

Child Injury Laws *Blog*

Building Codes Are Intended To Improve The Safety Of Children At Businesses

Posted by **Jonathan Rosenfeld** on February 09, 2011

Building codes are various regulations that apply to both new and existing properties that are adopted into law by various governmental entities. While the specific provisions of the codes may be incredibly specific, the overriding principal behind the codes are to protect the public from harm due to dangerous conditions.

Sadly, it appears as though a building code violation at a Chicagoland hotel may be to blame for a significant injury to a toddler. Several weeks ago, a two-year-old boy fell more than 30 feet down an elevator shaft in a hotel. Apparently, the boy hit a button in the elevator and managed to open the elevator doors between floors. He then fell through the gap that was created between the elevator doors wall of the elevator shaft.

Tragically, the boy sustained serious head trauma in the fall and is now getting medical attention at Children's Memorial Hospital in Chicago.

Now, a further investigation into the incident by building inspectors has determined that the elevator was not in compliance with applicable building codes which require the switches that open the doors to be operated by key or kept under a lock-panel.

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. (www.rosenfeldinjurylawyers.com.)

Amazingly, two building inspectors certified the elevator where the boy was injured just months before this incident.

My take:

As a **personal injury lawyer**, I frequently look to the applicable building code provisions to assist in proving my clients' cases against property owners and incorporate the applicable building codes into lawsuits and jury instructions.

Certainly, the failure of this hotel to comply with the applicable code is evidence of negligence and will likely expose them significantly to the substantial damages that the boy will continue to incur.

Related:

2-year-old critically injured in elevator fall, Daily Herald January 24, 2011

Elevator Injuries: Kids at Risk, More Than 1,900 Elevator Injuries in U.S. Kids and Teens Per Year CBS News, June 19, 2007

Elevator and Escalator Accident Reconstruction and Litigation, By James Filippone, Joel D. Feldman, Ronald D. Schloss

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