

Like-for-Like Fenestration Replacement Permit Affidavit

Purpose and Intent: The City of Aspen seeks to improve permit service and collaboration with the development community by reducing the amount of time spent reviewing certain projects that are limited in scope.

Understanding and adhering to the applicable code provisions is always the responsibility of the applicant and contractor; eliminating the in-depth review of small scope projects requires this be emphasized. These projects are still subject to inspection and if it is found that the scope of the project or the answers in this affidavit are misrepresented or noncompliant in any way, the project is subject to corrective action including but not limited to failed inspections, additional review, additional fees, and penalties for the applicant and contractor.

This affidavit only applies to the like-for-like replacement of fenestration, which includes exterior windows, doors, and skylights.

Instructions: Please complete the following affidavit. Check the boxes if the statement is **TRUE** and make any relevant notes. If the project meets all requirements, the building permit application may be submitted with the following items uploaded and the permit will be issued upon assessment of completeness and payment of fees.

Required documents to upload with the building permit application:

- This affidavit signed by applicant and contractor *
- Permit Application Signature Packet *
- Photos of the existing windows

* These documents can be found on the City of Aspen website in the [Building Department Document and Resource Library](#).

THIS DOCUMENT SHALL SERVE AS THE APPROVED PLAN FOR A FENESTRATION REPLACEMENT PERMIT. THIS AFFIDAVIT SHALL BE PRINTED AND AVAILABLE ON-SITE FOR ALL INSPECTIONS IN ADDITION TO THE PERMIT CARD THAT WILL BE SENT TO THE APPLICANT AND CONTRACTOR AT PERMIT ISSUANCE.

Address: _____ **Permit #:** _____

Description: Describe the number & locations of all **exterior window, door, skylight units** to be replaced.

Questions: If all statements below apply and any additional circumstances referenced within are addressed, then the scope is deemed compliant and you may proceed with uploading this affidavit to your permit application to waive full permit review. Please check the boxes if the statements are **TRUE** and make any relevant notes.

Zoning Questions: If all statements in this section apply, then a copy of this affidavit will serve in lieu of a full zoning review of the permit. If any statements do not apply, please proceed with the standard building permit application process.

If a full permit review is required, please contact [Planner of the Day](#) with plans and full scope narrative for preapproval. Reference the [Building Department Document & Resource Library](#) for guidance.

1. The scope of work includes *only* strict like-for-like fenestration replacements. There is no other work proposed for this project at this time.
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2. Existing fenestration openings will remain the same size. No fenestration will become larger or smaller than they are presently.
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3. There will be no new fenestration openings created, no fenestration openings closed in, nor will any fenestration be moving location.
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4. If the subject property is listed on the Aspen Inventory of Historic Sites and Structures and/or located within the boundaries of a Historic District, this project has received approval from a Historic Preservation Officer.

A signed Certificate of No Negative Effect or a Development Order can be obtained by reaching out to [Planner of the Day](#) or a Historic Preservation Officer. Include their approval documents with the other required uploads for this building permit application.

Building Questions: The following questions are regarding minimum building and energy code compliance. If all statements below apply and any additional circumstances at the end are addressed, then a copy of this affidavit will serve in lieu of a full building review. Check boxes if **TRUE**.

If any of the statements below do not apply, are unclear, or if there are any additional circumstances to be addressed, please contact [Builder of the Day](#). They will either make notes and sign this affidavit in approval or determine a full building review is required and give instructions accordingly.

5. All replacement fenestration will have a **factory applied NFRC label** showing the following at inspection:
 - Maximum U-factor for doors and windows: 0.28

- Maximum U-factor for skylights: 0.50
- Maximum SHGC for all fenestration: 0.35

(See 2021 Aspen Energy Code R402.1.3 for detailed requirements)

6. **Smoke alarms and carbon monoxide detectors** will be present in the following required locations. *This will be verified at inspection.*

- **Inside every bedroom** (no CO detector if no fuel burning appliance in bedroom)
- **Outside every bedroom**
- At least **one per story**

(See City of Aspen Municipal Code Title 8 for detailed requirements.)

7. Replacement windows in the following hazardous locations will be safety glazed (tempered or laminated). Any glazing in replacement doors shall be safety glazed.

- Glazing **adjacent to doors** – if glazing edge is within 24" the edge of a door in closed position and the bottom edge of the glazing is less than 60" above the walking surface.
- Glazing in windows meeting ***all*** of the following:
 - individual pane greater than 9 square feet
 - bottom edge of glazing less than 18" above the floor
 - top edge of glazing is greater than 36" above the floor
 - walking surface within 36" of the glazing
- Glazing **at wet surfaces** – In all walls/enclosures/fences containing or facing hot tubs, spas, whirlpools, saunas, steam rooms, cold plunges, bathtubs, showers or pools (indoor or outdoor) where the bottom edge of the glazing is less than 60" above any standing or walking surface.
- Glazing **adjacent to stairways and ramps** – If bottom edge of glazing is less than 60" above the plane of the adjacent walking surface of stairways, landings between flights of stairs and ramps.
- Glazing **adjacent to bottom of stairway landings** – If glazing is less than 60" above a landing and within a 60" horizontally from the bottom nosing.

(See 2021 IBC 2406.4 for detailed requirements.)

8. Replacement windows will have **window opening control devices** listed and labeled to ASTM F2090 if they meet both of the following:

- Sill height **72" or greater above exterior grade**
- Sill height **36" or less above interior floor**

(See 2021 IBC 1015.8 for detailed requirements.)

9. If replacing an **emergency escape and rescue opening (egress window)** as required in bedrooms and basements, the replacement window will comply with the following:

- Minimum net clear **opening area of 5.7 sqft** (5 sqft if at grade)
- Minimum clear **opening height of 24"**
- Minimum clear **opening width of 20"**
- Sill **height above floor 44"** maximum

(See 2021 IBC 1031 and IEBC 505 for detailed requirements.)

10. If replacing a **skylight** on a roof with a slope less than 45 degrees (6:12 pitch) on a multifamily building, or with a slope less than 14 degrees (3:12 pitch) on a single family or duplex building, the unit will be mounted on a curb of not less than 4", but not exceeding 12".

(See 2021 IBC 2405.4 for detailed requirements.)

11. If replacing a dwelling unit or residence's **primary entrance door (egress door)**:

- Minimum clear width shall be 32" measured from the face of the door and the stop, with the door open 90 degrees
- Minimum clear opening height will not be less than 80"

(See 2021 IBC 1010.1.1 for detailed requirements.)

12. **Door swing direction** of all existing doors shall be maintained.

(See 2021 IBC 1010.1.2.1 for detailed requirements.)

Lastly, if any of the following circumstances apply, please mark the applicable box and contact [Builder of the Day](#) for an additional required signature.

- ☐ There is a window or door to be replaced on a shared balcony, corridor, walkway, or within 10 ft of a shared exterior stair.
- ☐ This is a commercial property.
- ☐ There is a window or door to be replaced within five feet of a property line.
- ☐ This is a multifamily building with 4 or more units (may potentially have Type A, B, or fully accessible units).
- ☐ None of these are applicable, no Builder of the Day signature required.

BUILDER OF THE DAY NOTES IF APPLICABLE:

BUILDER OF THE DAY SIGNATURE: _____ DATE: _____

Compliance with all applicable local building, energy, and municipal codes is required and will be field verified at inspection. By waiving a traditional permit review the applicant and owner accept full responsibility for code compliance and understand that any noncompliant work discovered at inspection will need to be corrected. Misrepresentation of project scope or failure to correct noncompliant installation shall be cause for progressive code enforcement.

PERMIT APPLICANT AND CONTRACTOR ACKNOWLEDGE AND UNDERSTAND THAT FAILURE TO COMPLETE THE WORK IN A CODE COMPLIANT MANNER MAY RESULT IN ENFORCEMENT PURSUANT TO CITY OF ASPEN MUNICIPAL CODE SECTION 26.415.140, "ANY PERSON VIOLATING THE PROVISIONS OF SECTIONS 26.415.070 THROUGH 26.415.100 WILL BE SUBJECT TO THE GENERAL PENALTY PROVISIONS OF THIS TITLE," AND "ADDITIONAL PENALTIES," INCLUDING, BUT NOT LIMITED TO THE PROHIBITION OF OBTAINING A BUILDING PERMIT FOR THE SUBJECT PROPERTY FOR A PERIOD OF UP TO TEN (10) YEARS, AND THE REVOCATION OF ANY PREVIOUSLY GRANTED VARIANCES OR HISTORIC PRESERVATION BENEFITS.

PERMIT APPLICANT NAME: _____

SIGNATURE: _____

DATE: _____

CONTRACTOR NAME: _____

SIGNATURE: _____

DATE: _____