

RESOLUTION OF THE BOARD OF COMMISSIONERS OF DURHAM COUNTY, NORTH CAROLINA

WHEREAS, Durham County Board of Commissioners has the authority to adopt ordinances and resolutions with respect to county affairs and the abatement of public health nuisances in Durham County, North Carolina, pursuant to N.C. Gen. Stat. Ann. § 153A-121;

WHEREAS, the Durham County Board of Commissioners has the authority to take action to protect the public health, safety, and welfare of the residents and citizens of Durham County;

WHEREAS, there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Durham County;

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 Durham County;

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

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

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 Durham County constitutes a public nuisance;

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

WHEREAS, Durham County has expended, is expending, and will continue to expend in the future County funds to respond to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality within Durham County; and

WHEREAS, the Durham County Board of Commissioners have received information that indicates that the manufacturers and wholesale distributors of controlled substances has distributed in Durham County, North Carolina, and surrounding areas, and 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 based on information and documentation received by County Officials and Staff and data on opioid use and abuse in Durham County, including but not limited to **Exhibits A-E** attached hereto, the Durham County Board of Commissioners hereby declares the opioid crisis a public nuisance which must be abated for the benefit of Durham County and its residents and citizens.

Adopted by the Durham County Board of Commissioners this ____ day of _____, 2018.

By:

Durham County Board of Commissioners

Wendy Jacobs, Chair

James Hill, Vice-Chair

Heidi Carter, Commissioner

Brenda A. Howerton, Commissioner

Ellen W. Reckhow, Commissioner