

and of the Mayor and Aldermen of the City of Annapolis, in approving, suspending, revoking or restricting, or refusing to approve, suspend, revoke or restrict any license or licensee, shall be subject to appeal in the following manner:

(1) *Who May Appeal.* Any licensee or applicant for a license, or any group of not less than ten persons who are residents or real estate owners in the precinct or voting district in which the licensed place of business is located or proposed to be located, may within ten days from the date of any final decision of a local board, appeal therefrom to the Circuit Court of the county, or in the City to the Baltimore City Court, upon payment of all costs incident to the hearing before the local board or local licensing official.

(2) *Proceedings On Appeal.* An appeal may be commenced by docketing in the appropriate court, a petition stating that the petitioner is aggrieved by the action of the local board, and desires the court to review the same. Thereupon, a copy of the petition shall be served upon the local board, and the case shall be promptly assigned for trial. The noting of an appeal shall stay the order of the local board pending the determination of the appeal. Upon the filing of such appeal, the service of copy thereof and the payment of costs as aforesaid, all of which shall be a prerequisite to the hearing of the appeal, the local board shall forward to the court within fifteen (15) days thereafter all pertinent papers and a transcript of any testimony which may have been taken at the board's hearing.

(3) *Scope of Appeal.* Upon the hearing of such appeal, the action of the local board shall be presumed by the court to be proper and to best serve the public interest. The burden of proof shall be upon the petitioner to show that the decision complained of was against the public interest and that the local board's discretion in rendering its decision was not honestly and fairly exercised, or that such decision was arbitrary, or procured by fraud, or unsupported by any substantial evidence, or was unreasonable, or that such decision was beyond the powers of the board, and was illegal. The case shall be heard by the court without the intervention of a jury. If in the opinion of the court it is impracticable to determine the question presented to the court, in the case on appeal, without the hearing of additional evidence, or if in the opinion of the court any qualified litigant has been deprived of the opportunity to offer evidence, or if the interests of justice otherwise require that further evidence should be taken, the court may hear such additional testimony to such extent and in such manner as may be necessary.