

**INTEGRITY COMMISSIONER INVESTIGATION REPORT ON
CODE OF CONDUCT COMPLAINT 2026-01 RE: COUNCILLOR JOHN CHIOCCHIO**

The Corporation of the City of Welland

Date: April 7, 2026

Prepared For:

The Council of The Corporation of the City of Welland

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A. INTRODUCTION

A formal complaint was filed with our office on January 13, 2026 (the “**Complaint**”). The Complaint alleges that Councillor John Chiocchio (the “**Councillor**”) of The Corporation of the City of Welland (the “**City**”) contravened the City’s Code of Conduct for Members of Council (the “**Code**”).¹

Specifically, the Complaint alleges that the Councillor contravened Sections 4.1, 10.2(c), 14.1, and 18.1 of the Code on account of two social media posts and related comments that he made on his public Facebook page in December 2025.

B. AUTHORITY & JURISDICTION

The City appointed Hines Law to serve as its Integrity Commissioner pursuant to subsection 223.3(1) of the *Municipal Act, 2001*.²

The Integrity Commissioner is responsible for performing, in an independent manner, the functions assigned by the City in connection with, among other things, the application and enforcement of the Code, which governs the ethical conduct of Members of City Council. This includes receiving, assessing, investigating, and, where warranted, reporting on complaints made in accordance with the City’s Integrity Commissioner Procedures (the “**Complaint Protocol**”).

We conducted a preliminary review of the Complaint to determine whether it fell within our jurisdiction. We determined that it did, on the basis that it alleged breaches of specific provisions of the Code and disclosed reasonable and probable grounds to believe that such contraventions may have occurred.

Accordingly, we investigated the Complaint in accordance with subsection 223.4 of the *Municipal Act, 2001* and the Complaint Protocol, in a manner consistent with the principles of procedural fairness.

This Report sets out our findings, opinions, and recommendations arising from our investigation into the Complaint for Council’s consideration and determination.

¹ Policy No. HUM-001-0031.

² *Municipal Act, 2001*, S.O. 2005, c. 25.

C. RELEVANT CODE OF CONDUCT PROVISIONS

The Complaint alleges that the Councillor contravened Sections 4.1, 10.2(c), 14.1, and 18.1 of the Code, which provide as follows:

4.0 COMMUNICATIONS AND MEDIA RELATIONS

4.1 Members will show respect for Council’s decision-making process, accurately communicate the decisions of Council, even if they disagree with the decision of Council, and acknowledge that information related to decisions and resolutions of Council will normally be communicated to the community by the Council as a whole, or the Mayor as Head of Council, or his or her designate.³

...

10.0 SOCIAL MEDIA

...

10.2 When using social media, as a representative as a councillor, Members shall not:

...

(c) use social media to publish anything that is dishonest, untrue, or misleading in any way.

...

14.0 DISCREDITABLE CONDUCT

14.1 As a representative of the City, every Member has the duty and responsibility to treat members of the public, one another and staff, appropriately and without abuse, bullying, or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment.

...

18.0 FAILURE TO ADHERE TO COUNCIL BY-LAWS, POLICIES AND PROCEDURES

18.1 Members shall encourage public respect for, and are required to obey the spirit and intent of, all City by-laws, policies and procedures.

³ We note that Section 4.1 is currently under review by City Council and that amendments are forthcoming, particularly in relation to the third component of the provision. This Report applies the version of the Code that was in force at the time of the alleged contraventions. In any event, for the reasons set out herein, the third component of the provision is not engaged in this case. Accordingly, any change to that component would not impact the findings or conclusions set out in this Report.

D. THE INVESTIGATION

We conducted our investigation of the Complaint in accordance with subsection 223.4 of the *Municipal Act, 2001* and the Complaint Protocol, and in a manner that was consistent with the principles of procedural fairness.

As part of our investigation, we reviewed and considered the following materials:

- The Complaint;
- The [Agenda](#), [Minutes](#), and [livestream recording](#) from the relevant Council meeting;
- The relevant social media posts and comments;
- The submissions of the Complainant and the Councillor, detailed below.

We also reviewed and considered applicable case law and relevant secondary sources, including prior Integrity Commissioner reports.

We received the Complaint on January 13, 2026. As detailed above, we conducted a preliminary review to determine jurisdiction. We provided notice of the Complaint and investigation to the Councillor on February 20, 2026, and invited him to provide a written response within ten (10) days, pursuant to Section 9.16(a) of the Complaint Protocol. The Councillor requested a brief extension, which we granted. The Councillor submitted his response in two parts, on March 3 and 4, 2026, respectively.

On March 4, 2026, in accordance with Section 9.16(b) of the Complaint Protocol, we provided a copy of the Councillor's response to the Complainant and invited them to provide a written reply within ten (10) days. That same day, we received their reply.

On March 6, 2026, we provided a copy of the Complainant's reply to the Councillor for their information. On March 9, 2026, the Councillor made brief additional submissions in response, which we provided to the Complainant for their information.

On March 27, 2026, in accordance with Section 9.24 of the Complaint Protocol, we provided a copy of our draft final investigation report to the Councillor and invited any final written submissions to be provided within ten (10) days. We also provided a copy to the Complainant as a courtesy and received their comments that same day. We received the Councillor's final written submissions on April 6, 2026.

We made all our findings on the civil standard of proof, being the balance of probabilities. We carefully considered all of the evidence in this matter as well as the submissions of the parties and have addressed them where relevant in this Report.

E. FACTUAL BACKGROUND

1. The Councillor

The Councillor is one of two Councillors that represent Ward 3 within the City. The Councillor is a longstanding and experienced member of Council having been elected three times.⁴

2. The December 3, 2025 Special Council Meeting

The relevant Council meeting in this case was the Special Council Meeting that took place on December 3, 2025 (the “**Meeting**”). The Councillor attended virtually.

The Meeting started at approximately 5:00 p.m. and ended around 10:30 p.m. The Meeting formed part of the statutory municipal budget review and approvals process. Council’s job at the Meeting was to propose, debate, and vote on amendments to the Mayor’s proposed 2026 Capital and Operating Budgets (the “**Budget**”).

The relevant Agenda Item was an infrastructural renewal project, the “Bald, Maple & Catherine Infrastructure Renewals Project” (the “**Project**”).⁵ The Project was comprised of the following two parts: (1) full road reconstruction and improvements; and (2) watermain and sanitary sewer replacements. The approximate total cost would be \$2.8 million, which staff recommended should be funded by debenture (i.e. debt financing).

Councillor Green moved a motion, seconded by Councillor Moote, to amend the Budget to include the Project (the “**Motion**”). Council debated the Motion.

During the debate, Councillor McLeod moved to amend the Motion (the “**Motion to Amend**”), seconded by Councillor Moote. The Motion to Amend proposed to change the Project’s funding source, such that \$500,000 of the total cost would come from the levy (i.e. property taxes).⁶ Councillor McLeod submitted as follows in support of the Motion to Amend:

We’ve heard from [the City’s Finance Department] that we’re relying too much on debt, too much on reserves... So, we’re going to end up with... less reserves, higher debt, as a result of this. The only way to deal with the problems that we have, is to go to the levy and say, go to the taxpayers and say, ‘we have a problem’.

⁴ While the Complainant’s identity was disclosed to the Councillor as part of the investigation, it is not relevant to the allegations or issues under consideration in this matter. Accordingly, we have exercised our statutory discretion to maintain the Complainant’s confidentiality and to omit identifying information from this Report, on the basis that Council’s consideration should properly focus on the issues at hand, rather than on the individual who brought the matter forward.

⁵ Agenda Items 3.2.1.14 and 3.2.2.3; Minutes at p. 6; livestream recording commencing at 3:35:25 (8:57 p.m.).

⁶ Minutes at p. 6; livestream recording at 3:49:34 (9:11 p.m.).

We are \$20 million short in our levy each year... And if we don't start to move the tax rate closer to... starting to... chip away at that, we are never going to get traction on that. Never.

Subsequently, the Chair of the Meeting, Mayor Frank Campion (the “**Mayor**” or the **Chair**”, as the context requires), called upon the Councillor to provide his submissions on the Motion to Amend. At this time, the following exchange occurred:⁷

Chair: Councillor Chiocchio.

Councillor: Thank you. I'm not sure why Councillor McLeod wants to keep burdening the taxpayer by putting stuff on the levy...

Chair: Well Councillor, hold on. Hold on, Councillor. Okay.

Councillor: What? What's the problem with that?

Chair: Hold on. I've got a point of privilege.

Councillor: Yeah, what?

Chair: Councillor, I have a point of privilege.

Councillor: Oh, sorry. I can't hear you. Okay, go ahead. Sorry.

Councillor McLeod: Mr. Mayor, I take offence to the comments by the Councillor. I believe he misspoke. Would he like to apologize?

Councillor: Why would I want to apologize when you want to keep burdening the taxpayer and putting stuff on the levy?

Chair: Councillor, hold on. Councillor Chiocchio, you know, you have to hear what I have to say. Try to hear what I have to say,

Councillor: Go ahead.

Chair: Because I have to deal with this issue, and it's not an argument between you and Councillor, McLeod. So, Councillor, I think the way that you posed that is inappropriate. Because...

[The Chair and the Councillor begin speaking over one another.]

Councillor: I, I don't... Why?

Chair: Because, well, see, what he's simply done is trying to put this into the rate for, uh, for some very good reasons, uh, that he has outlined. So...

Councillor: Well, that's... Well, I have a reason why we shouldn't.

⁷ Livestream recording commencing at 3:54:14 (9:15 p.m.).

Chair: Well, you, yes. But you can say you disagree with it, but without...

Councillor: I want the work done. I...

Chair: Without...

Chiocchio: Well, I disagree. I want the work done, but...

Chair: Without insulting [Councillor McLeod].

Chiocchio: I'm not insulting [Councillor McLeod].

Chair: You tell us why... Don't imply something on [Councillor McLeod] ...

Chiocchio: I'm not insulting [Councillor McLeod] ... He wants to burden the taxpayer.

Chair: Councillor, would you please stop? I'm trying to tell you how you should be proceeding with this to stay in order. You don't... You should not be implying something on the Councillor who brought it forward, but bringing forward your argument as to why you're opposed to it...

Chiocchio: I'm opposed to it because we're burdening the taxpayer. Why do you want to keep burdening the taxpayer? If there's money in reserves, I want the work done. We don't do 75% of a project, we do it all. That's the last piece of the puzzle. As Councillor Speck said, this should have been in the budget to begin with. You don't finish part of a project, you spent \$9 million on out there. And the residents of Maple and Bald kept saying, why isn't this job finished? It should have been part of this budget this year. And now we've got to bring it up in amendments and put it forth when it should have been done. Part of the mayor's budget.

Chair: I'm sorry, Councillor, but you're misinterpreting this.

[The Chair and the Councillor begin speaking over one another again.]

Chiocchio: No, I'm not.

Chair: This is why you are here, to either put it in or not, as a decision of Council...

Chiocchio: Right, it should have been put in the mayor's budget.

Chair: Councillor.

Councillor: You don't do part of a job, Mayor Campion.

Chair: Councillor Chiocchio.

Councillor: You do it all.

Chair: Councillor Chiocchio, you're out of order because you're supposed to be speaking directly to this amendment.

Chiocchio: I am.

Chair: And you should not be saying it should be in the budget if you're proposing to put it in the budget.

Councillor: It should've been part of the mayor's budget.

Chair: Councillor Chiocchio, Councillor Chiocchio. I have another point of order, but I want to make it clear that it's your responsibility to either decide to put it in or not. If you wanted to go...

Councillor: [Inaudible comment by the Councillor.]

Chair: Councillor Chiocchio, I'm going to just finish this comment and then I'm going to go to the, um, to the to the other Councillor. The point being that if you want to follow that that trajectory, or, we should be putting these things automatically in the budget without Council input, then we should be putting \$20 million into the budget. And that's not...

Councillor: That area is the oldest...

Chair: This is why you have to do it this way. I have Council, I have a...

Councillor: You know, and staff know it's the oldest area...

Chair: Would you stop talking?

Councillor: Well, go ahead with your point.

Chair: Would you stop talking? You're going to get dismissed from this meeting if you keep it up.

Councillor: Go ahead.

Chair: So, Councillor McLeod, you have a point of privilege or point of order?

Councillor McLeod: Thank you. Thank you, Mr. Mayor. My point of order is that the Councillor is not proceeding with the decorum or respect for members of Council and as such needs to follow the rules. Or not participate.

Councillor: [Laughs]. Point of order?

Chair: So, the point of order...

Councillor: Point of order to *you*, Councillor McLeod.

Chair: Councillor, I really do not want to expel you from this meeting. I'm giving you a chance to stop. You have...

Councillor: I, I, yeah.

Chair: Decorum is... Okay. One more interruption, Councillor, and you will be thrown out of this meeting.

Councillor: Go ahead.

Chair: Can you stop talking?

Councillor: I am.

Chair: Well, when you say you are stopping talking, that's not stopping talking. So, the point is...

Councillor: Go ahead.

Chair: Councillor, that's enough. You are now dismissed from this meeting.

[The Chair removes the Councillor from the Meeting and then addresses Council regarding what happened.]⁸

I've had it. Okay, Councillor McLeod, you did make a point.

Decorum is important and the decorum that has been the most frustrating for Council and for myself is that, not listening to or paying attention to what the direction is from the Chair.

I have an obligation to make sure that the meeting runs according to our rules, and that's not what our rules say.

So, the Councillor has now been expelled because he will not stop breaking the rules.

And this is important that we follow the rules because we will not be able to do our business in a model, in a way that is acceptable as far as conversation goes to get to the end. So, we are going to move on.

The Chair's decision to remove the Councillor was not challenged.⁹

The Minutes state that the Councillor was "removed from the meeting at 9:20 p.m. due to inappropriate comments made during the meeting".¹⁰

⁸ Livestream recording commencing at 3:58:38 (9:20 p.m.).

⁹ Section 13.12 of the City's Procedure By-law No. 2024-95 (the "**Procedure By-law**") provides as follows: "If a Member disagrees with a decision/ruling of the Chair, they shall immediately following the decision of the Chair state that they wish to Challenge the decision of the Chair."

¹⁰ Minutes at p. 1. Council approved the Minutes without amendment at its next meeting.

3. The Councillor’s First Facebook Post

Shortly after being removed from the Meeting by the Chair, the Councillor made a post on his Facebook page (the “**First Facebook Post**”),¹¹ reproduced below:



As shown above, the First Facebook Post says: “That was interesting. Just got tossed from the City Of Welland Final Budget Meeting From The Mayor [quizzical-face emoji] #notaxhike”.

The post received 139 reactions, 91 comments, and 1 share. Comments on the post varied, including speculation regarding why the Councillor had been removed from the Meeting. The relevant comments, and the Councillor’s responses, provide as follows:¹²

Comment: “That is not right you get removed for looking about *[sic]* the constituents of ward 3. The strong mayor powers need to be removed to stop this from happening”

Response: [thumb’s up emoji]

Comment: “For?”

Response: “speaking”

Comment: “must of been doing something right”

Response: “asking questions”

Comment: “You probably were suspected to vote against whatever he [i.e. the Mayor] wants”

Response: [thumb’s up emoji]

Comment: “Looks like it doesn’t take much to get kicked out these days!”

Response: “not really”

¹¹ The Councillor’s page is public. He regularly posts about municipal matters in his capacity as a Councillor.

¹² Screenshots of these comments and responses are included as Appendix “A” to this Report.

The First Facebook Post also received numerous comments regarding the Mayor. Specifically, there were at least twenty (20) comments that referred to the Mayor, either directly by name or position, or indirectly by implication, and that were critical in nature. Some comments included personal attacks about the Mayor’s intelligence and appearance, while others mocked the Mayor and used disrespectful language. At least one comment contained overtly abusive language by calling the Mayor a derogatory name and using profanity. The Councillor did not interact with or remove any of these comments.¹³

4. The Councillor’s Second Facebook Post

The Councillor made a second Facebook post on December 4, 2025 (the “**Second Facebook Post**”), the day after the Meeting. A screenshot is set out below:



¹³ The comments concerning the Mayor have been summarized rather than reproduced in this Report to avoid further dissemination. The Councillor was provided, as part of this investigation, with a confidential addendum setting out in full the comments relied upon for the purposes of our analysis.

The Second Facebook Post is an AI-generated short video that depicts the Councillor being pushed in a sled by a cartoon character, the Grinch. The Councillor looks distressed while the Grinch looks gleeful and mischievous. The video is accompanied by comedic “Benny Hill” chase music. The caption reads: “Getting Escorted Out A Meeting [quizzical face emoji] WT...” The post received 163 reactions, 20 comments, and 4,200 views.¹⁴

The comments largely focused on the humorous nature of the post, with remarks such as: “Love the Benny Hill Music”; “This is hilarious, John [crying laughing emoji]”; and “Yo [too] funny John Chiocchio. Love this. Wellandville lol”. Two comments referred to the Mayor, stating: “There go those mayor superpowers!”; and “The mayor of Whoville”.

F. SUMMARY OF THE COUNCILLOR’S SUBMISSIONS

In his initial response to the Complaint, the Councillor submitted that the purpose of the First Facebook Post was to be transparent and informative to the public regarding his removal from the Meeting. With respect to the comments made by members of the public on that post, the Councillor stated that members of the public are entitled to express their opinions about what transpired. He acknowledged the Chair’s authority to remove him from the Meeting, while noting that he did not have to agree with the decision.

With respect to the Second Facebook Post, the Councillor submitted that it was similarly protected by his right to freedom of expression. He emphasized that the Mayor was not mentioned in the post and maintained that the use of the Grinch in the AI-generated video was not intended to represent the Mayor. Rather, he stated that the video was meant to depict the Grinch entering City Hall and removing the Councillor from the Meeting.

The Councillor further submitted that the use of the Grinch in the post was not disrespectful, noting that the character commonly appears at family-friendly Christmas events, including events hosted by the City. By way of example, he referred to the Grinch’s participation in the Welland Christmas Parade on November 22, 2025, as well as children’s crafts and photographs with Santa held at City Hall.¹⁵

In his submissions on the draft final report, the Councillor reiterated that his use of the Grinch was satirical and humorous, involved a well-known fictional character, and was not intended to represent the Mayor or to undermine the integrity of Council or the City. He

¹⁴ Screenshots of the Second Facebook Post and comments are included as Appendix “B” to this Report.

¹⁵ With his final submissions, the Councillor provided a picture of the Grinch at this event and requested it be appended to this Report. We accept the Councillor’s submission that the Grinch character was present at that event. However, we have elected not to include the photograph, as it is not relevant to any matter in dispute in this investigation, given that the fact of the character’s presence at the event is not contested.

submitted that finding a breach of the Code based on this imagery would set a concerning precedent by extending the Code to subjective interpretations of humour or satire.

The Councillor also argued that treating the use of the Grinch differently depending on context, specifically, his use of the character versus its use by the City at Christmas events, creates uncertainty and inconsistency.¹⁶ Finally, he submitted that characterizing such expression as a Code violation could have a chilling effect on elected officials' ability to communicate openly, creatively, and meaningfully with the public.

G. PRELIMINARY MATTERS

1. Scope of Analysis

The Complaint does not allege that the Councillor breached the Code in relation to his conduct at the Meeting itself. Instead, the allegations relate solely to the Councillor's subsequent conduct on social media. As Integrity Commissioner, we generally confine our review to the allegations set out in the complaint before us, absent exceptional circumstances, such as where additional misconduct arises during the course of an investigation. No such exceptional circumstances arose in this case. Accordingly, while we refer to the events of the Meeting for contextual purposes, our analysis and findings in this Report are limited to the conduct specifically alleged in the Complaint.

2. Freedom of Expression

The Councillor's submissions reference freedom of expression.¹⁷ Freedom of expression is a fundamental right protected by section 2(b) of the *Canadian Charter of Rights and Freedoms*.¹⁸ It encompasses a wide range of expressive activity, including political expression, which lies at the core of democratic governance.

In the municipal context, elected officials must be able to express their views, participate in robust debate, and represent the interests of their constituents.

¹⁶ We address this argument at the outset by clarifying that our jurisdiction does not extend to the planning, hosting, or endorsement of events by the City as a corporation. Our jurisdiction is limited to the conduct of individual Members of Council, as governed by the Code. Accordingly, the City's use of particular imagery or characters at municipal events is not a matter within the scope of this investigation.

¹⁷ The Councillor also raised the doctrine of qualified privilege. Qualified privilege is a defence in defamation law and is not engaged in the context of an investigation into a Code of Conduct complaint. As the issues before us concern compliance with the Code, rather than civil liability for defamation, the doctrine has no application to this investigation and is not addressed further in this Report.

¹⁸ *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982 (UK), 1982, c 11* (the "**Charter**").

However, freedom of expression is not absolute. The *Charter* expressly permits reasonable limits on expressive activity where such limits are justified.¹⁹

Ontario courts have repeatedly recognized that municipal codes of conduct serve legitimate and important public purposes, including promoting civility, maintaining public confidence, and supporting the orderly and effective conduct of municipal business.²⁰ While such codes may constrain the manner in which elected officials express themselves, those constraints are permissible provided they are reasonable and do not unduly impair a member’s ability to engage in political discourse.

Codes of conduct must be interpreted and applied in a manner consistent with the *Charter*. This requires a careful balancing of an elected official’s right to freedom of expression with the public interest in maintaining respectful, civil, and effective municipal governance.²¹

H. FINDINGS, ANALYSIS & OPINIONS

1. Section 4.1 – Communications and Media Relations

(i) General

Section 4.1 of the Code establishes three distinct but related requirements governing the manner in which Members communicate with the general public, including through social media or other communications available to a wide audience, as well as with the media. The purpose of this section is to support public confidence in the integrity of Council and its decision-making processes by ensuring that Members communicate publicly in a manner that does not undermine the legitimacy of how Council conducts its business.

First, Members must “show respect for Council’s decision-making process”. Second, Members must “accurately communicate the decisions of Council, even if they disagree with the decision”. Third, Members must “acknowledge that information related to decisions

¹⁹ *Charter* at s. 1.

²⁰ *Robinson v. Pickering (City)*, 2025 ONSC 3233 (Ont. Div. Ct.); and *Buck v. Morris*, 2015 ONSC 5632 (Ont. Div. Ct.) at paras. 191 and 193:

The right to freedom of speech in our society is not an absolute right. While freedom of speech is a cherished right in a free and democratic society, there are reasonable limitations. The Town of Aurora, like many towns and cities in the Province of Ontario, has a Code of Conduct that purports to codify parameters of reasonable conduct for elected Town officials... The plaintiff clearly has a perception that she has an unfettered right to freedom of expression and freedom of speech. That freedom, however, is circumscribed by the Code.

²¹ *Doré v. Barreau du Québec*, [2012] 1 S.C.R. 395 (SCC).

and resolutions of Council will normally be communicated to the community by Council as a whole, or by the Mayor as Head of Council, or his or her designate”.

Section 4.1 does not prohibit disagreement with, or criticism of, Council’s decision-making processes. Disagreement does not, in and of itself, constitute disrespect, and criticism, even if pointed or unpopular, does not necessarily undermine public confidence in Council. Members are entitled to publicly question decisions and to express dissenting views. However, where a Member’s conduct goes beyond disagreement or criticism and instead mocks or trivializes core governance mechanisms through which Council conducts its business, that conduct can undermine public confidence in the integrity and legitimacy of Council’s decision-making processes.

For the reasons that follow, it is our opinion that the Councillor contravened Section 4.1 of the Code with respect to one of its components, namely the requirement to show respect for Council’s decision-making process. Each component of Section 4.1 is addressed in turn below.

(ii) Respect for Council’s Decision-Making Process

The First Facebook Post and the Councillor’s Responses to Comments

In our view, neither the First Facebook Post nor the Councillor’s responses to comments asking about the events of the Meeting contravened the requirement to show respect for Council’s decision-making process. Taken together, the post and the Councillor’s responses can fairly be characterized as expressing disagreement with, and criticism of, the decision to remove the Councillor from the Meeting.

While the Councillor’s characterization of events was imprecise and, in some respects, misleading, a matter addressed later in this Report under Section 10.2(c), nothing in the First Facebook Post or the Councillor’s related responses rises to the level of mocking or trivializing Council’s procedural or governance mechanisms.

The Second Facebook Post

By contrast, it is our opinion that the Second Facebook Post does contravene Section 4.1 for the following reasons.

Council conducts its business and makes its decisions through formal meetings. The conduct of meetings is governed by the City’s Procedure By-law. The Procedure By-law establishes rules of order and decorum and authorizes the Chair, where necessary, to remove a Member from a meeting in order to preserve order and decorum.

In this case, as detailed above, the Chair made repeated attempts to restore order and decorum by providing directions and instructions to the Councillor, including three explicit warnings that specifically referenced the possibility of removal from the Meeting. It was only after those efforts proved unsuccessful that the Chair exercised the authority conferred by the Procedure By-law to remove the Councillor from the Meeting in order to restore order and allow Council to conduct its business.

In response, the Councillor created and publicly disseminated an AI-generated video portraying his removal from the Meeting in a joking and exaggerated manner. The video depicts the Councillor being pushed away on a sled by the Grinch, a widely recognized fictional character commonly associated with being grouchy, antagonistic, and spoiling events or enjoyment for others. The depiction is accompanied by “Benny Hill”-style chase music, which is commonly used to convey farce, exaggeration, and silliness. Taken together, these elements would reasonably be understood as making light of, and mocking, the Councillor’s removal from the Meeting.

In our view, this portrayal trivialized what was, in fact, a serious and legitimate exercise of authority under the Procedure By-law. The Councillor was removed from the Meeting as a result of his own failure to comply with rules of decorum, following multiple warnings and escalated enforcement efforts. By representing that enforcement action as something frivolous or comedic, the Councillor diminished the seriousness of a core governance mechanism designed to uphold order and support Council’s decision-making functions.

It is our opinion that this conduct constituted disrespect for Council’s decision-making process, contrary to Section 4.1 of the Code.

(iii) Accurate Communication of Council Decisions

The second requirement of Section 4.1 is not engaged in this case as the Councillor’s social media activity did not pertain to a decision of Council.

While the Complaint submits that the Chair’s decision to remove the Councillor equates to a decision of Council, we do not agree. The removal was an exercise of the Chair’s authority under the Procedure By-law, not a decision made by Council as a deliberative body.

(iv) Communications on Behalf of Council

The third requirement of Section 4.1 is similarly not engaged. The Councillor’s communications did not purport to convey information on behalf of Council, nor did they relate to a decision or resolution of Council as a whole. Rather, they reflected the Councillor’s personal response to events that occurred during a meeting.

2. Section 10.2(c) – Social Media

(i) General

Pursuant to Section 10.2(c), when using social media in their capacity as Members of Council, Members are prohibited from publishing anything that is “dishonest, untrue, or misleading in any way”. This limitation on expression serves the public interest by promoting public access to accurate information about municipal matters and by preventing the dissemination of misinformation by elected officials, who hold positions of power, responsibility, and influence.

For the reasons set out below, it is our opinion that the Councillor contravened Section 10.2(c) of the Code.

In his responses to comments on the First Facebook Post (detailed above and appended at Appendix B), the Councillor suggested that he was removed from the Meeting simply for speaking or asking questions, for advocating on behalf of his constituents, or as a consequence of the exercise of strong mayor powers. He also endorsed comments implying that he was removed because he was expected to oppose the Mayor, and that it “doesn’t take much” to be removed from a Council meeting. Further, the use of the hashtag “#notaxhike” suggested that he was removed because he did not support a tax increase.

These characterizations are not supported by the evidentiary record. We find them to be dishonest, untrue, and misleading. As detailed earlier in this Report, the Councillor was removed from the Meeting as a result of his own failure to comply with rules of decorum, following multiple warnings and escalated enforcement efforts, and pursuant to the Chair’s authority to remove Members from meetings to preserve order and decorum under the Procedure By-law.

By omitting important context and offering alternative explanations, the Councillor conveyed a misleading impression that his removal from the Meeting was frivolous, arbitrary, politically motivated, or retaliatory. Suggesting that Members may be removed from a meeting simply for speaking, asking questions, advocating for constituents, or holding unpopular views does not accurately reflect how Council meetings are conducted or what occurred in this case.

This portrayal presented a false and concerning picture of how Council operates. If accepted as true, it would suggest that Council acts in an arbitrary or undemocratic manner. Misrepresentations of this nature have the potential to undermine public trust and confidence in Council and in the legitimacy of its decision-making process.

The Councillor’s Second Facebook Post further contributed to this misleading narrative. By portraying his removal from the Meeting in a mocking and exaggerated manner, as detailed above, the post trivialized the circumstances that led to the enforcement action and conveyed the impression that the incident was frivolous or unjustified, when the record demonstrates otherwise.

Accordingly, it is our opinion that the Councillor contravened Section 10.2(c) of the Code.

3. Section 14.1 – Discreditable Conduct

Section 14.1 of the Code requires Members to treat one another, members of the public, and staff appropriately and without abuse, bullying, or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment. The purpose of this provision is to promote respectful and professional conduct among Members and to prevent conduct that undermines individual dignity or the integrity of Council.

For the reasons set out below, it is our opinion that the Councillor contravened Section 14.1 of the Code in part by permitting and engaging in conduct that constitutes bullying.²² Our findings do not extend to abuse, intimidation, or a breach of the municipal work-environment component of this provision.

(i) Bullying

The First Facebook Post

The Councillor was entitled to inform the public of his removal from the Meeting and to criticize that outcome. We do not find that the First Facebook Post, or the Councillor’s responses to comments asking about the Meeting, amounted to bullying under Section 14.1, notwithstanding that some responses were misleading, as addressed earlier under Section 10.2(c).

Comments on the First Facebook Post

As detailed above, the First Facebook Post generated a significant number of comments from members of the public directed at the Mayor. Approximately twenty (20) comments referred to the Mayor, either directly or by implication. Several of these comments included

²² Bullying includes conduct that a reasonable person would understand as demeaning, ridiculing, humiliating, or undermining another individual. Bullying may arise from a single serious incident or from repeated conduct, and may occur in person or through electronic or online means, including social media (i.e. “cyberbullying”). Bullying may include not only direct actions by a Member, but also conduct where a Member enables, facilitates, or amplifies hostile behaviour by others in circumstances where the Member has the ability to intervene.

personal attacks, such as remarks about the Mayor’s intelligence and appearance, and at least one comment contained overtly abusive language.

We accept that the Councillor did not author these comments and cannot reasonably be expected to monitor or remove every critical remark made by members of the public on his social media posts. Members are entitled to facilitate robust and even critical discussion. However, in this case, the volume and nature of the commentary went beyond ordinary political criticism and, in our view, amounted to cyberbullying.

Despite having control over the post and the ability to remove comments, the Councillor did not delete even the most egregious comments directed at the Mayor. The Councillor initiated the discussion by publishing the post, remained engaged with the comment thread, and responded selectively to other comments concerning the Meeting. In these circumstances, it is reasonable to conclude that the Councillor was aware of the personal attacks directed at the Mayor and chose not to intervene, including by removing comments that crossed the line from political disagreement into personal or abusive attack.

By allowing these comments to remain publicly visible on his post, the Councillor enabled conduct that demeaned and undermined the dignity of a fellow Member of Council. It is our opinion that this conduct constitutes bullying within the meaning of Section 14.1 of the Code.

The Second Facebook Post

The day following the Meeting, the Councillor created and published the Second Facebook Post depicting his removal from the Meeting in a mocking and humorous manner, as described above. The Councillor maintains that the post was intended solely as humour, that it depicted only a fictional character, the Grinch, and that it was not meant to mock the Mayor or the Mayor’s decision to remove him from the Meeting. He further submits that the use of the Grinch should not be of concern, noting that the character has appeared at municipal events in the past.

In assessing the Second Facebook Post, the issue is not the mere use of humour or a fictional character. Rather, the issue lies in how that character was used and the context in which the post was made. As noted above, the Grinch is a widely recognized cultural figure commonly associated with being grouchy, antagonistic, and spoiling events or enjoyment for others, and is often used as a shorthand for ridiculing or deriding conduct. More importantly, the post expressly portrayed the Councillor’s removal from the Meeting through this imagery.

Assessed objectively and in context, a reasonable person would understand the Second Facebook Post as making fun of the person who removed the Councillor from the Meeting, namely, the Mayor. The post was published one day after the Councillor’s removal from the Meeting and followed the First Facebook Post, which had already generated personal and hostile commentary directed at the Mayor. Against that backdrop, the Second Facebook Post would reasonably be perceived as further demeaning and undermining the Mayor, rather than as a detached or abstract joke.

It is our opinion that this conduct constitutes bullying within the meaning of Section 14.1 of the Code.

(ii) Abuse

We do not, however, find that the Councillor’s conduct constitutes abuse within the meaning of Section 14.1. While at least one comment made by a member of the public was verbally abusive in nature, the Councillor’s failure to remove this single comment does not meet the high threshold required to establish that he himself engaged in abusive conduct.

(iii) Intimidation

It could be argued that conduct of this nature, particularly where a Member is publicly mocked or subjected to sustained negative commentary, may have an intimidating effect. However, on the facts of this case, we are not satisfied that the conduct rises to the level of intimidation within the meaning of Section 14.1. There is no evidence that the Councillor’s actions were intended to, or did, create a sense of fear, coercion, or deterrence.

(iv) Municipal Work Environment

Section 14.1 also requires Members to ensure that the municipal work environment is free from discrimination and harassment. While the conduct described above is concerning, there is insufficient evidence to conclude that it resulted in, or had a demonstrable impact on, the municipal work environment. There is also no allegation or evidence of discrimination or harassment in this case.

4. Section 18.1 – Failure to Adhere to Council By-laws, Policies and Procedures

Section 18.1 of the Code requires Members to encourage public respect for, and to adhere to the spirit and intent of, all City by-laws, policies, and procedures.

For the reasons set out below, it is our opinion that the Councillor failed to encourage public respect for, and did not adhere to, the spirit and intent of the Procedure By-law, contrary to Section 18.1 of the Code.

As outlined in the analysis under Section 4.1, the City’s Procedure By-law is the primary instrument governing the conduct of Council meetings. It establishes rules of order and decorum, assigns authority to maintain order, and provides enforcement mechanisms where those rules are not followed.

Members are required not only to comply with the Procedure By-law’s express requirements, but also to respect its underlying purpose of ensuring that Council business is conducted in an orderly, respectful, and effective manner. Section 18.1 reflects this broader expectation. It requires Members to conduct themselves in a way that promotes public respect not only for individual by-law provisions, but for the governance framework they support and for the institution of Council as a whole.

As discussed earlier in this Report, the removal of a Member from a meeting is an enforcement mechanism grounded in the Procedure By-law and forms part of the framework through which Council maintains order and ensures it can carry out its decision-making functions.

In the Second Facebook Post, the Councillor portrayed his removal from the Meeting in a manner that mocked and trivialized that enforcement action. By presenting a legitimate procedural mechanism as something to be made light of, the Councillor diminished the seriousness and legitimacy of the rules governing Council proceedings and, by extension, the Procedure By-law itself.

We interpret Section 18.1 to require more than passive compliance with City By-laws. It also requires Members to avoid conduct that conveys to the public that core governance rules may be disregarded, trivialized, or treated as inconsequential. Making light of the application of a fundamental procedural rule is inconsistent with the obligation to encourage public respect for the City’s governance framework.

I. CONCLUSIONS

For the reasons set out in this Report, it is our opinion that the Councillor:

- Contravened Section 4.1 of the Code (in part);
- Contravened Section 10.2(c) of the Code;
- Contravened Section 14.1 of the Code (in part); and
- Contravened Section 18.1 of the Code.

J. RECOMMENDATIONS

As Integrity Commissioner, our role is to investigate and assess complaints, make findings with respect to whether the Code has been contravened, and make recommendations for Council’s consideration regarding any penalties or corrective measures. Council is responsible for determining whether to accept, modify, or reject any recommendations.

Having regard to the findings set out in this Report, including the nature of the contraventions and the objectives of the Code, we make the following recommendations.

Reprimand

As a penalty, we recommend that Council issue a formal reprimand to the Councillor pursuant to subsection 223.4(5) of the *Municipal Act, 2001*.

A reprimand is an appropriate and proportionate response in the circumstances. It formally acknowledges the contraventions found, reinforces the standards of conduct expected of Members, and affirms the importance of accuracy, civility, and respect for Council’s governance and decision-making processes.

We do not recommend a suspension of remuneration in this case. While the conduct warranted formal findings and corrective action, we are satisfied that the measures recommended in this Report are sufficient to address the contraventions found and to reinforce compliance with the Code.

Apology

As a remedial measure, we recommend that Council request that the Councillor provide a written apology to Council acknowledging:

- the misleading characterizations made in his social media posts and responses regarding the reasons for his removal from the Meeting; and
- his obligation under the Code to show respect for Council’s decision-making process when engaging in public communications.

This is intended to recognize and respond to breaches of the Code in respect of the integrity of Council’s processes and the public’s understanding of how Council functions.²³

²³ Although we found that aspects of the Councillor’s conduct constituted bullying toward the Mayor, no recommendation is made for a personal apology. The Mayor was not the Complainant and as such there is no evidence before us regarding whether such an apology would be appropriate or desired.

K. STATUTORY CONSIDERATION AND PUBLIC DISCLOSURE

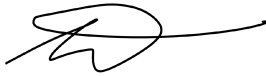
This Report has been prepared for and is forwarded to Council for its consideration pursuant to subsections 223.4(5) and 223.6(2) of the *Municipal Act, 2001*.

Council is being asked to make a decision solely on the recommendations set out in this Report. Council’s role at that stage is adjudicative in nature and is confined to deciding whether to accept, reject, or modify the recommendations.

In accordance with subsection 223.6(3) of the *Municipal Act, 2001*, this Report is to be made public. We recommend that this Report be included on the agenda of the next regularly scheduled meeting of Council and be dealt with in public session.

Respectfully submitted,

Hines Law



Rebecca Hines
Lawyer & Integrity Commissioner – City of Welland

APPENDIX A

APPENDIX "A"



John Chiochio

December 3, 2025 · 🌐



That was interesting. Just got tossed from the City Of **Welland** Final Budget Meeting From The Mayor

😬 #notaxhike

😱👍 139

91 comments 1 share



That is not right you get removed for looking about the constituents of ward 3. The strong mayors powers need to be removed to stop this from happening.



13w Like Reply



Author

John Chiochio



13w Like Reply



For?



13w Like Reply



Author

John Chiochio



Redacted speaking

13w Like Reply

2👍😱



must of been doing something right



14w Like Reply

2👍



Author

John Chiochio



Redacted asking questions

13w Like Reply


[Redacted]
You probably were suspected to vote against what ever he wants

...

14w Like Reply

3 



 Author

John Chiocchio

...

[Redacted] 

14w Like Reply 2 


[Redacted]
Looks like it doesn't take much to get kicked out these days!

...

14w Like Reply

9 



 Author

John Chiocchio

...

[Redacted] not really

14w Like Reply 

APPENDIX B

John's Post



John Chiochio

December 4, 2025 · 🌐



Getting Escorted Out A Meeting 🤨 WT...



John's Post



😄👍 163

20 comments 4.2K views

👍 Like

💬 Comment

➦ Share

Newest ▾



14w Like Reply

...
Love the Benny Hill Music ...

15w Like Reply

...
Love it ! ...

15w Like Reply

...
Nice funny picture and nice funny video ...

15w Like Reply

John's Post



[Redacted] Nice funny picture and nice funny video ...

15w Like Reply

[Redacted] Hahaha Thats funny ...

15w Like Reply

[Redacted] Hilarious 😂 ...

15w Like Reply

[Redacted] This is hilarious, John 😂 ...

15w Like Reply

[Redacted] That's hilarious 😂 ...

15w Like Reply

[Redacted] This is hilarious 😂 ...

15w Like Reply 😂

[Redacted] There go those mayor superpowers! ...

15w Like Reply

[Redacted] Hahaha love it ...

15w Like Reply

[Redacted] I love this ...

15w Like Reply

John's Post



[Redacted] ...
I love this

15w Like Reply

[Redacted] ...
Wayyyy too funny 😂

15w Like Reply

[Redacted] ...
Hang on John Chiocchio!

15w Like Reply

[Redacted] ...
Good one!

15w Like Reply

[Redacted] ...
Sometimes you gotta do what you gotta dc

15w Like Reply



[Redacted] ...
Yo to funny John Chiccchio . Love this. Wellandville lol.

15w Like Reply



[Redacted] ...
The mayor of whoville

15w Like Reply

