

COTTAGE FOOD LAW REPORT

Butler County

Nebraska · David City · FIPS 31023 · Population 8,394 ·
Crosodo Index #1465*

STATE BASELINE

Neb. Rev. Stat. §81-2,280

STATE TIER

Good

ANNUAL SALES CAP (STATE)

—

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.

NEBRASKA: BUTLER COUNTY

CROSODO INDEX #1465* · FIPS 31023 · David City

Butler County

Population 8,394 · State baseline: Neb. Rev. Stat. §81-2,280 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direct-to-consumer sales only (farmers markets, fairs, festivals, craft shows, home pickup/delivery). No annual sales cap. As of LB262 (July 2024), some TCS foods permitted with additional requirements.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state law; good sanitation practices required

HOME OCCUPATION PERMIT?

Varies (Butler County is primarily rural/agricultural. Unincorporated areas may have minimal county zoning. Home occupation requirements, if any, administered by Butler County Planning. City of David City has its own municipal zoning.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection required; complaint-driven investigation possible)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direct-to-consumer sales only (farmers markets, fairs, festivals, craft shows, home pickup/delivery). No annual sales cap. As of LB262 (July 2024), some TCS foods permitted with additional requirements.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state law; good sanitation practices required
WATER SUPPLY	Standard residential water supply
HANDWASHING	Good sanitation practices required
FOOD STORAGE	Appropriate storage to maintain product safety

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection required; complaint-driven investigation possible
HOME OCCUPATION PERMIT	Varies — Butler County is primarily rural/agricultural. Unincorporated areas may have minimal county zoning. Home occupation requirements, if any, administered by Butler County Planning. City of David City has its own municipal zoning.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct delivery to consumer permitted in-state; no wholesale to retailers
MAX EMPLOYEES IN HOME	Not specified at county level

Relevant county code

Butler County zoning regulations if adopted; check with county planning office

RESEARCH NOTES

Nebraska Good-tier state. State law (§81-2,280 as amended by LB262, July 2024) is the primary framework. Butler County is a small rural county (pop. ~8,394). No county-specific cottage food ordinance found. State registration with NDA required. Direct sales only; no wholesale.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.butlercountyne.gov>

<https://nda.nebraska.gov/fscp/foods/cottagefood>

<https://cottagefoodlaw.unl.edu/faq/>

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

Bordering counties — cottage food law

Regulation	Butler County	Colfax County	Dodge County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state law; good sanitation practices required	Not specified in state law; good sanitation practices required	Not specified in state law; good sanitation practices required
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct delivery to consumer permitted in-state; no wholesale to retailers	Direct delivery to consumer permitted in-state; no wholesale to retailers	Direct delivery to consumer permitted in-state; no wholesale to retailers
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direc...	State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direc...	State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direc...
FOOD STORAGE	Appropriate storage to maintain product safety	Appropriate storage to maintain product safety	Appropriate storage to maintain product safety
POPULATION	8,394	10,515	36,565

State context — Nebraska cottage food law

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

STATUTE	ANNUAL SALES CAP
Neb. Rev. Stat. §81-2,280 (producer of food at private home); §81-2,239 et seq. (Nebraska Pure Food Act)	—
REGISTRATION REQUIRED	FOOD HANDLER CERT
Yes	Yes
KITCHEN INSPECTION	DIRECT SALES ONLY
No	Yes
INDIRECT SALES	
No — Sales must be direct-to-consumer. Wholesale to restaurants, grocery stores, or distributors is not permitted under the cottage food framework. Non-TCS foods may be mailed; TCS foods must be delivered in person by the producer within 2 hours.	

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

STATE-LEVEL REFERENCES

State statute: <https://nebraskalegislature.gov/laws/statutes.php?statute=81-2,239.05>

State dept cottage food page: https://nda.nebraska.gov/foods/processed_food/cottage_foods.html

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

Questions?

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

<https://crosodo.com/nb/nebraska/butler-county-discuss>
