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### **OIG Follow-Up Report Finds No Changes to DSS Garbage Enforcement**

The City of Chicago Office of Inspector General (OIG) has released a follow-up report finding that the Department of Streets and Sanitation (DSS) has made no changes in response to OIG's June 2014 audit of garbage ordinance enforcement.

In 2014, OIG concluded that DSS's enforcement of Municipal Code of Chicago (MCC) § 7-28-240 was neither effective nor efficient and cost the City about \$6.6 million each year.

Specifically, the 2014 audit found that,

- From 2007 to 2013, DSS did not maintain up-to-date records regarding an estimated \$3.3 million in City garbage service to multi-unit dwellings that were eligible for service under the ordinance's "grandfather" clause.

The grandfather clause grants City garbage service to some multi-unit dwellings that would otherwise be excluded from City services. In its 2014 response to OIG's audit, DSS committed to developing an annual self-certification and audit process for grandfathered properties. However, OIG's follow-up found that the Department did not follow through on that promise because, according to DSS, there is a possibility of legislative action on the matter.

"Sunsetting the grandfather clause should be seen as low-hanging fruit in the City's efforts to chip away at the structural deficit looming for 2016," said Inspector General Joe Ferguson. "We urge the City Council to partner with DSS to address this anachronistic provision of taxpayer funded services to a special class of multi-unit property owners."

The audit also found that,

- DSS provided not-for-profit organizations an estimated \$3.3 million per year in refuse removal service without any legal basis for the program.

In response to OIG's follow-up inquiry, DSS reasserted that, it has the authority to provide these services.

"Government agencies have discretion to construe their authority," said Inspector General Joe Ferguson, "but within principled limits, which is not the case here. Fortunately, the Administration and the City Council need look no further than the model they collaboratively

implemented in 2013 respecting water services to not-for-profits. Such a model applied here would result in additional savings and efficiencies and stanch the bleeding of taxpayer resources for free garbage collection to organizations hand-picked without process, standards, or public scrutiny.”

The full report, and City’s response to the findings, can be found online at the OIG website: [www.chicagoinspectorgeneral.org](http://www.chicagoinspectorgeneral.org). Follow OIG on Twitter [@ChicagoOIG](https://twitter.com/ChicagoOIG) for the latest information on how OIG continues to fight waste, fraud, abuse, and inefficiency in Chicago government.

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