

Preliminary Recommendations to Improve Rules for Recall of a Municipal Elected Official



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Table of Contents

Background.....	3
Criteria to Launch a Recall Petition	4
Eligible Period to Launch a Petition	4
Activities During a Recall Petition	5
Number of Signatures Required	6

Background

Through amendments to the *Municipal Government Act*, in April 2023, Albertans gained the ability to launch a petition to recall a municipal elected official from office. Based on concerns with how recall petitions were being used in some communities, Alberta Municipalities (ABmunis) sent a letter to Alberta Municipal Affairs in March 2024 recommending that the Government of Alberta create a regulation to prescribe further rules for recall petitions. At the time, our concerns focused on the:

- Lack of rules to prevent petition organizers from offering financial incentives to sign a petition,
- Lack of rules on fundraising for a recall petition, and
- No requirement for the petition organizer to submit the petition whether successful or not.

The Government of Alberta has not yet created a regulation but in spring 2024 it made one improvement to recall rules through Bill 20, the *Municipal Affairs Statements Amendment Act, 2024*. Bill 20 changed the rules so that the CAO is no longer responsible for validating a recall petition and the Minister is now responsible for that process.

ABmunis' Review of Recall Rules

Between October 2024 and February 2025, ABmunis conducted a broader review of all rules related to recall petitions and collected input from municipal representatives to explore opportunities for improvement. Input was collected from:

- Administrators from most of the nine municipalities that managed a recall petition(s) in 2023 or 2024.
- ABmunis' Municipal Governance Committee and Small Communities Committee.

Our review focused on four themes of issues:

1. Criteria to launch a recall petition
2. Eligible period to launch a recall petition
3. Activities during a recall petition
4. Number of signatures required to recall a municipal elected official

This review led to the development of the following recommendations that were approved by ABmunis' Board of Directors in February 2025.

Municipal Affairs' Upcoming Engagement on Recall

It is our understanding that Alberta Municipal Affairs plans to survey municipalities in the near future to collect input on possible improvements to recall rules. ABmunis is sharing this report with our members to help inform your participation in that survey.

Recall rules will also be a featured topic at our [Summer Municipal Leaders' Caucus](#) in June 2025. The input we collect will inform our final submission to Municipal Affairs' consultation.

Note

The rules for recalling a municipal elected official are prescribed in the *Municipal Government Act*. Alberta has a *Recall Act*, but that legislation only applies to Members of the Legislative Assembly (MLAs).

Criteria to Launch a Recall Petition

1. Should there be criteria to determine whether a recall petition may be launched?

Yes, there should be guardrails that prevent a resident from launching a recall petition for unjustified or spurious reasons. Examples of unjustified recall petitions may include:

- Decisions of a previous council.
- Decisions of the current council, but the petition only targets the mayor or a minority group of the current council members.
- Differing political views.
- Personal grudge towards a member(s) of council.

The MGA should define the criteria for which a recall petition may be launched. Suggestions include:

- Found to be in contravention of the *Municipal Government Act* or *Local Authorities Election Act*.
- Found guilty of fraud, assault, or other criminal offence that is unjust of the office.
- Ethical misconduct as determined by an independent ethics commissioner or panel.

2. Should there be an independent body appointed to review and determine if there is reasonable justification for a recall petition to proceed?

Yes, an independent ethics commissioner should be responsible to vet the rationale for each petition application and rule on whether the recall petition can proceed. This process would enable an opportunity for education with the organizer to overcome any potential confusion or misinformation on a matter before the organizer launches a petition. It would also provide an opportunity for an independent body to manage an informal resolution process for frivolous matters.

Recall petitions are costly to the municipality in terms of a drain on municipal administrative resources, the possible need to hire support for communications, legal support, and people to verify signatures on the petition. Recall petitions can also take councils off their focus on the larger community priorities. Therefore, having an independent body to verify that there is merit to the issue before the petition is authorized will save municipal governments time and costs.

Eligible Period to Launch a Petition

3. What should be the minimum time that passes after an election before a recall petition may be launched?

The waiting period after an election should be reduced from the current 18 months to 12 months. This would align with the rules for recall of MLAs and finds a balance where the elected official has sufficient time to perform on the job before being subject to a recall petition and also recognizing that 18 months is a long period in which an unethical councillor could cause damage for the municipal organization and community.

4. Should residents have the ability to launch a recall petition in the year of an election?

System without an Ethics Commissioner to oversee recall petitions

If the province maintains the current system where a recall petition may be launched for any reason, then recall petitions should not be allowed in an election year.

System with an Ethics Commissioner to oversee recall petitions

If the province creates a system with guardrails that define eligible criteria for a recall petition, then there may be some merit to allow recall petitions to proceed in an election year as the commissioner would ensure there is sufficient merit for the recall petition. However, if municipal staff continue to be responsible to

Preliminary Recommendations to Improve Rules for Recall of a Municipal Elected Official

manage recall petitions (instead of an ethics commissioner), then it could present significant capacity challenges for legislative staff to prepare for the general election while managing the signature verification of a recall petition and related petition activities.

Activities During a Recall Petition

5. What requirements should be placed on the petition organizer?

- Require the petition organizer to clearly state in writing the reasons for why the elected official should be recalled. The reasons should be stated on the petition application and visible on the petition forms that every signatory signs.
- The petition organizer must confirm that each person is an eligible voter in the municipality before allowing them to sign the petition.
- Require the petition organizer to submit the final list of signatures even if there is an insufficient number of signatures. This improves transparency for the community and may help repair a councillor's reputation if there is a low number of signatures.
- Requirement to abide by all municipal bylaws (e.g. use of lawn signs).
- The MGA should define that the petition organizer must remove a person's signature if requested by the signatory. Currently, the MGA only prescribes how a signatory can request removal from a petition after the petition has been submitted.

6. What activities should be banned during a recall petition?

- The ability to offer financial incentives to residents to sign a petition.
- The ability to change the reasons for the recall petition after signatures have been collected.
- Attempts to keep a copy of the petition and/or distributing/selling the personal contact information on the petition.
- Public comments by other members of the council (whether in favour of or opposed to the petition).
- Public statements by employees of the municipality.
- Collection of signatures through electronic means.
- Collection of signatures by groups unless they have been authorized by the petition organizer.

The MGA should define the penalty if any of the banned activities take place (e.g. the petition is deemed null and void).

7. How many days should a petition organizer have to collect the required number of signatures?

- Maintain the current period of 60 days.

8. Other matters related to activities of a recall petition

- To avoid the risk of a completed petition being declared invalid due to errors in the petition form, the Government of Alberta should create a template form that must be used by every petition organizer to collect signatures.
- Municipalities need more clarity on what is considered a verified signature.
- Review if the current 45-day period is a reasonable amount of time for a municipality to count and verify signatures if the signature threshold is in the hundreds of thousands.

Number of Signatures Required

9. What metric should be used for calculating the minimum number of signatures required to recall a municipal elected official (except for summer villages)?

ABmunis' has reviewed three different metrics that could be used as the threshold for the number of signatures required for a successful recall petition (excluding summer villages).

1. Percentage of eligible voters (**ABmunis' recommendation**)
2. Percentage of population (*current system*)
3. Percentage of people that voted in the last general election (*same as MLA recall*)

ABmunis' is recommending option 1, percentage of eligible voters because it is the option with the least complications and challenges.

Problems with percentage of population (current system)

- Unfair threshold to meet if the community has a high number of ineligible voters (e.g. children and immigrants without citizenship).

Problems with percentage of people that voted in the last general election (same as MLA recall)

- If council was acclaimed, there is no voting data available. This is common as shown over the last three general elections dating back to 2013, between 26 per cent and 37 per cent of candidates were acclaimed.
- Referring to voter turnout numbers from previous elections may be problematic if the council or the elected official has been acclaimed for several elections and the population of the municipality has changed since then.
- Voter turnout can be lower when there is no contest for the mayor's seat.

10. What metric should be used for calculating the minimum number of signatures required to recall a municipal elected official in a summer village?

The current criteria to recall an elected official of a summer village is to collect signatures equivalent to at least 50 per cent of the number of residences in the summer village.

Municipal Affairs has not yet indicated whether the rules for summer villages will be in scope for their current review. ABmunis notes unique challenges with the signature threshold for summer villages:

- Summer villages are not required to maintain a list of eligible voters.
- Population counts for a summer village only represents the number of permanent residents.
- Voter data is limited since almost half of summer village councils were acclaimed in the last general election.

If the threshold for summer villages is included in Municipal Affairs' current review, ABmunis will collaborate with the Association of Summer Villages of Alberta to provide input to the province.



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