



# Greenhouse, Nursery or Garden Store 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 greenhouse, nursery or garden store. 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 greenhouse, nursery or garden store in Kansas.

✓	Department	Description	Renewal
	Office of the Secretary of State <a href="http://sos.ks.gov">sos.ks.gov</a>	Complete the appropriate business entity <a href="#">Licenses and Permits</a> required by the Kansas Secretary of State.	Prior to starting
	Department of Revenue <a href="http://www.ksrevenue.gov">www.ksrevenue.gov</a>	Visit the Kansas 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 — Plant Protection and Weed Control <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	<p>Any entity or person that grows, buys or obtains live plants for sale or distribution, establishes or moves live plants within Kansas to establish such live plants for others for compensation (such as landscapers), or who gives live plants as a premium or for advertising purposes must complete the Kansas Live Plant Dealer License application. Those who sell less than \$10,000, do not export live plants from Kansas, and only have one licensed location are eligible for a Reduced Fee License. Those who sell more than \$10,000, export live plants from Kansas, and/or have more than one licensed location would need to apply for a Regular License. Regular and Reduced Fee Licenses may include the addition of temporary locations where live plants are offered for sale but without the infrastructure for the production or maintenance of live plants, such as a farmers' market, garden show or festival. Special Event Live Plant Dealer Registration is available for nonprofits and similar groups in short-term fundraising through plant sales less than five days per calendar year. For more information, visit the <a href="#">Live Plant Dealer</a> webpage or call 785-564-6700.</p> <p>To export live plants outside of Kansas, it will likely be necessary to obtain a Live Plant Certificate of Inspection. Complete a <a href="#">Request for Export Inspection</a>. For more information, consult Licensing, Inspections and Certifications webpage or call 785-564-6698. Renewal of the certificate of inspection is only required if exporting plants during the next certification period.</p> <p>Kansas requires that any persons or entities that sell, offer or expose agricultural and seed, including grass seed to register with KDA by completing the <a href="#">Application for Seed Registration</a>. Horticultural seed is excluded from this requirement. For more information, review the <a href="#">Agricultural Seed Program</a> webpage or call 785-564-6698.</p>	<p>Prior to opening</p> <p>—</p> <p>Prior to exporting, Annual renewal October 1</p> <p>—</p> <p>Prior to selling seed, Annual renewal September 1</p>
	Department of Agriculture — Pesticide and Fertilizer <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	<p>Any retail business or person who sells a pesticide to another person for application must complete the <a href="#">Pesticide Dealer Registration</a>.</p> <p>Any person or business that applies pesticides is required to become licensed as a pesticide business by completing the <a href="#">Pesticide Business License</a> application. Any person that applies pesticides commercially, whether as an owner or employee of a business, is required to receive a Commercial Certified Pesticide Applicator certification. Consult the <a href="#">Pesticide Applicator</a> webpage for certification exam dates.</p> <p>For more information, review the <a href="#">Pesticide Business Licensing Guides</a>, the <a href="#">KDA Pesticide and Fertilizer Program</a> webpage or call 785-564-6688.</p>	<p>Prior to selling pesticides, annual renewal July 1</p> <p>—</p> <p>Prior to applying pesticide</p>



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	Department of Agriculture — Division of Water Resources  <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	The state of Kansas requires a permit for water used for industrial water purposes, including at greenhouses and nurseries, when the diversion of water is not incidental to the operation of a traditional farmstead, unless water is obtained from a rural or municipal water source. Review the <a href="#">Kansas Water Law Basics</a> . Complete the applicable <a href="#">Water Appropriation Forms</a> . For more information on water use, visit the <a href="#">KDA Division of Water Resources</a> webpage or call 785-564-6640.	Yearly report of water use, March 1
	Department of Agriculture — Weights and Measures  <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	No license is needed from the KDA Weights and Measures Program. Any business with a weighing or measuring device (e.g., scales, wholesale fuel meters, fertilizer meters, oil meters, grain moisture meters, electric car chargers, milk meters, etc.) must hire a <a href="#">licensed service company</a> to place the device in service with the Kansas Department of Agriculture before the device may be used in commercial transactions. The businesses must hire a licensed service company to inspect and test the commercial 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.  Examples include scales at grocery stores, restaurants, hardware stores, nurseries, seed dealers, etc. Examples of meters include meters to dispense propane, vehicle mounted meters for fuel delivery, fertilizer meters at agronomy centers, water meters in grocery stores for sale of bottled water, etc. For more information, visit the <a href="#">KDA Weights and Measures Program</a> webpage or call 785-564-6681.	Annual service
	Department of Health and Environment — Bureau of Water, Industrial Programs Section  <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 Environmental Remediation, Storage Tank Section  <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.  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  Annual renewal August 1
	Department of Health and Environment — Bureau of Waste Management  <a href="http://www.kdheks.gov">www.kdheks.gov</a>	Facilities producing specialized organic waste may compost or apply this material to the land. Composting facilities less than one-half acre must <a href="#">register</a> with the Kansas Department of Health and Environment (KDHE) and facilities greater than one-half acre must obtain a <a href="#">permit</a> . An <a href="#">application for approval</a> must be obtained to apply organic waste to land. For more information, review the <a href="#">KDHE Solid Waste</a> webpage or call 785-296-2751.	Prior to composting or land application
	Department of Health and Environment — Bureau of Water, Municipal Permitting & Engineering Unit  <a href="http://www.kdheks.gov">www.kdheks.gov</a> <a href="http://www.kdhe.ks.gov/LEPP">www.kdhe.ks.gov/LEPP</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 Permitting &amp; Engineering Unit</a> at 785-296-5528 for domestic wastewater requirements.	Prior to construction



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	Department of Health and Environment — Bureau of Water, Public Water Supply Section and Geology & Well Technology Unit  <a href="http://www.kdheks.gov">www.kdheks.gov</a>	<p>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.</p> <p>Water wells shall be constructed by Kansas-licensed water well contractors. There are special construction requirements for water wells serving public water supplies. Contact the <a href="#">KDHE Geology &amp; Well Technology Unit</a> at 785-296-7265 for more information.</p>	Prior to construction
	Department of Health and Environment — Bureau of Air  <a href="http://www.kdheks.gov">www.kdheks.gov</a>	<p><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.</p>	Prior to dispensing fuel

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*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.*