

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

**IN RE:       WARREN SCHOOL DISTRICT**

**ORDER**

This matter came before the Elevator Safety Board on Thursday, January 19, 2023. The petitioner, Warren School District, seeks a variance to allow installation of a Garaventa Commercial Platform Lift (“Lift”) in the Warren Lumberjack Arena.. Mr. Darrel Odom appeared before the Board on behalf of Warren School District.

**FINDINGS OF FACT:**

1. The Warren School District is proposing that the Lift be installed for use in the Lumberjack Arena.
2. The Lift will only be used for home athletic events and graduation ceremonies for disabled attendees.
3. The report of Chief Elevator Inspector, Greg Tipton (“Tipton”), dated January 13, 2023, reflects that there are differences in the current adopted vertical platform lift code and later code additions.
4. Tipton recommends accepting the variance request conditioned upon future inspections and tests under the Commercial Platform Code.

**CONCLUSIONS OF LAW:**

1. The Board has authority to adopt administrative rules establishing minimum standards for the installation, construction, maintenance, and operations of elevators pursuant to Ark. Code Ann. § 20-24-106(c).
2. The Board also has the power to grant a variance from minimum standards when it is clearly evident that it is necessary in order to prevent undue hardship or when the existing conditions prevent compliance with the literal requirements of the rules. In no case, shall

a variance be granted unless in the opinion of the Board, reasonable safety will be secured. Ark. Code Ann. § 20-24-106(d).

3. In the present case, use of the Garaventa Commercial Platform Lift will not pose a safety risk.

THEREFORE, the Board grants a variance to Warren School District for installation of the Garaventa Commercial Platform Lift.

IT IS SO ORDERED.

ELEVATOR SAFETY BOARD

RALPH T. HUDSON, CHAIRMAN

By: /s/ Miles Morgan

1/19/23

Date: 01/19/2023

Prepared by:

Miles Morgan (2017049)

Associate General Counsel

Arkansas Department of Labor and Licensing

900 West Capitol, Suite 400

Little Rock, AR 72201

(501) 682-4507