

COTTAGE FOOD LAW REPORT

Ellis County

Kansas · Hays · FIPS 20051 · Population 29,007 · Crosodo
Index #1853*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
K.S.A. §65-657	Great	—	MEDIUM	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.

KANSAS: ELLIS COUNTY

CROSODO INDEX #1853* · FIPS 20051 · Hays

Ellis County

Population 29,007 · State baseline: K.S.A. §65-657 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Kansas exempts non-TCS (shelf-stable) homemade foods sold direct-to-consumer from food establishment licensing requirements (K.S.A. §65-689(d)(4)). No registration, inspection, or food handler certificate required at state level. Local zoning home occupation rules may apply — contact Ellis County zoning office or City of Hays planning department.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in state cottage food law; good sanitary practices required.

HOME OCCUPATION PERMIT?

Varies (No state-level food permit required for non-TCS cottage foods. Local zoning ordinances for home occupations may require a permit. Contact Ellis County zoning or City of Hays planning department to verify requirements for home-based food businesses.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Kansas Department of Agriculture may investigate complaints; no routine home kitchen inspection for exempt cottage food operations.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Kansas exempts non-TCS (shelf-stable) homemade foods sold direct-to-consumer from food establishment licensing requirements (K.S.A. §65-689(d)(4)). No registration, inspection, or food handler certificate required at state level. Local zoning home occupation rules may apply — contact Ellis County zoning office or City of Hays planning department.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific pet restriction in state cottage food law; good sanitary practices required.
WATER SUPPLY	No specific water testing requirement under Kansas cottage food exemption.
HANDWASHING	Good sanitary practices required per Kan. Admin. Regs. §4-28-33.
FOOD STORAGE	Non-TCS (shelf-stable) foods only; no refrigeration-required products.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Kansas Department of Agriculture may investigate complaints; no routine home kitchen inspection for exempt cottage food operations.
HOME OCCUPATION PERMIT	Varies — No state-level food permit required for non-TCS cottage foods. Local zoning ordinances for home occupations may require a permit. Contact Ellis County zoning or City of Hays planning department to verify requirements for home-based food businesses.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer only. Sales allowed at home, farmers markets, events, roadside stands, online with delivery within Kansas. No wholesale or retail resale. Out-of-state shipping allowed with additional requirements.
MAX EMPLOYEES IN HOME	Not specified in state statute.

Relevant county code

No specific Ellis County cottage food ordinance identified. State exemption (K.S.A. §65-689(d)(4)) applies statewide.

RESEARCH NOTES

Kansas cottage food exemption (K.S.A. §65-689(d)(4)) applies statewide. Ellis County includes Hays (Fort Hays State University), the largest city in northwest Kansas. No county-specific cottage food ordinance found; City of Hays may have home occupation permit requirements.

SOURCES VERIFIED AT RESEARCH TIME

<https://agriculture.ks.gov/divisions-programs/dairy-food-safety/cottage-food>

https://www.ksrevisor.org/statutes/chapters/ch65/065_006_0057.html

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

Bordering counties — cottage food law

Regulation	Ellis County	Ness County	Osborne County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific pet restriction in state cottage food law; good sanitary practices required.	Not specified in state law	Not specified in state law
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct-to-consumer only. Sales allowed at home, farmers markets, events, roadside stands, online with delivery within Kansas. No wholesale ...	Direct delivery to consumer permitted in-state	Direct delivery to consumer permitted in-state
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Kansas exempts non-TCS (shelf-stable) homemade foods sold direct-to-consumer from food establishment licensing requirements (K.S.A. §65-689...	No sales cap. No food handler cert required. Direct-to-consumer sales only; allowed at farm, farmers market, roadside stand, home, and even...	No sales cap. No food handler cert required. Direct-to-consumer sales only; allowed at farm, farmers market, roadside stand, home, and even...
FOOD STORAGE	Non-TCS (shelf-stable) foods only; no refrigeration-required products.	Appropriate storage to maintain product safety	Appropriate storage to maintain product safety
POPULATION	28,921	2,766	3,421

State context — Kansas cottage food law

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

STATUTE K.S.A. §65-657	ANNUAL SALES CAP —
REGISTRATION REQUIRED No	FOOD HANDLER CERT No
KITCHEN INSPECTION Upon-complaint	DIRECT SALES ONLY Yes
INDIRECT SALES No — Indirect sales to restaurants, retail stores, or wholesale are not allowed under the exemption; producers needing wholesale or retail channels must obtain a KDA food processing license.	

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

STATE-LEVEL REFERENCES

State statute: https://www.ksrevisor.org/statutes/chapters/ch65/065_006_0057.html

State dept cottage food page: <https://agriculture.ks.gov/divisions-programs/dairy-food-safety/cottage-food>

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

Questions?

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

<https://crosodo.com/nb/kansas/ellis-county-discuss>
