



# Livestock Market & Sales Licensing Guide

The Kansas Department of Agriculture (KDA) is devoted to the total support of agriculture in Kansas. While we must fulfill our statutory obligations, the department is dedicated to providing support and assistance to make Kansas farms, ranches and agribusinesses successful and help them grow if that is their desire. We also encourage more farms, ranches and other agriculture businesses to expand in or relocate to Kansas. This checklist will help guide you through various resources and requirements for opening and operating a typical Kansas livestock market. In addition to license requirements by KDA, other Kansas agencies, as well as local or federal government agencies, may have regulatory requirements to follow. Contact your local planning authority to ensure you follow all local business development laws, rules, regulations and guidelines. This guide is designed to assist you as you work to build and operate a successful livestock market in Kansas.

| ✓ | Department  | Description  | Renewal  |
|---|---|--|--|
|   | Office of the Secretary of State<br><a href="https://sos.ks.gov/">https://sos.ks.gov/</a>                                     | Complete the appropriate business entity <a href="#">filings and forms</a> required by the Kansas Secretary of State. Call (785) 296-4564 for more information.  | Prior to starting                                      |
|   | Department of Revenue<br><a href="http://www.ksrevenue.gov">www.ksrevenue.gov</a>   | Visit the Department of Revenue website to find important <a href="#">business tax information</a> . Call (785) 368-8222 for more information.   | Prior to starting                                      |
|   | Department of Agriculture — Division of Animal Health<br><a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>   | Kansas public livestock markets should complete the <a href="#">Public Livestock Market License Application</a> . The <a href="#">Renewal Form</a> is due September 30. Any livestock dealer, including those who buy or sell livestock in commerce on a commission basis, including through the use of video, should complete the <a href="#">Livestock Dealer Registration Application</a> . For livestock sales that occur 12 times per year or less, complete the <a href="#">Application for Occasional Livestock Sales</a> . For more information, visit the <a href="#">Division of Animal Health</a> webpage or call (785) 564-6601.   | Prior to opening,<br><br>Annual renewal<br>October 1   |
|   | Department of Agriculture — Division of Water Resources<br><a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a> | The state of Kansas requires a permit for water used for stockwatering. Stockwatering is the watering of livestock and other uses of water directly related to the operation of a feedlot with the capacity to confine 1,000 or more head of cattle; or any other confined livestock operation that would divert 15 or more acre-feet (4.88 million gallons of water) per calendar year. Any group of feedlots or confined feeding operations may be considered a single operation if there are common feeding or other physical facilities and the group of facilities is under common management. Review the <a href="#">Kansas Water Law Basics</a> .<br><br>Visit the <a href="#">Water Appropriation Forms</a> webpage and complete the <a href="#">Application for Permit to Appropriate Water for Beneficial Use</a> and the <a href="#">Stockwater Use Supplemental Sheet</a> . For more information on water use, visit the <a href="#">Division of Water Resources</a> webpage or call (785) 564-6640. | Yearly<br>Report of water use,<br>March 1              |
|   | Department of Agriculture — Weights and Measures<br><a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>        | No license is needed from Weights and Measures. Any business with a weighing or measuring device (e.g. scales, fertilizer meters, oil meters, measuring tapes, electric car chargers, taxi meters, etc.) must hire a <a href="#">licensed service company</a> to inspect and test devices once annually, and any time additional maintenance, repairs, adjustments and calibrations are made throughout the year if the devices are used to determine the cost of any transaction.<br><br>Examples include scales at grocery stores, yogurt shops, restaurants, hardware stores, nurseries, seed dealers, etc. Examples of meters include meters used at a car service center to add oil to your engine, fertilizer meters at agronomy centers, water meters in grocery stores for sale of bottled water, etc. For more information, visit the <a href="#">Weights and Measures Program</a> webpage or call (785) 564-6681.  | Annual service   |
|   | Department of Agriculture — Food Safety and Lodging<br><a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>     | Restaurants located at livestock markets must have a <a href="#">Food Establishment License</a> . Application fee and license fee depends on square footage and business practices. To learn more about <a href="#">starting a food business</a> , contact the <a href="#">Food Safety and Lodging Program</a> at (785) 564-6767 or <a href="mailto:KDA.FSL@ks.gov">KDA.FSL@ks.gov</a> .   | Prior to opening,<br><br>Annual<br>Renewal<br>March 31 |

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|   | United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), Packers and Stockyards Division (PSD)<br><br><a href="http://www.ams.usda.gov">www.ams.usda.gov</a> | Livestock dealers, auction markets, packers, live poultry dealers and swine contractors may be considered subject to the Packers and Stockyards Act. For additional information, visit the AMS <a href="#">Packers and Stockyards Division</a> website or call (303) 375-4240.  | Prior to opening  |
|   | Department of Health and Environment — Bureau of Environmental Field Services, Livestock Waste Management Section<br><br><a href="http://www.kdheks.gov">www.kdheks.gov</a>               | Any facility that confines 300 animal units or more must <a href="#">register</a> with the Kansas Department of Health and Environment (KDHE). The need for additional permits and nutrient management plans will be determined based upon the number of animal units and pollution potential. Contact <a href="#">Livestock Waste Management</a> at (785) 296-6432 for more information.   | Prior to construction                                     |
|   | Department of Health and Environment — Bureau of Water, Industrial Program Section<br><br><a href="http://www.kdheks.gov">www.kdheks.gov</a>  | An <a href="#">NPDES Construction Stormwater Permit</a> is required only if one or more acres are disturbed during construction. The permit is required prior to the start of soil disturbing activities (construction). For more information, visit the <a href="#">KDHE Industrial Programs</a> website or call (785) 296-5549.   | Prior to construction                                     |
|   | Department of Health and Environment — Bureau of Water, Municipal Program Section<br><br><a href="http://www.kdheks.gov">www.kdheks.gov</a><br><a href="http://kslepp.org">kslepp.org</a> | If the facility will employ an on-site wastewater treatment system for human wastewater rather than utilize a municipal sanitary sewer for handling and disposal of sewage from the facility, contact the <a href="#">KDHE Municipal Program Section</a> at (785) 296-5527 for construction and permitting requirements.  | Prior to construction                                     |
|   | Department of Health and Environment — Bureau of Water, Public Water Supply and Geology & Well Technology Section<br><br><a href="http://www.kdheks.gov">www.kdheks.gov</a>               | If the facility will not utilize a municipal public water supply or rural water supply as the source of drinking water and the facility will serve 25 people or more per day, 60 or more days per year, it will be considered a public water supply subject to state/federal drinking water requirements. Contact the <a href="#">KDHE Public Water Supply Section</a> at (785) 296-5514.<br><br>Water wells shall be constructed by Kansas-licensed water well contractors. There are special construction requirements for water wells serving public water supplies. For more information, contact the <a href="#">KDHE Geology &amp; Well Technology Section</a> at (785) 296-7265. | Prior to construction                                     |
|   | Department of Health and Environment — Bureau of Environmental Remediation, Storage Tank Section<br><br><a href="http://www.kdheks.gov">www.kdheks.gov</a>                                | Entities operating their own fuel tanks may be required to register with the Kansas Department of Health and Environment (KDHE). Review information about aboveground storage tanks (AST) and underground storage tanks (UST). Review the <a href="#">KDHE Storage Tank Section</a> website for further information, or call (785) 296-1678 for permitting information.<br>The <a href="#">Kansas Small Business Environmental Assistance Program</a> (SBEAP) has AST program highlights and registration requirements in addition to assistance with UST inventory control.  | Prior to installing tanks,<br><br>Annual renewal August 1 |
|   | Department of Health and Environment — Bureau of Air<br><br><a href="http://www.kdheks.gov">www.kdheks.gov</a>  | <a href="#">Gasoline dispensing facilities</a> are subject to federal air regulation. A <a href="#">guidance document</a> is available to assist in determining regulatory requirements. Refer to the <a href="#">Standard Construction Permit/Approval for Gasoline Dispensing Facilities</a> if applicable. For more information, review the <a href="#">KDHE Bureau of Air</a> website or call (785) 296-6024.   | Prior to dispensing fuel                                  |
|   | Kansas Department of Wildlife and Parks (KDWP)<br><br><a href="http://www.ksoutdoors.com">www.ksoutdoors.com</a>  | Projects that involve public funds, government assistance, require another state or federal permit or potentially affect a current listed species or its critical habitat need an <a href="#">environmental review</a> . Contact KDWP's Ecological Services Section at (620) 672-0720 for more information.   | Prior to construction                                     |

Kansas Department of Agriculture  
1320 Research Park Drive, Manhattan, KS 66502  
Phone: (785) 564-6700 Email: [ksag@ks.gov](mailto:ksag@ks.gov) Website: <http://agriculture.ks.gov>

*This guide is for informational purposes only. It is not intended to be an exhaustive list of requirements for operating a Kansas agribusiness entity. Please contact the appropriate agencies or organizations for specific requirements applicable to your business.*

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