

COTTAGE FOOD LAW REPORT

Montgomery County

Ohio · Dayton · FIPS 39113 · Population 536,121 · Crosodo
Index #1225*

STATE BASELINE

O.R.C. §3715.023; §3715.025; Ohio Admin. Code Ch. 901:3-20

STATE TIER

Good

ANNUAL SALES CAP (STATE)

—

CONFIDENCE

MEDIUM

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.

OHIO: MONTGOMERY COUNTY

CROSODO INDEX #1225* · FIPS 39113 · Dayton

Montgomery County

Population 536,121 · State baseline: O.R.C. §3715.023; §3715.025; Ohio Admin. Code Ch. 901:3-20 ·

MEDIUM**QUICK VIEW FOR BAKERS IN THIS COUNTY****HOME KITCHEN ALLOWED?**

Yes (Cottage Food: home must be primary residence with only one domestic stove/oven. Home Bakery (broader product license): separate Home Bakery License and inspection required. Both programs: no pets indoors for Home Bakery.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Ohio Home Bakery Law: pets banned from indoors at all times. Cottage food (basic): no specific pet restriction

HOME OCCUPATION PERMIT?

Conditional (Ohio state cottage food law does NOT preempt local ordinances. Montgomery County and City of Dayton may have home occupation permit requirements. Operators should contact Montgomery County Regional Planning or City of Dayton Planning for home occupation requirements.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Conditional (Cottage Food: no inspection required. Ohio Home Bakery License: kitchen inspection required before license. ODA may sample for misbranding/adulteration.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Cottage Food: home must be primary residence with only one domestic stove/oven. Home Bakery (broader product license): separate Home Bakery License and inspection required. Both programs: no pets indoors for Home Bakery.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Ohio Home Bakery Law: pets banned from indoors at all times. Cottage food (basic): no specific pet restriction
WATER SUPPLY	No specific water testing requirement in state cottage food law
HANDWASHING	No specific separate provision for cottage food
FOOD STORAGE	Products stored at primary residence

Inspection & permitting

INSPECTION REQUIRED	Conditional — Cottage Food: no inspection required. Ohio Home Bakery License: kitchen inspection required before license. ODA may sample for misbranding/adulteration.
HOME OCCUPATION PERMIT	Conditional — Ohio state cottage food law does NOT preempt local ordinances. Montgomery County and City of Dayton may have home occupation permit requirements. Operators should contact Montgomery County Regional Planning or City of Dayton Planning for home occupation requirements.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct from home, online, farmers markets, events, grocery stores, restaurants within Ohio. No interstate sales. No annual cap.
MAX EMPLOYEES IN HOME	Not specified in state cottage food law

Relevant county code

O.R.C. §3715.023; §3715.025; Ohio Admin. Code Ch. 901:3-20. Local: Montgomery County/City of Dayton zoning codes.

RESEARCH NOTES

Same Ohio state baseline as Summit County. Montgomery County (Dayton area) has no specific cottage food overlay found. Ohio does NOT preempt local ordinances. Home occupation permit requirements for Montgomery County/Dayton not confirmed from direct source. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mcoho.org>

<https://agri.ohio.gov/divisions/food-safety/resources/cottage-food>

<https://ij.org/issues/economic-liberty/homemade-food-seller/ohio/>

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

State context — Ohio cottage food law

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

STATUTE	ANNUAL SALES CAP
O.R.C. §3715.023; §3715.025; Ohio Admin. Code Ch. 901:3-20	—
REGISTRATION REQUIRED	FOOD HANDLER CERT
No	No
KITCHEN INSPECTION	DIRECT SALES ONLY
No	No
INDIRECT SALES	
Yes — Labeled cottage food products may be sold to or used by retail food establishments and food service operations licensed under Ohio Revised Code Chapter 3717. This enables indirect/wholesale sales within Ohio. Products may not be sold outside the state of Ohio.	

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

STATE-LEVEL REFERENCES

State statute: <https://codes.ohio.gov/ohio-revised-code/section-3715.025>

State dept cottage food page: <https://agri.ohio.gov/divisions/food-safety/cottage-foods>

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

Questions?

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

<https://crosodo.com/nb/ohio/montgomery-county-discuss>
