Recall of a Municipal Councillor

Fact Sheet for Chief Administrative Officers

The *Recall Act* creates a process for citizens to remove a municipal councillor. The legislation came into force on April 7, 2022, and included consequential amendments to the *Municipal Government Act* (MGA). The chief administrative officer (CAO) of a municipality is responsible for administering and determining the sufficiency of a recall petition. Part 7.1 of the MGA outlines the responsibilities of a CAO in respect of a councillor recall petition.

Who may petition?	Only the electors of a municipality are eligible to be petitioners. Sections 12 and 47(1) of the *Local Authorities Election Act* define the eligibility requirements.
How is a petition initiated?	A notice of recall petition must be submitted to the CAO of a municipality. This notice must include the name of the councillor subject to the petition and provide the contact details for a petition representative.
	The notice must also include a signed statement by the petition representative that provides their street address, mailing address (if different than street address), phone and email details, and a statement that the representative is eligible to sign the petition. The application also requires an application fee of $500 and any other prescribed information.
Processing of Notice of Recall Petition	Within seven days of the receipt of the notice of recall petition, the CAO must confirm that the petition representative is eligible to sign the petition, and then provide the notice of recall petition to the Minister, the petition representative, and the councillor named in the petition. The CAO must also post the notice on the municipality's website.
Timelines	Once a petition representative has received notification from the CAO that their notice of recall petition was approved, the applicant has 60 days to gather the prescribed number of signatures.
Number of signatures required	A valid petition requires signatures from electors equivalent to 40 per cent of the population of the municipality or ward. For a summer village, signatures are required from electors equivalent to at least 50 per cent of summer village residences.
Wards	If a ward system exists in the municipality, only the residents of the councillor's ward are eligible to sign.
Counting Petitioners	The CAO is responsible for determining the sufficiency of a petition. The specific requirements for determining whether a petition is sufficient are outlined in Section 240.7(1) of the *MGA*.

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Report on Petition Sufficiency	The CAO of the municipality must, within 45 days after the date on which a recall petition is filed, determine whether the recall petition is sufficient or insufficient in accordance with the legislation and make a declaration to council.
Process for Insufficient Recall Petition	If the petition is insufficient or if no petition is submitted, the CAO must publish the declaration of insufficiency on the municipality's website and provide the declaration of insufficiency to the Minister, the petition representative, and the councillor named in the petition.
Process for Sufficient Recall Petition	If the petition is sufficient, the CAO must make a declaration at the next council meeting. The declaration must include the named councillor and state that they are no longer a member of council and any council committee, and the position is now vacant.
	The CAO must also publish these details on the municipality's website and provide the declaration of sufficiency to the Minister, the petition representative, and the councillor named in the petition.
Limitations	Petitions may not be submitted within 18 months immediately following an election or from January 1 of an election year.
Questions on councillor recall?	Please call 780-427-2225 (or toll-free by first dialing 310-0000) or email ma.advisory@gov.ab.ca or visit our website at https://open.alberta.ca/publications/recall-of-a-municipal-councillor-handbook to review the Recall of a Municipal Councillor Handbook.

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