

## Recall Petition Process Overview

Recall petitions must have one petitioner who represents all petitioners in the process. This individual is referred to as the representative recall petitioner. The representative recall petitioner has specific responsibilities under the *Municipal Government Act* (“MGA”). The representative recall petitioner may submit a notice of recall petition, and when deemed compliant, will have 60 days to gather signatures of eligible electors in the ward or municipality.

For a petition to be successful, the representative recall petitioner must obtain eligible electors’ signatures that equal in number to at least 40% of the population of the ward (for Councillor) or municipality (for Mayor). Once the verification is complete, the Deputy City Clerk (“DCC”) will make a declaration at the next council meeting on whether it was sufficient or insufficient. If the recall petition is sufficient, the elected official is recalled and the seat becomes vacant.

### Timing of the Recall Process

In this term of Council, recall petitions may be received between 2023 April 22 and 2024 December 31.

### Recall Petition Steps



## Step 1:

### Submit Notice of Recall Petition to Elections Calgary

A notice of recall petition must be submitted to the City Clerk’s Office – Elections Calgary and must:

- Identify by name the Member of Council to whom the recall petition relates to
- Identify by name the representative recall petitioner (the individual submitting the notice of recall petition) by name
- Confirm that the municipality may direct any inquiries about the petition to the representative recall petitioner, and indicate the contact information to be used for this purpose
- No rationale for submitting a recall petition notice is legislatively required
- A \$500 application fee, paid by cash, a certified cheque and/or a bank or postal money order made payable to “City of Calgary”



## Step 2:

**Elections Calgary verifies Notice of Recall Petition – alerts representative recall petitioner when successfully verified**

A notice of recall petition must also be accompanied by a statement signed by the representative recall petitioner that:

- Provides the street address of the representative recall petitioner or the legal description of the land on which the representative recall petitioner lives
- The representative recall petitioner’s mailing address, if different
- The representative recall petitioner’s telephone number or email address, if any
- Confirms that the representative recall petitioner is an individual eligible to sign the recall petition and consents to the responsibilities of leading the recall petition, gathering signatures, and otherwise undertaking the role and discharging the duties of a representative recall petitioner

Elections Calgary will have 7 days to verify the sufficiency or insufficiency of the notice of recall petition and accompanying signed statement. Upon submitted documents being verified as sufficient, Elections Calgary will post the notice of recall petition on their website, and the day the notice of recall petition is posted online, will mark the beginning of the 60-day signature collection period. Additionally, the notice of recall petition will also be provided to the Minister of Municipal Affairs, the representative recall petitioner, and the Member of Council named in the notice of recall petition.



## Step 3:

**60-day signature collection period begins**

Once the notice of recall petition has been declared sufficient by the Deputy City Clerk, the representative recall petitioner has 60 days to collect signatures and submit their recall petition.

Only an individual who is [eligible to vote](#) under the *Local Authorities Election Act* for the Member of Council the recall petition relates to may sign a recall petition for that Member of Council.

An individual may only sign a recall petition once.

Signatures collected must be done on one or more pages, each of which must contain the notice of recall petition.

A petitioner signing a recall petition must provide:

- Their printed surname (last name) and printed given names (first name) or initials
- Their signature
- The street address or the legal description of the land on which the petitioner lives
- Telephone number or email address, if any
- The date on which the recall petition was signed



## Step 4:

### Submit completed Recall Petition to Elections Calgary

Each signature must be witnessed by a person 18 years of age or older who must:

- Sign opposite to the signature of the petitioner
- Make an affidavit that to the best of their knowledge, the signatures witnessed are those of individuals who are eligible to sign the petition.

A recall petition may not be signed in digital form.

For the petition to be successful, the representative recall petitioner must collect signatures from electors that represent at least 40 per cent of the population within the ward (or city for the recall of a mayor).



## Step 5:

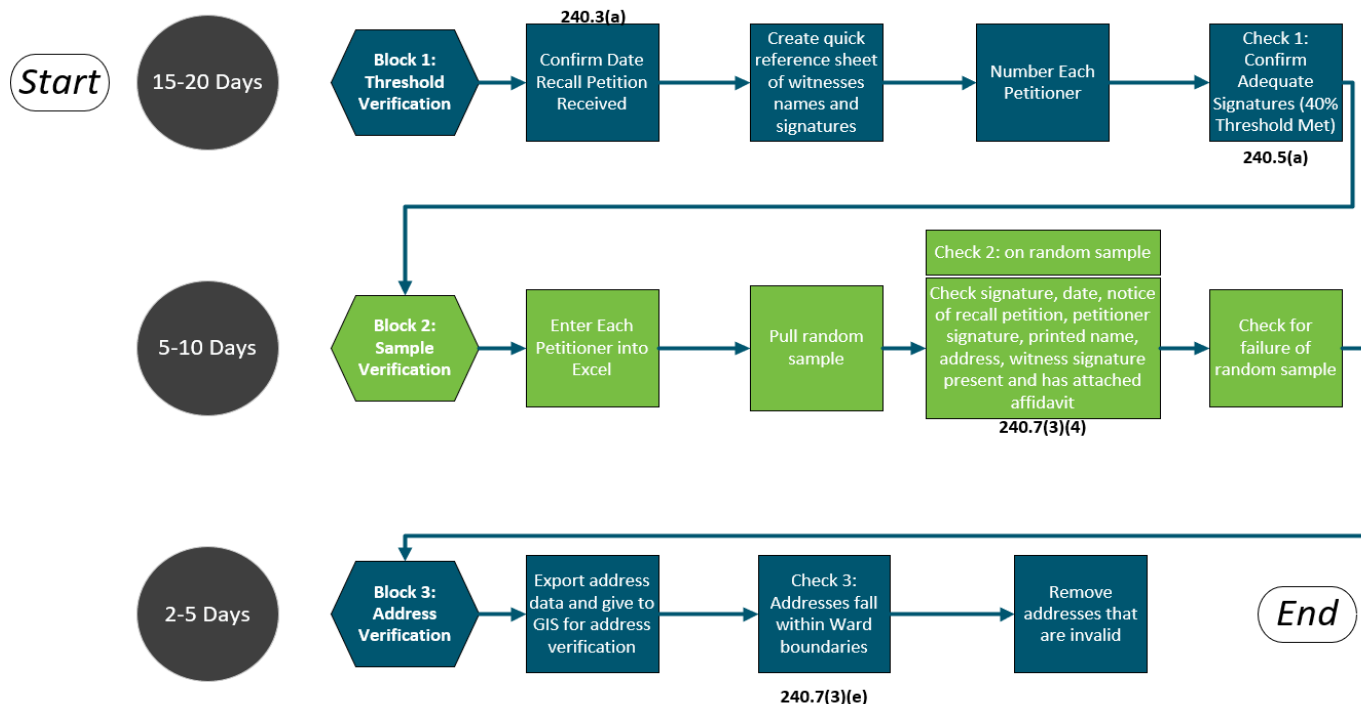
### Elections Calgary verifies sufficiency or insufficiency of Recall Petition

#### Legislated requirements of verification process

1. No name may be added to or removed from a recall petition after it has been filed with the CAO [MGA section 240.7(2)]
2. In counting the number of petitioners on a recall petition, the CAO must exclude the name of a person [MGA section 240.7(3)]:
  - a) Whose signature is not witnessed
  - b) Whose signature is witnessed but for which no affidavit is attached to the petition
  - c) Whose signatures on any page or form that does not contain the notice of recall petition
  - d) Whose printed name is not included or is incorrect
  - e) Whose street or legal description of land is not included or is incorrect
  - f) Is the date when the person signed the recall petition is not stated
  - g) When a recall petition is restricted to persons,
    - I. Who is not one of those persons, or

- II. Whose qualification as one of those persons is not, or is incorrectly, described or set out
  - h) Who signed the petition after the expiry of the recall petition signature period

As set out in the MGA, Elections Calgary will use a random statistical sampling method with a 95 per cent confidence level to determine the sufficiency of the petition.



**VERIFIED**

## Step 6:

### Elections Calgary publishes results of Recall Petition verification

Once the petition verification process is complete, Elections Calgary will complete the following tasks to prepare for the declaration of the petition verification.

- Draft declaration of sufficiency or insufficiency
- Prepare media advisory
- Request that the Mayor call a Special Meeting of Council
- Engage internal partners (HR, Corporate Security, IT, etc.)
- Announce the declaration at the Special Meeting of Council
- Formally notify Minister, Councillor or Mayor, and Representative Petitioner
- Send media advisory and publish the declaration online

## **Freedom of Information and Protection of Privacy Act (“FOIP”) Considerations**

### **MGA Section 240.2(4) (for a notice of recall petition):**

The personal information referred to in subsection (3)(a) must not be disclosed, except:

- a) to the chief administrative officer and the chief administrative officer’s delegates, if any, for the purposes of confirming the eligibility of the representative recall petitioner and validating the recall petition,
- b) as necessary for the administration or enforcement of this Part and the regulations, and
- c) for the purposes of judicial review.

### **MGA Section 240.93:**

- a) For greater certainty, section 226.2 of the MGA applies to personal information contained in a recall petition.

### **MGA Section 226.2:**

Despite any provision of this Act, the *Freedom of Information and Protection of Privacy Act* or any other enactment, personal information contained in a petition

- a) must not be disclosed to anyone except the chief administrative officer and the chief administrative officer’s delegates, if any, and
- b) must not be used for any purpose other than validating the petition