

Staff Report



To	Committee of the Whole
Service Area	Corporate Services
Date	Monday, October 4, 2021
Subject	Public Petitions Policy

Recommendation

1. That the Public Petitions Policy, included as Attachment-1 to the Public Petitions Policy report dated October 4, 2021, be approved.
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Executive Summary

Purpose of Report

To recommend to City Council the approval of a new policy related to the submission of petitions by members of the public. This new policy includes specific requirements related to the submission of petitions in an electronic format.

Key Findings

At the March 22, 2021 Special City Council meeting, City Council approved revisions to the Procedural By-law to allow the submission of petitions in an electronic format. City Council also directed staff to develop a policy related to the submission of electronic petitions.

The proposed Public Petitions Policy contains consistent requirements for both paper-based and electronic petitions. The policy provides an overview of petitions, specific petition requirements and outlines the submission process for petitions relating to an upcoming City Council agenda item and petitions that are introducing new business.

The Public Petitions Policy stipulates that anyone who is a resident, business owner or property owner within the City of Guelph can bring forward and sign petitions. Staff will do an initial review of each petition to ensure policy requirements have been met but are not recommending that signatures be validated due to the amount of staff time it would require and the lack of an accurate source of information to verify names and addresses against.

Staff are also recommending that the use of external petition websites not be accepted as a form of electronic petition as there is no way to regulate or control the content of petitions generated through external websites and many of the requirements of the policy would not be met. Petitions submitted in this manner may be included as correspondence on a City Council agenda if the subject matter is related to an agenda item, which is how they have previously been handled by the City Clerk's Office.

Staff are proposing that the Public Petitions Policy be reviewed as part of the 2022-2026 Governance Review to ensure the requirements and process continues to

work for the public and staff as petitions are received and processed by the City Clerk's Office.

Financial Implications

None.

Report

Background

At the March 22, 2021 Special City Council meeting and as part of the [2018-2022 Mid-term Governance Review](#), City Council approved various revisions to the City's [Procedural By-law](#). These revisions included updating Section 4.9 Written Submissions/Petitions to allow the submission of petitions in an electronic format and to specify how petitions will be handled depending on their subject matter (i.e. petitions relating to an agenda item versus petitions introducing new business).

Previously, petitions were only permitted in a paper-based format and electronic petitions were not accepted. Staff recommended amending the Procedural By-law to permit the submission of electronic petitions following the results of a community engagement survey related to the Procedural By-law. As part of this survey, members of the public were asked if electronic petitions should be accepted. 36 respondents (75%) responded 'yes' and eight respondents (16.7%) responded 'under some circumstances'. Further information regarding this community engagement can be found in the [2018-2022 Mid-term Governance Review report](#).

At the March 22, 2021 Special City Council meeting, City Council also directed staff to develop a policy related to the submission of electronic petitions and to report back to City Council.

Public Petitions Policy

The proposed Public Petitions Policy is included as Attachment-1 to this report. Currently, the City of Guelph has no formal policy or procedure in place for members of the public to submit a petition to City Council, aside from the petition provisions outlined in the Procedural By-law. The proposed Public Petitions Policy contains consistent requirements for both paper-based and electronic petitions and aims to make the process for submitting petitions less cumbersome and more transparent for members of the public.

In developing the Public Petitions Policy, staff reviewed best practices relating to petition requirements in other municipalities and levels of government. Specific elements of the policy include:

- The petition request must be within the authority of City Council.
- Contact information must be provided for the petition organizer who has initiated and is the main contact for the petition.
- Original signatures are required for paper-based petitions. Email addresses should be provided in place of an original signature for electronic petitions.
- A statement regarding the collection of personal information must be included on each page of the petition so petitioners are aware their information may be made public.

For convenience, a petition form has been created and attached to the Public Petitions Policy that may be used for both paper-based and electronic petitions.

Following the submission of a petition to the City Clerk's Office that meets the requirements outlined in the Public Petitions Policy, it will be handled in one of two ways depending on the subject matter and in accordance with Section 4.9 of the Procedural By-law. Petitions relating to a current or upcoming agenda item will be included as part of the agenda package for the meeting where the item is being heard. The petition and number of signatures will be listed on the agenda cover page following any correspondence received for that item.

Petitions introducing new business that are not related to a current or upcoming agenda item will be circulated as part of the Information Items that is distributed to members of City Council and posted to the online [Council and Committee calendar](#). Staff are proposing that petitions introducing new business have a minimum of 25 signatures in order to be included on the Information Items. In reviewing best practices, the minimum signature threshold varies significantly across municipalities. For example, the [City of Greater Sudbury](#) requires petitions to contain the signatures of at least two citizens. The [City of Kawartha Lakes](#) requires petitions to contain 20 signatures. Many municipalities do not specify a minimum signature requirement. A threshold of 25 signatures was selected as a fair number that demonstrates a particular subject matter is important to a group of residents without being too onerous on the petition organizer to collect a substantial number of signatures before the petition can be circulated to members of City Council. 25 signatures is also consistent with the [Municipal Elections Act](#) which requires that the nomination of a person for an office on a council must be endorsed by at least 25 persons.

Validating Signatures

Staff recognize that a petition can be most effective when the information contained in it is accurate and verifiable. While the Public Petitions Policy stipulates that only residents, business owners or property owners within the City of Guelph can bring forward or sign petitions, it would be difficult and time consuming to verify this information for every signature on a petition. Different sources would have to be used to verify names and addresses. For example, the voters' list for the Municipal Election could be used to confirm names and addresses for residents and property owners 18 years of age and older. However, the proposed Public Petitions Policy does not impose an age limit for signing petitions, therefore other sources for verification would need to be used for anyone under 18 years of age. There are also accuracy issues with information contained within the voters' list and certain groups, such as students, residents of new property developments and individuals without a fixed address, would not be reflected on this list. Finally, the municipal voters' list becomes outdated almost immediately after the election given that the data, provided by the Municipal Property Assessment Corporation (MPAC), is updated only immediately in advance of the election event.

As a result, staff are not recommending that signatures on petitions submitted to the City Clerk's Office be verified. However, staff will conduct a cursory review of any submitted petitions to ensure that the requirements outlined in the Public Petitions Policy have been met and will flag any glaring inconsistencies or addresses provided that are outside of the City of Guelph.

External Petition Websites

Staff are recommending that petitions submitted through an external petition website, such as www.change.org, not be accepted as a form of electronic petition

as outlined in the Public Petitions Policy. As there is no way to regulate or control the content of petitions generated through external websites, many of the requirements of the policy would not be met. For example, www.change.org only requires signatories to provide a postal code rather than a full address. This would make it even more difficult to regulate who can sign these types of petitions. In reviewing best practices, many municipalities' petition policies are silent on whether they will accept petitions from external websites. The [City of Mississauga](#) does not accept petitions using online platforms as they do not provide signatories' addresses. Staff are recommending that petitions submitted through an external website can still be included, but they will not be reviewed by staff in any manner or considered as a formal petition as outlined in the Public Petitions Policy.

Next Steps

Pending City Council's approval of the Public Petitions Policy, staff are proposing that the entire policy be reviewed as part of the 2022-2026 Governance Review. It is difficult to anticipate how many petitions will be received under the new policy as the City Clerk's Office has not previously received a high volume of petitions. A fulsome review of the new policy once it has been implemented will be beneficial to ensure the requirements and process are supporting the intent of the policy.

Financial Implications

None.

Strategic Plan Alignment

This report supports the [Working Together for our Future](#) pillar of the Strategic Plan by accelerating the use of digital services for residents.

Attachments

Attachment-1 Public Petitions Policy

Departmental Approval

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