Start a food business in Montgomery County

New York State Department of Health, Herkimer District Office
Phone (315) 866-6879. https://www.health.ny.gov/environmental/water/drinking/distphn.htm

What's different in Montgomery County

Nothing local beyond New York law that we could confirm. Everything below is the state's rule, and New York State Department of Health, Herkimer District Office is who to ask.

Open a restaurant, step by step

In order. Do them top to bottom.

- [ ] **1. Get workers' compensation and paid family leave coverage**
  New York issues no food service permit until this coverage is in place.
  Who: Your insurance carrier.
  Source: NYSDOH, Regulations for Food Service Establishments.
  https://www.health.ny.gov/environmental/indoors/food_safety/regs.htm

- [ ] **2. Send plans if your health department asks**
  The office that issues your permit may ask for sketches or plans of the layout, equipment, plumbing and ventilation before you build.
  Who: New York State Department of Health, Herkimer District Office. Confirm with New York State Department of Health, Herkimer District Office, (315) 866-6879. Phone (315) 866-6879.
  Bring: Sketches or plans: floor layout, equipment, plumbing, ventilation.
  When: Before you build or remodel.
  Source: 10 NYCRR 14-1.191. https://regs.health.ny.gov/content/section-14-1191-pre-operational-review

- [ ] **3. Get your Certificate of Authority (sales tax)**
  You sell taxable food and drinks, so you register with the New York Tax Department before you start.
  Who: New York State Department of Taxation and Finance.
  Source: NYS Tax Department, sales tax registration. https://www.tax.ny.gov/bus/st/register.htm

- [ ] **4. Ask your town, city or village about local licenses**
  Some places license food businesses or need a certificate of occupancy. We haven't read your town's rule.
  Confirm with your town, city or village hall. Phone (315) 866-6879.

- [ ] **5. Apply for your food service permit, at least 21 days before you open**
  New York law: the application goes in at least 21 days before you start. Permits last up to 2 years.
  Who: New York State Department of Health, Herkimer District Office. New York State Department of Health, Herkimer District Office (State District Environmental Health Program). https://www.health.ny.gov/environmental/water/drinking/distphn.htm.
  When: At least 21 days before you open.
  Source: 10 NYCRR 14-1.190, 14-1.192.
  https://regs.health.ny.gov/content/section-14-1190-permits-application-fees-issuance-inspection

- [ ] **6. Fire and building sign-off**
  Hoods, extinguishers and occupancy are your fire and building officials'. We haven't read your town's rule.
  Confirm with your town, city or village hall. Phone (315) 866-6879.

- [ ] **7. If you'll serve alcohol: a State Liquor Authority license**
  An on-premises license from the SLA. Give your town, city or community board 30 days' notice first, and post the SLA notice at your entrance.
  Who: New York State Liquor Authority.
  Source: NYS Liquor Authority, Get a License. https://sla.ny.gov/get-license

- [ ] **8. Your opening inspection**
  Your health department inspects before or soon after the permit. Ask how to book it.
  Confirm with New York State Department of Health, Herkimer District Office. Phone (315) 866-6879.

- [ ] **9. Put up the required signs**
  New York: the permit where customers see it, a handwashing sign at every employee sink, the choking poster, the staff allergen notice, "No Smoking" signs, and an allergen line on every menu.
  Who: You.
  Source: 10 NYCRR 14-1.190, 14-1.143; Public Health Law 1352-b, 1356, 1399-p; NYSDOH signage.
  https://regs.health.ny.gov/content/section-14-1190-permits-application-fees-issuance-inspection

Open a coffee shop, step by step

- [ ] **1. Get workers' compensation and paid family leave coverage**
  New York issues no food service permit until this coverage is in place.
  Who: Your insurance carrier.
  Source: NYSDOH, Regulations for Food Service Establishments.
  https://www.health.ny.gov/environmental/indoors/food_safety/regs.htm

- [ ] **2. Send plans if your health department asks**
  The office that issues your permit may ask for sketches or plans of the layout, equipment, plumbing and ventilation before you build.
  Who: New York State Department of Health, Herkimer District Office. Confirm with New York State Department of Health, Herkimer District Office, (315) 866-6879. Phone (315) 866-6879.
  Bring: Sketches or plans: floor layout, equipment, plumbing, ventilation.
  When: Before you build or remodel.
  Source: 10 NYCRR 14-1.191. https://regs.health.ny.gov/content/section-14-1191-pre-operational-review

- [ ] **3. Get your Certificate of Authority (sales tax)**
  You sell taxable food and drinks, so you register with the New York Tax Department before you start.
  Who: New York State Department of Taxation and Finance.
  Source: NYS Tax Department, sales tax registration. https://www.tax.ny.gov/bus/st/register.htm

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  Some places license food businesses or need a certificate of occupancy. We haven't read your town's rule.
  Confirm with your town, city or village hall. Phone (315) 866-6879.

- [ ] **5. Apply for your food service permit, at least 21 days before you open**
  New York law: the application goes in at least 21 days before you start. Permits last up to 2 years.
  Who: New York State Department of Health, Herkimer District Office. New York State Department of Health, Herkimer District Office (State District Environmental Health Program). https://www.health.ny.gov/environmental/water/drinking/distphn.htm.
  When: At least 21 days before you open.
  Source: 10 NYCRR 14-1.190, 14-1.192.
  https://regs.health.ny.gov/content/section-14-1190-permits-application-fees-issuance-inspection

- [ ] **6. Fire and building sign-off**
  Hoods, extinguishers and occupancy are your fire and building officials'. We haven't read your town's rule.
  Confirm with your town, city or village hall. Phone (315) 866-6879.

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  An on-premises license from the SLA. Give your town, city or community board 30 days' notice first, and post the SLA notice at your entrance.
  Who: New York State Liquor Authority.
  Source: NYS Liquor Authority, Get a License. https://sla.ny.gov/get-license

- [ ] **8. Your opening inspection**
  Your health department inspects before or soon after the permit. Ask how to book it.
  Confirm with New York State Department of Health, Herkimer District Office. Phone (315) 866-6879.

- [ ] **9. Put up the required signs**
  New York: the permit where customers see it, a handwashing sign at every employee sink, the choking poster, the staff allergen notice, "No Smoking" signs, and an allergen line on every menu.
  Who: You.
  Source: 10 NYCRR 14-1.190, 14-1.143; Public Health Law 1352-b, 1356, 1399-p; NYSDOH signage.
  https://regs.health.ny.gov/content/section-14-1190-permits-application-fees-issuance-inspection

Open a food truck, step by step

- [ ] **1. Get workers' compensation and paid family leave coverage**
  New York issues no food service permit until this coverage is in place.
  Who: Your insurance carrier.
  Source: NYSDOH, Regulations for Food Service Establishments.
  https://www.health.ny.gov/environmental/indoors/food_safety/regs.htm

- [ ] **2. Send plans if your health department asks**
  The office that issues your permit may ask for sketches or plans of the layout, equipment, plumbing and ventilation before you build.
  Who: New York State Department of Health, Herkimer District Office. Confirm with New York State Department of Health, Herkimer District Office, (315) 866-6879. Phone (315) 866-6879.
  Bring: Sketches or plans: floor layout, equipment, plumbing, ventilation.
  When: Before you build or remodel.
  Source: 10 NYCRR 14-1.191. https://regs.health.ny.gov/content/section-14-1191-pre-operational-review

- [ ] **3. Get your Certificate of Authority (sales tax)**
  You sell taxable food and drinks, so you register with the New York Tax Department before you start.
  Who: New York State Department of Taxation and Finance.
  Source: NYS Tax Department, sales tax registration. https://www.tax.ny.gov/bus/st/register.htm

- [ ] **4. Ask your town, city or village about local licenses**
  Some places license food businesses or need a certificate of occupancy. We haven't read your town's rule.
  Confirm with your town, city or village hall. Phone (315) 866-6879.

- [ ] **5. Line up your commissary**
  New York law: a truck or pushcart is serviced only at a commissary: pushcarts every day, trucks at least every 72 hours.
  Who: New York State Department of Health, Herkimer District Office. Confirm with New York State Department of Health, Herkimer District Office, (315) 866-6879. Phone (315) 866-6879.
  Source: 10 NYCRR 14-4.95. https://regs.health.ny.gov/content/section-14-495-commissaries

- [ ] **6. Get your mobile food service permit**
  A truck or pushcart needs its own permit from your health department.
  Who: New York State Department of Health, Herkimer District Office. New York State Department of Health, Herkimer District Office (State District Environmental Health Program). https://www.health.ny.gov/environmental/water/drinking/distphn.htm.
  Source: 10 NYCRR Subpart 14-4. https://regs.health.ny.gov/content/section-14-495-commissaries

- [ ] **7. Fire and building sign-off**
  Hoods, extinguishers and occupancy are your fire and building officials'. We haven't read your town's rule.
  Confirm with your town, city or village hall. Phone (315) 866-6879.

- [ ] **8. Your opening inspection**
  Your health department inspects before or soon after the permit. Ask how to book it.
  Confirm with New York State Department of Health, Herkimer District Office. Phone (315) 866-6879.

- [ ] **9. Put up the required signs**
  New York: the permit where customers see it, a handwashing sign at every employee sink, the choking poster, the staff allergen notice, "No Smoking" signs, and an allergen line on every menu.
  Who: You.
  Source: 10 NYCRR 14-1.190, 14-1.143; Public Health Law 1352-b, 1356, 1399-p; NYSDOH signage.
  https://regs.health.ny.gov/content/section-14-1190-permits-application-fees-issuance-inspection

Open an event booth, step by step

- [ ] **1. Get workers' compensation and paid family leave coverage**
  New York issues no food service permit until this coverage is in place.
  Who: Your insurance carrier.
  Source: NYSDOH, Regulations for Food Service Establishments.
  https://www.health.ny.gov/environmental/indoors/food_safety/regs.htm

- [ ] **2. Get your Certificate of Authority (sales tax)**
  You sell taxable food and drinks, so you register with the New York Tax Department before you start.
  Who: New York State Department of Taxation and Finance.
  Source: NYS Tax Department, sales tax registration. https://www.tax.ny.gov/bus/st/register.htm

- [ ] **3. Ask your town, city or village about local licenses**
  Some places license food businesses or need a certificate of occupancy. We haven't read your town's rule.
  Confirm with your town, city or village hall. Phone (315) 866-6879.

- [ ] **4. Get a temporary food service permit for the event**
  A booth at one event (up to 14 days in a row) needs a temporary permit. Your health department says how far ahead.
  Who: New York State Department of Health, Herkimer District Office. New York State Department of Health, Herkimer District Office (State District Environmental Health Program).
  https://www.health.ny.gov/environmental/indoors/food_safety/event_guidance.htm.
  When: Before the event.
  Source: 10 NYCRR 14-2.1.
  https://regs.health.ny.gov/content/section-14-21-definition-temporary-food-service-establishment-and-frozen-desserts

- [ ] **5. Put up the required signs**
  New York: the permit where customers see it, a handwashing sign at every employee sink, the choking poster, the staff allergen notice, "No Smoking" signs, and an allergen line on every menu.
  Who: You.
  Source: 10 NYCRR 14-1.190, 14-1.143; Public Health Law 1352-b, 1356, 1399-p; NYSDOH signage.
  https://regs.health.ny.gov/content/section-14-1190-permits-application-fees-issuance-inspection

Register as a home processor (shelf-stable foods), step by step

- [ ] **1. Register as a home processor (shelf-stable foods)**
  A home processor registers with the NYS Department of Agriculture and Markets (no fee) to make approved shelf-stable foods at home. It isn't a restaurant permit.
  Who: NYS Department of Agriculture and Markets.
  Source: NYS Agriculture and Markets, Home Processing. https://agriculture.ny.gov/food-safety/home-processing

☐ **2. Get your Certificate of Authority (sales tax)**

You sell taxable food and drinks, so you register with the New York Tax Department before you start.

Who: New York State Department of Taxation and Finance.

Source: NYS Tax Department, sales tax registration. https://www.tax.ny.gov/bus/st/register.htm

☐ **3. Ask your town, city or village about local licenses**

Some places license food businesses or need a certificate of occupancy. We haven't read your town's rule.

Confirm with your town, city or village hall. Phone (315) 866-6879.

Montgomery County at a glance

- Inspection scoring: No grade or placard found
- Home kitchens: New York has no home kitchen meals permit. A food business that isn't a registered home processor needs a food service permit, and the home kitchen can't be used.
- Food handler card: No food handler card required by state law.

Sources checked October 2, 2026. Informational only, not legal advice. Confirm with New York State Department of Health, Herkimer District Office before you spend money.

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