
CITY OF DRYDEN INTEGRITY COMMISSIONER (FOR THIS INQUIRY),
GUY GIORNO

Citation: Re Noel, 2026 ONMIC 2

Date: May 13, 2026

INQUIRY REPORT

TABLE OF CONTENTS

Context..... 3

The Complaint..... 3

Summary..... 4

Background..... 5

Process Followed..... 5

Positions of the Parties..... 7

Complainant’s Position 7

Respondent’s Position 8

Complainant’s Reply..... 10

Findings of Fact..... 10

Issues and Analysis..... 11

 A. *Is the alleged January 12 incident subject to the Code?* 11

 B. *Did the Respondent contravene section 7.2.1 or section 7.2.2 of the Code?* . 12

Conclusion 14

Publication..... 14

CONTEXT

1. By-Law Number 2021-96, passed November 22, 2021, re-appointed me as the City's Integrity Commissioner. Resolution #20, adopted the same day, and incorporated into Confirmatory By-law 2021-97, indicated that the term of appointment was to run to the end of 2026.
2. While duly serving as the appointed Integrity Commissioner, I received the Application and launched this inquiry.
3. On January 12, 2026, before receiving the application and launching the inquiry, I wrote to inform City Council that it was not my intention to seek re-appointment at the end of the term. I further indicated that I preferred to end my appointment earlier: ideally, as soon as Council had selected a replacement.
4. A new Integrity Commissioner was appointed February 9, 2026. Prior to voting to approve the new appointment, City Council was informed by the Mayor that I would complete the inquiries that were already underway. This I have done, with the City's agreement and consistent both with the practice in other municipalities and with Divisional Court jurisprudence.¹

THE COMPLAINT

5. This is my report to City Council under subsection 233.6 (2) of the *Municipal Act* on whether the Respondent has contravened the Council Code of Conduct, Schedule A to By-law Number 3529-2007, Policy No. MU-CO-11.
6. The Complainant alleges that Councillor Ritch Noel (Respondent) engaged in threatening and intimidating conduct during a January 12 interaction at a Tim Hortons restaurant in Dryden, Ontario, contrary to the Code.
7. The Complaint alleges that the Respondent invited the Complainant outside to fight, used abusive language, and made comments that the Complainant interpreted as threats of future physical violence.
8. I have numbered the Complaint as File No. 2026-01-CC.

¹ *Patrie v. Elliot Lake (City) (Integrity Commissioner)*, 2023 ONSC 7017 (CanLII), paras. 82-83. See also *Elliot Lake (City) v. Pearce*, 2021 ONSC 7859 (CanLII) and *Elliott Lake (City) v. Pearce*, 2021 ONSC 1851. These three decisions involve a former Integrity Commissioner that issued a code of conduct report under section 223.4 of the *Municipal Act*, issued reasons for determination under section 223.4.1 of the *Municipal Act*, commenced an application under section 8 of the *Municipal Conflict of Interest Act*, and then appealed from the decision on that application.

SUMMARY

9. The Code does not apply to the alleged January 12 incident.
10. If I am wrong in that conclusion, then I would find that the incident did not contravene section 7.2.1 or section 7.2.2 of the Code.
11. This Inquiry concerns an alleged verbal incident between Councillor Ritch Noel and another individual at a Tim Hortons restaurant. The allegations concern a threat of violence exchanged by the Councillor during what was fundamentally a longstanding and personal dispute between the two individuals. No physical altercation occurred.
12. The alleged incident did not concern City business, a Council decision, municipal staff, a municipal program or service, or any matter before Council. The allegations relate to personal grievances, prior interactions between the parties, neighbourhood tensions, and mutual animosity unrelated to the City of Dryden.
13. The Code does not apply to Councillor Noel in his personal capacity, living his life as a resident of the community, in matters not affecting the interests of Dryden. Consequently, I have no business commenting on how the Respondent deals with his personal relationships and interpersonal disputes unrelated to the Municipality. For an Integrity Commissioner to offer an opinion on behaviour that is not subject to the Code would be gratuitous and inappropriate.
14. The electorate expects much of those elected to office, including a greater measure of restraint and good judgement than private life ordinarily demands. However, the Code does not stretch so far that every personal altercation involving a Member becomes subject to its authority. The Code has no application to the alleged incident at issue here.
15. The Complainant in this matter contacted police regarding the alleged incident. Police involvement followed, including police communication with the Complainant. The Complainant ultimately chose not to pursue the matter further through the police processes. It is not appropriate for Integrity Commissioner inquiries to become a parallel forum for adjudicating matters that are properly dealt with by police or the broader justice system.
16. The Complainant is not named. An Integrity Commissioner has the discretion to withhold the name of a complainant,² and I have exercised that discretion here. Councillor

² *Jubenville v. Chatham-Kent (Municipality)*, 2025 ONSC 3598 (CanLII), para. 38; *Robinson v. Pickering (City)*, 2025 ONSC 3233 (CanLII), paras. 97-98; *Watson v. Stirling-Rawdon (Municipality)*, 2021 ONSC 2436 (CanLII), para. 19.

Noel was made aware of the Complainant's identity because this information was essential to his ability to understand the allegations in the Complaint and to respond.

BACKGROUND

17. Section 13.6 of the Code establishes the process to submit a complaint to the Integrity Commissioner alleging that a Council Member has contravened the Code of Conduct.

18. On January 13, I received through the City's website a Complaint alleging a January 12 incident between the Complainant and the Respondent. The Complaint read as follows:

Richie Noel made verbal threats to me in Tim Horton coffee shop. Wanted to go outside to fight. Threatens to find me out fishing & fight where there are no cameras or witnesses. This is the second time he has done this in Tim's. I waited until he was gone before leaving. This happened on the 12[th]. Tim's May have video of this.

19. On January 20, I spoke with the Complainant by telephone and requested additional particulars concerning the allegations. The Complainant subsequently provided further particulars, which were confirmed on January 23.

20. The Complaint, as clarified, concerns an interaction between two individuals who had a longstanding and highly personal history of animosity predating the Respondent's election to Council.

PROCESS FOLLOWED

21. The Code does not direct the procedure to follow in investigating complaints. I have chosen to follow a process that ensures fairness to both the individual making the complaint (Complainant) and the Council Member alleged to have contravened the Code (Respondent).

22. This fair and balanced process usually begins with me issuing to both parties a Notice of Inquiry that sets out the issues. The Notice includes a copy of the Complaint.

23. Subsection 223.6 (2) of the *Municipal Act* provides that I may include in this report the content that in my opinion is necessary. Typically, I am of the view that including the Complainant's name is necessary to a proper understanding of a report. In this particular case, my opinion is that naming the Complainant is unnecessary.

24. Regardless of what appears in the final report, the Respondent is ordinarily made aware of the Complainant's name. (Disclosure is made to the Respondent pursuant to

subsection 223.5 (2)³ of the *Municipal Act*, because it is in accordance with the duty and power to conduct inquiries.)

25. For specific reasons particular to this inquiry, I shared the Complainant's name with the Respondent but am not mentioning it in this report. The Respondent received every detail of the Complaint. The omission of the Complainant's name from this report has had no effect on the fairness of the inquiry.

26. The Respondent has an opportunity to respond to the Complaint. The Complainant receives the Response and is given an opportunity to reply. I may accept supplementary communications and submissions from the parties, generally on the condition that parties get to see each other's communications with me. I do this in the interest of transparency and fairness.

27. I typically set deadlines for the submission of a Response and a Reply but give reasonable extensions when requested.

28. The Complaint was received through the City's website on January 13.

29. On January 20, I spoke to the Complainant by telephone to explain the process. The Complainant provided particulars of the alleged incident by way of telephone and I took detailed notes.

30. On January 23, the Complainant confirmed the accuracy of my written notes as capturing the particulars of the Complaint.

31. The original submission and the particulars together constitute the Complaint.

32. On January 28, I issued a Notice of Inquiry.

33. The Notice of Inquiry informed the parties that the inquiry would consider whether the alleged January 12 incident was subject to the Code and, if so, whether the Respondent contravened section 7.2.1 and/or section 7.2.2 of the Code.

34. The Notice also informed the parties that the law requires that if I determine that there are reasonable grounds to believe that there has been a contravention of the *Criminal Code*, then I must immediately refer the matter to the OPP and suspend the inquiry until any resulting police investigation and charge have been finally disposed, and I must report the suspension to City Council.

35. I invited Councillor Noel to respond to the Complaint by February 6. He requested an extension and I granted an extension until February 17. Councillor Noel delivered his Response on February 15.

³ "Despite subsection (1), information may be disclosed in a criminal proceeding as required by law or otherwise in accordance with this Part [i.e., Part V.1 of the Act]."

36. I carefully reviewed and considered the Response, and began to gather information about the locations mentioned in the Complaint and Response.

37. On March 24, the Response was shared with the Complainant. I invited the Complainant to reply.

38. On March 25, I received a short reply from the Complainant asking me to verify with the Ontario Provincial Police the statements made in the Response.

39. On April 21, I received another short email from the Complainant that explained the Complainant's delay in communicating and offered a brief rebuttal to the Response.

40. I have treated the March 25 and April 21 emails, together, as the Reply.

41. In making my findings under the Code, I have considered all the submissions of the parties and all the evidence obtained during the inquiry.

42. Throughout the Inquiry, I remained mindful of my obligation under section 223.8 of the *Municipal Act*, which requires an Integrity Commissioner to suspend an inquiry and to refer a matter to the police where there are reasonable grounds to believe there has been a contravention of the *Criminal Code*.

43. Here, it was evident from the Complainant's own submissions that the police had already been contacted concerning the alleged incident and that law enforcement involvement had already occurred and ended without the laying of any charges. For these reasons, and based on a review of the evidence, I never felt there were reasonable grounds to believe there had been a *Criminal Code* violation. Consequently, there was no basis for me to make a referral to the police.

POSITIONS OF THE PARTIES

Complainant's Position

44. The Complainant submits that the Respondent has threatened him twice, with the most recent incident occurring on January 12, inside Tim Hortons.

45. The Complainant submits that the Respondent approached the Complainant inside the restaurant and invited the Complainant outside to fight. The Complainant alleges that the Respondent said the following or similar words to the Complainant: "Let's step outside. I am going to kick the shit out of you. You are nothing but a piece of shit."

46. The Complainant replied using the following or similar words: "I don't want to be the second person that you murder."

47. The Complainant then asked the Respondent the following or a similar question: “Are you threatening me?”

48. The Complainant alleges that the Respondent said the following or similar words: “I’m going to catch you outside where there are no witnesses. I will follow you to [redacted] Lake.”⁴

49. The Complainant submits that the Complainant sometimes fishes at this lake and was surprised that the Respondent was aware of this information.

50. The Complainant submits that the Respondent’s alleged comments made the Complainant fear that the Respondent was threatening bodily harm.

51. The Complainant further submits that the incident caused genuine fear and distress. For instance, the Complainant reported that the Complainant previously fished in a particular location (not identified in this report) but now no longer wants to go there because the Complainant is afraid that the Respondent might follow him.

52. The Complainant submits that the Complainant’s fear was emphasized by the Respondent’s violent past.

53. The Complainant submits that the Complainant phoned the police to report the January 12 incident.

54. The Complainant subsequently received a telephone call from a police officer asking if the Complainant wanted victim counselling, which the Complainant declined.

55. The police also asked if the Complainant wanted an in-person visit, which the Complainant also declined.

56. The Complainant alleges that the threat was made because the Respondent believes the Complainant complained to the City about the Respondent allegedly keeping garage tents on City property.

57. The Complainant states that, prior to the January 12 altercation, the Respondent had delivered a legal notice telling the Complainant not to enter the Respondent’s property.

Respondent’s Position

58. Councillor Noel’s position is that he did not contravene the Code. He submits that the Complaint arises out of a “personal matter between the Complainant and [himself] that goes far deeper than what [is] alleged.”

⁴ I have redacted the name of the lake to avoid potentially identifying the Complainant.

59. The Respondent acknowledges that portions of the Complainant's allegations are "partly true."

60. The Respondent states that the January 12 interaction arose from a longstanding and tumultuous history between the parties dating back many years. The background to their relationship includes prior legal consultations, disagreements arising from civil litigation, neighbourhood tensions, and property-related disputes.

61. The Respondent says the conflict began several years before the Respondent became a Councillor, when the Complainant attended the Respondent's office seeking legal advice. The Respondent was then and still is practising as a paralegal. The Respondent states that he advised the Complainant on a legal matter. According to the Respondent, the Complainant ultimately lost the legal proceeding at issue and later publicly mocked the Respondent's legal advice and professional abilities at a local coffee shop.

62. The Respondent states that tensions between the parties further escalated following property-related complaints near the Respondent's residence and that the Respondent eventually issued a trespass notice to the Complainant.

63. According to the Respondent, the Ontario Provincial Police were asked (but were unable) to attend during the Respondent's attempts to serve the trespass notice on the Complainant after the Complainant had allegedly referred, on prior occasions, to possessing a black belt in karate and knowing how to "take care of big guys." This all predated the alleged January 12 incident at issue in this Inquiry.

64. With respect to the alleged incident inside Tim Hortons on January 12, the Respondent states that the Complainant first proposed having a "civil conversation," which the Respondent declined. The Respondent instead suggested that any discussion between the parties occur privately so as not to disturb others present at Tim Hortons or to escalate the parties' prior disputes.

65. According to the Respondent, the Complainant repeatedly referred to possessing a black belt in karate and knowing "how to handle big guys." The Respondent further states that the Complainant asked to go outside to continue the discussion and that the Respondent accepted and stood up, although no physical altercation occurred.

66. The Respondent also acknowledges that [redacted] Lake was mentioned during the exchange. However, he does not recall mentioning anything about the specific location referred to in paragraph 51 of this report.

67. The Respondent notes that neither party ultimately pursued criminal proceedings and states that this "was personal matter between two adults and I was threatened first, and threatened more than once."

Complainant's Reply

68. In the first of the Complainant's two Reply emails, he stated that the Respondent "lies a lot."

69. In the second Reply email, the Complainant stated that the Respondent had made many threats and was a "fighter." He stated that if he had cautioned the Respondent, it was only after first being threatened by the Respondent. The Complainant added that "I do not have a record of fighting. I had a karate club is all I cautioned him."

FINDINGS OF FACT

70. Findings of fact are made based on the standard of the balance of probabilities.

71. I find that the Complainant and the Respondent have a longstanding personal relationship characterized by mutual animosity and personal dislike extending back to before the Respondent was elected to Council.

72. I find that a verbal incident occurred between the parties on January 12.

73. I further find that the interaction was emotionally charged and involved some degree of verbal sparring and what might colloquially be described as "trash talk" between two individuals who plainly disliked one another.

74. I find that no physical altercation occurred between the Respondent and the Complainant on January 12.

75. I further find that the Complainant contacted police following the incident.

76. I find that police communicated with the Complainant regarding possible next steps, including available victim services and the possibility of further follow-up. However, the Complainant ultimately declined those services and did not pursue the matter further through available police processes.

77. I find that no criminal charges resulted from the alleged incident.

78. I find that nothing about the alleged January 12 incident engages the Respondent's role, or authority as a Member of Council. The interaction did not concern any matter before Council, any municipal program or service, any municipal employee, any exercise of City authority, or any attempt to use the influence of public office.

79. I do not find it necessary to determine the precise wording used by either party, or to descend into a line-by-line reconstruction of a heated personal exchange. Nothing material turns on whether one phrase or another was spoken exactly as alleged. The

essential character of this regrettable interaction is sufficiently clear from the evidence before me.

ISSUES AND ANALYSIS

80. I have considered the following issues:

- A. Is the alleged January 12 incident subject to the Code?
- B. If so, then did the Respondent contravene section 7.2.1 and/or section 7.2.2 of the Code?

A. Is the alleged January 12 incident subject to the Code?

81. No. I find that the Code does not apply to the personal altercation between the Respondent and the Complainant.

82. The Code is not a general code of civility governing every aspect of a Councillor's private life. In general, codes of conduct and Integrity Commissioner jurisdiction do not apply to personal activity unrelated to the office, role, function, influence, authority, and responsibility of a Council Member, and with no connection to the interests and business of a municipality.⁵

83. That is not to say that private conduct can never have an impact on official duties. However, the jurisprudence on conduct makes clear that the test for applying codes to private conduct is strict.⁶

84. It is also important to recognize the limits of an Integrity Commissioner's statutory role. An Integrity Commissioner is not an adjudicator of general jurisdiction and is ordinarily in no position to interpret and apply the broad body of law governing private civil disputes, alleged threats, or potentially criminal wrongdoing as between private individuals.

85. Subsection 223.3 (1) of the *Municipal Act* confines the Integrity Commissioner's mandate to: the application of municipal codes of conduct; the application of municipal procedures, rules, and policies governing ethical behaviour; and the application of sections 5, 5.1, and 5.2 of the *Municipal Conflict of Interest Act*. There is no authority in statute for an Integrity Commissioner to adjudicate private interpersonal disputes untethered from municipal governance.

⁵ *Gogos v. Jones*, 2022 ONMIC 7 (CanLII), paras. 159, 161-162, 169-185; *Pinto v. Anderson* (No. 2), 2022 ONMIC 4 (CanLII), paras. 58-65.

⁶ See, for example, *Ross v. New Brunswick School District No. 15*, 1996 CanLII 237 (SCC), 1996] 1 S.C.R. 825, at para. 45 where the Supreme Court of Canada explained that only in narrow circumstances will private conduct amount to professional misconduct.

86. In *Gogos v. Jones*, I considered a complaint arising from a neighbourhood dispute involving a Councillor acting in a purely personal capacity and unrelated to municipal business. In considering whether a municipal code of conduct could properly apply to a Councillor's treatment of a neighbour outside the Councillor's municipal role, I found that:

Nothing in the *Municipal Act* or in Ontario Regulation 55/18 (Codes of Conduct – Prescribed Subject Matters) expressly authorizes a code of conduct to address a Council Member's private conduct.⁷ [...]

Nothing in [the *Municipal Act*] suggests that municipal authority extends to a Council Member's personal conduct in a matter not affecting the municipality. [...] Unless a municipality is affected (which is not the case here), the personal life of a Council Member does not pertain to the municipality and its operations.⁸

87. I adopt the same reasoning here.

88. The Complainant's own version of events frames the dispute as arising from a private conflict and longstanding personal hostility between the parties. The sole fact that one participant in a private altercation happens to hold municipal office does not automatically transform the interaction into a matter subject to the Code.

89. If every private disagreement involving an elected official were transformed into a Code violation, then Integrity Commissioners would cease to be guardians of accountability in local government and instead become referees of neighbourhood conflict.

90. Ultimately, I find that the alleged January 12 incident lacks a sufficient nexus to the Respondent's role, duties, powers, or authority as a Member of Council and lacks any meaningful connection to the business or interests of the City.

91. None of this should be read as condoning or approving the alleged altercation, or an endorsement of the language allegedly exchanged between the parties. There is nothing admirable in threats, tempers, or adults baiting one another in coffee shops. But the seriousness of an allegation does not, by itself, hand jurisdiction to an Integrity Commissioner where the dispute itself remains outside the Code's jurisdiction.

B. Did the Respondent contravene section 7.2.1 and/or section 7.2.2 of the Code?

92. Because I have concluded that the alleged altercation is not subject to the Code, it is unnecessary to decide whether section 7.2.1 or section 7.2.2 of the Code was

⁷ 2022 ONMIC 7, para. 162.

⁸ 2022 ONMIC 7, para. 176.

contravened. Nonetheless, if I am wrong and the January 12 altercation is subject to the Code, then I would still find no contravention of section 7.2.1 or section 7.2.2.

93. The relevant portion of the Code reads as follows:

7.2.1 Council Members shall treat each other, the public and staff appropriately to ensure the work and volunteer environment is free of abuse, bullying, intimidation, discrimination, harassment, sexual harassment, and violence; and shall act in accordance with the City of Dryden Policies HR-RESP-01 Workplace Harassment Policy and Procedure and HR-RESP-02 Workplace Violence Policy and Program.

7.2.2 Council Members shall not use indecent, abusive, or insulting words or expressions towards each other, the public or staff; and shall act in accordance with the City of Dryden Policies HR-RESP-01 Workplace Harassment Policy and Procedure and HR-RESP-02 Workplace Violence Policy and Program.

94. Codes of conduct do not apply to personal activity that is unrelated to the office, role, function, influence, authority and responsibility of a Council Member, and that has no connection to the interests or business of the Municipality.⁹ Sections 7.2.1 and 7.2.2 must be interpreted in that context. They impose duties on Council Members in relation to members of the public, other Members and the Staff, but those duties arise in connection with the Member's public role. Sections 7.2.1 and 7.2.2 do not transform every private interaction, personal disagreement or family dispute into Code-governed conduct.

95. The evidence is that both the Complainant and the Respondent took part in the verbal altercation. Both contributed to what happened. Only one participant, however, is subject to the Code. Only one participant filed a Complaint against the other. Nonetheless, the evidence is that both individuals were involved in what took place.

96. I note that the Complainant did communicate with the police about the alleged incident. Police involvement followed, including communication with the Complainant regarding possible next steps and available victim services, and further follow-up measures. The Complainant ultimately chose not to pursue those avenues further.

97. Individuals are obviously entitled to make their own choices concerning engagement with the police and the justice system. However, an Integrity Commissioner inquiry is not intended to function as a substitute process for the handling of alleged criminal wrongdoing between private individuals. The Code exists to address misconduct connected to municipal office and municipal governance, not to relitigate personal disputes that are matters of private conflict.

⁹ *Gogos v. Jones, 2022 ONMIC 7 (CanLII)*, para 159.

98. Codes of conduct and Integrity Commissioner inquiries are significant matters that come with a material cost to each municipality. In my view, it is inconceivable that, when the Legislature established this regime, it intended Integrity Commissioners to police every private quarrel involving a Member that bears no meaningful connection to municipal governance or the exercise of public office.

99. Consequently, if I am wrong on Issue A, that is, if the January 12 incident is subject to the Code, then I find that the Respondent's conduct in Tim Hortons that day did not in any event contravene section 7.2.1 or section 7.2.2 of the Code.

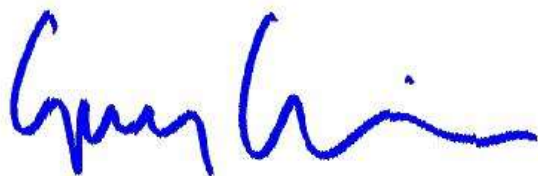
CONCLUSION

100. I find that the alleged January 12 incident involving Councillor Noel is not subject to the Code. Alternatively, I find that Councillor Noel's conduct did not contravene the Code.

PUBLICATION

101. Subsection 223.6 (2) of the *Municipal Act* states that I may disclose in this report such matters as in my opinion are necessary for the purposes of the report. All the content of this report is, in my opinion, necessary.

The undersigned, who was appointed as Integrity Commissioner under section 223.3 of the *Municipal Act* and who commenced the inquiry while duly in office, issues this report pursuant to the authority preserved with the City's agreement.



Guy Giorno
Integrity Commissioner (for this Inquiry)
City of Dryden

May 13, 2026