



BRIAN TAYLOR
STATE FIRE MARSHAL

September 23, 2026

Mr. Mike Seadorf
Seadorf Construction LLC
566 Lookout Dam Rd
Statesville, NC 28625

RE: 2018 North Carolina Administrative Code and Policies (NCACP) Section 107.1.2 and 2018 North Carolina Building Code (NCBC) Sections 1904.2 and 1907.1 — Under-Slab Inspection Requirements for Nonstructural Interior Concrete Slabs-on-Ground

Dear Mr. Seadorf,

This letter responds to your request for a formal interpretation from the Office of State Fire Marshal (OSFM) dated August 11, 2026, and received by OSFM the same day. Supplemental information was submitted and received on August 31, 2026; that submission revised and superseded the August 11, 2026 request. Your request is addressed below.

Stated in relevant parts of the documentation received in the request:

“Request for formal interpretation of 2018 NCACP Section 107.1.2 (Under-slab inspection) and NC Building Code Sections 1904/1907 as applied to non-structural interior slab pour-backs. Detailed questions and background attached.

Specific Questions for Formal Interpretation

1. Does the phrase “materials and equipment to be concealed by the concrete slab” in 2018 NCACP Section 107.1.2 include slab-assembly components required by NC Building Code Section 1907 (specifically the vapor retarder), or is that phrase limited to third-party trade work (plumbing, electrical, mechanical, or similar) that is routed beneath the slab and subsequently covered by the concrete?
2. Does 2018 NCACP Section 107.1.2 require inspection or verification of the minimum slab thickness required by NC Building Code Section 1907 prior to placement of concrete on a nonstructural interior slab?
3. Once the under-slab inspection of concealed materials/equipment (plumbing, electrical, etc.) has been approved, is any separate or additional inspection of a non-structural interior slab pour-back required under NCACP Section 107 in order to verify compliance with Building Code Sections 1904 and 1907?
4. Do local code enforcement officials have authority under the 2018 NCACP to require an inspection of a non-structural interior slab (or of its vapor retarder or thickness) that is not one of the inspections listed in Section 107.1?”

OFFICE OF STATE FIRE MARSHAL

1202 MAIL SERVICE CENTER | RALEIGH NC 27699 -1202 | TEL 919.647.0000 | FAX 866.851.6508 | NCOSFM.GOV



Remarks:

Code sections cited in this letter refer to the 2018 edition of the North Carolina Building Code (NCBC) and the 2018 North Carolina Administrative Code and Policies (NCACP).

Attachment A, a copy of your request for formal interpretation dated August 31, 2026, is attached to this letter for reference.

Code Analysis:

2018 NCACP Section 107.1 – General states:

107.1 General. The inspection department shall perform the following inspections:

1. Footing inspection;
2. Under slab inspection, as appropriate;
3. Foundation inspection;
4. Rough-in inspection;
5. Building framing inspection;
6. Insulation inspection;
7. Fire protection inspection; and
8. Final inspection.

Comment: Section 107.1 identifies the inspection categories required by the NCACP. It identifies an under-slab inspection, as appropriate, but does not identify a separate inspection category for a nonstructural concrete slab-on-ground, vapor retarder, reinforcement, reinforcement supports, or slab thickness. Accordingly, the inspection issue presented is whether the work is within the scope of an under-slab inspection under Section 107.1.2; Section 107.1 does not create a separate inspection category for those individual slab components.

2018 NCACP Section 107.1.2 – Under-slab inspection states:

107.1.2 Under-slab inspection. Under-slab inspections, as appropriate, shall be made after all materials and equipment to be concealed by the concrete slab are completed.

Comment: Section 107.1.2 establishes the timing of an under-slab inspection when such inspection is appropriate. The phrase “all materials and equipment to be concealed by the concrete slab” is not limited to plumbing, electrical, mechanical, or other trade work. When an under-slab inspection is appropriate, it encompasses code-required and approved-document-required materials and equipment forming part of the slab assembly that will be concealed by concrete. Those materials include a vapor retarder required by Section 1907.1 when no exception applies, and reinforcement and reinforcement supports when required by the applicable code or approved construction documents.



This interpretation does not determine whether an under-slab inspection is appropriate for a particular project. Section 107.1.2 does not establish a separate inspection category or universal inspection stage for verification of the completed thickness of a nonstructural concrete slab-on-ground.

2018 NCBC Section 1904.2 – Nonstructural concrete states:

1904.2 Nonstructural concrete. *The registered design professional shall assign nonstructural concrete a freeze-thaw exposure class, as defined in ACI 318, based on the anticipated exposure of nonstructural concrete. Nonstructural concrete shall have a minimum specified compressive strength, f'_c , of 2,500 psi (17.2 MPa) for Class F0; 3,000 psi (20.7 MPa) for Class F1; and 3,500 psi (24.1 MPa) for Classes F2 and F3. Nonstructural concrete shall be air entrained in accordance with ACI 318.*

Comment: For purposes of this interpretation, nonstructural concrete is concrete that is not part of a structural system required to transfer gravity or lateral loads to the ground. A nonstructural concrete slab-on-ground is therefore not relied upon to transfer loads from other portions of the structure to the soil. This interpretation does not apply to a slab or portion of a slab designed to support building columns, load-bearing walls, foundations, footings, grade beams, or other structural elements, or used to resist gravity, uplift, overturning, or lateral loads from the structure.

Section 1904.2 establishes material and durability requirements for nonstructural concrete. It regulates the concrete required to be provided but does not establish an inspection category or modify the inspection categories listed in NCACP Section 107.1. Compliance with Section 1904.2 is a construction requirement; Section 1904.2 does not independently create a separate preplacement inspection of a nonstructural concrete slab-on-ground.

2018 NCBC Section 1907.1 – General states:

1907.1 General. The thickness of concrete floor slabs supported directly on the ground shall not be less than 3 1/2 inches (89 mm). A 6-mil (0.006 inch; 0.15 mm) polyethylene vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the base course or subgrade and the concrete floor slab, or other *approved* equivalent methods or materials shall be used to retard vapor transmission through the floor slab.

Exception: A vapor retarder is not required:

1. For detached structures accessory to occupancies in Group R-3, such as garages, utility buildings or other unheated facilities.
2. For unheated storage rooms having an area of less than 70 square feet (6.5 m²) and carports attached to occupancies in Group R-3.
3. For buildings of other occupancies where migration of moisture through the slab from below will not be detrimental to the intended occupancy of the building.
4. For driveways, walks, patios and other flatwork that will not be enclosed at a later date.
5. Where *approved* based on local site conditions.



Comment: Section 1907.1 establishes minimum construction requirements for concrete floor slabs supported directly on the ground. Unless an exception applies, the vapor retarder is a required component of the slab assembly. Because it is located between the base course or subgrade and the concrete slab, it will be concealed by the concrete slab. Where reinforcement and reinforcement supports are required by applicable code or approved construction documents, those materials likewise will be concealed by the concrete slab. Therefore, when an under-slab inspection is appropriate under NCACP Section 107.1.2, the vapor retarder and any required reinforcement and reinforcement supports are among the materials to be completed before that inspection.

The required minimum thickness applies to the completed slab and must be met, whether the required thickness is the code minimum or a greater thickness shown on the approved construction documents. An under-slab inspection occurs before concrete placement and does not, by itself, verify the thickness of the completed slab. Before concrete placement, visible forms, elevations, grade controls, and other pre-pour conditions shown on the approved construction documents may be reviewed to establish the intended slab depth; such review does not verify the thickness of the completed slab. Compliance with the required slab thickness remains subject to enforcement under applicable code-enforcement procedures. Section 107 does not establish a separate inspection category or universal inspection stage for verification of completed slab thickness.

Conclusions:

1. Does the phrase “materials and equipment to be concealed by the concrete slab” in 2018 NCACP Section 107.1.2 include slab-assembly components required by NC Building Code Section 1907 (specifically the vapor retarder), or is that phrase limited to third-party trade work (plumbing, electrical, mechanical, or similar) that is routed beneath the slab and subsequently covered by the concrete?

The phrase is not limited to plumbing, electrical, mechanical, or other trade work. When an under-slab inspection is appropriate under NCACP Section 107.1.2, a vapor retarder required by NCBC Section 1907.1, when no exception applies, is material to be completed before the inspection. Reinforcement and reinforcement supports are also materials to be completed before the inspection when they are required by applicable code or approved construction documents. This interpretation does not determine whether an under-slab inspection is appropriate for any particular project.

2. Does 2018 NCACP Section 107.1.2 require inspection or verification of the minimum slab thickness required by NC Building Code Section 1907 prior to placement of concrete on a nonstructural interior slab?

No. NCACP Section 107.1.2 does not create a separate preplacement inspection category solely for slab-thickness verification. The completed slab must comply with the minimum thickness required by NCBC Section 1907.1 and with any greater thickness required by the approved construction documents. Because an under-slab inspection occurs before concrete placement, it does not by itself verify completed slab thickness. Compliance with the required thickness remains subject to verification by the inspection



department through applicable code-enforcement procedures. NCACP Section 107 does not designate a separate statewide inspection category or universal inspection stage for that verification.

3. Once the under-slab inspection of concealed materials/equipment (plumbing, electrical, etc.) has been approved, is any separate or additional inspection of a non-structural interior slab pour-back required under NCACP Section 107 in order to verify compliance with Building Code Sections 1904 and 1907?

No. NCACP Section 107 does not identify a separate inspection of a nonstructural interior concrete slab-on-ground solely to verify compliance with NCBC Sections 1904.2 and 1907.1. Those sections establish applicable construction requirements, but they do not create an additional inspection category under NCACP Section 107. This answer does not relieve the permit holder of compliance with applicable code or approved construction documents, including a required vapor retarder, required reinforcement, or a slab thickness greater than the code minimum.

4. Do local code enforcement officials have authority under the 2018 NCACP to require an inspection of a non-structural interior slab (or of its vapor retarder or thickness) that is not one of the inspections listed in Section 107.1?

NCACP Section 107 does not establish a separate inspection category for a nonstructural interior concrete slab-on-ground, vapor retarder, reinforcement, reinforcement supports, or slab thickness. When an under-slab inspection is appropriate under Section 107.1.2, code-required and approved-document-required materials that will be concealed by the concrete slab must be complete before that inspection. This answer is limited to the inspection categories established by NCACP Section 107 and does not address authority arising under another applicable code provision.

Sincerely,

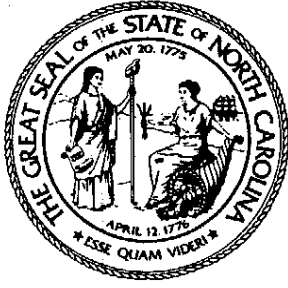
Pak Keung Yip, PE
Chief Code Consultant
North Carolina Office of State Fire Marshal

cc: File
Nathan Childs, NCDOJ, counsel for NC Building Code Council, nchilds@ncdoj.gov
Nicki Shaffer, NCDOJ, counsel for NC Residential Code Council, wshaffer@ncdoj.gov
David Rittlinger, NCOSFM, Division Chief - Code and Interpretations, david.rittlinger@ncdoj.gov



Attachment A





APPENDIX E
APPEALS
NORTH CAROLINA
BUILDING CODE COUNCIL
1429 Rock Quarry Road, Suite 105
Raleigh, North Carolina 27610
(919) 647-0008
david.rittlinger@ncdoi.gov

APPEAL TO NCDDOI/NCBCC

Hearing Date _____ / _____ / _____

GS 153A-374, GS 160A-434

Formal Interpretation by NCDOIC X

Appeal of Local Decision to NCDOI_____

GS 143-140, GS 143-141

Appeal of Local Decision to NCBC

Appeal of NCDOI Decision to NCBCC_____

APPELLANT Mike Seadorf **PHONE (** 704 **)** 634 **-** 1000 **x** _____

REPRESENTING Seadorf Construction LLC

ADDRESS 566 Lookout Dam Rd

CITY Statesville **STATE** NC **ZIP** 28625

E-MAIL Mike@Seadort.com **FAX** () -

North Carolina State Building Code, Volume 2018 - Section NCAC 107.1.2, NCBC 1904, 1907

REQUEST ONE: ☒ **Formal Interpretation by NCDOI** ☐ **Appeal of Local Decision to NCBCC**
 ☐ **Appeal of Local Decision to NCDOI** ☐ **Appeal of NCDOI Decision to NCBCC**

Type or print. Include all background information as required by the referenced General Statutes and the attached policies. Attach additional supporting information.

REASON:

Request for formal interpretation of 2018 NCACP Section 107.1.2 (Under-slab inspection) and NC Building Code Sections 1904/1907 as applied to non-structural interior slab pour-backs. Detailed questions and background attached.

APPEAL TO NCDOJ/NCBCC

Signature

DATE: 8/11/2026 FORM 3/14/17

202.9 Appeals

202.9.1 Engineering Division. A written technical interpretation shall be provided as specified in Section 203.2.1.2. Any person may appeal in writing an order, decision, or determination pertaining to the code or any state building law by filing written notice with the Commissioner of Insurance or his designee within ten (10) days after the order, decision, or determination. A copy of the appeal shall be furnished to each party.
(General Statutes 143-140, 153A-374 and 160A-434)

203.2.1 Interpretations

203.2.1.1 Informal Interpretations. The Engineering Division shall provide informal interpretations on code related matters either by e-mail, letter or telephone. These informal interpretations may be accepted by the local code enforcement official or party requesting the interpretation. Either party may request a formal interpretation of the code.

203.2.1.2 Formal Interpretations. Any person may request in writing a formal interpretation of the code. The request shall be addressed to the Chief Code Consultant for the Department of Insurance. The request shall be specific and shall reference the code sections in question. All formal interpretations shall be in writing. A formal interpretation shall be binding on all parties unless appealed to the Building Code Council as specified in Section 201.9.2. Formal interpretations determined to be of a general nature may be posted on the Department website. (General Statute 143-140)

203.2.2 Appeals. Any person may appeal in writing an order, decision, or determination of a code enforcement official pertaining to the code or any state building law. The appeal shall be addressed to the Chief Engineer for the Department of Insurance by filing written notice within ten (10) days after the order, decision, or determination. The appeal shall contain the type and size of the building in question, the location of the building, and shall reference the code sections in question. The decision shall be in writing and shall set forth the facts found. The decision rendered shall be based on the technical provisions of the code, public health and safety and shall be construed liberally to those ends. A decision shall be binding on all parties unless appealed to the Building Code Council as specified in Section 201.9.2. A copy of the appeal and written decision shall be furnished to each party. (General Statutes 153A-374 and 160A-434)

202.9.2 Building Code Council. The Building Code Council shall hear appeals from the decisions of State enforcement agencies relating to any matter related to the code. Any person wishing to appeal a decision of a State enforcement agency to the Building Code Council shall give written notice of appeal as follows:

202.9.2.1 Twenty one (21) copies including an original of the Notice of Appeal shall be filed with the Building Code Council c/o NC Department of Insurance, Engineering Division, 325 North Salisbury Street, Room 5_44, Raleigh, NC 27603 and one (1) copy shall be filed with the State enforcement agency from which the appeal is taken.

202.9.2.2 The Notice of Appeal shall be received no later than thirty (30) days from the date of the decision of the State enforcement agency.

202.9.2.3 The Notice of Appeal shall be legibly printed, typewritten or copied and shall contain the following:

- (1) Name, address of the party or parties requesting the appeal.
- (2) The name of the State enforcement agency, the date of the decision from which the appeal is taken, and a copy of the written decision received from the enforcement agency.
- (3) The decision from which the appeal is taken shall be set forth in full in the Notice of Appeal or a copy of the decision shall be attached to all copies of the Notice of Appeal.
- (4) The contentions and allegations of fact must be set forth in full in a clear and concise manner with reference to the sections of the code in controversy.
- (5) The original Notice of Appeal shall be signed by the party or parties filing appeal.
- (6) The Notice of Appeal shall be received by the first day of the month prior to the Building Code Council's quarterly scheduled meeting in order to be placed on the agenda for that meeting. The Chairman may schedule a special meeting to hear an appeal.

202.9.2.4 Upon the proper filing of the Notice of Appeal, the Building Code Council Secretary shall forward one (1) copy of the Notice of Appeal to each member of the Building Code Council. The Chairman may appoint a Hearing Committee to hear appeals. The Secretary shall send notice in writing to the party or parties requesting an appeal and to the Building Code Council Hearing Committee members at least fifteen (15) days prior to the Hearing Committee meeting. A written decision of the Hearing Committee meeting shall be provided to all Building Code Council Members. The actions of the Hearing Committee shall be final, unless appealed to the full Building Code Council in writing within 30 days of the Hearing Committee's action. If a Hearing Committee consists of at least seven Council members, it will constitute a quorum of the full Council. Further appeals shall be as specified in Section 202.9.3.

202.9.2.5 The Building Code Council shall, upon a motion of the State enforcement agency or on its own motion, dismiss appeals for the following reasons:

- (1) Not pursued by the appellant or withdrawn;
- (2) Appeal not filed in accordance with these rules; or
- (3) Lack of jurisdiction.

202.9.2.6 When the Building Code Council finds that a State enforcement agency was in error in its interpretation of the code, the Building Code Council shall remand the case to the agency with instructions to take such actions as the Building Code Council directs. When the Building Code Council finds on appeal that materials or methods of construction proposed are equivalent to those required by the code, the Building Code Council shall remand the case to the State enforcement agency with instructions to permit the use of such materials or methods of construction. The Building Code Council shall immediately initiate procedures for amending the code to permit the use of such materials or methods of construction.

202.9.2.7 The Building Code Council shall provide a written decision setting forth the findings of fact and the Building Code Council's conclusions to each party or parties filing the appeal and to the State enforcement agency from which the appeal was taken.

202.9.3 Superior Court. Whenever any person desires to appeal a decision of the Building Code Council or a decision of a State or local enforcement agency, he may appeal either to the Wake County Superior Court or the Superior Court of the county in which the proposed building is to be situated in accordance with the provisions of Chapter 150B of the General Statutes.
(General Statute 143-141(d))



August 11, 2026

Updated August 31, 2026

Pak Yip, PE Building Code Interpretations Supervisor / Chief Code Consultant Office of State Fire Marshal
North Carolina Department of Insurance 1202 Mail Service Center Raleigh, NC 27699-1202

Re: Revised Request for Formal Interpretation – 2018 NCACP Section 107.1.2 / NC Building Code
Sections 1904 & 1907 – Inspection Requirements for Non-Structural Interior Slab Pour-Backs

Dear Mr. Rittlinger:

Pursuant to 2018 North Carolina Administrative Code and Policies (NCACP) Section 203.2.1.2, I respectfully request a formal written interpretation of the following code provisions as they apply to non-structural interior slab pour-backs on existing buildings (typical of interior upfit projects). This letter revises and supersedes my prior formal request of August 11, 2026, to more precisely frame the questions in dispute.

Background

In May 2025 I received written informal guidance from you confirming that:

- A specific “slab inspection” is not listed in 2018 NCACP Section 107.
- Non-structural slabs on grade are not required to comply with ACI 318.
- Non-structural slabs are only required to meet the durability requirements of Section 1904 and the minimum slab provisions of Section 1907.
- Local AHJs do not have authority to require inspections that are not listed in the Administrative Code.

Relying on that guidance, on a current Mecklenburg County project I:

1. Called in and obtained approval of the under-slab plumbing inspection prior to concrete placement.
2. Placed a non-structural interior slab pour-back using a 10-mil vapor retarder and 4 inches of concrete (exceeding the minimum requirements of Section 1907).
3. Did not call in a separate inspection of the concrete slab itself.

Mecklenburg County Code Enforcement is now taking the position that a pre-pour under-slab inspection was still required to verify the vapor retarder and slab thickness under Sections 1904 and 1907, and is requiring resolution of that issue as a condition of further progress / Certificate of Occupancy.

Specific Questions for Formal Interpretation

1. Does the phrase “materials and equipment to be concealed by the concrete slab” in 2018 NCACP Section 107.1.2 include slab-assembly components required by NC Building Code Section 1907 (specifically the vapor retarder), or is that phrase limited to third-party trade work (plumbing, electrical, mechanical, or similar) that is routed beneath the slab and subsequently covered by the concrete?

2. Does 2018 NCACP Section 107.1.2 require inspection or verification of the minimum slab thickness required by NC Building Code Section 1907 prior to placement of concrete on a non-structural interior slab?
3. Once the under-slab inspection of concealed materials/equipment (plumbing, electrical, etc.) has been approved, is any separate or additional inspection of a non-structural interior slab pour-back required under NCACP Section 107 in order to verify compliance with Building Code Sections 1904 and 1907?
4. Do local code enforcement officials have authority under the 2018 NCACP to require an inspection of a non-structural interior slab (or of its vapor retarder or thickness) that is not one of the inspections listed in Section 107.1?

I request that the formal interpretation be issued in writing and that it be binding on all parties in accordance with NCACP Section 203.2.1.2.

Thank you for your time and attention to this matter. Please let me know if any additional information is needed.

Respectfully submitted,

Sincerely,

Mike Seadorf

Mike Seadorf
704-634-1000
Mike@Seadorf.com
License # 70519

RE: [External] Interior Slab Inspection question

From Rittlinger, David B <david.rittlinger@ncdoi.gov>
Date Wed 5/21/2025 1:21 PM
To Mike Seadorf <mike@seadorf.com>

Mike,
Good afternoon.
Yes to the first question and no to the second question.
Let me know if you have any questions or require further assistance with this matter.

David Bruce Rittlinger, PE, LEED AP
Division Chief – Codes and Interpretations



North Carolina
Office of State Fire Marshal
1202 Mail Service Center
Raleigh, NC 27699-1202
919.647.0008

david.rittlinger@ncdoi.gov

Link to free view of 2018 NC Codes
<https://codes.iccsafe.org/codes/north-carolina>

From: Mike Seadorf <mike@seadorf.com>
Sent: Wednesday, May 21, 2025 12:40 PM
To: Rittlinger, David B <david.rittlinger@ncdoi.gov>
Subject: RE: [External] Interior Slab Inspection question

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David,

Thank you for the response, I was out on vacation last week. If I understand correctly, you have confirmed that Non-Structural slabs do not fall under 2018 NCACP 107, Do not need to comply with ACI 318, and would not be a legally required inspection from an AHJ.

Is there any law or precedence that gives the AHJ's the ability to require inspections not listed in the administrative code?

Mike Seadorf



704-634-1000
Mike@Seadorf.com
566 Lookout Dam Rd
Statesville, NC 28625

From: Rittlinger, David B <david.rittlinger@ncdoi.gov>
Sent: Monday, May 12, 2025 1:38 PM
To: Mike Seadorf <mike@seadorf.com>
Subject: RE: [External] Interior Slab Inspection question

Mike,
Good afternoon. Sorry for the delay in my response. It has been hectic.
A specific slab inspection is not listed in 2018 NCACP 107 Inspections.
Slabs are typically inspected as part of the footing, under slab, or foundation inspections listed in the same section, depending on the scope and construction schedule of the project. Non-structural slabs do not have to comply with ACI 318. Non-structural slabs are only required to meet the durability requirements of Section 1904 and the minimum slab provisions of Section 1907.
Let me know if you have any questions or require further assistance with this matter.



North Carolina
Office of State Fire Marshal
1202 Mail Service Center
Raleigh, NC 27699-1202
919.647.0008

david.rittlinger@ncdoi.gov

Link to free view of 2018 NC Codes

<https://codes.iccsafe.org/codes/north-carolina>

From: Mike Seadorf <mike@seadorf.com>

Sent: Tuesday, May 6, 2025 3:28 PM

To: Rittlinger, David B <david.rittlinger@ncdoi.gov>

Subject: [External] Interior Slab Inspection question

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CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Afternoon David,

I have a question about AHJ's legal authority to require a SLAB inspection on interior, nonstructural or load bearing slabs. We perform mostly interior upfits in existing buildings where we have to cut existing slabs for plumbing, I've had an inspector request details from the architect on dowels, subgrades, concrete, ect. Thinking they AHJ did not have the authority to make that request a condition of the inspection, I began down the rabbit hole of investigating.

From what I can tell, the NC Administrative Code section 107 where it details the required inspections, a slab inspection is not one of them nor is it detailed under its subsections. I believe this alone would remove any AHJ's legal authority to require a slab inspection, although it does not remove my legal obligation to comply with all applicable codes.

Secondly, reading chapter 19 in the NC Building Code is appears below to confirm that interior slabs for the most part would not be governed under the code with the exception of the minimum depth of 3.5 inches and the 6-mil vapor barrier under 1907

1901.2 Plain and reinforced concrete.

Structural concrete shall be designed and constructed in accordance with the requirements of this chapter and ACI 318 as amended in Section 1905 of this code. **Except for the provisions of Sections 1904 and 1907, the design and construction of slabs on grade shall not be governed by this chapter unless they transmit vertical loads or lateral forces from other parts of the structure to the soil.**

Would you be able to confirm my conclusion or point me in the right direction of who to contact Thank you.

Mike Seadorf



704-634-1000

Mike@Seadorf.com

566 Lookout Dam Rd
Statesville, NC 28625