

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

In the Matter of the Application of  
Dawn's Quilt Shop,

FINAL DECISION  
Dated: April 29, 2024

Application No. 23-17

This matter came on for hearing before the Access Review Board ("Board") on April 17, 2024. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Board member Jim Weaver were present in person, while Board members David Fenley, Marvin Forbragd, and Elise Wehrman were present via teleconference.

Todd Gieseke appeared via teleconference on behalf of Dawn's Quilt Shop.

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.

Dawn's Quilt Shop ("Shop") is a tenant of a building in Alexandria, Minnesota. The Shop previously requested a waiver of the State Building Code to install a stairway chairlift in an exterior stairway leading into the building and a stairway chairlift in an interior stairway leading to an upper-level space within the Shop.

At its November 16, 2023, meeting, the Board reviewed the application pursuant to the factors identified in Minn. Stat. § 471.471, subd. 3 and denied the application for a waiver from the building code to install both stairway chairlifts at the Shop. The Board expressed concern that the Shop's request did not pertain to a specific individual but rather was a request to accommodate customers from the general public. The Board was also concerned that exterior stairs appeared to be very old, potentially unstable, and too narrow. The Board determined that the Shop's application lacked sufficient information to determine whether the proposed chairlift met safety requirements. The Board further determined that 27.5 inches of clear passing space on the proposed exterior stairway was not a compliant clearance.

The Shop provided additional information and requested that the Board reconsider its request for a waiver of the State Building Code to install a stairway chairlift in an exterior stairway leading into the building and a stairway chairlift in an interior stairway leading to an upper-level space within the Shop.

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 discussed that the Shop's application clarified that the primary purpose for the chairlift is to allow customers, who have made an appointment, to access the Shop's upper-level workspace.

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 Shop's application stated that there was insufficient space in the building to install an elevator and that an architectural study of the building would be necessary to determine architectural feasibility considering that adding a lift or elevator would impact the lower-level spaces.

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 total cost of \$19,000 for both chairlifts 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 Harmar Lifts, which is a reputable company. The chairlift model includes dual call and send remotes.

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 chair out of the way when not in use for safety and to maintain the device in good condition. The Board also noted that Shop provide an architectural plan and approved construction permit from the City of Alexandria to widen and rebuild the exterior stairs to comply with safety standards.

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 building has a smoke detector system and an alarm system but does not have a fire sprinkler system. The Shop's application stated that the proposed new exterior stairway will be 52 inches wide, and the proposed interior stairway is 54 inches wide. The folded chair protrudes 10.5 inches when folded. The Board determined that 41.5 inches of clear passing space on the proposed new exterior stairway and that 43.5 inches of clear passing space on the interior stairway are compliant clearances as allowed by IBC Chapter 10, Sections 1011.2 and 1014.8 where the occupant load on each floor is more than 50. The building has a smoke detector system and an alarm system. The building does not have and a fire sprinkler system.

After considering these factors, Board member Weaver made a motion to approve the application for a waiver from the building code to install a stairway chairlift in an exterior stairway leading into Dawn's Quilt Shop in Alexandria, Minnesota on the condition that the exterior stairway must be widened in accordance with the approved plans submitted with the Shop's application prior to installation of the chairlift. Board member Weaver also moved to approve the


application for a waiver from the building code to install a stairway chairlift in an interior stairway leading to an upper-level space within Dawn's Quilt Shop in Alexandria, Minnesota. Board member Fenley seconded the motion. The motion carried unanimously.

The Board's approval is subject to the following conditions:

- 1) The exterior stairway of Dawn's Quilt Shop must be widened in accordance with the approved plans submitted with the Shop's application prior to installation of the chairlift in the exterior stairway.
- 2) 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>

- 3) The stairway chairlift shall be maintained in the folded position when not in use.

  
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KAREN GRIDLEY, Chair  
Access Review Board