained to this three-section stairway which is 58" wide on all three sections. The folded chair protrudes 12.75 inches. The Board determined that 45.25 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 chairlift models include dual call and send remotes on both landings to call the chair from upper or lower landings if the chair is not in the needed location. The building has smoke detectors, an alarm system, and a fire sprinkler system.

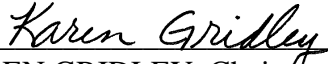
After considering these factors, Board member Fenley made a motion to approve the application for a waiver from the building code to install three Stannah Model 600 straight rail chairlifts, one for each section of the front stairway leading to the second floor at Trinity Masonic Lodge in Duluth, Minnesota. Board member Forbrag 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