EXHIBIT "A"

That Chapter 6, "Fire Protection", Section 1, "Fire Prevention Code", of the Code of Ordinances of the City of College Station, Texas, is hereby replaced in its entirety, as set out hereafter to read as follows:

SECTION 1: FIRE PREVENTION CODE

A. INTERNATIONAL FIRE CODE ADOPTED

(1) The 2012 edition of the International Fire Code, including Appendix Chapters B, C, D, E, F,G,H,I and as published by the International Code Council. Said Code is hereby adopted to the same extent as though such Code were copied at length herein, subject however to the omissions, additions, supplements, and amendments contained in this section.

(2) The Life Safety Code Handbook, specifically the 2012 Edition published by the National Fire Protection Association, a copy of which is on file in the office of the City Secretary of the City of College Station, Texas, is hereby adopted and designated as the life safety code of the City of College Station. Said code is adopted to the same extent as though such code was copied at length herein, subject however to the omissions, additions, supplements, and amendments contained in this section.

B. AMENDMENTS TO THE INTERNATIONAL FIRE CODE

The International Fire Code, as referred to above is hereby amended as follows:

(1) Section 101 (General) is amended by adding Section 101.6 to read as follows:

Section 101.6 (Emergency Vehicle Egress):
No part of any commercial structure will be located outside the limits of a one hundred fifty foot (150') arc from a point where fire apparatus can operate. Fire apparatus will operate on surfaces designed for such and may utilize public right-of-way, approved fire lanes and/or drive access ways to meet this one hundred and fifty foot limit but in no case shall the truck travel route be measured across grass, wooded or landscaped areas, over curbs, through fences, through ditches or across paved areas which are not designed and maintained as fire lanes".

(2) Section 108 is amended by deleting the section in its entirety.

(3) Section 109.4 (Violation Penalties) is amended by deleting the section in its entirety and replacing with the following:

Section 109.4 (Violation Penalties)
Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine as described in Chapter 1 section 5 of the College Station Code of Ordinances.

(4) Section 202 (General Definitions) is amended by adding "Tutorial Services" under the definition of "Occupancy Classification Assembly Group A-3".

(5) Section 308.1.4 (Open Flame Cooking Devices) is amended by deleting exception 2 & 3.

(6) Section 501.4 (Timing of Installation) is amended by adding the following text at the end of the section: "There shall be no combustible, flammable or ignitable materials placed on site, lot or subdivision where waterlines, fire hydrants and/or all weather access roads capable of supporting emergency vehicles with an imposed load of at least 75,000 pounds as required by this code or other adopted code or ordinances are completed, accepted and in service."

(7) Section 503.2.1 (Dimensions) is amended by replacing “13 feet 6 inches” with "14 feet".

(8) Section 503.2.5 (Dead Ends) is amended by replacing “150 feet” with "100 feet".

(9) Section 503.3 (Marking) is amended by deleting the section in its entirety and replacing with the following:

Section 503.3 (Marking)
The owner, manager, or person in charge of any building or property to which fire lanes have been approved or required by engineering shall mark and maintain said fire lanes in the following manner:

All curbs and curb ends shall be painted red with four inch (4") white lettering stating "FIRE LANE - NO PARKING - TOW AWAY ZONE". Wording may not be spaced more than fifteen feet (15') apart.

In areas where fire lanes are required but no continuous curb is available, one of the following methods shall be used, in conjunction with the curb markings, to indicate that the fire lane is continuous:

Option #1: A sign twelve inches (12") wide and eighteen inches (18") in height shall be mounted in a conspicuous location at each entrance to the property. (See Diagram No. 1 for specifications on colors and lettering.)

Option #2: From the point the fire lane begins to the point the fire lane ends, including behind all parking spaces which adjoin a fire lane, shall be marked with one continuous eight inch (8") red stripe painted on the drive surface behind the parking spaces. All curbing adjoining a fire lane must be painted red. Red stripes and curbs will contain the wording "FIRE LANE - NO PARKING- TOW AWAY ZONE", painted in four inch (4") white letters. ("Figure A" in Ordinance No 1630 illustrates striping on drive surface behind parking spaces.)

In those cases where curb markings are not possible or where signs would in the Fire Official's opinion work more effectively, the Fire Marshal may require signs in lieu of curb markings.

The use of the color red to mark or stripe any curb or parking area (other than fire lanes) is prohibited within the City of College Station."

(10). Section 503 is amended by adding Sections 503.3.1 (Fire Lane Signs; Tow-Away Zone Signs), 503.3.2 (Destruction of Fire Lane and Tow-Away Signs), 503.3.3 (Abandonment or Closing) and 503.3.4 (Authority Under Emergency Conditions) to read as follows:

503.3.1 (Fire Lane Signs; Tow-Away Zone Signs)
The owner, manager, or person in charge of any building to which fire lanes have been approved by the Engineering Division shall post and maintain appropriate signs in conspicuous places along such fire lanes stating "No Parking - Fire Lane". Such signs shall be twelve inches (12") wide and eighteen inches (18") high, with a companion sign twelve inches (12") wide and six inches (6") high stating "Tow-Away Zone".

Any "No Parking - Fire Lane" or "Tow-Away Zone" sign shall be painted on a white background with symbols, letters and border in red. Drawings and samples of such signs may be obtained from the Fire Department of the City of College Station. Standards for mounting, including but not limited to, the height above the grade at which such signs are to be mounted, shall be as adopted by the Fire Official of College Station.

Section 503.3.2 (Destruction of Fire Lane or Tow-Away Signs)
It is hereby unlawful for any person without lawful authority to attempt or in fact alter, destroy, deface, injure, knock down, or remove any sign designating a fire lane or tow-away zone erected under the terms of this code, or to deface a curb marking in any way.

Section 503.3.3 (Abandonment or Closing)

No owner, manager, or person in charge of any premises served by a required fire lane shall abandon or close such fire lane without written permission of the Fire Official of the City of College Station.

Section 503.3.4 (Authority Under Emergency Conditions)
The Fire Marshal is hereby authorized to establish fire lanes during any fire, and to exclude all persons other than those authorized to assist in extinguishing the fire or the owner or occupants of the burning property from within such lanes.

(11). Section 503.4 (Obstruction of Fire Apparatus Access Roads) is amended by deleting the section in its entirety and replacing with the following:

Section 503.4 (Obstruction of Fire Apparatus Access Roads)
No person shall park, place, allow, permit, or cause to be parked, placed, any motor vehicle, trailer, boat, or similar obstruction within or upon an area designated as a fire lane and marked by an appropriate sign or curb marking.

(12). Section 503 (Fire Apparatus Access Roads) is amended by adding Sections 503.4.2 (Obstructing Fire Lanes) and 503.4.2 (Enforcement; Issuance of Citations; Impoundment of Obstructions) to read as follows:

Section 503.4.2 (Obstructing Fire Lanes)
Any motor vehicle, trailer, boat, or similar obstruction found parked within an area designated as a fire lane as required by this section is hereby declared a nuisance per se and any such motor vehicle, trailer, boat, or similar obstruction parked or unoccupied in such a manner as to obstruct in whole or in part any such fire lane shall be prima facie evidence that the registered owner unlawfully parked, placed, or permitted to be parked or placed such obstruction within a fire lane.

The records of the State Highway Department or the County Highway License Department showing the name of the person to whom the Texas highway license or boat or trailer license is issued shall constitute prima facie evidence of ownership by the named persons.

Section 503.4.3 (Enforcement; Issuance of Citations; Impoundment of Obstructions)

The Fire Official or any member of the Fire Department designated by the Fire Official, the Chief of Police, or any member of the Police Department designated by the Chief of Police are hereby authorized to issue parking citations for any motor vehicle, trailer, boat, or similar obstruction found parked or unattended in or upon a designated fire lane and may have such obstruction removed by towing it away. Such vehicle or obstruction may be redeemed by payment of the towage and storage charges at the owner's expense.

No parking citations shall be voided nor shall the violator be relieved of any penalty assessed by a judge of the Municipal Court for any provision by the redemption of the obstruction from the storage facility."

(13) Section 505.1 (Address Identification) is amended by deleting the section in its entirety and replacing with the following:

Section 505.1 (Address Identification)

An official building number placed pursuant to this ordinance must be at least four inches (4") high, and have at least a one-half inch (1/2") stroke in the main body of the number, and be composed of a durable material and of a color which provides a contrast to the background. The number shall be mounted a minimum of thirty-six inches (36") and a maximum of thirty feet (30') in height measured from ground level. Buildings located more than fifty feet (50') from the curb of a street shall have numbers at least five inches (5") in height. For the purpose of this ordinance, durable materials for use in numbering shall include, but not be limited to wood, plastic, metal, weather-resistant paint, weather-resistant vinyl, or weather-resistant numbers designed for outside use on a glass surface. For single family residences, the requirement of this section may be met by providing two inch (2") high numbers on both sides of a U.S. mailbox located near the curb in front of the house, or a freestanding structure with numbers at least four inches (4") in height.

(14) Section 505 (Premise Identification) is amended by adding Sections 505.1.1 (Building Complex Identification), 505.1.2 (Rear Access Identification), 505.1.3 (Alley Premise Identification) and 505.1.4 (Building Complex Diagrams) to read as follows:

505.1.1 (Building Complex Identification)
A building complex composed of multiple structures shall have an official suite/unit number assigned to each building as well as a street address number. If there is sufficient street frontage, each unit or building may be assigned a separate official street address number. The official street address number of each structure as designated by the Building Official must be prominently posted on the building so that it is visible from the nearest public street. Each number designated by the Building Official for each individual suite/unit must be conspicuously posted on the suite/unit.

505.1.2 (Rear Access Identification)
Commercial buildings with rear access shall also display the business name and designated street address and suite/unit number on the rear access door.

505.1.3 (Alley Premise Identification)
Residential structures that provide for rear vehicular access from a dedicated public alley shall conspicuously post the designated numbers that comply with the size requirements above so that it is visible to the alley.

505.1.4 (Building Complex Diagrams)
The owner of a building complex which contains an enclosed shopping mall shall submit to the Fire Official four (4) copies of diagrams acceptable to the Fire Official of the entire complex, indicating the location and number of each business. When a change in a business name or location is made, the owner or manager of structure shall so advise the Fire Official in writing of the change.

(15) Section 507.5.1 (Where Required) is amended by deleting the section in its entirety and replacing with the following:

Section 507.5.1 (Where Required)
Public fire hydrants of the City of College Station standard design shall be installed as part of the water distribution system for subdivisions and/or site developments. The Engineering Division shall approve the appropriate hydrant locations accessible to fire fighting apparatus and within the maximum distances described in the following sections:

(16) Section 507.5.2 (Inspection, Testing and Maintenance) is amended by deleting the section in its entirety and replacing with the following:

Section 507.5.2 (Inspection, Testing and Maintenance)
Public fire hydrants shall be installed in single-family and duplex districts zoned R-1, R-1A and R-2 at such locations that no part of any structure shall be more than five hundred feet (500') from a fire hydrant as measured along the right-of-way of a public street as the fire hose is laid off the fire truck.

(17) Section 507.5.3 (Private Fire Service Mains and Water Tanks) is amended by deleting the section in its entirety and replacing with the following:

Section 507.5.3 (Private Fire Service Mains and Water Tanks)
Private fire hydrants shall be installed in districts other than single-family and duplex districts zoned R-1, R-1A or R-2 at such locations that no part of any structure**,** aboveground tanks or fueling stations**,** shall be more than three hundred feet (300') from a fire hydrant as measured along the right-of-way of a public street or along an approved fire lane as the fire hose is laid off the fire truck.”

(18) Section 903.2 (Where required) is amended by adding the following text at the end of the section:

In addition to the requirements of this section, an automatic sprinkler system shall be provided throughout all new buildings and structures as follows:

1. Where the total building area exceeds 12,000 square feet in area.

2. Where the height exceeds two stories, regardless of area.

(19) Section 903.2.4 (Group F-1) is amended by deleting item #3.

(20) Section 903.2.7 (Group M) #2 is amended by replacing "three stories above grade" with "two stories in height" and by deleting #3 in its entirety.

(21) Section 903.2.8(Group R) is amended by deleting the section in its entirety.

(22) Section 903.2.9 (Group S-1) is amended by deleting items #2 and #3.

(23) Section 907.5.2.3.2 (Employee work areas) is amended by deleting the section in its entirety and replacing with the following:

Section 907.5.2.3.2 (Employee work areas)
Where a fire alarm and detection system is required, employee work areas shall be provided with devices that provide audible and visible alarm notification."

(24) Section 2304.1 (Supervision of Dispensing) is amended by deleting the section in its entirety and replacing with the following:

Section 2304.1 (Supervision of Dispensing)
The dispensing of flammable or combustible liquids into the fuel tank of a vehicle or into an approved container shall be under the supervision of a qualified attendant except service stations not open to the public. Such stations may be used by commercial, industrial governmental or manufacturing establishments for fueling vehicles in connection with their business."

(26) Section 2304.3 (Unattended Self-Service Motor Fuel Dispensing Facilities) is amended by deleting the section in its entirety.

(27) Section 2304.3.1 (General) is amended by deleting the section in its entirety.

(28) Section 2304.3.2 (Dispensers) is amended by deleting the section in its entirety.

(29) Section 2304.3.3 (Emergency Controls) is amended by deleting the section in its entirety.

(30) Section 2304.3.4 (Operating Instructions) is amended by deleting the section in its entirety.

(31) Section 2304.3.5 (Emergency Procedures) is amended by deleting the section in its entirety.

(32) Section 2304.3.6 (Communications) is amended by deleting the section in its entirety.

(33) Section 2304.3.7 (Quantity Limits) is amended by deleting the section in its entirety.

(34) Section 5706.6.1.2 (Leaving Vehicle Unattended) is amended by deleting the section in its entirety and replacing with the following:

Section 5706.6.1.2 (Leaving Vehicle Unattended)
At no time while discharging flammable, combustible or ignitable liquids shall the driver or operator be out of sight and reach of the discharge valves. If at any time while discharging flammable, combustible or ignitable liquids, the driver or operator must leave the vehicle for any reason, he or she shall shut down all valves until his or her return and shall be totally responsible for any and all spillage. When the delivery hose is attached to the vehicle it is presumed to be discharging flammable, combustible or ignitable liquids.

(35) Section 1103 (Fire Safety Requirements for Existing Buildings) is amended by deleting this section in its entirety.

(36) Appendix D Section D103.4 (Dead Ends) and Table D103.4 are amended by replacing "150 feet" with "100 feet".

C. AMENDMENTS TO NFPA LIFE SAFETY CODE:

(1) Section 24.3.5.1 is amended by deleting the section in its entirety.

(2) Section 43.6.4.1 is amended by deleting this section in its entirety and replacing with the following:

Section 43.6.4.1
In a building with rehabilitation work areas involving over 50% of the aggregate building area an automatic fire sprinkler system shall be installed to the code applicable to new construction for this type of occupancy.

(3) Section 43.6.4.2 is amended by deleting the section in its entirety.

(4) Section 43.6.4.4 is amended by replacing “up to and including the highest rehabilitation work area floor” with “highest floor”.

SECTION 2: FIRE LIMITS

A. AREA LIMITS DESCRIBED

The fire limits referenced in any code or ordinance adopted by the City of College Station shall be construed to be the following described area.

(1) (a) Beginning at the south corner of Farm Highway No. 60 and Old Highway No. 6, Block 8 Boyett Addition;

Thence northeast along center of Farm Highway No. 60 through Blocks 8,1, and 2 to east corner of Tauber Street and Farm Highway No. 60;

Thence northwest approximately one hundred eighty-nine feet (189');

Thence southwest to east corner of Block 1, Lot 21, to corner of Main and Patricia Streets;

Thence northwest approximately fifty feet (50');

Thence southwest approximately one hundred ninety feet (190') which includes Lots 21 to 26 inclusive, also Block 1, Boyett Addition;

Thence northwest approximately one hundred fifty feet (150') to the Church Avenue;

Thence southwest approximately fifty-two feet (52') to Patricia Street which includes Lots 18 to 27 and 28, Block 1, Boyett Addition;

Thence southwest on Patricia Street to Old Highway No. 6;

Thence southeast approximately two hundred feet (200') along center of Old Highway No. 6 to the place of beginning.

(b) Save and except the area described as follows:

Beginning at the intersection of the northwest right-of-way line of the University Drive and the northeast right-of-way line of Boyett Street;

Thence northwest along the northeast right-of-way line of Boyett Street to the southeast right-of-way line of Patricia Street.

Thence northeast along the southeast right-of-way line of Patricia Street approximately two hundred thirty-five feet (235');

Thence southeast through Lot. No. 11, Block No. 1, Boyett addition, twenty-five feet (25') from and parallel to the line between Lot No. 11 and Lot No. 12 to the northwest right-of-way line of University Drive;

Thence southwest along the northwest right-of-way line of University Drive to the place of beginning and being all of Lot No. 13, all of Lot No. 12, and the southwest twenty-five feet (25') of Lot No. 11, Block No. 1, Boyett Addition.

(2) Beginning at the corner of George Bush Drive and Montclair Street, Block 8, West Park Addition;

Thence southwest along centerline to Highlands Street, which includes Lots 1 to 13 inclusive;

Thence southeast along centerline of Highlands Street, one hundred feet (100') to alley;

Thence northeast to east corner of Lot No. 1, Block No. 8, Montclair Avenue;

Thence northwest one hundred feet (100') to place of beginning.

B. FIRE MARSHAL TO INVESTIGATE ALL FIRE

The Fire Marshal shall investigate the cause, origin, and circumstances of every fire occurring within this city by which property has been destroyed or damaged, and shall especially make investigation as to whether such fire was the result of carelessness or design. Such investigation shall begin within twenty-four (24) hours, not including Sunday, of the occurrence of such fire. The Fire Marshal shall keep in his office a record of all fires together with all facts, statistics, and circumstances, including the origin of the fires and the amount of the loss, which may be determined by the investigation required by this section.

C. FIRE MARSHAL TO TAKE TESTIMONY AND FURNISH EVIDENCE

The Fire Marshal, when in his opinion further investigation is necessary, shall take or cause to be taken the testimony, on oath, of all persons supposed to be cognizant of any facts or to have means of knowledge in relation to the matter under investigation, and shall cause the same to be reduced to writing; and if he shall be of the opinion that there is evidence sufficient to charge any person with the crime of arson, or with the attempt to commit the crime of arson, or of conspiracy to defraud, or criminal conduct in connection with such fire, he shall cause such person to be lawfully arrested and charged with such offense or either of them, and shall furnish to the proper prosecuting attorney all such evidence, together with the names of witnesses and all of the information obtained by him, including a copy of all pertinent and material testimony taken in the case.

D. MARSHAL TO SUMMON WITNESSES

The Fire Marshal shall have the power to summons witnesses before him to testify in relation to any matter which is by the provisions of this section a subject of inquiry and investigation, and may require the production of any book, paper, or document deemed pertinent thereto. The said Fire Marshal is hereby authorized and empowered to administer oaths and affirm to any persons appearing as witnesses before him.

E. UNLAWFUL TO DISOBEY ANY LAWFUL ORDER OF FIRE MARSHAL

Any witness who refuses to be sworn, or who refuses to appear to testify, or who disobeys any lawful order of said Fire Marshal, or who fails or refuses to produce any book, paper, or document touching any matter under examination, or who is guilty of any contemptuous conduct during any of the proceedings of the Fire Marshal in the matter of said investigation or inquiry, after being summonsed to give testimony in relation to any matter under investigation as aforesaid, shall be deemed guilty of a misdemeanor; and it shall be the duty of the Fire Marshal to cause all such offenders to be prosecuted. Provided, however, that any person so convicted shall have the right of appeal. Upon conviction, such person shall be punished in accordance with Chapter 1, Section 5 of this Code of Ordinances.

F. INVESTIGATIONS BY FIRE MARSHAL MAY BE PRIVATE

All investigations held by or under the direction of the Fire Marshal may, in his discretion, be private, and persons other than those required to be present may be excluded from the place where such investigation is held, and witnesses may be kept separate and apart from each other and not allowed to communicate with each other until they have been examined.

G. FIRE MARSHAL MAY ENTER BUILDINGS WHERE FIRE HAS OCCURRED

The Fire Marshal shall have the authority at all times of day or night, when necessary, in the performance to the duties imposed upon him by the provisions of this section, to enter upon and examine any building and premises adjoining or near the same, which authority shall be exercised only with reason and good discretion.

H. FIRE MARSHAL TO MAKE PERIODIC INSPECTIONS AND REPORTS, AGGRIEVED PERSONS MAY APPEAL

The Fire Marshal, upon complaint of any person having an interest in any building or property adjacent and without any complaint, shall have a right at all reasonable hours, for the purpose of examination, to enter into and upon all buildings and premises within the city, and it shall be his duty, to enter upon and make or cause to be entered and made, a thorough examination of all mercantile, manufacturing, and public buildings, together with the premises belonging thereto. Whenever he shall find any building or other structure which, for want of repair, or by reason of age, or dilapidated condition, or for any cause, is especially liable to fire, he shall order the same to be removed or remedied, and such order shall be forthwith complied with by the owner or occupant of said building or premises. Provided, however, that if said owner or occupant deems himself aggrieved by such order, he may, within five (5) days, appeal to the Construction Board of Adjustments and Appeals, who shall investigate the cause of the complaint and unless by his authority the order is revoked, such order shall remain in force and be forth with complied with by said owner or occupant.

I. UNLAWFUL TO MAINTAIN FIRE HAZARDS

Any owner or occupant of a building or other structure or premises, who shall keep or maintain the same when, for want of repair, or by reason of age or dilapidated condition, or for any cause, it is especially liable to fire and which is so situated as to endanger buildings or property of others, or is especially liable to fire and which is so occupied that fire would endanger other persons or their property therein, shall, upon conviction, be punished in accordance with Chapter 1, Section 5 of this Code of Ordinances.

J. OWNERS WHO MAINTAIN HAZARDS GUILTY OF MISDEMEANOR

Any owner or occupant of any building, structure, or other premises, who shall keep or maintain the same with an improper arrangement of a stove, range, furnace, or other heating appliance of any kind whatever, including chimneys, flues, and pipes with which the same may be connected so as to be dangerous in the matter of fire, or health, or safety of persons or property of others; or who shall keep or maintain any building, other structure, or premises with any improper arrangement of a lighting device or system, or with a storage of explosives, petroleum, gasoline, kerosene, chemicals, vegetable products, ashes, combustibles, inflammable materials, refuse, or with any other condition which shall be dangerous in character to the persons, health, or property of others; or which shall be dangerous in the matter of promoting, augmenting, or causing fires; or which shall create conditions dangerous to firemen or occupants of such building, structure, or premises other than the maintainer thereof, shall be punished in accordance with Chapter 1, Section 5 of this Code of Ordinances.

K. VIOLATORS TO BE NOTIFIED BEFORE PROSECUTION

No prosecution shall be brought under Subsections I and J of this section until the order provided for in Subsection H be given and the party notified shall fail or refuse to comply with the same.

L. RECOVERY OF PENALTIES

The penalties provided for herein shall be recovered by the City in the same manner as provided by law for the enforcement of fines, forfeitures, and punishments for offenses against the city.

SECTION 3: ARSON REWARD

A. AMOUNT AUTHORIZED

The Mayor of the City of College Station is hereby authorized and empowered to offer a reward of not less than Two Hundred Fifty Dollars ($250.00) payable to the person or persons who shall be responsible for the arrest and conviction of any person committing in said city the crime of arson as same is defined by the Penal Code of the State of Texas.

B. PROCEDURE FOR PAYMENT

Whenever the Mayor shall be informed that any fire occurring in said city was of an incendiary origin, he shall call for a report of same by the City Fire Marshal, and if said Fire Marshal shall report that such fire was caused by the commission of the crime of arson, it shall become the duty of said Mayor to offer the reward above described, which reward shall be in the form of a proclamation duly issued by said Mayor under his official signature and attested by the seal of the city, and shall be posted up in a conspicuous place, one (1) of which shall be at the city office in said city in accordance with the regulations of the Texas Fire Insurance Department. Upon the information being given by any person who shall cause the arrest and conviction of such persons so guilty of a specific crime of arson for which said reward shall be offered, and after the indictment of said person or persons, the person so giving such information shall be entitled to receive from said city such reward.

(Ordinance No. 2529 of November 1, 2001)