



DID YOU KNOW?

Recall Petition

The Chief Administrative Officer of the Town of Onoway has deemed three petitions for members of council sufficient on April 17, 2024. The recall petition signature period is open from April 18 until June 17 @ 4:00 PM.

WHAT NOW?

How long is the petition valid for?

The petitions must be submitted within 60 days from the date the petitions were deemed sufficient by the CAO of the Town of Onoway. The petitions must be returned before **June 17, 2024 @ 4:00 PM.** (MGA s. 240.3).

The recall petition signature period is defined in the Municipal Government Act.

Why is the elector number 412?

The recall petition must be signed by elector's equivalent to 40 per cent of the Town's population. According to Municipal Affairs, this recall petition will be measured against a population total of 1,029, as per Ministerial Order [MSD: 021/23](#) specifying the determination of population for the purposes of Section 240.5(a). Each petition will require **412** signatures that must meet legislation to be considered sufficient.

Why are there three petitions?

The recall legislation requires one petition per member of Council. (MGA 240.2(2)(a))

Who can sign the petition(s)?

Only an elector of the municipality who is eligible to vote in an election for a councillor under the *Local Authority Election Act* may sign the petition and may sign 1, 2 or all 3 petitions but only once on any petition.

Eligibility to vote

47(1) A person is eligible to vote in an election held pursuant to this Act if the person

- (a) is at least 18 years old,
- (b) is a Canadian citizen, and
- (c) resides in Alberta and the person's place of residence is located in the local jurisdiction on election day.

In the case of a petition, the elector's place of residence is in the Town of Onoway during the recall petition signature period.

What happens when the petitions are submitted to the Chief Administrative Officer?

The CAO has a 45-day period during which sufficiency of the petitions will be assessed. The CAO must verify each petitioner by determining the following:

- 1) Printed surname and printed given name or initials of the petitioner
- 2) Petitioner's signature
- 3) Street address or legal land description
- 4) Petitioner's phone number or email address
- 5) Date on which the petition was signed by the petitioner
- 6) Each signature has been witnessed by an adult person who must sign opposite the petitioner.

7) The witness to signatures must sign an affidavit that to the best of the person's knowledge the signatures witnessed are those of persons entitled to sign the petition.

If the CAO determines that any of the above criteria are not met, the name shall be excluded from the petition.

Each petitioner will be verified as per legislation.

Is it possible to see who signed the petitions?

The Chief Administrative Officer must protect this information under the *The Freedom of Information and Protection of Privacy Act* and cannot disclose to anyone except the CAO delegates to validate the petition.

If any or all of the petitions are declared sufficient, then what?

- a. the individual named in the notice of recall petition is recalled,
- b. the individual is no longer a member of Council or of any Council committee, and
- c. the position to which the individual was elected is deemed vacant.

How will we know the petition(s) are sufficient?

The CAO must, at the first regular meeting of Council, after determining the sufficiency of the petition(s), make a declaration whether the recall petition(s) is sufficient or insufficient.

If the petitions are sufficient will there be a by-election?

There will be a by-election. The *Municipal Government Act* s 240.9(3) states that Council must call a by-election.

If any or all of the petitions are declared insufficient, then what?

The CAO must publish the declaration of insufficiency on the Town's website. Once the petitions have been filed, no further recall petitions of the same member will be accepted for this term of office.

What happens to the petitions if they are not submitted by the end of the signature period?

The representative recall petitioner shall, within **TWO** days of the Chief Administrative Officer publishing notice of insufficiency, return the recall petitions to the CAO and destroy all additional copies of the recall petition that the representative recall petitioner or persons acting on their behalf have made.

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