

STATE OF MINNESOTA

ACCESS REVIEW BOARD

In the Matter of the Application of
Chaska American Legion

FINAL DECISION

Dated: June 2, 2026

Application No. 26-05

This matter came on for hearing before the Access Review Board (“Board”) on May 21, 2026. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley was present in person, while Board members Marvin Forbragd, Jim Weaver and David Fenley 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 chairlift should be granted.

Chaska American Legion requested a waiver of the State Building Code to install a stairway chairlift at its building in Chaska, Minnesota. The organization is located in a two-story building with a main level and a basement. The organization seeks to install a chairlift in the stairway leading to the basement.

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 four members who have limited mobility.

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 indicates that it is not architecturally feasible to install an elevator because the building is 136 years old and too costly to structurally modify it.

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 installation of the chairlift of \$9,200 is justified. This amount includes the installation of a new railing and reversing the swing direction of the closet door as required by the local code official.

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. The chairlift model includes dual call and send remotes, folding seat, arms and footrest.

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 58 inches wide and the folded chair protrudes 15.25 inches. The Board determined that 40.75 inches of clear passing space on the proposed stairway is a compliant clearance as allowed by IBC Chapter 10, Sections 1011.2 and 1014.8 where the occupant load on the second floor is more than 50. The building has a smoke detector system and an alarm system but does not have a fire sprinkler system. The applicant provided a letter of support from the City of Chaska building official who is in support of the installation of the chairlift so long as the closet door at the bottom of the landing is reversed to open into the closet and a handrail is installed to serve both sides of the stairway.

After considering these factors, Board member Forbragd made a motion to approve the application for a waiver from the building code to install a chairlift in the requested stairways at Chaska American Legion in Chaska, Minnesota subject to the conditions stated in the City of Chaska building official's letter. 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 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.
3. The closet door at the bottom landing shall be reversed to open into the closet; and a handrail shall be installed to serve the side of the stairway having the chairlift that is in compliance with the City of Chaska Building Official's requirements.



KAREN GRIDLEY, Chair

Access Review Board