



Greenhouse, Nursery or Garden Store Licensing Guide

The Kansas Department of Agriculture 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 business 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 |
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| | Office of the Secretary of State www.kssos.org | Complete the appropriate business entity filings and forms required by the Kansas Secretary of State. Call 785-296-4564 for more information. | Prior to starting |
| | Department of Revenue www.ksrevenue.org | Visit the Department of Revenue website to find important business tax information . Call 785-368-8222 for more information. | Prior to starting |
| | Department of Agriculture — Plant Protection and Weed Control http://agriculture.ks.gov | <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 and are not involved in import or export of plants outside of Kansas may request a license exemption, but still must complete the Kansas Live Plant Dealer License application; they will remain subject to state inspection regardless of size or sales amount. For more information, visit the Live Plant Dealer 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 Request for Export Inspection, and a Live Plant Inspection Application. Consult the Export Services and Application Center webpage for more information, or call 785-564-6700. 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 grass seed for sale to register by completing the Application for Seed Registration. Horticultural seed is excluded from this requirement. Review the Seed Documents website for more information, or call 785-564-6700.</p> | <p>Prior to opening</p> <p>—</p> <p>Prior to exporting, October 1 renewal</p> <p>—</p> <p>Prior to selling seed, September 1 renewal</p> |
| | Department of Agriculture — Pesticide and Fertilizer http://agriculture.ks.gov | <p>Any retail business that retails pesticide products <u>other than</u> those ready-to-use general use pesticide products which:</p> <ul style="list-style-type: none"> (a) are to be applied undiluted, in accordance with use instructions shown on the pesticide's label; and (b) are to be applied by homeowners or occupants to control pests in and around the family dwelling and associated structures; <p>must complete the Pesticide Dealer Registration and Application.</p> <p>Any person or business that applies pesticides is required to become licensed as a pesticide business by completing the Pesticide Business License 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 Pesticide Applicators webpage for certification exam dates.</p> <p>For more information, review the Pesticide Applicator, Sales and Business Licensing Guide and the Pesticide and Fertilizer Program webpage, or call 785-564-6688.</p> | <p>Prior to selling pesticides, July 1 renewal</p> <p>—</p> <p>Prior to applying pesticide</p> |

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| | Department of Agriculture — Weights and Measures http://agriculture.ks.gov | No license is needed from Weights and Measures, but a greenhouse, nursery, or garden store with scales or other weighing or measuring devices must hire a licensed service company to place the devices into service and test once annually if the weighing or measuring devices are utilized for any commercial transaction. Visit the Weights and Measures website for more information, or call 785-564-6681. | Annual service |
| | Department of Agriculture — Division of Water Resources (DWR) http://agriculture.ks.gov | 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 Kansas Water Law Basics . Visit the Water Appropriation Forms and complete the appropriate applications. For more information on water use, visit the DWR website or call 785-564-6640. | Yearly report of water use, March 1 |
| | Department of Health and Environment — Bureau of Water, Industrial Program Section www.kdheks.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. Visit the KDHE Industrial Programs website, or call 785-296-5549 for more information. | Prior to construction |
| | Department of Health and Environment — Bureau of Waste Management www.kdheks.gov | Facilities producing specialized organic waste may compost or apply this material to the land. Composting facilities less than one-half acre must register with KDHE, and facilities greater than one-half acre must obtain a permit . A permit must also be obtained to apply organic waste to land. For more information, review the KDHE Solid Waste webpage, or call 785-296-2751. | Prior to composting or land application |
| | Department of Health and Environment — Bureau of Water, Municipal Program Section www.kdheks.gov | 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 Program Section 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 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 785-368-7130. 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 Section at 785-296-3565 for more information. | Prior to construction |
| | Department of Health and Environment — Bureau of Environmental Remediation, Storage Tank Section www.kdheks.gov | Entities operating their own fuel tanks may be required to register with KDHE. Review information about aboveground storage tanks (AST) and underground storage tanks (UST) . Review the KDHE Storage Tank Section website for further information, or call 785-296-1678 for permitting information. The Kansas Small Business Environmental Assistance Program (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 Air www.kdheks.gov | Gasoline dispensing facilities are subject to federal air regulation. A guidance document is available to assist in determining regulator requirements. Refer to the Standard Construction Permit/Approval for Gasoline Dispensing Facilities if applicable. Contact the KDHE Bureau of Air at 785-296-1570 for additional information. | Prior to dispensing fuel |

Kansas Department of Agriculture
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Phone: (785) 564-6700 Email: 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.

Helpful Business Development Resources

The following listed resources are provided as a service to Kansas businesses. These resources will assist business owners in obtaining useful tools for starting a Kansas business, marketing agricultural products, and developing a skilled workforce, among others.

Kansas Department of Agriculture

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| <p>Agribusiness Development, Domestic & International</p> <p>http://agriculture.ks.gov</p> | <p>The agribusiness development team works to grow the Kansas agriculture industry and economy by connecting people, working through regulatory requirements, as well as navigating support and incentive options for Kansas agribusinesses. The team handles both domestic and international business-related activities. For domestic questions, contact Lynne Hinrichsen, Agribusiness Development Director, at Lynne.Hinrichsen@ks.gov or 785-250-6429. If your business has questions on importing/exporting, contact Suzanne Ryan-Numrich, International Trade Director, at Suzanne.Numrich@ks.gov or 785-564-6704.</p> |
| <p>From the Land of Kansas Program</p> <p>www.fromthelandofkansas.com</p> | <p><i>From the Land of Kansas</i> is a voluntary trademark program that helps promote and identify Kansas agricultural products to consumers. Register the business for membership with <i>From the Land of Kansas</i>. For more information contact Janelle Dobbins, From the Land of Kansas Specialist, at Janelle.Dobbins@ks.gov or call 785-564-6759.</p> |
| <p>Agricultural Workforce Development</p> <p>http://agriculture.ks.gov</p> | <p>KDA's Workforce Development can connect you with secondary and post secondary resources to find skilled employees and/or assist in developing a training program to fit your needs. For more information, contact Russell Plaschka, Ag Career & Workforce Development Specialist, at Russell.Plaschka@ks.gov or (785) 564-7466.</p> |

Kansas Department of Commerce

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| <p>KANSASWORKS</p> <p>www.kansasworks.com</p> | <p>KANSASWORKS is a free, web-based resource connecting employers with skilled employees and training providers. Call 877-509-6757 for more information on how to utilize the KANSASWORKS services for filling your employment needs.</p> |
| <p>Rural Opportunity Zones</p> <p>http://kansascommerce.gov</p> | <p>The Rural Opportunity Zone program is a state program authorizing financial incentives to new full-time residents in Kansas. The two types of assistance include Kansas income tax waivers for up to five years, and/or student loan repayments up to \$15,000. For more information, please contact the Kansas Department of Commerce at 785-296-3481.</p> |

Other Resources

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| <p>Network Kansas</p> <p>http://www.networkkansas.com/</p> | <p>Network Kansas provides a central portal that connects entrepreneurs and small business owners with the appropriate resources when they are needed most. Network Kansas works with both new and existing businesses. Call 877-521-8600 for more details.</p> |
| <p>Kansas Small Business Development Center (KSBDK)</p> <p>http://www.kansassbdc.net/</p> | <p>The KSBDK is a network of service centers located throughout Kansas offering business consulting to small businesses. Call 800-452-6727 for more information.</p> |
| <p>Kansas Business Center</p> <p>http://www.kansas.gov/businesscenter/</p> | <p>The Kansas Business Center is a resource for information, filings and personal assistance to start or maintain a Kansas business. Call 877-521-8600 for more details.</p> |

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Helpful Business Development Resources

Other Resources Continued

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| <p>K-State Research and Extension</p> <p>www.ksre.ks.edu</p> | <p>K-State Research and Extension is a statewide network of educators sharing unbiased, research-based information and expertise on issues important to Kansas. It has established local, state, regional, national and international partnerships. It is dedicated to a safe, sustainable, competitive food and fiber system and to strong, healthy communities, families, and youth through integrated research, analysis and education. For more information, please call 785-532-5820.</p> |
| <p>K-State Research and Extension, Kansas Value Added Foods Lab and K-State Food Science Institute, Meat Science Facility</p> | <p>The Kansas Value Added Foods Lab offers food-related businesses, processors and entrepreneurs technical assistance and product development expertise. For the full list of services and pricing refer to the Fees and Information (Kansas only). Call 785-532-1668 for more information, or email kvaf1@ksu.edu.</p> <p>The Meat Science Facility provides meat processors and entrepreneurs an opportunity to use a state-of-the-art meat science research and teaching complex. Laboratories include the Meat Lab, the Sensory Lab, the Color Lab, the Meat Chemistry Lab, and the Post-Processing Pasteurization Lab. For more information, call 85-532-1279.</p> |
| <p>USDA Rural Development</p> <p>www.rd.usda.gov</p> | <p>USDA's Rural Development program offers loans, grants and loan guarantees to support services such as housing, economic development, health care, first responder services and equipment, water, electric and communications infrastructure.</p> |
| <p>USDA New Farmers</p> <p>newfarmers.usda.gov</p> | <p>USDA's New Farmers program assists farmers in finding resources customized to their specific type of farm. Subcategories are focused on young and beginning farmers, women in agriculture, youth and veterans.</p> |

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