

RESOLUTION NO. (R) 05- 92

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, IN SUPPORT OF THE ARIZONA STATE LEGISLATURE ADOPTING METHANPHETAMINE REGULATION APPLICABLE TO THE SALE AND DISTRIBUTION OF ALL OVER-THE-COUNTER DRUGS CONTAINING PSEUDOEPHEDRINE AND REMOVING THE LIMITATION IN SENATE BILL 1473 TO ONLY THOSE OVER-THE-COUNTER DRUGS CONTAINING PSEUDOEPHEDRINE AS THE SOLE ACTIVE INGREDIENT.

WHEREAS, the illicit manufacture of methamphetamine ("Meth") and the proliferation of Meth labs are serious and continuing problems in the region; and

WHEREAS, due to the flammable and toxic nature of the chemicals used in Meth production, fires, explosions and hazardous materials contamination are common occurrences associated with Meth labs; and

WHEREAS, Meth labs are found in houses, apartments, hotel and motel rooms, and trailers in both residential and commercial areas, exposing law enforcement personnel and other first responders, the children of the Meth lab operators to dangerous conditions; and

WHEREAS, pseudoephedrine is a key ingredient in Meth production and is found in many over-the-counter cold and allergy medications; and

WHEREAS, over-the-counter pseudoephedrine is a source of pseudoephedrine used for the production of Meth; and

WHEREAS, recently enacted Arizona legislation (Senate Bill 1473) regulates the sale and distribution of over-the-counter drugs that contain pseudoephedrine as the sole active ingredient; and

WHEREAS, Senate Bill 1473 does not regulate the sale and distribution of over-the-counter drugs that contain pseudoephedrine in combination with other active ingredients; and

WHEREAS, over-the-counter drugs that contain pseudoephedrine in combination with other active ingredients may be used in the manufacture of Meth; and

WHEREAS, the unrestricted access to products containing pseudoephedrine endangers the public health, safety and welfare of the residents of the Town of Oro Valley, a political subdivision of the State of Arizona; and

WHEREAS, many jurisdictions within Pima County have adopted, or have contemplated adopting, ordinances regulating the sale and distribution of over-the-counter drugs that

contain pseudoephedrine in combination with other active ingredients to fill the gap left by the Arizona legislature in Senate Bill 1473; and

WHEREAS, it is the belief of Mayor and Town Council for the Town of Oro Valley that the regulation of pseudoephedrine as a critical component of Meth manufacture is better left to the State so the State can adopt uniform regulation and enforcement of all over-the-counter drugs containing pseudoephedrine rather than the patchwork of regulation that is currently being adopted or contemplated on a jurisdiction by jurisdiction basis.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley Arizona to support the Arizona State Legislature adopting more comprehensive methamphetamine regulation applicable to the sale and distribution of all over-the-counter drugs containing pseudoephedrine and removing the limitation within senate bill 1473 to only those over-the-counter drugs containing pseudoephedrine as the sole active ingredient as proposed and/or supported by Arizona law enforcement and prosecution agencies..

PASSED AND ADOPTED by Mayor and Council of the Town of Oro Valley, Arizona, this 19 day of OCTOBER, 2005.

TOWN OF ORO VALLEY



Paul H. Loomis, Mayor

ATTEST:



Kathryn E. Cuvelier, Town Clerk

APPROVED AS TO FORM:



Melinda Garrahan, Town Attorney