



Restaurant 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 restaurant. 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 restaurant in Kansas.

| ✓ | Department | Description | Renewal |
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| | Office of the Secretary of State sos.ks.gov | Complete the appropriate business entity Licenses and Permits required by the Kansas Secretary of State. | Prior to starting |
| | Department of Revenue www.ksrevenue.gov | Visit the Kansas Department of Revenue website to find important business tax information . Call 785-368-8222 for more information. | Prior to starting |
| | Department of Agriculture — Food Safety and Lodging www.agriculture.ks.gov | Restaurants must have a Food Establishment License . The application fee and license fee depends on square footage and business practices. Specialized processing, like vacuum packaging, requires a variance approval . The Plan Review guide is available to assist in planning a new facility. To learn more about starting a food business , contact the KDA Food Safety and Lodging Program at 785-564-6767 or KDA.FSL@ks.gov . | Prior to opening Annual renewal March 31 |
| | Department of Agriculture — Weights and Measures www.agriculture.ks.gov | 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 licensed service company 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 KDA Weights and Measures Program webpage or call 785-564-6681. | Annual service |
| | Kansas Department of Revenue — Alcoholic Beverage Control (ABC) www.ksrevenue.gov | Restaurants should obtain the appropriate on-premise license . Handbooks for a variety of topics related to selling alcohol in Kansas are available. It is recommended to contact Alcoholic Beverage Control for further information at 785-296-7015. Other useful information can be found on the ABC website . | Prior to opening Biannual renewal |
| | U.S. Department of the Treasury — Alcohol and Tobacco Tax and Trade Bureau (TTB) www.ttb.gov | Retail beverage alcohol dealers are required under federal law to fill out the Alcohol Dealer Registration . Consult the TTB website for more information or to apply online . | Prior to opening, July 1 if change in business |
| | Office of the State Fire Marshal (OSFM) www.firemarshal.ks.gov prevention@ks.gov | The Office of the State Fire Marshal will approve the building for Life Safety Compliance. To determine all requirements please call 785-296-3401 and ask for the Prevention Division. Prior to construction only if occupancy exceeds 2,000 occupants. Annual inspection on all. | Prior to construction Renew annually |



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| | Department of Health and Environment — Bureau of Water, Public Water Supply Section and Geology & Well Technology Unit www.kdheks.gov | 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 KDHE Public Water Supply Section at 785-296-5514. 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 KDHE Geology & Well Technology Unit at 785-296-7265 for more information. | Prior to construction |
| | Department of Health and Environment — Bureau of Water, Industrial Programs Section www.kdhe.ks.gov | An NPDES Construction Stormwater Permit 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). Submit permit requests online at https://keims.kdhe.ks.gov/nsuite , or email Chris.Seeds@ks.gov for assistance. For more information, visit the KDHE Industrial Programs website. | Prior to construction |
| | Department of Health and Environment — Bureau of Water, Municipal Permitting & Engineering Unit www.kdheks.gov www.kdhe.ks.gov/LEPP | 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 KDHE Municipal Permitting & Engineering Unit at 785-296-5528 for domestic wastewater permitting requirements. | Prior to construction |
| | U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS), Perishable Agricultural Commodities Act Division www.ams.usda.gov | Any person who buys or sells more than 2,000 pounds of fresh or frozen fruits and vegetables in any given day is required to be licensed under the Perishable Agricultural Commodities Act (PACA). Wholesalers, processors, grocery wholesalers and foodservice firms fit into this category. Additionally, any entity selling at retail is subject to a PACA license once the invoice costs of fresh and frozen fruits and vegetable purchases exceed \$230,000 in a calendar year. For additional information, visit the AMS Perishable Agricultural Commodities Act website or call 800-495-7222. | Prior to opening |

Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
Phone: 785-564-6700
Email: ksag@ks.gov
Website: www.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.