

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.

How to start — 60-second path

Montgomery County, Ohio — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

Conditional

PETS

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

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Ohio cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ Ohio home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

[Open the live county page →](#)

[Ohio label one-pager →](#)

[Local notes & questions →](#)

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

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 about this county? Local notes and a place to leave a question: crosodo.com/nb/ohio/montgomery-county-discuss

Bordering counties — cottage food law

Regulation	Montgomery County	Butler County	Warren County
HOME KITCHEN ALLOWED	Yes	Conditional	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Ohio Home Bakery Law: pets banned from indoors at all times. Cottage food (basic): no specific pet restriction	No specific state restriction in cottage food law.	Not specified in state statute; kitchen must be sanitary
INSPECTION REQUIRED	Conditional	No	No
ON-SITE CUSTOMER PICKUP	Yes	Conditional	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct from home, online, farmers markets, events, grocery stores, restaurants within Ohio. No interstate sales. No annual cap.	Direct and some indirect sales permitted within Ohio. No sales outside Ohio. Farmers markets, from home, online within Ohio.	Sales allowed directly to consumers in Ohio only; online orders with Ohio delivery allowed. No out-of-state sales. Farmers markets and even...
HOME OCCUPATION PERMIT	Conditional	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Cottage Food: home must be primary residence with only one domestic stove/oven. Home Bakery (broader product license): separate Home Bakery...	Ohio cottage food law (O.R.C. §3715.023/025; Ohio Admin. Code 901:3-20) requires no registration or permit. Only state-approved non-TCS foo...	Ohio has an approved product list (OAC 901:3-20-04) — only listed products allowed. No registration required, no inspection required. Produ...
FOOD STORAGE	Products stored at primary residence	Non-TCS shelf-stable foods from ODA-approved product list only.	Non-TCS shelf-stable approved products only; no acidified foods, no low-acid canned foods
POPULATION	536,121	388,327	243,189

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** on Crosodo, or open the live guide: crosodo.com/states/ohio.

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 about Montgomery County? Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

crosodo.com/nb/ohio/montgomery-county-discuss

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies

Reach home bakers across the country. crosodo.com/advertise

COURSES

Advertise here — Courses

Reach home bakers across the country. crosodo.com/advertise

INSURANCE

Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in Montgomery County, Ohio. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

crosodo.com/advertise

Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours on Crosodo.

crosodo.com/nb/ohio/montgomery-county-discuss

Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

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