

ORDINANCE NO. \_\_\_\_\_-2023

AN ORDINANCE ENACTING ARTICLE LI OF CHAPTER 2 OF THE CODE OF ORDINANCES TO CREATE THE OPIOID ABATEMENT COMMISSION.

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BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Article LI of Chapter 2 of the Code of Ordinances be and hereby is enacted to read as follows:

Section 2-527.       Established.

1.     A commission is hereby created which shall be known as the “Opioid Abatement Commission”.
2.     The commission shall be charged with recommending appropriate uses for proceeds received by the Lexington-Fayette Urban County Government in any settlement, judgement, bankruptcy, or other manner of resolution of the National Opioid Litigation, or other moneys received from gifts, grants or state or federal funds. Hereafter, all funds referenced in this paragraph shall be referred to as the “Abatement Funds.”
3.     The commission shall recommend uses related to opioid use disorder or any co-occurring substance use disorder or mental health issues based on criteria provided in applicable state law and the Memorandum of Understanding, entered between the Lexington-Fayette Urban County Government and the Commonwealth of Kentucky on approximately June 25, 2021.

Section 2-528.       Membership.

The commission shall consist of thirteen (13) voting members, who shall be appointed by the mayor and confirmed by the urban county council. No voting member shall be an employee of the Lexington-Fayette Urban County Government, with the exception of the Chief of the Lexington Police Department, or whomever serves as the Chief’s designee on the commission.

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### Section 2-529. Terms of Membership.

All members shall serve for four (4) years from the date of appointment, provided that the term of the initial members shall be staggered in the following manner: 7 members shall be appointed for four (4) years and 6 members shall be appointed for two (2) years.

Vacancies shall be filled for the unexpired terms in the manner prescribed for the original appointment. Members may be appointed for no more than two (2) consecutive full terms. Members who have served two (2) consecutive full terms shall not be eligible to succeed themselves until the lapse of twelve (12) months from the end of said terms.

### Section 2-530. Meetings.

1. The commission shall determine its own rules and order of business and shall provide for keeping a record of its proceedings.
2. The commission shall meet no less than quarterly, and shall adopt a meeting schedule, which sets forth the date, place and time for its regularly scheduled meetings.
3. All meetings shall be in compliance with the Kentucky Open Meetings Act. Special meetings may be called by the chair or a majority of the members of the commission.
4. Presiding officers for the commission shall consist of the chair and a vice-chair. The vice-chair shall preside in the absence of the chair. The initial chair and vice-chair shall be appointed by the mayor and shall serve a term of two (2) years. Thereafter, the chair and vice-chair shall be determined by a majority vote of the voting members of the commission and are eligible to serve two (2) consecutive one (1) year terms.

### Section. 2-531. Quorum.

Seven (7) voting members shall constitute a quorum for the transaction of business at any meeting of the commission.

### Section 2-532. Facilities and Staff.

Within the limits of funds appropriated by the urban county council in the annual budget, the urban county government shall provide the commission, either directly or by contract or agreement, with the facilities, materials, supplies and staff needed for the conduct of its business.

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Section 2-533. Reports.

The commission shall work with the Division of Grants and Special Programs to review and/or execute any reports and/or certifications required by the Memorandum of Understanding and applicable state law regarding the Abatement Funds.

Upon request by the mayor or the urban county council, the commission shall provide an activity report detailing its work.

Section 2-534. Duties and Powers.

1. The commission shall make recommendation(s) to the mayor and urban county council on appropriate uses of the Abatement Funds. The commission shall explain in any recommendation(s) to the mayor and the urban county council how the recommendation fits within the approved use(s) as defined in the Memorandum of Understanding and applicable state law.
2. The commission shall, upon request of the mayor or the urban county council, create an annual report detailing the effects and successes of their efforts and outlining a plan for the upcoming year.
3. The commission may engage with citizen groups for the purpose of soliciting community feedback.
4. The commission may request information or assistance from Departments and Divisions of the Government to assist the commission with its duties.

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL  
PUBLISHED: