

## **Charges laid in toddler's death; Kolton Tkachuk, 3, was killed last year after being struck by garage door**

By KARENA WALTER (St. Catharines Standard)  
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The Ontario Ministry of Labour has laid four charges in the death of a St. Catharines toddler almost a year ago.

Three-year-old Kolton Tkachuk was killed May 23, 2007, when he was struck by the garage door at his family's Cherie Road home.

A construction company hired to fix the garage floor was on site when the garage door hit the toddler.

Concrete Finishes Niagara of Vine Street and a supervisor have been charged under the Occupational Health and Safety Act.

The charges include failing to ensure measures and procedures under Ontario regulations were carried out at a workplace.

Specifically, the company is 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."

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

The same two charges were levelled against the supervisor, whom the ministry said it was unable to name due to privacy laws.

However, court documents identified the supervisor as Dixon Wininger.

Ministry spokesman Bruce Skeaff said the maximum penalty against an individual is a \$25,000 fine and 12 months in jail for each charge.

The maximum fine for a corporation for each charge is \$500,000.

The ministry laid the charges on April 28. The case will be in provincial offences court for the first time May 16.

A message left on Concrete Finishes Niagara's answering machine and an e-mail were not returned Tuesday.

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