

## COTTAGE FOOD LAW REPORT

# Franklin County

Kentucky · Frankfort · FIPS 21073 · Population 51,475 ·  
Crosodo Index #1937\*

## STATE BASELINE

KRS §217.136; 902 KAR 45:090

## STATE TIER

Okay

## ANNUAL SALES CAP (STATE)

60000

## 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.

KENTUCKY: FRANKLIN COUNTY

CROSODO INDEX #1937\* · FIPS 21073 · Frankfort

# Franklin County

Population 51,475 · State baseline: KRS §217.136; 902 KAR 45:090 · **HIGH**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Must be primary residence kitchen. Production limited to non-potentially hazardous, shelf-stable foods. No more than two non-commercial ranges/ovens and three refrigerators. Commercial equipment and separate commercial kitchen prohibited. Annual gross sales cap \$60,000. Must register with Kentucky Food Safety Branch (\$50/year).)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

Not explicitly stated in regulations; standard sanitation practices apply.

**HOME OCCUPATION PERMIT?**

Conditional (Franklin County Health Department administers Home-Based Processor Law (HB 263). No separate local home occupation permit identified in research for unincorporated Franklin County. City of Frankfort may require separate business licensing for cottage food operations within city limits. Recommend verifying with Franklin County Planning.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

Upon-complaint (No routine inspection. Food Safety Branch (502-564-7181) may investigate on complaint or foodborne illness report.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Must be primary residence kitchen. Production limited to non-potentially hazardous, shelf-stable foods. No more than two non-commercial ranges/ovens and three refrigerators. Commercial equipment and separate commercial kitchen prohibited. Annual gross sales cap \$60,000. Must register with Kentucky Food Safety Branch (\$50/year).
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Not explicitly stated in regulations; standard sanitation practices apply.
<b>WATER SUPPLY</b>	Not specified in regulations.
<b>HANDWASHING</b>	Standard sanitation implied; no explicit handwashing station requirement.
<b>FOOD STORAGE</b>	Perishable ingredients must be refrigerated. Products must be shelf-stable and non-potentially hazardous.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	Upon-complaint — No routine inspection. Food Safety Branch (502-564-7181) may investigate on complaint or foodborne illness report.
<b>HOME OCCUPATION PERMIT</b>	Conditional — Franklin County Health Department administers Home-Based Processor Law (HB 263). No separate local home occupation permit identified in research for unincorporated Franklin County. City of Frankfort may require separate business licensing for cottage food operations within city limits. Recommend verifying with Franklin County Planning.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Products may be sold from the home (pickup or delivery), at non-permitted markets, roadside stands, community events, and online within Kentucky. No wholesale or indirect sales.
MAX EMPLOYEES IN HOME	No employees beyond household members specified in Home-Based Processor rules.

### Relevant county code

KRS §217.136; 902 KAR 45:090; HB 263 (2018); HB 468

#### RESEARCH NOTES

Franklin County Health Department (FCHD) has a specific webpage on the Home-Based Processor Law. Registration is with state Food Safety Branch (\$50/year), not county. Franklin County is the seat of state government; FCHD references HB 263 and KRS 217.136. Allowed foods include: dried herbs/spices, candies, dried grains, granola, trail mix, whole fruits/vegetables, dried fruits, mixed greens, high-acid jams/jellies, sweet sorghum syrup, maple syrup, fruit butter, bread, fruit pies, pecan pies, cakes, cookies, popcorn. Annual cap \$60,000.

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://fchd.org/home-based-processor-law-hb263/>

<https://chfs.ky.gov/agencies/dph/dphps/fsb/Pages/homebasedprocessing.aspx>

<https://fchd.org/home-based-processor-law-hb263/>

<https://www.chfs.ky.gov/agencies/dph/dphps/fsb/FSDocs/dfs250.pdf>

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

## Bordering counties — cottage food law

Regulation	Franklin County	Scott County	Anderson County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not explicitly stated in regulations; standard sanitation practices apply.	KY state rules do not explicitly address pets but good sanitation practices apply. No specific county override found.	No specific pet restriction in state statute, but good manufacturing practices expected.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Conditional	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Yes
DELIVERY / PICKUP	Products may be sold from the home (pickup or delivery), at non-permitted markets, roadside stands, community events, and online within Ken...	Direct sales to consumers only (KRS §217.136). In-person at home, farmers markets, events, and similar. No wholesale/retail store channel.	Direct sales only. Sales at farmers markets, farm stands, events, and home pickup permitted. No wholesale, retail stores, or internet-based...
HOME OCCUPATION PERMIT	Conditional	Conditional	No
LOCAL BUSINESS LICENSE	Varies	Yes	Varies
RESTRICTIONS	Must be primary residence kitchen. Production limited to non-potentially hazardous, shelf-stable foods. No more than two non-commercial ran...	Must be producer's primary residence. No commercial ranges/ovens beyond two units; no more than three refrigerators. Commercial equipment p...	Kentucky home-based processor law (KRS §217.136) allows direct-to-consumer sales of non-TCS foods from a home kitchen. Registration with CH...
FOOD STORAGE	Perishable ingredients must be refrigerated. Products must be shelf-stable and non-potentially hazardous.	All products must be shelf-stable and non-potentially hazardous. Proper storage to prevent contamination.	Non-TCS shelf-stable foods only. No more than three refrigerators for storage.
POPULATION	51,475	57,286	22,214

## State context — Kentucky cottage food law

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

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<b>STATUTE</b> KRS §217.137	<b>ANNUAL SALES CAP</b> 60000
<b>REGISTRATION REQUIRED</b> Yes	<b>FOOD HANDLER CERT</b> No
<b>KITCHEN INSPECTION</b> Upon-complaint	<b>DIRECT SALES ONLY</b> Yes
<b>INDIRECT SALES</b> No — Sales limited to direct-to-consumer only within Kentucky — from home (pickup or delivery), markets, roadside stands, community events, and online; shipping outside Kentucky is prohibited, and sales to restaurants or retail stores for resale are not allowed.	

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

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### STATE-LEVEL REFERENCES

State statute: <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=44478>

State dept cottage food page: <https://www.chfs.ky.gov/agencies/dph/dphps/fsb/Pages/cottage-foods.aspx>

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

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## Questions?

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

<https://crosodo.com/nb/kentucky/franklin-county-discuss>

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