

**BEFORE THE ELEVATOR SAFETY BOARD  
DEPARTMENT OF LABOR AND LICENSING  
STATE OF ARKANSAS**

**IN RE:           CITY OF CONWAY**

**CONSENT ORDER**

This matter comes before the Elevator Safety Board on Thursday, September 19, 2019.

The petitioner, through Mayor Bart Castleberry, seeks a variance from overhead space requirements for a new elevator installation in an existing building.

**FINDINGS OF FACT:**

1.       The petitioner is remodeling an existing building at 111 Main Street, Conway, Arkansas to serve as City Hall. As part of the remodel, the existing elevator, AS 7287, is being replaced.

2.       The existing hoistway is short of the overhead required by ASME A17.1-2007, Section 3.4.5. Specifically, there is a 6" minimum strike distance between the top of the hydraulic cylinder and the ceiling of the hoistway. The new elevator will not meet that minimum, although it will meet the 43" refuge space requirement.

3.       The ceiling of the hoistway is concrete construction. The required clearance would require cutting through the concrete to extend the hoistway. This could compromise the structural integrity of the hoistway, as well as being an expensive solution.

4.       The Chief Elevator Inspector, Department of Labor and Licensing, recommends, and the petitioner agrees to the following conditions to ensure reasonable safety:

    a.       Signage reading "LOW CLEARANCE" be placed on the crosshead and be visible upon accessing the top of the elevator;

b. Alternating red/white/markings together with "LOW CLEARANCE" signage be placed on the hoistway walls where the top of the hydraulic cylinders come up to the ceiling; and

c. A minimum of 2" be maintained between the top of the hydraulic cylinders and the ceiling when the elevator is at its maximum upward travel.

**CONCLUSIONS OF LAW:**

5. The board has authority to adopt administrative rules establishing minimum standards for the installation, construction, maintenance and operation of elevators pursuant to Ark. Code Ann. § 20-24-106(c).

6. The board has the power to grant a variance from minimum standards when it is clearly evident that: 1) it is necessary to prevent undue hardship or existing conditions prevent compliance with the literal requirement of the standards; and 2) in the opinion of the board, reasonable safety will be secured. Ark. Code Ann. § 20-24-106(d).

7. In the present case, the board concludes that an undue hardship exists since literal compliance may compromise the structural integrity of the hoistway, as well as being an expensive solution.

8. The board also concludes that reasonable safety will be secured by the conditions placed upon granting the variance.

THEREFORE, the board grants a variance to the City of Conway for the installation of a new elevator in the existing shaft of AS 7287 pursuant to the following conditions: 1) signage reading "LOW CLEARANCE" be placed on the crosshead and be visible upon accessing the top of the elevator; 2) alternating red/white/markings together with "LOW CLEARANCE" signage be placed on the hoistway walls where the top of the hydraulic cylinders come up to the ceiling; and

3) a minimum of 2" be maintained between the top of the hydraulic cylinders and the ceiling when the elevator is at its maximum upward travel.

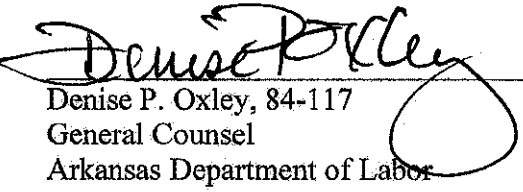
IT IS SO ORDERED.


**ELEVATOR SAFETY BOARD**

By:   
Ralph T. Hudson, Chairman

Date: 9/19/19

Approved:

  
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