

ISABELLA COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 18-02-02

RESOLUTION DECLARING OPIOID EPIDEMIC A PUBLIC NUISANCE

WHEREAS the use of narcotic drugs oxycodone, hydrocodone, methadone, fentanyl, codeine and others (hereinafter “Opioids”) has become a national epidemic of addiction and abuse in the United States that has led to carnage and destruction, including the loss of over 33,000 lives annually, the destruction of countless families and homes, and the incarceration of hundreds of thousands of addicts who have turned to crime in order to support their addictions; and

WHEREAS the State of Michigan has been particularly impacted by this national epidemic and is the 10th leading state in the country in 2016 for Opioid usage as measured by per capita prescription utilization according to the *U.S Center for Disease Control (“CDC”) Annual Surveillance Report of Drug Related Risks and Outcomes*; and

WHEREAS Isabella County has been impacted by the scourge of Opioid addiction, requiring elevated levels of emergency response to Opioid overdoses; and

WHEREAS Isabella County emergency responders have administered Narcan, a drug used for the treatment of Opioid overdoses; and

WHEREAS the epidemic of Opioid abuse as stated herein establishes that the epidemic significantly interferes with the public’s health, safety, peace, comfort and convenience; and

WHEREAS the manufacturers of Opioids know, or should know, that the over-prescribing of Opioids, as encouraged by the manufacturers’ deceptive and irresponsible marketing and distribution conduct, has led to the Opioid epidemic as described in this resolution and as witnessed on a daily basis by the emergency responders, law enforcement personnel, emergency room treaters, incarceration officers, substance abuse counselors, family members and victims of the addicted; and

WHEREAS the wholesale distributors of Opioids know, or should know, that the irresponsible distribution of Opioid products has contributed to the illegal diversion of Opioid product and has similarly led to the Opioid epidemic as described in this resolution and as witnessed on a daily basis by the emergency responders, law enforcement personnel, emergency room treaters, incarceration officers, substance abuse counselors, family members and victims of the addicted; and

WHEREAS the conduct of the manufacturers and wholesale distributors, as described herein, is proscribed by the common law of public nuisance as well as by federal and Michigan law governing deceptive conduct, marketing and distribution of narcotics.

NOW THEREFORE BE IT RESOLVED that the Isabella County Board of Commissioners hereby declares that the continued conduct of manufacturers and wholesale distributors of Opioid products as it relates to their irresponsible marketing and distribution of such

products has materially contributed to the Opioid epidemic which is, and if left unabated, will continue to be, a PUBLIC NUISANCE that needlessly destroys the lives of countless individuals and their families, the neighborhoods in which they live and conduct their activity, and is a continual threat to the public health, safety, peace, comfort and convenience of the Isabella County citizenry; and

BE IT FURTHER RESOLVED that the Opioid epidemic as described herein has resulted in tangible and calculable material costs to Isabella County and its taxpayers, including but not limited to, increased emergency response costs, law enforcement intervention costs, and incarceration costs; and

BE IT FURTHER RESOLVED that Isabella County is encouraged to engage in all appropriate enforcement activities to abate the public nuisance as declared herein and to seek compensation for the costs imposed upon the Count and its taxpayers, as well as any other appropriate legal, equitable and injunctive action including the institution of lawsuit(s) against Opioid manufacturers and wholesale distributors.

George A. Green, Board Chairperson
Isabella County Board of Commissioners

Mindé B. Lux, County Clerk
Isabella County

Date: February 20, 2018