



HISTORIC  
FRANKLIN  
TENNESSEE


ITEM #9  
WRKS 05/22/2012

## MEMORANDUM

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May 10, 2012

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator   
Special Events Advisory Team

**SUBJECT:** Viva la Diva Event Application

### Purpose

The purpose of this memo is to outline recommendations for approval of the Viva la Diva Event application.

### Background

The Viva la Diva Run is an event sponsored by the YWCA of Nashville and Middle TN and Fifty Forward. The event is hosted by Nissan and will begin and end at their corporate headquarters on November 17<sup>th</sup>. The event includes a 5K and 10 mile runs. The first run begins at 8 a.m. Estimated attendance is 1,000. The coordinator adjusted the route from last year based on recommendations from staff. There will be no walkers on the 10-mile route; Liberty, Oxford Glen, and Murfreesboro Road have been eliminated from the route; and the two races will start closer together (15 minutes apart).

### Recommendation

Staff recommends approval of the event application with the following recommendations:

- Applicant will provide a \$1,000 refundable damage deposit to City prior to event.
- Applicant will provide a Good Neighbor letter which will be distributed to affected neighborhoods.
- **Risk Management:**
  - Applicant will provide certificate of insurance naming the City as additional insured.
- **Police Department:**
  - Applicant will hire at least ten (10) Franklin Police Officers to provide traffic control.
- **Building & Neighborhood Services Department:**
  - Electrical permit may be required.
- **Solid Waste Department:**
  - Volunteers will provide cleanup along the route and at water stations.
  - Applicant will meet with department to determine if assistance needed at Nissan.

OFFICE USE ONLY:

Permit No:  
\_\_\_\_\_



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## CITY OF FRANKLIN EVENT PERMIT APPLICATION

*Application is Due 90 Days Prior to Scheduled Event.  
Please read application carefully and fully complete each section.  
A non-refundable application fee of \$100 is due at time of filing.*

**Note: Filing this application does not guarantee that your request will be granted.**

Please check  
all that apply:

street closure

parade

other special event

beer served (*separate permit required*)

Please supply the following information. For additional space, use separate sheets of paper and attach to the application.

**1) Location requested (if Temporary Street Closure only, list major roads to be closed):**

Aspen Grove Park

\_\_\_\_ Liberty Park

\_\_\_\_ Eastern Flank BattleField Park

Fieldstone Farms

\_\_\_\_ Pinkerton Park

Jim Warren Park

\_\_\_\_ Harlinsdale Farm

Other: See attachment "A"

**2) Name/purpose of event:** Viva la Diva Run – Fundraising event

**3) Date or dates of event:** Saturday, November 17, 2012

**4) Time of Event:** 8:00am

**5) Time of Street Closure (if applicable):** Approximately 8:00am – 10:30am (see attachment "A")

**Set-Up Date/Time:** 11/17/12 05:00am

**Tear-down Date/Time:** 11/17/12 11:30am

*\*Note: Two (2) hours will be added before set-up time and two hours (2) will be added after tear-down to allow time for clean-up. Event is responsible for payment of Franklin Police Officers during this time. Read Additional Requirements section for more information.*

**6) Name of Applicant and Organization Requesting Permit:**

Gail Sonia on behalf of YWCA & FiftyForward (joint application)

YWCA of Nashville & Middle Tennessee, 1608 Woodmont Blvd., Nashville, TN 37215

**a) Address:** FiftyForward, 174 Rains Ave., Nashville, TN 37203

Gail Sonia

Gail Sonia (Main Contact)

FiftyForward

**b) Phone:** 615-397-0978

**c) Cell:** 615-397-0978

**d) Fax:** 615-743-3480

**e) E-mail address:** gailsonia@gmail.com

**7) Person in charge on day of event:** Gail Sonia

**Cell:** 615-397-0978

**E-mail address:** gailsonia@gmail.com



8) Name and Cell Number of at least two others available on day of event:

Name: Christopher McClintock Cell: 615-838-4523 E-mail address: below

Christopher@christophermclintock.com

Name: Anna Tefel Cell: 615-429-4020 E-mail address: below

Anna.tefel@ywcanashville.com

9) DETAILED description of event (use additional sheets):

Please see attachment "B".

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10) **ENCLOSE A DETAILED MAP** of event site, detailing any temporary or permanent structures, street closures, parking, etc. If applicable, list the location, blocks, streets, and/or intersections in which such event will occur. *For large-scale events, map should be obtained from the City's GIS division. Please see attachment "C"*

11) An estimated number of participants and an estimated number of attendees expected to attend during the course of the event:

Estimated participants: 1800; Volunteers: 200; Spectators/visitors: 500

12) Please **attach a list** containing the names, addresses, and phone numbers of the Chairperson of the organization and all other persons involved in the management or control of organization and/or committee. **Please see attachment "D"**

13) Is your organization based in Williamson County? Circle Yes or  No

*(if no, please state where: Nashville – with services in Williamson County - Attachment "E")*

14) Is your organization authorized to do business in Tennessee? Circle  Yes or No

15) Is your organization a tax-exempt organization as described by the Internal Revenue Code Section 501(c)(3) or a not-for-profit organization? Circle  Yes or No. If yes, please attach copy of IRS tax exemption letter providing proof of status.

16) Will you charge an admission/participation fee (including vendors)? If  yes, please specify how much per person/vendor. Yes, see attachment "B"

17) Will any charity, gratuity, or offers be solicited or accepted during the event? Circle  Yes or No.

18) Is this event a fundraiser? Circle  Yes or No. If yes, what organization will be benefactor of event? What percentage of funds will they receive? FiftyForward: 47.5%; YWCA of Nashville & Middle Tennessee: 47.5%; Bridges Domestic Violence Center: 5% (maximum \$3,000).

19) Will parking in the area of the event need to be restricted or prohibited? Circle Yes or  No.



- 20) Will any sound amplification equipment be used during the event? Circle  Yes or No. If no, please skip to Question #22.
- 21) For what purpose will sound amplification be used (i.e. announcements, entertainment, etc.)?  
**Announcements, Awards presentation, Entertainment - all sound will be on the Nissan Campus**  
\_\_\_\_\_  
\_\_\_\_\_
- 22) What type of sound amplification will be provided (DJ, Band, etc.)? Please list all that apply.  
**DJ, Band, Event Emcee**  
\_\_\_\_\_
- 23) During what time period is sound amplification requested? **6:00am – 11:30am**  
\_\_\_\_\_
- 24) If for entertainment, give details of entertainment being provided (i.e. number of musicians, type of music, amp wattage, etc.). **tbd**  
\_\_\_\_\_  
\_\_\_\_\_
- 25) Will any stages, amusement attractions, or amusement rides, including inflatables, be erected for the event? Circle  Yes or No. If yes, Applicant must give specific details as to the location and type of games/activities, i.e. inflatables, Horseshoes, relay races, etc. along with the name of the company providing the stages and/or activities. **Applicant must also include a copy of that company's insurance certificate indicating coverage and listing the City of Franklin as additional insured.** \*\*\*For stages, tents, inflatables, etc. constructed on site prior to the event, that date must be included on Certificate of Insurance provided to the City of Franklin. Stages MUST be removed from site at end of event. \*\*\*Rented inflatables/interactives that are set-up and manned by applicant must be included specifically in applicant's Certificate of Insurance. **Please see attachment "C" for location of tents and stage.**
- 26) What, if any, vendors will be present at event? (i.e medical related, shirts, arts, etc.) **Please provide detailed list.** Use additional sheets. **To be determined with a detail list provided.**
- 27) Will food, beverages, or merchandise be sold or given away? Circle  Yes or No. If yes, clean-up is required. Please provide name of clean-up provider, contact, and phone number of person on-site during event. See Question #28. **Volunteers will be responsible for clean-up under the supervision of Volunteer Coordinator, Shannon Duke (cell phone – 615-512-3265).**  
\_\_\_\_\_
- 28) Events under 200 participants require a \$250 refundable security deposit at the time of approval. For events over 200, a \$1000 security deposit is required upon approval. If clean-up is not done properly, the organization requesting the permit will be fined (See Attachment A). Applicant's event coordinator or representative and a City of Franklin representative will conduct a Pre-Event meeting prior to event date for Pre-Event Check List Site Review. *At the end of the event, a Post-Event Check List shall be completed by the Applicant's event coordinator, or representative, and a City of Franklin representative to re-assess the site for trash and damage, and to secure with caution tape and signage (provided by event group) any tents left for removal.* Damage deposit will be refunded after a satisfactory Post Event Check List has been completed and signed off on by both the City of Franklin and organization requesting event.



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- 29) \*NOTE: Events that include deep frying cooking oil operations are required to have a grease pit on-site and contract with a grease waste hauler to handle the grease waste and removal of the grease pit. A copy of this agreement shall be filed along with this application. The primary event sponsor is required to remove all cooking grease from the site immediately after the event. Illegal dumping of cooking grease will be prosecuted. *Please read Additional Requirements section of this application for more information.*
- 30) Will you require a temporary water tap? Circle Yes or  No. If yes, please list exact locations:  

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- 31) Will alcohol, beer, and/or wine be given away or sold? Circle Yes or  No. If yes, a permit from the relevant board is required. *Please read Additional Requirements section of this application for more information.*
- 32) Will your event include tents or other temporary structures, propane use, or open flames? Circle  yes or no. Events using tents of size 20 x 10 or larger require permitting from Franklin Fire Department. Safety measures must be provided on all tents, especially those set-up prior to the actual event. Tents should be taken down the date the event has ended. *Please read Additional Requirements section of this application for more information.*
- 33) Attach Good Neighbor Letter and Mailing List used. *Please read Additional Requirements section of this application for more information.* **Good Neighbor letter attached, mailing list to be determined after 10 mile course approval.**

TITLE VI OF THE 1964 CIVIL RIGHTS ACT

"No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The City of Franklin does not discriminate based on race, color or national origin in federal or state sponsored programs, pursuant to Title VI of the Civil Rights Acts of 1964 (42 U.S.C. 2000d). For more information or to file a complaint against the City of Franklin under Title VI of the 1964 Civil Rights Act, contact the Title VI Coordinator:

Rodney Escobar  
Risk Manager  
City of Franklin  
109 Third Avenue South  
Franklin, Tennessee 37064  
615.791.3277

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The City of Franklin is committed to providing reasonable access and accommodations upon request for people with disabilities. Please call the Risk Management Department at (615)791-3277 for specific requests.



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**PLEASE READ ATTACHMENTS BEFORE SIGNING**  
**APPLICATION.**

- 1) I/We agree to abide by all ordinances and regulations of the City of Franklin and all conditions placed upon the event by the City Administrator and the Board of Mayor and Aldermen.
- 2) I/We do swear or affirm that all of the information given in this application is true and complete.
- 3) I/We do hereby agree to assume the defense of and indemnify and save harmless the City, its aldermen, boards, commissions, officers, employees and agents, from all suits, actions, damages or claims to which the City may be subjected of any kind or nature whatsoever resulting from, caused by, arising out of or as a consequence of such event and the activities permitted in connection there with, and to submit a certificate of insurance prior to the event in an amount acceptable to the City Administrator.
- 4) I/We agree to provide a copy of this signed Event Application to any vendors, planners, and related parties associated with the event to ensure they are familiar with the guidelines set forth herein.
- 5) I/We understand that I/we assume the responsibility of the actions of any vendors, planners, and related parties for this event.
- 6) I/We understand that granting of Special Event Permit does not imply granting of other permit that is separately required.
- 7) The application for an event permit shall be filed not less than 90 days nor more than 364 days prior to the scheduled date of such event. Suggested filing is at least 180 days prior to scheduled event. Events should not be advertised or promoted until an event permit has been obtained from the City. Failure to file in a timely manner may result in denial of a permit.
- 8) The City reserves the right to require one or more City of Franklin police officers or other emergency personnel be present at any and all events that occur within the city limits. Please budget for this request at a rate of \$30 per hour at a minimum of two (2) hours.

BY: *Janet Jurgan* Date: *March 28, 2012*  
 (Signature and title – must be officer of organization)

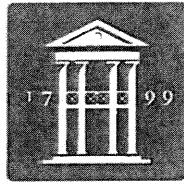
Approved by the Board of Mayor and Aldermen on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Dr. Ken Moore, Mayor

\_\_\_\_\_  
 Eric S. Stuckey, City Administrator

*If you have questions concerning your request, please call 615-550-6606.*

\*\*\*\*\*  
 \*  
 \* **Return application to:** \*  
 \* City Administrator's Office \*  
 \* City Hall \*  
 \* 109 Third Ave South \*  
 \* Franklin, TN 37065 \*  
 \* 615-791-3217 \*  
 \* 615-790-0469 (FAX) \*  
 \*  
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<b>FOR CITY USE ONLY</b>				
<b>Department</b>		<b>Date</b>	<b>Initials</b>	<b>Attach Any Comments</b>
Administration				Comments: _____ Yes _____ No
Business Office				Comments: _____ Yes _____ No
Codes				Comments: _____ Yes _____ No
Engineering				Comments: _____ Yes _____ No
Finance				Comments: _____ Yes _____ No
Fire				Comments: _____ Yes _____ No
Information Technology				Comments: _____ Yes _____ No
Law				Comments: _____ Yes _____ No
Parks				Comments: _____ Yes _____ No
Planning				Comments: _____ Yes _____ No
Police				Comments: _____ Yes _____ No
Risk Manager				Comments: _____ Yes _____ No
Solid Waste				Comments: _____ Yes _____ No
Streets				Comments: _____ Yes _____ No
Water/Wastewater				Comments: _____ Yes _____ No

## Viva la Diva Run – City of Franklin Event Application

### Attachment A

Viva la Diva 10 Mile Route 2012

<http://www.usatf.org/routes/view.asp?rID=472078>

Start Nissan (8:00am)

LEFT on Carothers (8:00 – 8:05)

LEFT on Nissan Way (8:05 – 8:10)

0.9 RIGHT on Carothers (8:06- 8:15)

1.4 RIGHT on McEwen (8:08-

1.7 RIGHT on Old Liberty Rd/PATH (8:07 – 8:22)

2.5 LEFT on Crescent Center Dr (8:11 – 8:38)

2.8 LEFT on Carothers (8:13 – 8:42)

2.9 RIGHT on Cool Springs Blvd (8:15- 8:45)

4.3 RIGHT on McEwen (8:23- 9:05)

5.3 LEFT on Carothers (8:28-9:20)

Around the Pond on Path

6.7 LEFT on Quail Hollow (8:35 – 9:40)

6.9 LEFT on Murfreesboro Rd (8:36- 9:45)

7.25 Just past Clovercroft Rd – TURN AROUND on Murfreesboro Rd (8:38- 9:52)

7.6 RIGHT on Carothers Pkwy (8:41- 10:00)

9.7 LEFT into Nissan to FINISH (8:55 – 10:30)



Attachment A



SAFARI SYSTEMS

Viva La Diva 10 Miler

Distance: 10.00 miles / 16.10 km

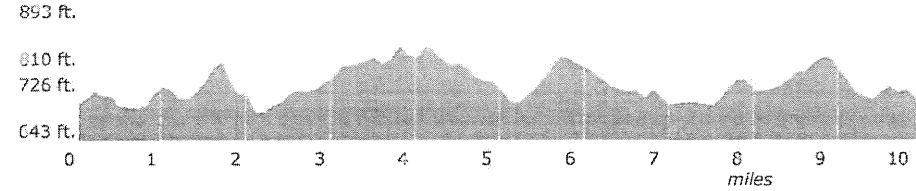
Location: Start: Nissan HQ  
Franklin, TN, US

Attributes: loop, mixed flat & hills, roads



Map data ©2012 Google -

Elevation Profile



Total climb: 511 feet / 156 m

Total elevation change: 1016 feet / 310 m

Added by Christopher McClintock on 3/9/2012

DISCLAIMER: USATF and the author of this route make no warranties as to the conditions, safety, distance accuracy, or suitability for running of this route. Run at your own risk!



About

- Associations
- Bylaws & Regulations
- Employment & Internships
- Organization of Directors
- Annual Report
- Event Sanctions
- Memberships
- Course Certification

News

- Athlete Bios
- Social Media
- Stats
- Records
- Top-Marks Lists
- Committees
- Hall of Fame

Sports

- Track & Field
- Cross-Country
- Road Running
- Race Walking
- Mountain / Ultra / Trail

Groups

- Youth Athletes
- Masters Athletes
- Elite Athletes
- Athlete Alumni
- Coaches
- Officials
- Athlete Representatives
- Event Directors
- Media

Events

- Search the Calendar
- Team USA Events
- National Championships
- USA Running Circuit
- Visa Championship Series
- Television Schedule
- USATF Annual Meeting

Customer Service

- Log In
- Individual Memberships
- Club Memberships
- Store Returns & Exchanges
- Contact Us
- Privacy & Other Policies

## Viva la Diva Run – City of Franklin Event Application

### **Attachment B:**

#### **9.) Detailed description of the event:**

Saturday, November 17, 2012 will mark the 2<sup>nd</sup> annual Viva la Diva Run in the Cool Springs area of Franklin, Tennessee. This race is presented by FiftyForward and YWCA of Nashville & Middle Tennessee as an event to promote and benefit health, wellness and safety programs for girls and women of all ages. In 2011, Viva la Diva had 1150 registered participants; including approximately 200 Girls on the Run participants (age 8 – 13) and their adult buddies. The participant goal for 2012 is 1800 registrants that will chose a certified 5k or 10 mile course. The 10 mile race will start at 8:00am and the 5k race at 8:15am, with the Nashville Striders providing race management services. Additionally, there is a one mile untimed walk/run course on the Nissan Campus.

The race will start and finish at the location of Site Sponsor, Nissan Americas with Vanderbilt Medical Center/Williamson Medical Center providing all medical needs including a First Aid Tent, Ambulance, Bike personnel, etc.

It is the intention of FiftyForward and YWCA that Viva la Diva benefits the residents and businesses of Franklin and Williamson County. It is an integral part of Nissan's employee health and wellness program with a large number of employees participating as volunteers and/or runners. Several Franklin businesses/organizations volunteered at the 2011 Viva la Diva including Franklin Girl's Cotillion, Scott Insurance and Nissan. We hope to add even greater participation in 2012.

#### **16) Participation Fees:**

<b>Event</b>	<b>Fee by 10/1</b>	<b>10/1 - 11/16</b>	<b>Race Day</b>
<b>5k</b>	\$30.00	\$35.00	\$40.00
<b>10 Mile</b>	\$40.00	\$45.00	\$50.00
<b>1 Mile</b>	\$20.00	\$20.00	\$20.00



Viva la Diva Run – City of Franklin Race Application

Attachment D:

12.) List of individuals in management/control of organization and/or committee

**Executive Committee:**

Gail Sonia Race Manager  
4038 Clovercroft Rd.  
Franklin, TN 37067  
[gailsonia@gmail.com](mailto:gailsonia@gmail.com)  
615-397-0978

Christopher McClintock Race Director  
5120 Maryland Way  
Brentwood, TN 37027  
[Christopher@christophermcclintock.com](mailto:Christopher@christophermcclintock.com)  
615-838-4523

Janet Jernigan FiftyForward  
174 Rains Ave.  
Nashville, TN 37203  
[jjernigan@fiftyforward.org](mailto:jjernigan@fiftyforward.org)  
615-743-3404

Anna Tefel YWCA of Nashville & Middle Tennessee  
1608 Woodmont Blvd.  
Nashville, TN 37215  
[Anna.tefel@ywcانashville.com](mailto:Anna.tefel@ywcانashville.com)  
615-983-5110

**Volunteer Coordinator:**

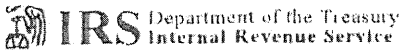
Shannon Duke  
[sduke@fiftyforward.org](mailto:sduke@fiftyforward.org)  
615-512-3265

**Registration Coordinator:**

Caitlin O'Leary  
[Caitlin.oleary@ywcانashville.com](mailto:Caitlin.oleary@ywcانashville.com)  
615-983-5146

**Race ChampionChip Timing:**

Peter Pressman President, Nashville Striders  
4035 Trail Ridge Dr.  
Franklin, TN 37067  
[Pasta4run@aol.com](mailto:Pasta4run@aol.com)  
615-293-8862



Department of the Treasury  
Internal Revenue Service

P.O. Box 2508  
Cincinnati OH 45201

In reply refer to: 0248562350  
Mar. 26, 2009 LTR 4168C E0  
62-0475702 000000 00.000  
00012989  
BODC: TE

NASHVILLE YOUNG WOMENS CHRISTIAN  
ASSOCIATION  
1608 WOODMONT BLVD  
NASHVILLE TN 37215-1524

157

Employer Identification Number: 62-0475702  
Person to Contact: Mr. Edwards  
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your request of Mar. 17, 2009, regarding your tax-exempt status.

Our records indicate that a determination letter was issued in June 1942, that recognized you as exempt from Federal income tax, and discloses that you are currently exempt under section 501(c)(03) of the Internal Revenue Code.

Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

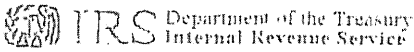
Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

A handwritten signature in cursive script that reads "Michele M. Sullivan".

Michele M. Sullivan, Oper. Mgr.  
Accounts Management Operations I



Department of the Treasury  
Internal Revenue Service

P.O. Box 2508  
Cincinnati OH 45201

In reply refer to: 0248567568  
Feb. 24, 2010 LTR 4168C E0  
62-0566419 000000 00

00031578  
BODC: TE

SENIOR CITIZENS INC  
174 RAINS AVE  
NASHVILLE TN 37203-5319



3112

Employer Identification Number: 62-0566419  
Person to Contact: Bill Bertram  
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Feb. 12, 2010, request for information regarding your tax-exempt status.

Our records indicate that your organization was recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in MARCH 1958.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Beginning with the organization's sixth taxable year and all succeeding years, it must meet one of the public support tests under section 170(b)(1)(A)(vi) or section 509(a)(2) as reported on Schedule A of the Form 990. If your organization does not meet the public support test for two consecutive years, it is required to file Form 990-PF, Return of Private Foundation, for the second tax year that the organization failed to meet the support test and will be reclassified as a private foundation.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Client#: 13902

SENICIT

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/29/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: The Crichton Group, 3011 Armory Drive, Suite 250, Nashville, TN 37204. CONTACT NAME: [Blank], PHONE (A/C, No, Ext): 615 383-9761, FAX (A/C, No): 615 383-4628. INSURER(S) AFFORDING COVERAGE: INSURER A: Philadelphia Indemnity Ins. (NAIC # 18058 A+), INSURER B: Accident Fund Ins.Co of America (NAIC # 10166 A).

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSR, SUBR WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Rows include: A GENERAL LIABILITY (LIMITS: \$1,000,000), A AUTOMOBILE LIABILITY (LIMITS: \$1,000,000), B UMBRELLA LIAB (LIMITS: \$4,000,000), C WORKERS COMPENSATION AND EMPLOYERS' LIABILITY (LIMITS: \$500,000), A Profes Liability (LIMITS: \$1Mil Occur/\$3Mil Aggr).

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required) Certificate Holder is Additional Insured with respects to General Liability coverage as regards to Special Event 11/17/2012-Viva la Diva 5K & 10 Mile Run.

CERTIFICATE HOLDER: City of Franklin, City Admin. Office, 109 Third Ave., South, Franklin, TN 37064. CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: Cooper Jones

# !!!! IMPORTANT NOTICE !!!!

## PLEASE READ

### ACORD Certificates of Liability Insurance

In September 2009, ACORD revised the ACORD 25 Certificate of Liability Insurance form. *One of the major changes was the removal of the cancellation notice provision.* For the following reasons, we are unable to issue an older edition of this form, modify the current form, or complete a proprietary form you provide:

- ACORD certificate forms must be filed and approved for use in some states. When a new form is approved, prior versions can no longer be used. Therefore, it may be illegal for us to issue anything other than the currently approved ACORD form in these states.
- Notice of cancellation is a policy right, not an unregulated service. No insurer is able to provide the exact cancellation notice you desire by endorsement. For example, **the Named Insured can cancel a policy immediately with no advance notice to the insurer**, so it would be impossible for the insurer to give you the notice you request. **State laws also grant the insurer the right to cancel for reasons such as nonpayment with less notice than you may require.**
- For the reason just cited, if our agency issued a certificate that provides the cancellation notice you request, we would do so with the full knowledge that it would be impossible to actually give that amount of notice under certain circumstances. As such, **the certificate could be alleged to constitute a misrepresentation or fraud which could subject our agency and staff to serious civil and criminal penalties.**
- If a certificate purports to provide a policy right different from that provided by the policy itself, then the certificate effectively purports to be a policy form. Policy forms must be filed and approved by our state department of insurance. **Use of non-filed policy forms is illegal** and could result in legal sanctions distinct from the assertion that the certificate is fraudulent.
- Under the ACORD Corporation's licensing agreement, the prior editions of superseded forms can be used for one year from the time the new forms are introduced. Beginning in September 2010, this is another reason we cannot use an older edition of the ACORD 25. Doing so would **violate ACORD's licensing agreement and, as a copyrighted document, federal copyright law.**
- Likewise, we are unable to modify the new certificate to add a notice of cancellation. **ACORD forms are designed to be completed, not altered.** ACORD's Forms Instruction Guide says that a certificate should not be used "To waive rights...To quote wording from a contract...To quote any wording which amends a policy unless the policy itself has been amended." Also, since some states require ACORD forms to be filed, any alteration to a filed form would require its re-filing. In addition, **insurance company contracts allow us to issue unaltered ACORD forms. Therefore, we cannot issue any proprietary certificates that have not been reviewed by the appropriate state insurance department or pre-approved by all insurers.**

We appreciate your understanding of the legal restrictions on our ability to modify an ACORD form, issue other editions of the form, or complete a proprietary form.





# !!!! IMPORTANT NOTICE !!!!

## PLEASE READ

### ACORD Certificates of Liability Insurance

In September 2009, ACORD revised the ACORD 25 Certificate of Liability Insurance form. *One of the major changes was the removal of the cancellation notice provision.* For the following reasons, we are unable to issue an older edition of this form, modify the current form, or complete a proprietary form you provide:

- ACORD certificate forms must be filed and approved for use in some states. When a new form is approved, prior versions can no longer be used. Therefore, it may be illegal for us to issue anything other than the currently approved ACORD form in these states.
- Notice of cancellation is a policy right, not an unregulated service. No insurer is able to provide the exact cancellation notice you desire by endorsement. For example, **the Named Insured can cancel a policy immediately with no advance notice to the insurer**, so it would be impossible for the insurer to give you the notice you request. **State laws also grant the insurer the right to cancel for reasons such as nonpayment with less notice than you may require.**
- For the reason just cited, if our agency issued a certificate that provides the cancellation notice you request, we would do so with the full knowledge that it would be impossible to actually give that amount of notice under certain circumstances. As such, **the certificate could be alleged to constitute a misrepresentation or fraud which could subject our agency and staff to serious civil and criminal penalties.**
- If a certificate purports to provide a policy right different from that provided by the policy itself, then the certificate effectively purports to be a policy form. Policy forms must be filed and approved by our state department of insurance. **Use of non-filed policy forms is illegal** and could result in legal sanctions distinct from the assertion that the certificate is fraudulent.
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# VIVA LA DIVA 10K



Aspen Grove Park

START  
FINISH

E McEwen Dr

E McEwen Dr

Liberty Park

Liberty Pke

Liberty Pke

Interstate 65

Edward  
Curd Ln

Murfreesboro Rd

Murfreesboro Rd

Carothers Pkwy

Carothers Pkwy

Cool Springs Blvd

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— Route  
— Streets

# VIVA LA DIVA 5K



HISTORIC  
FRANKLIN  
TENNESSEE

Cool Springs Blvd

Cool Springs Blvd

Interstate 65

Mallory Ln

START  
FINISH

Carothers  
Pkwy

E McEwen Dr

E McEwen Dr

Interstate 65

Carothers Pkwy

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— Route  
— Streets