

BEFORE THE ELEVATOR SAFETY BOARD
STATE OF ARKANSAS

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IN RE: QUAPAW QUARTER UNITED METHODIST CHURCH
EV #651

ELEVATOR SAFETY DIVISION

ORDER

This matter comes before the Elevator Safety Board on Thursday, September 16, 2010. The petitioner, Quapaw Quarter United Methodist Church ("Quapaw"), 1601 S. Louisiana Street, Little Rock, Arkansas 72206, requests a variance for EV#651, located at the same address.

FINDINGS OF FACT:

1. The petitioner, Quapaw, 1601 S. Louisiana Street, Little Rock, Arkansas 72206, is modernizing EV#651.
2. Regulation 010.05-012 provides that alternations and major repairs shall be made in conformity with the standards as established by Rule 010.05-011(A).
3. Regulation 010.05-011(A) adopts and incorporates by reference ASME A17.1-2007.
4. Quapaw seeks a variance from ASME A17.1, 2.16 Capacity and Loading; and Table 2.16.1.1 Maximum Inside Net Platform since the conveyance does not meet the requirements.
5. That Quapaw has examined installation of a new elevator as well as modernization of the existing elevator. In addition to cost, both options create problems with respect to the concrete structural slab, column and beam construction of the church.
6. Larry Smothers, Chief Elevator Inspector, Arkansas Department of Labor, made a report to the board and recommended approval of the variance because the conveyance does conform to Section 407.4.1 of the American National Standards Institute Standard for Buildings

and Facilities - Providing Accessibility and Usability for Physically Handicapped People, ANSI
A117.1- 2003 as adopted by Regulation 010.05-018(A).

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CONCLUSIONS OF LAW:

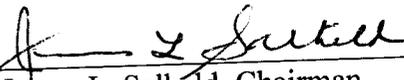
ELEVATOR SAFETY DIVISION

1. Ark. Code Ann. § 20-24-106(d) provides that “[t]he board shall also have the power in any particular case to grant exceptions and variations which shall only be granted where it is clearly evident that they are necessary in order to prevent undue hardship or where the existing conditions prevent compliance with the literal requirements of the rules and regulations. In no case shall any exception or variation be granted unless, in the opinion of the board, reasonable safety will be secured thereby.”

2. In the present case, the Board concludes that an undue hardship exists to Quapaw if the elevator is not allowed to operate due to: (1) concrete structural slab, column and beam construction of the church, (2) the conveyance conforms to provisions of A117.1-2003 as adopted by Regulation 010.05-018(A); and (3) cost involved in any alternate plan. Further, the Board concludes there is no safety risk present in granting this request. The Board concludes that Quapaw Quarter United Methodist Church shall receive a variance from ASME A17.1, 2.16 Capacity and Loading; and Table 2.16.1.1 Maximum Inside Net Platform.

IT IS SO ORDERED.

ELEVATOR SAFETY BOARD
STATE OF ARKANSAS

By: 
James L. Salkeld, Chairman

Date: 1-24-11

Approved:
Daniel Knox Faulkner, 2002168
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