

2.09. Appeals to courts.

(a) (1) [Any] AN APPEAL TO THE CIRCUIT COURT OF BALTIMORE CITY MAY BE FILED JOINTLY OR SEVERALLY BY ANY person [or persons], [or any] taxpayer, or [any] officer, department, board, OR bureau of the [jurisdiction, jointly or severally] CITY aggrieved [by any] BY:

(I) A decision of the [board of appeals, or by a] BOARD OF MUNICIPAL AND ZONING APPEALS; OR

(II) A zoning action by the [local legislative body, may appeal the same to the Circuit Court for Baltimore City] CITY COUNCIL.

(2) [Such] A PERSON FILING AN appeal shall [be taken in accordance] COMPLY with Title 7, Chapter 200 of the Maryland Rules.

(3) [Nothing in this subsection shall] THIS SUBSECTION DOES NOT change the existing standards for review of any zoning action.

(b) The court may hear the appeal on the record [or if, in the opinion of the court,] OR, IF THE COURT BELIEVES THAT additional testimony is required for the proper disposition of the [case] APPEAL, the court may [permit] ALLOW either or both sides to present additional testimony.

(c) The court shall hear the [case] APPEAL without [the intervention of] a jury.

(d) (1) [THE] IN REVIEWING A DECISION OF THE BOARD OF MUNICIPAL AND ZONING APPEALS, THE court [may reverse or affirm, wholly or partly, or may modify or remand] MAY:

(I) REVERSE IN WHOLE OR PART;

(II) AFFIRM IN WHOLE OR PART;

(III) MODIFY; OR

(IV) REMAND for further consideration[, any decision of the board of appeals].

(2) [When a case] IF AN APPEAL is remanded for further consideration, [the] ANY testimony[, if any,] taken in court shall be made available to the board OF MUNICIPAL AND ZONING APPEALS.

(3) The costs of preparing [such] THE testimony shall be made a part of the costs of the [case] APPEAL.

(e) [An appeal may be taken to the Court of Special Appeals from any decision of the Circuit Court for Baltimore City.] ANY DECISION OF THE CIRCUIT COURT OF BALTIMORE CITY MAY BE APPEALED TO THE COURT OF SPECIAL APPEALS.