

COTTAGE FOOD LAW REPORT

Clarke County

Georgia · Athens · FIPS 13059 · Population 128,864 · Crosodo Index #2777*

STATE BASELINE

O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19

STATE TIER

Okay

ANNUAL SALES CAP (STATE)

—

CONFIDENCE

HIGH

LAST VERIFIED

2026-05-05

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.

GEORGIA: CLARKE COUNTY

CROSODO INDEX #2777* · FIPS 13059 · Athens

Clarke County

Population 128,864 · State baseline: O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19

HIGH

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Since July 1, 2025 (HB 398): no license or fee required, no GDA licensing inspections (complaint-based only), interstate sales allowed, wholesale/retail/online/restaurant sales allowed. Broad permitted foods list. Food handler certification still recommended but not required by new law. A Home Occupation Permit (\$20) is required from Athens-Clarke County Planning Department before obtaining a business occupation tax certificate.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Private water testing (annual coliform test) still required if using a private water source.

HOME OCCUPATION PERMIT?

Yes (Athens-Clarke County requires a Home Occupation Permit (\$20 fee) before a business may operate from a home. The permit is required under Section 9-15-16 of the Athens-Clarke County Unified Development Code. Key restrictions: (1) Direct sales on premises generally not permitted, except for services customarily incidental (mail order and online sales are allowable); (2) No external display of products; (3) No signs on property advertising the home occupation; (4) Maximum one non-resident employee; (5) Business must occupy no more than 25% of habitable floor space; (6) No chemicals or equipment beyond normal domestic residence. Note: Section 9-15-16(L) explicitly states 'No food service regulated by the Department of Health shall be permitted' — cottage food operators using the GDA framework should consult ACC Planning to confirm applicability post-HB 398.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

Upon-complaint (GDA may inspect upon complaint (complaint-based only per HB 398, 2025).)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — Since July 1, 2025 (HB 398): no license or fee required, no GDA licensing inspections (complaint-based only), interstate sales allowed, wholesale/retail/online/restaurant sales allowed. Broad permitted foods list. Food handler certification still recommended but not required by new law. A Home Occupation Permit (\$20) is required from Athens-Clarke County Planning Department before obtaining a business occupation tax certificate.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

Private water testing (annual coliform test) still required if using a private water source.

WATER SUPPLY

If using private water source: annual coliform testing required per GA R&R 40-7-19 (still applicable post-HB 398).

HANDWASHING

Required per food safety good practices.

FOOD STORAGE

Non-TCS foods. Stored in food-safe containers.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — GDA may inspect upon complaint (complaint-based only per HB 398, 2025).
HOME OCCUPATION PERMIT	Yes — Athens-Clarke County requires a Home Occupation Permit (\$20 fee) before a business may operate from a home. The permit is required under Section 9-15-16 of the Athens-Clarke County Unified Development Code. Key restrictions: (1) Direct sales on premises generally not permitted, except for services customarily incidental (mail order and online sales are allowable); (2) No external display of products; (3) No signs on property advertising the home occupation; (4) Maximum one non-resident employee; (5) Business must occupy no more than 25% of habitable floor space; (6) No chemicals or equipment beyond normal domestic residence. Note: Section 9-15-16(L) explicitly states 'No food service regulated by the Department of Health shall be permitted' — cottage food operators using the GDA framework should consult ACC Planning to confirm applicability post-HB 398.
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	No
DELIVERY / PICKUP RULES	ACC Home Occupation rules restrict direct on-premises sales (see above). Mail order and online sales are explicitly allowed. Post-HB 398 (2025), Georgia state law broadly permits all sales channels; however, ACC Home Occupation restrictions on direct customer traffic and on-premises sales may limit home pickup for cottage food operations.
MAX EMPLOYEES IN HOME	Maximum one non-resident employee permitted under ACC Home Occupation rules (Section 9-15-16(C)).

Relevant county code

Athens-Clarke County Unified Development Code, Section 9-15-16 (Home Occupations); O.C.G.A. §26-2-470 et seq.

RESEARCH NOTES

Athens-Clarke County Home Occupation Application (PDF, Revised February 2026) retrieved directly via Exa search from athensclarkecounty.com. Key finding: Section 9-15-16(L) states 'No food service regulated by the Department of Health shall be permitted' as a home occupation — this may create tension with cottage food operations if they are classified as food service by the Department of Health, though HB 398 (2025) removed the GDA licensing requirement. The \$20 Home Occupation permit is required before obtaining a Business Occupation Tax certificate. ACC Home Business Permits page (accgov.com) also confirmed. County govt URL confirmed. ACC is a consolidated city-county government. High confidence for local zoning rules based on official ACC documents found.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.accgov.com/151/Planning-Department>

<https://www.clarkecounty.gov>

<http://athensclarkecounty.com/DocumentCenter/View/125>

<https://www.acogov.com/841/Home-Business-Permits>

<https://agr.georgia.gov/cottage-food-program>

<https://www.clarkecounty.gov>

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

State context — Georgia cottage food law

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

STATUTE O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19	ANNUAL SALES CAP —
REGISTRATION REQUIRED No	FOOD HANDLER CERT Yes (specific course)
KITCHEN INSPECTION Upon-complaint	DIRECT SALES ONLY No
INDIRECT SALES Yes — As of July 1, 2025 (HB 398), Georgia allows wholesale, online, retail store, restaurant, and mail-order sales; third-party sellers must display cottage food products separately and label the section as products from residential kitchens exempt from state inspection.	

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

STATE-LEVEL REFERENCES

State statute: <https://law.justia.com/codes/georgia/2020/title-26/chapter-2/>

State dept cottage food page: <https://agr.georgia.gov/cottage-food-program>

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

Questions?

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

<https://crosodo.com/nb/georgia/clarke-county-discuss>
