

COTTAGE FOOD LAW REPORT

Silver Bow County

Montana · Butte · FIPS 30093 · Population 34,200 · Crosodo Index #1132*

STATE BASELINE

Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act)

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Freedom	—	HIGH	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.

MONTANA: SILVER BOW COUNTY

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Silver Bow County

Population 34,200 · State baseline: Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act) · **HIGH**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time \$40 registration fee with Silver Bow County/City of Butte-Silver Bow Environmental Health. Direct-to-consumer sales only within Montana. Farmers market sales exempt from registration.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Pets must be excluded from kitchen during production

HOME OCCUPATION PERMIT?

Varies (Silver Bow County is a consolidated city-county government (Butte-Silver Bow). The county administers cottage food registration via its Environmental Health office and maintains county-specific cottage food permit forms. Local Butte-Silver Bow home occupation or business permit requirements may apply. The 2021 Montana Local Food Choice Act preempts local restrictions on homemade food sales.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Consumer complaint or illness investigation only)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time \$40 registration fee with Silver Bow County/ City of Butte-Silver Bow Environmental Health. Direct-to-consumer sales only within Montana. Farmers market sales exempt from registration.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Pets must be excluded from kitchen during production
WATER SUPPLY	Standard residential water supply
HANDWASHING	Sanitary food preparation operations required
FOOD STORAGE	Products stored appropriately; temporary vehicle storage for transport only

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Consumer complaint or illness investigation only
HOME OCCUPATION PERMIT	Varies — Silver Bow County is a consolidated city-county government (Butte-Silver Bow). The county administers cottage food registration via its Environmental Health office and maintains county-specific cottage food permit forms. Local Butte-Silver Bow home occupation or business permit requirements may apply. The 2021 Montana Local Food Choice Act preempts local restrictions on homemade food sales.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Producer may deliver directly to purchaser.
MAX EMPLOYEES IN HOME	Not specified

Relevant county code

Butte-Silver Bow Consolidated Government - Environmental Health - Cottage Food

RESEARCH NOTES

Montana Freedom-tier state. Silver Bow County (Butte-Silver Bow consolidated government) confirmed to have its own cottage food permit page and registration form at co.silverbow.mt.us. One-time \$40 registration fee with county Environmental Health. 2021 Local Food Choice Act preempts local ordinances statewide.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.silverbow.mt.us/DocumentCenter/View/6911/Cottage-Food-Permit>

<https://www.co.silverbow.mt.us>

<https://www.co.silverbow.mt.us/DocumentCenter/View/6911/Cottage-Food-Permit>

<https://dphhs.mt.gov/publichealth/fcs/foodsafety/cottagefoods>

<https://dphhs.mt.gov/assets/publichealth/FCS/CottageFood/cottagefoodfrequentlyaskedquestions2024.pdf>

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

Bordering counties — cottage food law

Regulation	Silver Bow County	Beaverhead County	Deer Lodge County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Pets must be excluded from kitchen during production	Not specified in state cottage food law; individual county health departments may have additional requirements.	Not specified in state cottage food law; individual county health departments may have additional requirements.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Producer...	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, ret...	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, ret...
HOME OCCUPATION PERMIT	Varies	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time \$40 registration fee wi...	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...
FOOD STORAGE	Products stored appropriately; temporary vehicle storage for transport only	Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Pro...	Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Pro...
POPULATION	34,200	9,469	9,435

State context — Montana cottage food law

Silver Bow County's rules sit on top of Montana's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE	ANNUAL SALES CAP
Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act)	—
REGISTRATION REQUIRED	FOOD HANDLER CERT
Yes	No
KITCHEN INSPECTION	DIRECT SALES ONLY
Upon-complaint	Yes
INDIRECT SALES	
No — Consignment sales at retail food establishments or through wholesale establishments are explicitly prohibited under §50-50-116(3). The Montana Local Food Choice Act also requires direct producer-to-informed-end-consumer transactions only; retail locations require a wholesale food license.	

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

STATE-LEVEL REFERENCES

State statute: https://leg.mt.gov/bills/mca/title_0500/chapter_0500/part_0010/section_0160/0500-0500-0010-0160.html

State dept cottage food page: <https://dphhs.mt.gov/publichealth/fcs/foodsafety/cottagefoods>

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

Questions?

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

<https://crosodo.com/nb/montana/silver-bow-county-discuss>
