

# Charges in Wall Collapse Dismissed Against Engineer & Architect but Not City



A 14-year-old girl was killed when a concrete block wall in the women's washroom at a city park collapsed. The city, an architect and an engineer were charged with OHS violations. The defendants asked the court to dismiss the charges because they were filed too late. The court dismissed the charges against the architect and engineer. They'd been charged with providing improper or negligent advice as to the washroom's construction, which took place years before the collapse. So the one-year statute of limitations had expired when they were charged. But it refused to dismiss the charge against the city, which related to the city's continual duty to maintain a safe workplace by ensuring a wall could support all loads to which it may be subjected [*R. v. Corporation (City of Guelph)*, [2012] ONCJ 251 (CanLII), April 20, 2012].