

AGRITOURISM INSURANCE AND FARM SAFETY



Information and Things to Consider

Safety is a top priority for your business. As an agritourism operation, you will be hosting the public on your property. Often, people may not understand just how dangerous a working farm can be. As the business owner, it is important to ensure the health and safety of your guests as they enjoy your farm and agritourism activities.

This document has some basic insurance and safety considerations for your farm. It is not an all-inclusive list, and because of the unique nature of agritourism operations, we cannot provide you with a comprehensive list of items to consider. Like any business decision, KDA suggests consulting with your legal counsel and insurance agent as you plan.

Liability Insurance

While Kentucky does have a limited liability statute for agritourism professionals (see KRS 247.809), it will not stop someone from suing you or your farm if an accident, injury, or death occurs. It is important to make sure that you have adequate insurance coverage for your farm and agritourism activities that you offer.

Talk with your insurance agent about necessary coverages, which could include product, premises, or property liability protections. Make sure your agent knows about every activity that you offer, including specific play equipment and all activities - even innocuous ones such as face painting. They can assess the risks to you and your business and help ensure proper coverage. Additionally, consider inviting your agent out to the farm for a risk assessment. Meet with your agent at least once a year to review your coverage, and let them know about new activities or attractions *before* you implement them.



Consider your business structure as you assess your liability. If your business is a sole proprietorship, your personal finances and belongings may be at risk in a potential lawsuit. Separating your agritourism business from your farm as a separate entity may be beneficial. As *always, consult your attorney and tax professionals when you make your business decisions.*

Farm Safety Considerations

Below is a brief overview of some basic farm safety considerations for your operation. For more information include detailed safety checklists, visit <https://safeagritourism.org/>.

Buildings and Bathrooms

- Make sure you are aware and in compliance with all the building codes that apply to the property.
- Provide lighting for public areas for night activities.
- Keep bathrooms clean and well-stocked or ensure Port-O-Lets are regularly maintained and placed in a cool, dry area.
- Inspect and ensure hand wash stations are properly functioning.
- Follow visitor capacity limits that have been set for attractions and buildings.

Environmental and Property Safety

- Make sure you are aware of and in compliance with any environmental permits, such as for septic systems.
- Put up barriers or fences to any part of your property that you do not want open to the public and install signs warning customers to keep out of certain areas.
- Inspect your land and property for potential hazards, such as old wells, and take action to protect customers from them.
- Put warning signs around open bodies of water. Inspect farm equipment that will be used regularly, such as tractors and trailers for hayrides.
- If you have child play areas, inspect the equipment daily for any damage and take appropriate action if the equipment is unsafe. Make sure only trained employees operate and inspect the equipment.
- Include signs around play areas instructing parents and adults about equipment use, age requirements, associated hazards, and supervisory responsibility.
- In accordance with KRS 247.809, post liability warning signs at the location's main entrance and at the location of each agritourism activity. Consider asking visitors to sign a waiver or release form. Consult an attorney to discuss liability and review the liability and insurance section below for more information.

Farm Animal Safety

- If animals and visitors come into contact on your farm, make sure animals are clean and monitored daily for any health problems.
- Keep animals up to date on vaccinations and maintain detailed health records.
- Decide on the level of contact between guests and animals and reinforce guidelines with appropriate signage. If using horses to pull a wagon, hitch them before people enter the wagon.
- Inform visitors (visually and verbally) about animal behavior and ask them to wash hands (or use alcohol – based hand sanitizer) after touching the animals.

- Provide a hand wash station for visitors to use after touching the animals.
- Make sure that food and drink are prohibited in animal areas and that any eating/drinking areas are well separated from the animals.
- Closely supervise all visitors' interactions with animals.

Fire Prevention

- Regularly inspect and maintain working smoke detectors in buildings.
- Properly store flammable and combustible materials.
- Place fire extinguishers strategically throughout farm.
- Be sure staff are trained to use a fire extinguisher.
- Enforce a strict no smoking policy.
- Post "In Case of Emergency" signs with contact person, emergency phone numbers, farm address and farm phone number.
- Make sure emergency vehicles have access to your property.
- Arrange a farm walk-through with Fire/EMS personnel.
- Properly dry all hay before storing it.
- For more information visit:
<https://www.osha.gov/sites/default/files/2019-03/fireprotection.pdf>.

Emergency Management

- Create an Emergency Response Plan to prepare for emergency scenarios.
- Provide training in emergency management for all staff members.
- Arrange a farm walk-through with Fire/EMS personnel.
- Make sure your staff knows the address of your farm or can provide directions in case an emergency occurs.
- Create plans for inclement weather situations to ensure safety of staff and visitors.
- To locate your county emergency management director's visit:
<https://kyem.ky.gov/Who%20We%20Are/Pages/County-Directors.aspx>

For more information about the Kentucky Department of Agriculture's Agritourism Program, please contact:

Sharon Spencer
sharon.spencer@ky.gov
(502) 782-4127

The foregoing is provided for informational purposes only. The Department of Agriculture is not providing legal advice and does not guarantee the accuracy of the content herein. Each operator of an agritourism operation or activity is advised to seek its own legal counsel.

Revised 06/02/2025