

Municipal Government Act

PETITIONS

Rules for petitions

219 Sections 220 to 226 apply to all petitions to a council and the Minister under this Act, any other enactment or bylaw except to the extent that they are modified by this Act or any other enactment.

CAO duties

220 When the Minister receives a petition, the Minister must designate a person to carry out the duties of a chief administrative officer with respect to the petition.

Petition sufficiency requirements

221 A petition is sufficient if it meets the requirements of sections 222 to 226.

Who can petition

222 Unless otherwise provided in this or any other enactment, only electors of a municipality are eligible to be petitioners.

Number of petitioners

223 (1) A petition must be signed by the required number of petitioners.

223(2) If requirements for a minimum number of petitioners are not set out under other provisions of this or any other enactment, then to be sufficient, the petition must be signed,

- a) in the case of a municipality other than a summer village, by electors of the municipality equal in number to at least 10% of the population, and

Other requirements for a petition

224(1) A petition must consist of one or more pages, each of which must contain an identical statement of the purpose of the petition.

224(2) The petition must include, for each petitioner,

- a) the printed surname and printed given names or initials of the petitioner,
- b) the petitioner's signature,
- c) the street address of the petitioner or the legal description of the land on which the petitioner lives, and
- d) the date on which the petitioner signs the petition.

224(3) Each signature must be witnessed by an adult person who must

- a) sign opposite the signature of the petitioner, and
- b) take an affidavit that, to the best of the person's knowledge, the signatures witnessed are those of persons entitled to sign the petition.

- 224(4) The petition must have attached to it a signed statement of a person stating that
- a) the person is the representative of the petitioners, and
 - b) the municipality may direct any inquiries about the petition to the representative.

Counting Petitioners

- 225(1) A petition must be filed with the chief administrative officer and the chief administrative officer is responsible for determining if the petition is sufficient.
- 225(2) No name may be added to or removed from a petition after it has been filed with the chief administrative officer.
- 225(3) In counting the number of petitioners on a petition there must be excluded the name of a person
- a) whose signature is not witnessed,
 - b) whose signature appears on a page of the petition that does not have the same purpose statement that is contained on all the other pages of the petition,
 - c) whose printed name is not included or is incorrect,
 - d) whose street address or legal description of land is not included or is incorrect (box numbers cannot be used),
 - e) if the date when the person signed the petition is not stated,
 - f) when a petition is restricted to certain persons,
 - i) who is not one of those persons, or
 - ii) whose qualifications as one of those persons is not, or is incorrectly described or set out, or
 - g) who signed the petition more than 60 days before the date on which the petition was filed with the chief administrative officer.
- 225(4) If 5000 or more petitioners are necessary to make a petition sufficient, a chief administrative officer may use a random statistical sampling method with a 95% confidence level to determine the sufficiency of the petition, instead of counting and checking each petitioner.

Report on sufficiency of petition

- 226(1) Within 30 days after the date on which a petition is filed, the chief administrative officer must make a declaration to the council or the Minister on whether the petition is sufficient or insufficient.
- 226(2) Repealed 1995 c24, s.26.
- 226(3) If a petition is not sufficient, the council or the Minister is not required to take any notice of it.