

COTTAGE FOOD LAW REPORT

Elbert County

Colorado · Kiowa · FIPS 08039 · Population 29,382 · Crosodo Index #3094*

STATE BASELINE

C.R.S. §25-4-1614; CO tier: Great; cdphe.colorado.gov/cottage-foods

STATE TIER

Great

ANNUAL SALES CAP (STATE)

Tiered (see notes)

CONFIDENCE

MEDIUM

LAST VERIFIED

2026-05-06

IMPORTANT – NOT LEGAL ADVICE

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above.

Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision. Consult a licensed attorney for advice specific to your situation.

COLORADO: ELBERT COUNTY

CROSODO INDEX #3094* · FIPS 08039 · Kiowa

Elbert County

Population 29,382 · State baseline: C.R.S. §25-4-1614; CO tier: Great; cdphe.colorado.gov/cottage-foods · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

True

SEPARATE KITCHEN REQUIRED?

False

PETS ALLOWED?

No specific county rule; state guidance recommends pets excluded from food prep area during production

HOME OCCUPATION PERMIT?

Possibly (Colorado cottage food law does not require a local permit. Elbert County has grown as an exurban county southeast of Denver/Castle Rock; county zoning rules for home-based businesses apply. Producers should verify with Elbert County Planning whether a home occupation permit is needed, particularly in subdivided rural areas.)

ON-SITE / PORCH PICKUP?

True

INSPECTION REQUIRED?

False (Complaint-based only per state law (C.R.S. §25-4-1614))

Home kitchen rules

HOME KITCHEN ALLOWED

True

SEPARATE DEDICATED KITCHEN

False

PET RESTRICTIONS

No specific county rule; state guidance recommends pets excluded from food prep area during production

WATER SUPPLY

Potable water required; private well users should verify water quality; rural county with many private wells

HANDWASHING

Required per CO cottage food food safety training requirements

FOOD STORAGE

Standard food safety storage per C.R.S. §25-4-1614; all products must be non-potentially hazardous (non-refrigerated)

Inspection & permitting

INSPECTION REQUIRED

False — Complaint-based only per state law (C.R.S. §25-4-1614)

HOME OCCUPATION PERMIT

Possibly — Colorado cottage food law does not require a local permit. Elbert County has grown as an exurban county southeast of Denver/Castle Rock; county zoning rules for home-based businesses apply. Producers should verify with Elbert County Planning whether a home occupation permit is needed, particularly in subdivided rural areas.

LOCAL BUSINESS LICENSE

Unlikely at county level; Town of Elizabeth may require a town business license for operations within town limits; confirm with respective municipality

Customer-facing rules

| | |
|-------------------------|---|
| ON-SITE CUSTOMER PICKUP | True |
| ON-SITE SIGNAGE | Not regulated at state level; local home occupation rules may restrict signage |
| DELIVERY / PICKUP RULES | Direct-to-consumer sales only; product must be sold in Colorado; cannot sell to restaurants or grocery stores |
| MAX EMPLOYEES IN HOME | Sole proprietor or LLC of 2 or fewer owners; no additional employees per state law |

Relevant county code

C.R.S. §25-4-1614 (Colorado Cottage Foods Act); Elbert County Land Use Regulations

RESEARCH NOTES

No Elbert County-specific cottage food ordinance found beyond state baseline. Growing exurban/rural county southeast of Denver metro area; many residential ranchettes. HOA restrictions may be a practical concern for cottage food producers in subdivisions (state law does not override HOA rules). Colorado cottage food law does not preempt local zoning. \$10,000 annual cap per product type.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.elbertcounty-co.gov/public-health>

<https://www.elbertcounty-co.gov/planning>

<https://www.elbertcounty-co.gov>

<https://cdphe.colorado.gov/dehs/cottage-foods>

<https://assets.bouldercounty.gov/wp-content/uploads/2022/03/cottage-foods-checklist.pdf>

Questions? Join the Crosodo Forum to discuss your county's specific zoning rules at <https://crosodo.com/nb/colorado/elbert-county-discuss>

State context — Colorado cottage food law

Elbert County’s rules sit on top of Colorado’s state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

| | |
|--|---|
| STATUTE C.R.S. §25-4-1614 | ANNUAL SALES CAP Tiered (see notes) |
| REGISTRATION REQUIRED Yes | FOOD HANDLER CERT Yes (specific course) |
| KITCHEN INSPECTION Upon-complaint | DIRECT SALES ONLY Yes |
| INDIRECT SALES No — Products cannot be resold; producers must sell directly to consumers but may designate a representative to sell on their behalf. Sales through restaurants or retail stores are not permitted, though the health department may allow direct sales at those locations on a case-by-case basis. | |

For the full state-level analysis including the verbatim statute text, see the [Colorado cottage food law report](#).

STATE-LEVEL REFERENCES

State statute: https://leg.colorado.gov/sites/default/files/2022a_158_signed.pdf

State dept cottage food page: <https://cdphe.colorado.gov/cottage-foods>

Forrager.com: <https://forrager.com/law/colorado/>

Questions?

Join the Crosodo Forum to discuss Elbert County's specific zoning rules, permits, and what other home bakers are seeing locally.

<https://crosodo.com/nb/colorado/elbert-county-discuss>
