



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
	Office of the Secretary of State https://sos.ks.gov/	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.gov	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 — 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 application is available to assist in planning a new facility. To learn more about starting a food business , contact the 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 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 licensed service company 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. 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 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 ABC 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) prevention@ks.gov www.firemarshal.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, annually



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✓	Department	Description	Renewal
	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) 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 Section at (785) 296-7265 for more information.	Prior to construction
	Department of Health and Environment — Bureau of Water, Industrial Program Unit 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 Program Section www.kdheks.gov kslepp.org	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
	United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), Perishable Agricultural Commodities Act (PACA) 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

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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.