



Minutes of the State Appeals Board
Appeal #05-01
Thursday August 26, 2005

I. Called to order:

- Appeals Board members included Steve Torell, Building Official for the city of Chanhassen; Roger Larson, an architect with BWBR; Thomas Downs Jr., a structural engineer with BKBM Engineers; Bob James, Fire Marshal for the city of Bloomington; Don Munson, Building Official for the city of Roseville; Ex-officio member Scott McLellan, with the State's Building Codes & Standards Division.
- Chairman Tom Downs called the meeting to order at 10:00 AM.
- Those present in the audience were Curt Wiehle, Accessibility Specialist for the division; John Roche, Supervisor of the division's Elevator Safety Section; Patrick Higgins, Building Official for the city of Minneapolis; Dan Hanggi, Plans Examiner for the city of Minneapolis; Don Birdsall representing Lift-U product division; Robert Zakaras, architect with Architectural Alliance; John Dirkson With Kone Elevator.

II. Introduction of the Appeal:

- Tom Downs summarized the subject of the appeal. This included the request by Mr. Don Birdsall of Lift-U to install an AccessStair™ at the new Guthrie Theatre in Minneapolis.

III. Discussion:

- The question was raised as to why the state disallows these types of lifts where the "runway" is not enclosed. Ans: Because the division has believed it is unsafe to have open space under a lift where someone could get seriously hurt. John explained how a conventional lift operates with an enclosed runway.
- Scott McLellan stated that the purpose of the appeal hearing was to determine whether the features of this particular device adequately addresses the reason why unenclosed lifts have been deleted out of the state building code – In other words, does the supporting evidence demonstrate that this lift device provides the same level of safety afforded by conventionally enclosed runway lifts currently approved for installation in the state?
- Unenclosed lifts are permitted in residential applications but not anywhere else.
- Minneapolis staff questioned criteria or definition for each enclosure category. Curt explained that there are 3 categories: Enclosure provided, Enclosure not provided, Partial enclosure. Although there are not definitions for each, there are separate regulations. Minnesota has traditionally amended out the regulations for "Enclosure not provided."

- Don Birdsall believes his lift should be considered approved as an “enclosed runway” for the following reasons: (1) It is conventionally enclosed on 3 sides with a (taunt) fabric barrier in front. Although sheet metal is typically used in this application, he said the fabric satisfies the standard’s requirement that the barrier operate without any permanent deformation. In addition, he believes the additional safety features of this product makes this lift equal to the safety provided by a traditionally constructed enclosed lift. This includes (2) a safety pan switch under the area of the lift, (3) Six-inch wide safety strip in front of the lift entrance that stops the lift if crossed, along with (4) an electric eye safety beam at the edges of the folded up stairs; (5) Safety switches are UL listed and used redundantly to provide more reliable operation.
- Don also stated that this type of lift is now recognized in the new 2005 version of ASME A18.1. Discussion ensued as to whether this standard has actually been approved and published. Don stated that the standard is approved for publication but has not yet been printed. A18.1 is now where all lifts are regulated. The division is intending on adopting the 2003 version into the new elevator code.
- The point was made that this design is for a control booth where the general public, including small children, do not have access. However, the location is not locked out from the public.
- Don Birdsall displayed a small working scale model of the device to visualize the configuration and operation. He said that to date, there have been 120 installations of this device throughout the U.S. Many/most of those installations have been approved by the governing authority as an “alternate” or “variance” to the ASME code.
- Curt questioned whether there are really two means of egress available from the area of use because one of the drawings only shows one. Don Birdsall confirmed that there are in fact 2 means of egress available. There was discussion regarding the time it takes the stairs to become available if the lift configuration remained in place. The stairs apparently take 5 seconds to deploy once the lift is in the proper position. Because there is another complying means of egress, this evaluation does not include whether the device satisfies the egress provisions of the building code!
- Pat Higgins expressed concern over what equivalence was being proposed. In addition, he was concerned that there was no provision for follow-up or annual inspection to determine that the device was properly maintained. It was clarified that there are no annual municipal inspections of other platform lifts installed in the city.
- Pat stated that the reason the city did not approve the device was because the documentation submitted to them did not show equivalent compliance with the division’s deletion of the existing governing provisions as well as the division’s intent to delete them from ASME A18.1.

IV. Board only Discussion:

- Bob: Boils down to enclosure material- Limited access to the space is a factor.
- Steve: Although not an issue for this installation, he is concerned about whether this device would qualify as a valid means of egress. Expressed frustration that the 05 edition of A18.1 is not available.
- Roger: No particular concerns-
- Don: Very limited use- Believes they addressed the enclosure issue
- Tom: Believes they have addressed concerns here and from the national standard.

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V. Deliberation:

- A motion was made by Bob James to “approve the installation of the device as proposed with the following conditions:
 - (1) The assumption is that ASME standard A18.1 reads as stated in the hearing and is approved for printing and publication;
 - (2) A Certificate of Installation is provided by the manufacture upon completion of the installation.
 - (3) The device is covered by an annual maintenance agreement by the owner the results of which are available to city inspection staff if requested.
 - (4) The approval is for this installation only.Roger Larson seconded the motion.
- The motion carried unanimously.
- The meeting adjourned at 11:15 AM.

Respectfully submitted,

Scott McLellan