

North Canton City Council
Finance and Property Committee

ORDINANCE 13 - 2022

An ordinance authorizing the Mayor of the City of North Canton to execute the Participation Agreement for the Johnson and Johnson (“Settling Distributor”) National Opioid Settlement available at <https://nationalopioidsettlement.com/>, and declaring the same to be an emergency.

WHEREAS, North Canton, Ohio, is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance, and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance, and malfeasance throughout the State of Ohio; and

WHEREAS, a settlement proposal is being presented to the State of Ohio and Local Governments by distributor Johnson and Johnson to resolve governmental entity claims in the State of Ohio; and

WHEREAS, this Council wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributor (the “Proposed Settlement”); and

WHEREAS, the deadline for Ohio subdivisions to agree to and participate in the Settlement is December 17, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That the Mayor of the City of North Canton, Ohio is authorized to accept the Proposed Settlement on behalf of the City of North Canton, pursuant to the terms of the Johnson and Johnson Participation Agreement.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton; and; further necessary to ensure the prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio and to meet the deadline of December 17, 2021, wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force upon its adoption by Council, together with the Mayor’s approval. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this 20th day of December, 2021.

Attest: Benjamin R. Young
Benjamin R. Young, Clerk of Council

Stephan B. Wilder Signed on: 20 December 2021
Stephan B. Wilder, Mayor