



Legislation Details (With Text)

**File #:** 18-061      **Version:** 1      **Name:**

**Type:** Consent      **Status:** Agenda Ready

**File created:** 2/6/2018      **In control:** City Council Regular Meeting

**On agenda:** 2/12/2018      **Final action:** 10/14/2025

**Title:** Adopt a Resolution Supporting a Civil Action Against Those Legally Responsible for the Wrongful Distribution of Prescription Opiates

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Members of City Council

**THRU:** Type here

**FROM:** Karen McDonald, City Attorney

**DATE:** February 12, 2018

**RE:**  
Adopt a Resolution Supporting a Civil Action on Those Legally Responsible for the Wrongful Distribution of Prescription Opiates

**COUNCIL DISTRICT(S):**  
ALL

**Relationship To Strategic Plan:**  
Goal I: Safe and Secure Community

**Executive Summary:**  
Opioid abuse has become a public nuisance and burden to the City’s taxpayers and City resources. Cities and Counties across North Carolina are initiating litigation against the manufacturers and distributors of opioids to recover costs associated with this crisis.

**Background:**  
According to a 2016 study, Fayetteville ranked 18th in the country in opioid abuse. As a result of the high rate of abuse, all patrol officers of the Police Department have been trained and equipped with

the overdose reducing drug--naloxone. In 2017, officers used naloxone 132 times on 118 people. Additionally, in November of 2017 there were 39 drug overdoses compared to 19 the previous year. Opioid abuse is a public nuisance and burden on the taxpayers of the City.

The City was contacted by two local attorneys regarding initiating litigation against the manufactures and wholesale distributors of opioids in our area. The local attorneys have joined with a consortium of attorneys across the country to pursue civil remedies against these parties to potentially recover the costs associated with addressing opioid abuse.

**Issues/Analysis:**

No known issues.

**Budget Impact:**

There is no cost to the City for this litigation. The attorneys cover all costs and expenses associated with the litigation and will only be compensated if there is a settlement or court award. It is expected that there may be some staff time needed to gather specific information necessary for the lawsuit.

**Options:**

1. Adopt the resolution declaring opioid abuse as a public nuisance.
2. Do not adopt the resolution declaring opioid abuse as a public nuisance.
3. Provide direction to staff.

**Recommended Action:**

Staff recommends that City Council move to adopt the resolution declaring opioid abuse as a public nuisance.

**Attachments:**

Resolution