

(c) Upon the filing of an appeal, the local LICENSING board may stay its order until the final determination thereof.

(d) [(1) In the counties listed in this subsection, the] THE clerk of the CIRCUIT court FOR CARROLL, CHARLES, HOWARD, OR PRINCE GEORGE'S COUNTY, before docketing an appeal shall first collect, from the person or persons so appealing, all court costs and a statement from the clerk [to] OF the board of license commissioners that the costs for getting records and transcripts of proceedings of the hearing before the board have been paid. Costs may not be assessed against the board of license commissioners.

[(2) Carroll County.

(3) Charles County.

(4) Howard County.

(5) Prince George's County.]

(e) (1) (i) Upon the hearing of such appeal, the action of the local LICENSING 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 LICENSING 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 LOCAL LICENSING 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.

(2) In such actions of appeal the local LICENSING board [or the local licensing official] involved may be represented by some qualified attorney designated for such service by [said] THE board [or official].

(3) Unless extended by the court for good cause, the local LICENSING board's decision made under subsection (a) of this section shall be affirmed, modified, or reversed by the court within 90 days after the record has been filed in the court by the local LICENSING board.

(4) (i) If the court reverses the action of the local LICENSING board it shall file with the papers a written statement of the reasons. The court may modify, as well as affirm or reverse, the action of the local LICENSING board. Costs shall be awarded as in other civil cases.

(ii) In addition to the other powers of the court provided in this article, the court may remand the proceedings to the local LICENSING board in the following counties:

1. Carroll County;