

(4) State that, if these repairs, construction or alterations are not completed within a reasonable time period specified by the inspector, summons shall be issued for the person, firm, corporation, owner, or owner's agent to appear in Municipal Court. However, in the judgment of the Director, where the violation is willful, in wanton disregard of the provisions of this Article or constitutes a public health and safety hazard or endangers the ecosystem, the Director may issue a court summons in lieu of a notice of violation.

(b) Penalty. It shall be unlawful for any person, firm or corporation to do anything prohibited or fail to do anything required by the provisions of this Article, as they now exist or as they may hereafter be amended. Any person, firm or corporation that shall do anything prohibited or fail to do anything required by the provisions of this Article, as they now exist or as they may hereafter be amended, upon conviction of a violation in Municipal Court shall be subject to a fine and/or imprisonment in accordance with Chapter 1 of this Code. Where any offense or violation continues from day-to-day, each day's continuance thereof shall be deemed a separate offense. The owner of any buildings or premises or parts thereof, where anything in violation of this Article exists, and any architect, builder, engineer, contractor, or any other agent of the owner, or any tenant, who commits, or assists in the commission of any violation, shall be guilty of a separate offense.

(c) Variances.

(1) Except as further limited herein, an applicant may request a variance from the terms of the requirements of Sections 10, 11, 13, and 14 of this Article. The Board of Zoning Appeals shall be authorized to hear variance requests. The Zoning Board of Appeals shall have no power to consider or to grant variances which are the responsibility of the Director of the Environmental Protection Division pursuant to O.C.G.A. § 12-2-8 and other relevant State statutes and regulations. The Board of Zoning Appeals is authorized to consider applications for variances pursuant to this section within the seventy-five-foot stream buffer required at Section 14(i)(2) of this Article, but not within the twenty-five-foot state buffer zone adjacent to waters of the state set forth in Section 11(b)(4) of this Article, ~~nor within fifty feet of the stream bank.~~ Where variances involving the same project are requested from both the Director of the Environmental Protection Division and the Director of Community Development, the Director of Community Development shall take no action on any such request for variance until the Director of the Environmental Protection Division grants the variance or otherwise approves the request pending before the Environmental Protection Division. Receiving a variance from the Director of the Environmental Protection Division does not obligate the Board of Zoning Appeals to permit the project to proceed if the project does not also meet all the other requirements of this Article. No variance from the provisions of Chapter 14 shall be authorized except as specifically authorized in this section or specifically authorized in another section of Chapter 14.

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