

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
Trinity Lutheran Church,

FINAL DECISION
Dated: May 4, 2022

Application No. 22-01

This matter came on for hearing before the Access Review Board (“Board”) on March 9, 2022. 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. Earl Roed appeared on behalf of Trinity Lutheran Church 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 Lutheran Church requested a waiver of the State Building Code in order to install a stairway chairlift at its church in McIntosh, Minnesota. The church is a one-story building with a basement. The sanctuary is on the main floor, which is a up a short flight of stairs from the entry vestibule. The basement contains a fellowship hall, a kitchen, and restrooms. The church seeks to install a chairlift leading from the entry vestibule to the sanctuary and a chairlift from the entry vestibule 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 church’s application indicates that there are several members who are unable to navigate the stairs because of knee and hip issues.

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 indicates that it is not architecturally feasible to provide an elevator within the existing structure because there is insufficient room to install an elevator without losing space in the school, library, and nursery rooms.

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 both the chairlifts of \$10,000 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 Savaria, 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 96 inches wide and the stairway leading to the basement is 54 inches wide. The folded chairs protrude 10.75 inches. The Board determined that 85.25 inches of clear passing space on the proposed stairway leading to the sanctuary and that 43.25 inches of clear passing space on the proposed stairway leading to the basement are compliant clearances as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8. The church's application further indicates there is a second exit from both the sanctuary and basement. The chairlift model includes 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 a smoke detector system 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 a straight rail chairlift in the stairway leading to the sanctuary and a straight rail chairlift leading to the basement at Trinity Lutheran Church in McIntosh, Minnesota. Board member Forbragd 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