

Petition to Keep the Edmonton City Centre Airport Open

City Clerk's Declaration

Recommendation:

That the September 15, 2010, Corporate Services Department report 2010COC126 be received for information.

Report Summary

This report provides the declaration by the City Clerk concerning the Petition to Keep the Edmonton City Centre Airport Open, presented by Envision Edmonton Opportunities Society.

Report

On September 15, 2010, the City Clerk declared the Petition, received on August 26, 2010, not sufficient on two grounds:

1. There are no more than 73,657 valid signatures.
2. The petition was not brought within 60 days of Council's decision to close the airport.

The declaration of the City Clerk is contained in Attachment 1.

Therefore, this declaration means that City Council is not required to take any notice of the petition.

Legal Implications

The *Municipal Government Act*, R.S.A. 2000, c. M-26 (the "MGA") makes the City Manager responsible for determining whether or not a petition is "sufficient", and declaring whether it is

sufficient or not to Council (MGA, s. 225 and 226).

Responsibility for all matters involving petitions is delegated from the City Manager to the City Clerk.

The MGA requires that a petition contain the signatures of Edmonton electors equalling at least 10 percent of the City's population.

Edmonton's official population is 782,439 which would require 78,244 electors to sign a petition.

Each elector must provide his or her printed name, signature, residential address, and the date on which the elector signed the petition.

The elector's signature must be properly witnessed, and the witness must swear an affidavit that states that the witness believes the people who signed the petition are entitled to do so (MGA, s. 221 to 226).

An "elector" is at least 18 years old and a Canadian citizen, who has resided in Alberta for at least six months and lived in Edmonton on the date when he or she signed the petition (MGA, s. 1(i), *Local Authorities Election Act*, R.S.A. 2000, c. L-21, s. 47).

Even if the petition meets all of the above requirements, the petition is "not sufficient" if the purpose of the petition is to repeal or amend a previous Council resolution or bylaw that was passed more than 60 days before the petition was filed with the City Manager (MGA, s. 233(2)).

If a petition is not sufficient, City Council is "not required to take any notice of it" (MGA, s. 226(3)).

Attachments

1. Declaration on Sufficiency of the *Keep the City Airport Open* Petition