

COTTAGE FOOD LAW REPORT

McHenry County

North Dakota · Towner · FIPS 38049 · Population 5,135 ·
Crosodo Index #2842*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
—	Freedom	—	MEDIUM	

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.

NORTH DAKOTA: MCHENRY COUNTY

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McHenry County

Population 5,135 · State baseline: — · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

—

SEPARATE KITCHEN REQUIRED?

—

PETS ALLOWED?

—

HOME OCCUPATION PERMIT?

No

ON-SITE / PORCH PICKUP?

—

INSPECTION REQUIRED?

—

Home kitchen rules

HOME KITCHEN ALLOWED —

SEPARATE DEDICATED KITCHEN —

PET RESTRICTIONS —

WATER SUPPLY —

HANDWASHING —

FOOD STORAGE —

Inspection & permitting

INSPECTION REQUIRED —

HOME OCCUPATION PERMIT No

LOCAL BUSINESS LICENSE —

Customer-facing rules

ON-SITE CUSTOMER PICKUP —

ON-SITE SIGNAGE —

DELIVERY / PICKUP RULES —

MAX EMPLOYEES IN HOME —

RESEARCH NOTES

McHenry County is a rural North Dakota county. No county-specific cottage food or home occupation zoning ordinance was identified for the unincorporated county area. North Dakota’s cottage food law (N.D. Cent. Code ch. 23-09.5) is highly permissive with no sales cap, no registration, no inspection, and a broad product definition. County-level zoning is minimal or absent in most ND counties; state law governs.

SOURCES VERIFIED AT RESEARCH TIME

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

Bordering counties — cottage food law

Regulation	McHenry County	Bottineau County	McLean County
HOME KITCHEN ALLOWED	—	Yes	—
SEPARATE DEDICATED KITCHEN	—	No	—
PETS ALLOWED	—	No state restriction specified.	—
INSPECTION REQUIRED	—	No	—
ON-SITE CUSTOMER PICKUP	—	Yes	—
ON-SITE SIGNAGE	—	Conditional	—
DELIVERY / PICKUP	—	Sales may occur at farm, ranch, farmers market, farm stand, home-based kitchen, or any non-prohibited venue, including delivery. Direct pro...	—
HOME OCCUPATION PERMIT	No	Conditional	No
LOCAL BUSINESS LICENSE	—	No	—
RESTRICTIONS	—	No sales cap, no registration, no inspection, no licensing required. Direct sales to informed end consumer only. Products must include cons...	—
FOOD STORAGE	—	No specific state requirement beyond keeping products safe for consumption.	—
POPULATION	5,326	6,282	9,781

State context — North Dakota cottage food law

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

STATUTE	ANNUAL SALES CAP
N.D. Cent. Code §23-09.5-01 through §23-09.5-02	—
REGISTRATION REQUIRED	FOOD HANDLER CERT
No	No
KITCHEN INSPECTION	DIRECT SALES ONLY
No	Yes
INDIRECT SALES	
No — Transactions must be directly between the cottage food operator and the 'informed end consumer' and solely for home consumption. Products may not be sold or used in any food establishment, food processing plant, or food store. No wholesale channel is permitted.	

For the full state-level analysis including the verbatim statute text, see the **North Dakota cottage food law report**.

STATE-LEVEL REFERENCES

State statute: <https://ndlegis.gov/cencode/t23c09-5.pdf>

State dept cottage food page: <https://www.ndhealth.gov/foodlodging/cottagefood/>

Forrager.com: <https://forrager.com/law/north-dakota/>

Questions?

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

<https://crosodo.com/nb/north-dakota/mchenry-county-discuss>
