

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, AUTHORIZING REPRESENTATION FOR THE CITY OF FAYETTEVILLE, NORTH CAROLINA, IN A CIVIL SUIT AGAINST THOSE LEGALLY RESPONSIBLE FOR THE WRONGFUL DISTRIBUTION OF PRESCRIPTION OPIATES AND DAMAGES CAUSED THEREBY

WHEREAS, the City Council of the City of Fayetteville has the authority to adopt resolutions with respect to the health, safety, and welfare of the citizens of the City of Fayetteville, North Carolina, pursuant to the City's Charter and N.C.G.S. §160A-174; and

WHEREAS, the City Council of the City of Fayetteville has the authority to take action to protect the public health, safety, and welfare of the residents and citizens of the City of Fayetteville; and

WHEREAS, there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in City of Fayetteville; and

WHEREAS, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in the City of Fayetteville; and

WHEREAS, the opioid crisis unreasonably interferes with the rights common to the general public of the City of Fayetteville; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of the City of Fayetteville; includes the delivery of controlled substances in violation of State and Federal law and regulations; and therefore constitutes a public nuisance; and

WHEREAS, the opioid crisis is having an extended and far reaching impact of the general public, health, and safety, of residents and citizens of the City of Fayetteville and must be abated; and

WHEREAS, the violation of any laws of the State of North Carolina, or of the United States of America, controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the residents and citizens of the City of Fayetteville and constitutes a public nuisance; and

WHEREAS, the City Council of the City of Fayetteville has the authority to abate, or cause to be abated, any public nuisance including those acts that unreasonably interfere with the rights common to the general public of the City of Fayetteville and/or involve a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of the City of Fayetteville; and

WHEREAS, the City Council of the City of Fayetteville has received information that indicates that the wholesale distributors of controlled substances in areas within and surrounding

the City of Fayetteville, North Carolina, may have violated Federal and/or State laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fayetteville is declaring the opioid crisis a public nuisance which must be abated for the benefit of the City of Fayetteville and its residents and citizens.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded.

ADOPTED this the _____ day of February, 2018.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk