

## COTTAGE BAKERY FROM HOME

# Can I sell from my kitchen in Pennington County, South Dakota?

Home kitchen sales. Not a shop or rented commercial kitchen. Last verified 2026-05-05.

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| STATE FOOD PERMIT | HOME OCCUPATION | BUSINESS LICENSE | SALES CAP |
|-------------------|-----------------|------------------|-----------|
| No                | Conditional     | Varies           | —         |

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SOUTH DAKOTA RULES. OPEN THESE FIRST.

[South Dakota permits PDF](#)

[South Dakota cottage food law page](#)

[South Dakota Department of Health cottage food program](#)

[Statute: SDCL §34-18-35](#)

## NOT LEGAL ADVICE

This is what it takes to sell from a home kitchen in Pennington County. Confirm each step with Planning, Health, and the license office before you sell.

## What you need

Pennington County, South Dakota. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

**No**

ANNUAL SALES CAP

**—**

HOME OCCUPATION / ZONING

**Conditional**

LOCAL HEALTH

**No**

BUSINESS LICENSE

**Varies**

PICKUP AT THE HOUSE

**Yes**

### HOME KITCHEN ONLY

If you want a shop or a rented commercial kitchen, these rows do not apply.

### CONTINUE ONLINE

**South Dakota permits PDF →**

<https://crosodo.com/reports/pdf/permits/south-dakota.pdf>

**South Dakota cottage food law page →**

<https://crosodo.com/states/south-dakota>

**Permit page for this place →**

<https://crosodo.com/what-permits/south-dakota/pennington-county>

**Pennington County cottage food law page →**

<https://crosodo.com/states/south-dakota/pennington-county>

Not legal advice. Rules change. Confirm with the office before you file.

## Where to file

### State

South Dakota registration: No. Routine kitchen inspection: No. The statute does not restrict sales to direct-to-consumer channels only. Items are subject to sales tax. Local governments (counties, townships, municipalities) may not pass ordinances restricting, prohibiting, or imposing licensure on homemade food item sales under SDCL §34-18-1 definitions.

South Dakota permits PDF: [crosodo.com/reports/pdf/permits/south-dakota.pdf](https://crosodo.com/reports/pdf/permits/south-dakota.pdf)

State law page: [crosodo.com/states/south-dakota](https://crosodo.com/states/south-dakota)

South Dakota Department of Health: <https://doh.sd.gov/topics/food-protection/cottage-foods/>

Statute: [SDCL §34-18-35](#)

### Zoning / home occupation

Conditional. South Dakota state law preempts county/municipal ordinances restricting homemade food sales (SDCL §34-18-38). However, Rapid City (within Pennington County) requires a Home Occupation Certificate for home-based businesses per CityRuleLookup research. The city of Rapid City has zoning rules including: home occupation permits, exterior signage restrictions, and business secondary to residential use requirements. Pennington County unincorporated areas follow county zoning. Contact Pennington County Planning & Zoning at 785-331-1343 (note: this is for Douglas County KS; Pennington County contact is [plz@pennco.org](mailto:plz@pennco.org), 900 Concourse Dr., Suite 160, Rapid City, SD 57703).

Planning: <https://www.pennco.org/services/planning/index.php>

### Health

No. No routine inspection required. State preempts local restrictions. SD DOH may investigate complaints.

### Business license

Varies

### Pickup / delivery

South Dakota allows direct and indirect sales (farmers markets, online, home delivery). No sales cap. State preempts local restrictions on homemade food sales. Rapid City restricts commercial signage for home businesses.

### If you rent a commissary kitchen

**DOH licenses food service.** South Dakota cottage food is a home path. A commissary is a food service establishment licensed by the Department of Health.

Official source: [SD DOH food](#)

Local health office we have on file: <https://www.pennco.org>

This file is the home-kitchen path. A rented kitchen uses a different permit. Ask the kitchen manager which license they expect, then call the local health office.

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**SOURCES**

<https://www.pennco.org/services/planning/index.php>

<https://www.pennco.org>

<https://www.pennco.org/services/planning/index.php>

<https://www.cityrulelookup.com/home-business/cottage-food/rapid-city-sd>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

## Pennington County and nearby places

| Regulation                 | Pennington County                                                                                                                              | Meade County                                                                                                                                   | Lawrence County                                                                                                                                |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                            | Yes                                                                                                                                            | Yes                                                                                                                                            |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                             | No                                                                                                                                             | No                                                                                                                                             |
| PETS ALLOWED               | No specific state restriction; standard food safety practices apply.                                                                           | No specific pet restriction in South Dakota cottage food law.                                                                                  | No specific pet restriction in South Dakota cottage food law.                                                                                  |
| INSPECTION REQUIRED        | No                                                                                                                                             | No                                                                                                                                             | No                                                                                                                                             |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                            | Yes                                                                                                                                            | Yes                                                                                                                                            |
| ON-SITE SIGNAGE            | No                                                                                                                                             | Conditional                                                                                                                                    | Conditional                                                                                                                                    |
| DELIVERY / PICKUP          | South Dakota allows direct and indirect sales (farmers markets, online, home delivery). No sales cap. State preempts local restrictions on ... | Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state sh... | Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state sh... |
| HOME OCCUPATION PERMIT     | Conditional                                                                                                                                    | No                                                                                                                                             | No                                                                                                                                             |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                         | Varies                                                                                                                                         | Varies                                                                                                                                         |
| RESTRICTIONS               | South Dakota allows non-temperature-controlled foods, home-processed canned goods, and baked goods from a residence without a license. 2022... | South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked g... | South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked g... |
| FOOD STORAGE               | Non-temperature-controlled foods and home-canned goods. Certain products require Department of Health approval under §34-18-36 and §34-18-3... | Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.                               | Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.                               |
| POPULATION                 | 110,386                                                                                                                                        | 29,970                                                                                                                                         | 26,047                                                                                                                                         |

## More pages for this place

These Crosodo pages cover the same home cottage-food path:

South Dakota permits PDF: [crosodo.com/reports/pdf/permits/south-dakota.pdf](https://crosodo.com/reports/pdf/permits/south-dakota.pdf)

South Dakota cottage food law: [crosodo.com/states/south-dakota](https://crosodo.com/states/south-dakota)

Pennington County cottage food law: [crosodo.com/states/south-dakota/pennington-county](https://crosodo.com/states/south-dakota/pennington-county)