

Case against company in toddler's garage-door death adjourned

St. Catharines Standard
May 17th, 2008

A company charged with failing to ensure a garage door was braced when it fell and killed a St. Catharines toddler made its first court appearance Friday.

Concrete Finishes Niagara and supervisor Dixon Winger face a total of four charges under the Occupational Health and Safety Act. The Ministry of Labour laid the charges last month.

Kolton Tkachuk, 3, was killed when he was struck by the garage door at his family's Cherie Road home on May 23, 2007. The company was at the house to fix the floor in the garage.

The company and Winger were charged with failing to ensure the garage door was "adequately braced to prevent any movement that may affect its stability or cause its failure or collapse."

They are also accused of failing to "construct a sturdy fence at least 1.8 metres high between the public and the project."

Winger appeared in St. Catharines provincial offences court Friday and the matter was adjourned to June 20.