

## COTTAGE FOOD LAW REPORT

# Ozaukee County

Wisconsin · Port Washington · FIPS 55089 · Population  
91,745 · Crosodo Index #560\*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Wis. Stat. §97.29	Freedom	Tiered	MEDIUM	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.

WISCONSIN: OZAUKEE COUNTY

CROSODO INDEX #560\* · FIPS 55089 · Port Washington

# Ozaukee County

Population 91,745 · State baseline: Wis. Stat. §97.29 · **MEDIUM**

### QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Wisconsin cottage food landscape defined by statute and case law: (1) Pickle Bill (§97.29(2)(b)2): home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) at community events or farmers markets, capped at \$5,000/year. (2) Kivirist court order (2017): home bakers of good character may sell non-potentially hazardous, shelf-stable baked goods directly to consumers without a license. (3) 2024 Court of Appeals (Wisconsin Cottage Food Association v. DATCP, 2024 WI App 69); Kivirist exception applies ONLY to baked goods, not unbaked goods (chocolates, fudge, candies). No DATCP license required for qualifying baked goods.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific restriction for home bakers under Kivirist; kitchen hygiene relevant to 'good character' standard.

**HOME OCCUPATION PERMIT?**

Varies (Ozaukee County (Port Washington, Milwaukee North Shore suburb) may have local home occupation zoning requirements. No Ozaukee County-specific cottage food permit identified. Operators should check with Ozaukee County Planning or local municipality.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No routine inspection for Kivirist-exempt home bakers or home-canned pickles.)

### Home kitchen rules

**HOME KITCHEN ALLOWED**

Yes — Wisconsin cottage food landscape defined by statute and case law: (1) Pickle Bill (§97.29(2)(b)2): home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) at community events or farmers markets, capped at \$5,000/year. (2) Kivirist court order (2017): home bakers of good character may sell non-potentially hazardous, shelf-stable baked goods directly to consumers without a license. (3) 2024 Court of Appeals (Wisconsin Cottage Food Association v. DATCP, 2024 WI App 69); Kivirist exception applies ONLY to baked goods, not unbaked goods (chocolates, fudge, candies). No DATCP license required for qualifying baked goods.

**SEPARATE DEDICATED KITCHEN**

No

**PET RESTRICTIONS**

No specific restriction for home bakers under Kivirist; kitchen hygiene relevant to 'good character' standard.

**WATER SUPPLY**

No specific requirement.

**HANDWASHING**

No specific statutory requirement; kitchen hygiene relevant.

**FOOD STORAGE**

Shelf-stable, non-potentially hazardous baked goods only under Kivirist. Pickles under \$5,000 cap.

### Inspection & permitting

**INSPECTION REQUIRED**

No — No routine inspection for Kivirist-exempt home bakers or home-canned pickles.

**HOME OCCUPATION PERMIT**

Varies — Ozaukee County (Port Washington, Milwaukee North Shore suburb) may have local home occupation zoning requirements. No Ozaukee County-specific cottage food permit identified. Operators should check with Ozaukee County Planning or local municipality.

**LOCAL BUSINESS LICENSE**

Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer sales only for Kivist-exempt bakers. Pickle/acidified goods sold at community events or farmers markets only (under §97.29(2)(b)2). No wholesale.
MAX EMPLOYEES IN HOME	No limit specified; only home baker under Kivist standard.

### Relevant county code

No Ozaukee County-specific cottage food code identified; Wis. Stat. §97.29 and Kivist case law govern.

#### RESEARCH NOTES

Note: Batch input file has data field misalignment for Ozaukee County (FIPS 55089) — state\_tier value 'Freedom' appeared in county\_govt\_url field and county health URL 'https://www.ozaukeecounty.gov' appeared in county\_health\_url field. Corrected: county\_health\_url set to ozaukeecounty.gov. Wisconsin DATCP's June 2025 Legislative Council issue brief (ib\_wis\_cottage\_food\_law\_ag\_2025\_06\_18) confirms current state of law: Kivist exception applies only to baked goods, not unbaked goods. Ozaukee County is a wealthy Milwaukee North Shore suburb; active farmers markets in Port Washington area.

#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.ozaukeecounty.gov>

[https://datcp.wi.gov/Pages/Programs\\_Services/CottageFoodLaws.aspx](https://datcp.wi.gov/Pages/Programs_Services/CottageFoodLaws.aspx)

[https://datcp.wi.gov/Pages/Licenses\\_Permits/HomeBakers.aspx](https://datcp.wi.gov/Pages/Licenses_Permits/HomeBakers.aspx)

[https://docs.legis.wisconsin.gov/misc/lc/issue\\_briefs/2025/consumer\\_protection/ib\\_wis\\_cottage\\_food\\_law\\_ag\\_2025\\_06\\_18](https://docs.legis.wisconsin.gov/misc/lc/issue_briefs/2025/consumer_protection/ib_wis_cottage_food_law_ag_2025_06_18)

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

## State context — Wisconsin cottage food law

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

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### STATUTE

Wis. Stat. §97.29

### ANNUAL SALES CAP

Tiered

### REGISTRATION REQUIRED

No

### FOOD HANDLER CERT

No

### KITCHEN INSPECTION

No

### DIRECT SALES ONLY

Yes

### INDIRECT SALES

No — Home-canned goods must be sold at community or social events or farmers' markets in Wisconsin (§97.29(2)(b)2.b). The Kivist court order applies to direct-to-consumer sales by home bakers. Products cannot be sold to retail food establishments or distributed through wholesale channels without a license.

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

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### STATE-LEVEL REFERENCES

State statute: <https://docs.legis.wisconsin.gov/statutes/statutes/97/29>

State dept cottage food page: [https://datcp.wi.gov/Pages/Programs\\_Services/CottageFoodLaws.aspx](https://datcp.wi.gov/Pages/Programs_Services/CottageFoodLaws.aspx)

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

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## Questions?

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

<https://crosodo.com/nb/wisconsin/ozaukee-county-discuss>

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