



Claim Case Studies & Legislation: Parade Float Fall

Facts

A woman was riding on a parade float in a Town's annual parade. This was not her first year in the parade as she was on the board of an organization that put a float in the parade every year. As part of her duties she organized and arranged for the making of the float, the driver of the truck pulling the float and the particulars of who was going to be riding on the float. She had done this for the past three years.

The day of the parade was cold. The woman noticed her granddaughter shivering on the float. She stood up to go over and see her granddaughter. Another woman on the float told her to sit down, but she continued. The woman lost her balance and fell forward off of the float as it was coming to a stop. The truck ran over her knee and across her body. She was taken to the hospital by ambulance. She was in the hospital for close to two months and in rehabilitation as an outpatient for the following year. The woman experienced a remarkable recovery, but will never be back to her pre-accident condition. She suffers from lower back pain and leg discomfort.

The woman brought an action against the organization and several other parties (the driver of the truck, the owner of the truck, the Township, and the event organizers) for

negligence. She claimed that the organization was liable for her damages as they did not investigate the driver or his credentials, nor did they inspect the vehicle before the commencement of the parade.

Issue

Was the organization partially liable for the woman's injuries for failing to adequately ensure that the float participating in the parade was safe?

Legislation

Negligence Act, RSO 1990, CHAPTER N.1 "Section 1: Where damages have been caused or contributed to by the fault or neglect of two or more persons, the court shall determine the degree in which each of such persons is at fault or negligent, and, where two or more persons are found at fault or negligent, they are jointly and severally liable to the person suffering loss or damage for such fault or negligence, but as between themselves, in the absence of any contract express or implied, each is liable to make contribution and indemnify each other in the degree in which they are respectively found to be at fault or negligent."

Findings

The claimant asked the man, who was a neighbour of a friend, to drive the truck for the parade. He had done so for other parades. The man visually inspected the float before they entered the parade. He had no problem with the design or construction. He told the children who were riding on the float not to stand or walk on the float while the truck and trailer were moving. The woman was aware of this and did so anyway. The woman had participated in parades before and knew the dangers of standing and walking on a float while it was moving.

The woman asserted that although the organization had approved her organizing a float, they did nothing to ensure that it was appropriate or safe.

Outcome of the Claims

The claim against the organization was dismissed.

Lessons Learned

When organizing or hosting a special event like a parade, you must ensure that participants and spectators are safe. For more information, see our Risk Management Considerations for Municipally Run Parades.