

**RESOLUTION OF THE MAYOR AND WINSTON-SALEM
CITY COUNCIL DECLARING THE OPIOIDS CRISIS A PUBLIC NUISANCE
AND AUTHORIZING THE FILING OF A CIVIL ACTION TO
ABATE SAID NUISANCE**

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

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

WHEREAS, there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Winston-Salem;

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 Winston-Salem;

WHEREAS, the opioid crisis unreasonably interferes with rights common to the general public of Winston-Salem; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of the City of Winston-Salem; 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 the City of Winston-Salem 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 the City of Winston-Salem constitutes a public nuisance;

WHEREAS, the Winston-Salem City Council 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 the City of Winston-Salem and/or involve a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of the City of Winston-Salem;

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

WHEREAS, the Winston-Salem City Council has received information that indicates that the manufacturers and wholesale distributors of controlled substances have distributed in Winston-Salem, 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, by the Mayor and Winston-Salem City Council that based upon the above the Mayor and Winston-Salem City Council hereby declare the opioid crisis a public nuisance which must be abated for the benefit of the City of Winston-Salem, North Carolina and its residents and citizens.

BE IT FURTHER RESOLVED, that city staff is authorized to pursue all available avenues including the filing of a civil action to abate this public nuisance.

BE IT FURTHER RESOLVED, that all resolutions that are inconsistent with this resolution be rescinded.

The motion to approve the foregoing resolution was made by Council Member **James Taylor, Jr.**, seconded by Council Member **Jeff MacIntosh**, and the following vote was recorded:

Allen Joines, Mayor	<u>n/a</u>
Vivian H. Burke, Mayor Pro Tem	<u>Aye</u>
Denise D. Adams	<u>Aye</u>
Dan Besse	<u>Aye</u>
Robert C. Clark	<u>Absent</u>
John C. Larson	<u>Aye</u>
Jeff MacIntosh	<u>Aye</u>
Derwin L. Montgomery	<u>Absent</u>
James Taylor, Jr.	<u>Aye</u>